

Protection from Fire Program Review: Final Report

Oregon Department of Forestry



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Executive Summary

In recent decades, environmental and social conditions in Oregon wildlands have changed. In the recent past, wildfires have been more frequent, more severe and fire seasons have been longer. Wildland-urban interface expansion, recreation growth, budget constraints, and losses of firefighting capacity and institutional knowledge compound fire protection challenges. The scope of wildfire protection responsibilities and associated prevention, readiness and suppression costs continue to increase.

Oregon's Protection from Fire Program is among the premier wildfire protection programs in the western U.S. and the largest program within the Oregon Department of Forestry (ODF). The program provides wildfire protection on about 15.8 million acres of mostly privately-owned Oregon forestland. Private and state interests in protecting Oregon forests from fire have been intertwined since the early 1900s when ODF was created. The State Forester was charged with providing a complete and coordinated fire protection system. This was accomplished by working with the existing forest protection associations and, eventually, expanding their responsibilities.

Over time these associations, ODF and protection funding evolved into today's fire protection system for Oregon's non-federal forestland. The program also provides protection on some city, county, and state land and about 2.37 million acres of federal Bureau of Land Management (BLM) forestland in Oregon. Areas protected include 3.5 million acres of wildland-urban interface. Oregon's long history of state and private landowner cooperation to fund and provide fire protection is quite unique, and now provides a model that some other state governments in the western U.S. are seeking to emulate (California Legislative Analyst's Office 2004).

The complete Protection from Fire Program has not been reviewed for several years. The 2003 Oregon Legislature directed ODF to address specific funding issues and recommend emergency fire insurance funding and coverage strategies (Budget Note #3, Appendix A). State Forester Marvin Brown directed ODF to conduct a broader review of the program, including all major program components. The purpose of the review was to identify ways to maintain and improve the program to ensure continuation of effective and efficient fire protection for Oregon's forests and adjacent communities.

The primary purpose of this document is to report on the process and recommendations of the 2004 Oregon Fire Program Review. This report also includes

- An overview of how the Protection from Fire Program and its funding structure evolved
- A summary of how the Protection from Fire Program is funded and administered today
- Discussions of the principal issues that guided the Oregon Fire Program Review

Review Process: ODF structured the review with assistance from the Institute for Natural Resources (INR) at Oregon State University (OSU). A Steering Committee that was led by ODF first convened in late 2003. The Steering Committee organized and guided six work groups:

- Budget Note #3 (Fire Funding)
- Business Systems

- Fire Prevention
- Fire Protection Coverage
- Forest Fuels and Hazard Mitigation
- Workforce Capacity

The Steering Committee and work groups consisted of state legislators, state and federal forestry agency staff, the Oregon Office of State Fire Marshal, Oregon Forest Industries Council, Oregon Farm Bureau, Oregon Grange, Oregon Small Woodlands Association and county and private landowner representatives with knowledge, expertise and/or a stake in review subjects. INR recruited research professors with relevant expertise to assist the work groups and provided technical writing support to the work groups and Steering Committee. A list of the nearly 120 Oregon Fire Program Review participants is shown in Appendix B.

Outcomes of the 2004 Oregon Fire Program Review

Each Fire Program Review work group met several times in 2004, conducted additional stakeholder outreach as needed and produced a report detailing their recommendations for revising, refining and updating fire program components. During this time, work group chairpersons attended periodic Steering Committee meetings to report on their progress. After the work group reports were completed the recommendations, over 120 in all, were collated then evaluated and integrated by a technical subcommittee of key Steering Committee members. The work groups were the subject experts, and all of their recommendations are valid. The following **criteria** were used to evaluate each recommended action:

- Is the action *high, medium* or *low* priority?
- What would be a reasonable timeline for implementing the action?
- What entity would be primarily responsible for implementing the action?
- Would implementation require new or additional agency authority?
- Would implementation require additional human resources?
- Would implementation require additional funding?
- If additional funding would be required, where would this funding come from?
- What are potential barriers to implementing the action?

These **factors** were also considered in order to focus evaluation of each recommended action:

- Increases initial attack capacity/effectiveness
- Maintains/enhances landowner/operator participation in the fire program
- Increases citizen participation/hazard and risk awareness
- Increases intermediate fire suppression capacity
- Increases large fire response capacity
- Fosters interagency initiatives, consistent with ODF mission, that increase efficiency and effectiveness

- Provides improved data/analysis to recognize and respond to changing environments (doing the same job better)
- Minimizes costs
- Minimizes resource losses and protects communities
- Enhances firefighter and public safety

After the recommendations were evaluated, comments were solicited from forest protective associations, industry representatives and ODF field staff. Responses were generally quite favorable. Several suggestions for further refining and prioritizing the recommendations were submitted. These were collated and reviewed in detail at a December, 2004 Steering Committee meeting. ODF revised several recommendations in response to that input.

INR staff prepared this final report with ODF and Steering Committee oversight. The work group reports, final report and implementation plan will be archived at ODF and INR and on their respective websites.

The final recommendations of the 2004 Oregon Fire Program Review are shown in Table 1 below, categorized by the lead group that would be primarily responsible for, or in control of implementation:

- Legislature, 2005 session
- ODF, in coordination with others
- ODF, internal implementation
- Legislature, 2007 or later

Additional explanatory detail for each final recommendation is provided in Appendix C. Readers of this final report are urged to consult the individual work group reports for detailed additional background material, documentation and references supporting the information presented here.

Implementation Plan

In early 2005, ODF drafted an implementation plan with assistance from INR. The agency will move forward with implementation upon Steering Committee approval of the final recommendations and report. Starting with high priority recommendations, specific, realistically achievable actions were identified and assigned to parties responsible for implementation. Timelines for completion, and, where possible, criteria for determining if the intent of the recommended action has been met were also identified. Some Fire Program Review work groups will reconvene periodically.

Table 1: Final Recommendations of the 2004 Oregon Fire Program Review

Lead Group for Implementation: Legislature, 2005 Session

Recommendation	Priority	Timeline	Whose Task?	New Authority ¹	Add'l Staff?	Add'l Funding?	Funding Source ²	Barriers to Implementation ³	Contact Person
3a. Continue commercial insurance; split premium 50-50	H	Mar 2005	Legis	Yes		Yes	OFLPF/ General Fund	Will need leg. support; needs to become law by March	Charlie Stone 503-945-7436
3b. Bring General Fund closer to 50% overall fire funding	H	July 2005	Legis			Yes	General Fund	Shortage of GF revenue; will need legislative support	Charlie Stone 503-945-7436
3c. Increase insurance deductible by \$10 million (GF) to \$25 million to lower premium costs; increase initial attack capability in proportion to premium savings (using severity method for allocation)	H	Mar 2005	Legis/ EFCC			Yes	General Fund	Shortage of GF revenue; will need leg. support	Charlie Stone 503-945-7436
3d. Formalize severity funding (GF) as a budgeted item	H	July 2005	Legis	Yes		Yes	General Fund	Shortage of GF revenue; will need leg. support	Charlie Stone 503-945-7436
3e. Permanently raise reserve base to \$22.5 million. (Revenue sources will be reduced by 50% in years when reserve base limit is reached.)	H	Mar 2005	Legis	Yes				Will need legislative support	Charlie Stone 503-945-7436
3f. Re-create statutory authority for district budget carryovers (debits and credits)	H	July 2005	Legis	Yes				Will need legislative support	Charlie Stone 503-945-7436
3g. Assist the formation and maintenance of rangeland protective associations by improving the situation with liability insurance through cost-sharing or alternative solutions.	M	July 2005	ODF/ Legis	Yes		Yes	General Fund RFA/VFA/ SFA	Shortage of General Fund revenue; will need legislative support	Cliff Liedtke 541-447-5658
3h. Establish 1 ODF position with S&S to provide technical support and to assist in development of rangeland protective associations.	M	July 2005	Legis., PC Work Group	Yes	Yes	Yes	RFA/VFA/ SFA	Will need legislative support	Cliff Liedtke 541-447-5658
3i. Secure adequate personnel to administer fuel reduction and community wildfire planning activities on ODF districts.	M	July, 2005, ongoing	ODF protection/ Legis.		Yes	Yes	State and federal grant	Authority for new positions or FTE	Bill Lafferty 541-664-3328
3j. Ensure that landowners can continue to participate in protecting their lands. (Also identified by Protection Coverage and Budget Note/Funding Groups; included in BN3 draft bill)	H	July 2005	Legis	Yes				Lack of understanding by other jurisdictions	Mike Robison 541-267-3161
3l. Reconcile timing of insurance and collection of harvest tax with the OFLPF fiscal year	L	July 2005	Legis	Yes				Harvest tax change will need DOR support	Charlie Stone 503-945-7436

Lead Group for Implementation: ODF, in Coordination with Others

Recommendation	Priority	Timeline	Whose Task?	New Authority ¹	Add'l Staff?	Add'l Funding?	Funding Source ²	Barriers to Implementation ³	Contact Person
2a. Assign the Protection Coverage group to continue to build local partnerships and collaboration to address improved fire protection coverage suited to local community needs and expectations.	H	Pre-2007	PC Group/ ODF/ OSFM/ counties						Cliff Liedtke 541-447-5658
2b. Develop a comprehensive training program for ODF and cooperators to enhance fire prevention.	H	July 2007	ODF/ KOG			Yes	Grants; regular district budgets	Workload; funding	Rick Gibson 503-945-7440
2c. Improve and coordinate administration and control of open burning to prevent escaped fires.	H	Pre-2007	ODF, ODA, OSFM, DEQ, RFD's					Interagency differences	Rick Gibson 503-945-7440
2d. Assign FFHM Committee to define roles, responsibilities and resources of partner organizations in wildfire hazard mitigation.	H	March 2005	FFHM					Variation among individual agency mandates, policies and cultural values,	Lena Tucker 541-726-3588
2e. Develop and support local fire coordinating groups. (LCGs)	H	July 2006	All Agencies					Defining "community", Community capacity to facilitate	Lena Tucker 541-726-3588
2f. Continue to develop a "one-stop" grant access system for fuels reduction and community planning and regularly review system performance.	H	July 2006	ODF, USFS, FEMA, DOI agencies					Agency policies and appropriations language	Lena Tucker 541-726-3588
2g. Ensure forest health and fuel reduction grant program delivery and administration are coordinated and integrated among Private and Community Forests and Protection from Fire programs. (Task federal and state technical specialists to maintain coordination.)	H	Ongoing	ODF/ USFS/ BLM/ NRCS				FF	Agency inertia	Lena Tucker 541-726-3588
2h. Develop a training module and technical assistance teams to help communities develop and update Community Wildfire Protection Plans (CWPPs).	H	July 2006	ODF/All wildland fire agencies/ Extension			Yes	NFP	Workload	Lena Tucker 541-726-3588

Recommendation	Priority	Timeline	Whose Task?	New Authority¹	Add'l Staff?	Add'l Funding?	Funding Source²	Barriers to Implementation³	Contact Person
2i. Disseminate data used to identify communities at risk to local communities, integrate information in statewide risk assessment and provide regular updates.	H	June 2005 On-going	ODF			Yes	NFP		Lena Tucker 541-726-3588
2j. Develop an integrated (local, state, federal) spatial database of treated areas, fire perimeters, current condition class, fire regimes and risk.	H	Pre-2006	ODF Feds PNWCG		Staff or Contract	Yes	Grants	Different agency data standards/ systems	Lena Tucker 541-726-3588
2k. Develop a coordinated multi-organization communication plan, including web accessible tutorials and other materials needed to prepare and implement Community Wildfire Protection Plans and communicate and promote National Fire Plan strategies.	H	July 2006	FFHM, ODF, OFRI		Contract		Grants	Competing responsibilities and messages	Lena Tucker 541-726-3588
2l. ODF should actively engage and participate in the Oregon Biomass Work Group and implementation of the biomass components of the Healthy Forest Initiative so as to promote incentives, investments and training on biomass utilization.	H	July 2007	Governor/ Legis.	Yes	Yes	yes	Grants		Lena Tucker 541-726-3588
2m. Create and maintain a database on "unprotected lands" fire occurrence (acres, cost, etc.).	H	July 2007	ODF/BLM/ USFS					Hard to quantify unreported fires	Cliff Liedtke 541-447-5658
2n. Clarify the roles and responsibilities of private landowners, county governments and state and federal wildland agencies in areas that currently lack fire protection	H	Pre-2007	AOC/ODF /BLM/ USFS						Cliff Liedtke 541-447-5658
2o. Actively communicate fire prevention, SB 360 and National Fire Plan successes to key decision makers to enhance credibility and increase support. (Also recommended by FFHM.)	M	On-going	All agencies					Staff focus on key communication strategy	Rick Gibson 503-945-7440
2p. Promote greater citizen involvement in fire prevention. (Consider an active volunteer/retiree program, a coordinator is needed for this initiative.)	M	July 2007	KOG/ODF		1 FTE	yes	Grants	Need 1 FTE volunteer coordinator (KOG)	Rick Gibson 503-945-7440
2q. Develop criteria for fuels retreatment.	M	July 2007	All agencies		Staff or contract	yes	NFP		Lena Tucker 541-726-3588
2r. For the benefit of fire prevention and protection, ODF will work closely with other agencies to facilitate extension at the county level of Goal 4 criteria to rural residential lands as well as forestland. ODF will effectively facilitate implementation of SB 360.	M	Pre-2007	OSFM, Building Codes Agency, DLCD	Yes	Yes	Yes	?		Lena Tucker 541-726-3588

Recommendation	Priority	Timeline	Whose Task?	New Authority ¹	Add'l Staff?	Add'l Funding?	Funding Source ²	Barriers to Implementation ³	Contact Person
2s. Continue to explore opportunities to use other Oregon state agency personnel (e.g.; ODF&W, ODOT, OPRD) in fire protection. Recognize that the Oregon National Guard - an active agency participant with ODF in wildfire emergency situations - may not be available during times of increased mobilization/war.	M	July 2007	ODF					Will need Interdepartmental agreements; comp. rules	Mike Robison 541-267-3161
2t. Collaborate with structural fire services, OSFM, Department of Public Safety Standards & Training (DPSST) to establish equivalencies in training curricula in order to expand utilization of personnel.	M	July 2007	ODF/ SFM/ Board of PSST					Funding, time constraints	Mike Robison 541-267-3161
2u. Develop mechanism for transferring title of FEPP equipment to local fire/rangeland districts	L	Pre-2007	ODF/USFS	Maybe				Federal regs/ guidelines	Cliff Liedtke 541-447-5658

Lead Group for Implementation: ODF, Internal Implementation

Recommendation	Priority	Timeline	Whose Task?	New Authority ¹	Add'l Staff?	Add'l Funding?	Funding Source ²	Barriers to Implementation ³	Contact Person
1a. Re-dedicate ODF program staff to fire prevention leadership and coordination (centralized prevention planning, standards development and communication to provide staff support to the districts and integrate statewide efforts).	H	April, 2005	ODF		Revise Duties				Rick Gibson 503-945-7440
1b. Develop a statewide risk assessment map and ranking process for Communities at Risk. Update at regular intervals.	H	Jan 2005	ODF					Workload, politics	Lena Tucker 541-726-3588
1c. Adopt 8-hour Single Resource Boss (SRB) Program (Southern Oregon Area Pilot Program) as the standard for training non-agency (industry) personnel, with some means of identifying between those SRBs who have received 40 vs. 8 hours of formal training. Also, identify, train, and utilize non-agency personnel that can function beyond the SRB level in local situations if needed. All of these non-agency resources would be complementary and not included in a district's MEL in order to prevent too much draw-down of a district's resources during critical fire events.	H	Jan 2005	ODF					Acceptance by federal agencies	Mike Robison 541-267-3161
1d. Identify and utilize all qualified private sector and inmate fire-fighting (personnel) resources.	H	July 2007	ODF					ODF ability to administer and manage resources	Mike Robison 541-267-3161

Recommendation	Priority	Timeline	Whose Task?	New Authority ¹	Add'l Staff?	Add'l Funding?	Funding Source ²	Barriers to Implementation ³	Contact Person
1e. Explore funding alternatives, and secure adequate funding and staffing to administer and enforce the Interagency Crew Agreement.	H	Jan 2005, ongoing	ODF			yes	Inter-agency (co-op; user pays)		Mike Robison 541-267-3161
1f. Identify critical shortage ICS positions and develop and implement a mitigation plan (recruitment, training, qualifications).	H	June 2005, ongoing	ODF					Fire experience opportunities, time, workload	Mike Robison 541-267-3161
1g. Strengthen and clarify ODF employee responsibilities to train for and participate in emergency wildfire activities. Strengthen and clarify expectations of supervisors that employee participation is expected and will be used for evaluation of supervisors' performance.	H	July 2006	ODF					Program workloads; program culture	Mike Robison 541-267-3161
1h. Update ODF Protection Training and Certification Manual to establish appropriate standards while encouraging full utilization of cooperators overhead (align with directives).	H	July 2006	ODF					Understanding and accepting the manual	Mike Robison 541-267-3161
1i. Review fitness standards for all ICS positions used by ODF, and method of evaluation at state and district levels.	H	June 2005	ODF					Collective bargaining	Mike Robison 541-267-3161
1ia. ODF should take a position that encourages required drug testing for firefighter positions, including possible Interagency Crew Agreement Contract revision to include required drug testing.	H	July 2007	ODF					Collective bargaining	Mike Robison 541-267-3161
1j. Develop an automated fire finance processing system that is integrated and interfaced with other ODF business systems.	H	March 1, 2007	ODF	Maybe (DAS)		Yes	??	Funding	Clark Seely 503-945-7203
1k. Revise "preseason" emergency fire resource contracts and agreements with contractors and landowners to make them more responsive. (Two stage process.)	H	July 31, 2005; Feb. 1, 2006	ODF					Differing objectives of contractors	Clark Seely 503-945-7203
1l. Build agency capacity by establishing Fire Program business management personnel standards and qualifications for permanent ODF positions.	H	March 1, 2006	ODF						Clark Seely 503-945-7203
1m. Build agency capacity by developing ODF-specific Fire Program business management training courses.	H	Ongoing	ODF					Workload	Clark Seely 503-945-7203
1n. Identify standards to allocate FTE between suppression, prevention and other fire management activities. <i>[Develop management accountability for delivery of prevention programs.]</i>	M	July 2006	ODF					Workload capacity	Rick Gibson 503-945-7440

Recommendation	Priority	Timeline	Whose Task?	New Authority ¹	Add'l Staff?	Add'l Funding?	Funding Source ²	Barriers to Implementation ³	Contact Person
1o. Encourage formation of, and increase ODF participation in local interagency fire prevention cooperatives.	M	On-going	ODF					Workload capacity	Rick Gibson 503-945-7440
1p. Share ignition risk information with private insurance companies and collaborate on development of incentives for landowner risk reduction.	M	On-going	ODF						Lena Tucker 541-726-3588
1q. Support reauthorization of PL 106-393 (Title II and III of the Secure Rural Schools and Communities Payments Act).	H		ODF						Lena Tucker 541-726-3588
1r. Survey non-governmental organizations to identify fire-related missions and capacities that could be leveraged to support fire protection. Develop guidelines for working with such groups.	M	July 2005	ODF		Contract	Yes	NFP		Lena Tucker 541-726-3588
1s. Update IQS database program to include non-agency overhead (industry) certification information.	H	June 2005	ODF					Workload, training	Mike Robison 541-267-3161
1t. Restore ODF's fire investigation capacity. (Also recommended by Prevention Group.)	H	July 2007	ODF					Workload	Mike Robison 541-267-3161
1u. Consider ODF-specific fire suppression contracts for 10-person initial attack/project work crews.	M	July 2007	ODF						Mike Robison 541-267-3161
1v. Improve (1) the content and process of, and (2) the capacity to manage PNW interagency "call when needed" fire resource contracts via the current Pacific Northwest Wildfire Coordinating Group (PNWCG) review.	M	June 1, 2005	ODF					Agency differences in policies and fiscal controls	Clark Seely 503-945-7203
1w. Build agency capacity by establishing final "on scene" fire business management personnel standards and qualifications (KSA's).	M	March 1, 2005	ODF					Workload	Clark Seely 503-945-7203

Lead Group for Implementation: Legislature, 2007 Session or Later

Recommendation	Priority	Timeline	Whose Task?	New Authority ¹	Add'l Staff?	Add'l Funding?	Funding Source ²	Barriers to Implementation ³	Contact Person
4a. Clarify state statutes on closures, investigators, hazardous activities, and permits.	L	Pre-2007	ODF	Yes				Will need coordination with cooperators	Rick Gibson 503-945-7440
4b. Seek federal changes (Dept. of Defense) to include fire suppression in National Guard mission and training.	M	July 2007	Congress/ NASF	Yes				Not all states support this	Mike Robison 541-267-3161
3k. Add Forest Inmate Crew Coordinator (FICC) position authority (FTEs) to increase utilization of inmate crews.	M	July 2007	Legis., SF program		Yes	Yes	Coop/ State Forest	Authority for new positions or FTE	Mike Robison 541-267-3161

List of Acronyms

AOC: Association of Oregon Counties
BLM: (U.S.) Bureau of Land Management
BN3: Budget Note #3 Work Group
BPSST: Board of Public Safety Standards & Training
DAS: (Oregon) Department of Administrative Services
DEQ: (Oregon) Department of Environmental Quality
DLCD: Department of Land Conservation & Development
DOI: Department of the Interior (U.S.)
DOR: (Oregon) Department of Revenue
DPSST: Department of Public Safety Standards & Training
EFCC: Emergency Fire Cost Committee
FEMA: Federal Emergency Management Agency
FEPP: Federal Excess Personal Property (program)
FFHM: Forest Fuels & Hazard Mitigation Work group
FTE: Full Time Employee
ICS: Incident Command System
IQS: Incident Qualification System
KOG: Keep Oregon Green Association
KSAs: Knowledges, Skills and Abilities
NASF: National Association of State Foresters
ODA: Oregon Department of Agriculture
ODFW: Oregon Department of Fish & Wildlife
ODOT: Oregon Department of Transportation
OFLPF: Oregon Forest Land Protection Fund
OFRI: Oregon Forest Resources Institute
OPRD: Oregon Parks & Recreation Department
OSFM: Oregon State Fire Marshal
PC: Protection Coverage Work Group
PNWCG: Pacific Northwest Wildfire Coordinating Group
RFA: Rural Fire Assistance
RFD: Rural Fire Department
SFA: State Fire Assistance
USFS: United States Forest Service
VFA: Volunteer Fire Assistance

Protection from Fire Program: Overview

The Oregon Department of Forestry (ODF) was created in 1911 for the primary purpose of coordinating wildfire prevention and suppression efforts on private forestlands. ODF duties have diversified and become more complex over time, but protecting citizens and forest resources from wildfire remains a primary statutory obligation of the department.

The Protection from Fire Program is ODF's largest, most extensive program and provides wildfire protection on about 15.8 million acres of Oregon forestland. This land is mostly privately-owned but also includes some city, county, state and about 2.37 million acres of federal lands, and encompasses about 3.5 million acres of wildland-urban interface (WUI). WUI areas are forestlands with residences and other human infrastructure within the reach of wildfire. Long-term maintenance of cooperative arrangements between private landowners and ODF to provide wildfire protection distinguishes the program from those in other western states.

The goal of the Protection from Fire Program is to devise and use environmentally sound and economically efficient strategies which minimize the total cost to protect Oregon's timber and other forest values from wildfire while also minimizing wildfire damage to protected resources.

Protection occurs through a *complete* and *coordinated* system of fire prevention, suppression and fuels management. Essential elements of the program include

- suppression planning and readiness
- wildfire prevention
- wildfire detection
- initial attack
- smoke management
- fuels management

Specific objectives of the program are to:

- Ensure that landowners will continue to invest in forestry in the state, knowing that their lands have effective and reasonable-cost protection from fire. The total "cost plus loss" resulting from wildfire in terms of suppression costs and damage to timber and forest values is held to minimum levels.
- Provide effective protection from fire to other forest values, such as water and watersheds, fisheries, wildlife, recreation, aesthetics, soil productivity and soil stability.
- Provide a cost effective system of fire protection that is well coordinated with local fire districts across the state and with federal and tribal wildland fire protection agencies.
- Effectively manage high-cost fire suppression resources.
- Educate forestland owners and forest homeowners about the value of fire hazard and risk reduction measures and take positive action to minimize the threat.
- Maintain air quality through the administration of the Smoke Management Plan which regulates prescribed burning on private, federal, and state and local government forestland in Oregon.

ODF receives direction from the Oregon Board of Forestry and its strategic plan, the Forestry Program for Oregon, through the Oregon State Forester. Statutory authority and guidance for the program are in ORS Chapter 477- Fire Protection of Forests & Vegetation: Protection from Fire

Program. Appendix D is an overview of these and other state and federal policies that guide and influence wildfire protection in Oregon.

The Protection from Fire Program delivers wildfire protection through two basic mechanisms:

- **District (Local) Protection:** Statewide, over 700 seasonal employees are hired to fight wildfires during the fire season, usually late spring into fall. Local crews take quick *initial attack* action on small fires. The goal is to stop more than 94% of all fires at 10 acres or less.
- **Statewide Complete and Coordinated Protection System:** When fires exceed the capability of local district forces to suppress them, funding and administrative arrangements are in place allowing districts to access a range of additional resources. These resources include aerial water and retardant tankers, smokejumpers, helicopters, additional crews and equipment, and fire management teams. These efforts are referred to as *extended attack*. The largest fires may become “project” fires.

Interagency and Intergovernmental Coordination

Wildfires frequently cross jurisdictional boundaries and no agency is big enough to handle all wildfires on lands it is responsible for without occasional assistance. Furthermore, the job of fire protection in Oregon can be most efficiently and effectively accomplished by sharing resources. For these reasons, ODF works closely with other fire protection agencies. One example of interagency cooperation is the “closest forces concept” to facilitate rapid initial response. Rather than pay each other for fire protection, the U.S. Forest Service and ODF share in attacking wildfires along common ownership boundaries and may exchange assistance free of charge across agency jurisdictions during the first 24 hours of a fire. Similarly, the 1998 Northwest Wildland Fire Protection Agreement (NW Compact) provides a framework through which Pacific Northwest states and western Canadian provinces may share resources to fight wildfires. This type of flexibility is crucial and very beneficial to the parties involved. However, in situations where agency protection priorities and responsibilities are not 100% congruent, interagency coordination of fire protection can become more complicated.

Private Landowner and State Cooperation

What most distinguishes Oregon’s Protection from Fire Program from those in other western states is the evolution and maintenance of longstanding cooperative arrangements between Oregon landowners and the state to finance and provide protection. Overall, this system has worked quite well for many decades. A comparative analysis conducted for the 2004 Oregon Fire Program Review found that “...none of the states investigated (Montana, California, New Mexico, Arizona, Colorado, Florida, and Idaho) has come up with a system that is obviously more effective than Oregon’s in providing a reliable source of emergency fire suppression funds” and that “no state queried has a system of funding as extensive as Oregon, and many of these states find themselves, year after year, returning to their respective legislatures and state finance departments to request additional firefighting resources.” (Bernell 2004, p.1-2.)

In the next sections of this report, historical background on the origins and evolution of Oregon’s cooperative approach to wildfire protection is provided to inform the subsequent discussion of

how the Protection from Fire Program is financed and administered today.

Protection from Fire Program: Origins and Evolution

Private and state interests in protecting Oregon forests from wildfire have been intertwined since at least 1907 when the Oregon Legislature created a temporary Board of Forestry in response to calls for state involvement from forestland owners (Ballou 2002). By 1910, several private forest protective associations were providing fire protection on Oregon private forestland. In 1911 the state became directly involved and the *ad hoc* arrangement under which landowners assumed responsibility for fire protection on their lands was soon adopted as official state policy.

With a range of local variants, the early forest protective associations became a template for extending protection across all private timberlands. Over time these associations, ODF and mechanisms for protection funding co-evolved in response to social and land use changes, resulting in the fire protection system for non-federal forestland in place in Oregon today. To aid in understanding how this system works, the following section provides background on:

- Forest protective associations in Oregon
- The history of fire protection funding in Oregon
- The history of emergency fire cost funding in Oregon

Forest protective associations in Oregon

Private forestland owners in Oregon recognized early that it was more effective and cheaper to protect their timber investments from wildfires by cooperating to prevent and fight fires over larger areas than it was for each landowner to organize and pay for separate fire patrols. In 1904, the Booth Kelly Lumber Company organized a patrol in eastern Lane County by inviting owners of intermingled timber tracts to cooperate in patrol work. Booth Kelly supervised the work but other costs were divided among all cooperators on a per acre basis at the end of each fire season (Fick 2004). That same year, forestland owners in Linn County agreed to pool their human resources to fight forest fires and were joined by adjacent agricultural landowners (Hamilton 1949). The first formally organized association in Klamath-Lake Counties began operating in 1908, followed in 1910 by the Coos County Fire Patrol (which became the Coos Forest Protective Association in 1948).

Also in 1910, the BOF recommended to the Governor that private forestland in Oregon should have fire protection patrols with active supervision by competent state fire wardens directed by a state forester. In 1911 the Oregon Legislature responded by reorganizing and strengthening the BOF, creating ODF and appointing the first State Forester (ODF 1982). The state also adopted a policy that private forestland owners should provide equal and adequate fire protection for their timbered and cut-over lands. In addition, cut-over lands with slash or other fire hazards were declared to be a “public nuisance”. (Ballou 2002, Fick 2004, 1911 Oregon Laws, Ch. 278, Sec. 3.)

Oregon’s nascent state forestry agency decided that strengthening and expanding the small network of cooperative associations already in place was the most efficient way to provide fire

protection across large areas and multiple land ownerships. Forestland owners were urged to organize county patrols and position themselves to assist, and be assisted by the state. In 1911-1912, the state appointed 23 supervising wardens to work with and enforce forest laws within existing associations and promote new associations in counties where they did not exist. The associations operated under an umbrella organization called the Oregon Forest Fire Association (OFFA) and were staffed by several hundred fire wardens and patrollers. Many volunteered their time, but others were employed by landowners, counties and federal agencies. (Fick 2004.)

The 1913 Forest Patrol Act made fire protection mandatory for private forestland, provided by either the landowner or the state. This marked the beginning of a longstanding principle in Oregon law that wildfire protection within forest protection district boundaries is the responsibility of the forestland owner. By the end of 1913, the number of active associations in Oregon had doubled to 16. All but one were overseen by state supervising wardens, an arrangement that led to close working relations between the associations and the state. In 1923, the state extended ODF's protection responsibilities to all 12 million acres of privately owned forestland in Oregon, and began to require fire prevention and suppression equipment at logging operations and sawmills. In general, the timber industry pushed for and supported these moves (ODF 1982). In 1925, the Forest Patrol Act was amended to create protection districts that were patrolled by the local associations and overseen by the State Forester and BOF.

As time went on, forest protection associations in Oregon evolved into a statewide system. The state continued to cooperate closely with private forestland owners, but organization, administration and boundaries of the associations shifted somewhat from year to year. Districts were often merged but in other instances were split. Legislation facilitating and requiring state involvement was periodically strengthened and refined. From about 1930 until 1960, protection in several areas was provided by the U.S. Forest Service.

After passage of the Oregon Forest Practices Act in 1971 and the advent of state regulation of private landowner forest practices, some associations decided to have the state take the lead in providing fire protection as well. This led to arrangements under which associations contracted with the State Forester to provide fire protection on association member lands, known as "reverse contracts" because they represented a role reversal from previous arrangements in which the State Forester contracted with associations to provide protection on non-member lands.

Today, forest protection organizations in Oregon reflect an ongoing legacy of private and state cooperation and the original private protective association framework. The legal requirement that landowners are responsible for fire protection on their lands remains intact and is recognized as the foundation of Oregon's cooperative fire protection system. Landowners may provide their own protection, pay an association to provide it or help finance protection provided by the state. Currently, the state has primary responsibility for administering protection on most districts but three private associations continue to operate as active protection providers. Each association is governed by a board of directors who play a key role in determining level of protection, budgeting and resource allocation for their district.

Private landowners also continue to contribute equipment and human resources to the fire protection system and continue to help finance this protection under a formula that evolved as described below.

Fire protection funding: history

Prior to 1911, fire protection was provided inconsistently across Oregon private forestlands, and protection costs were absorbed directly by the landowners. That year, ODF was formed and provided with an initial 2-year appropriation of \$60,000 from the state legislature. Except in extreme emergencies, these funds supported fire prevention, investigation and enforcement rather than fire suppression. The funds were used to pay the State Forester and part of the salaries of supervisory wardens that were appointed in counties with significant amounts of timber. If a wildfire broke out, the state's primary role was to help coordinate resources and manpower among timber owners, sawmill owners, loggers, farmers and other stakeholders in the area. (Fick 2004.)

Also in 1911, the U.S. Congress passed the Weeks Law which provided funds for the states to hire patrollers to assist in protecting watersheds of navigable streams from wildfire. Fick (2004) reports that 23 state-employed county supervisory wardens, 32 wardens employed by the State Forester but paid through Weeks Law appropriations, 192 fire patrollers employed by private timber owners, 177 USFS wardens, and 173 volunteer wardens were working at that time. In 1924 the Weeks Law was updated and replaced by the Clarke-McNary Law. To obtain funds under this law, a state had to provide the same degree of protection to cut-over lands as it did to merchantable timber.

Policy of landowner assessments is established

With passage of the 1913 Fire Patrol Act, Oregon forestland owners who were unable or unwilling to provide protection on their lands began to be assessed fees (initially \$.02 per acre) to pay for protection provided through the State Forester. In counties with an existing protective association, such lands were patrolled by that association. At the end of each fire season, protection costs were determined and became a lien on the land to be paid to the county with the next year's property taxes. The state could not advance funds for protection, and costs were not known in advance, so the state and associations entered into contracts under which the associations paid for protection one year and were reimbursed the next. (Fick 2004.)

Three state patrollers paid from assessments collected under provisions of the Forest Patrol Act were assigned to Wheeler, Morrow, Umatilla, Grant and Baker counties in eastern Oregon where there were no existing protective associations, and operated as the John Day State Patrol- the first wholly state organized patrol.

State and associations contract to protect some federal lands

As part of a series of land grants to facilitate development of railroads in the west, the U.S. Congress in 1866 granted odd-numbered sections within a 40-mile wide railroad right of way from the Oregon-California border to Portland to a firm known for a time as the Oregon and

California (O & C) Railroad Company. The railroad line was completed in 1887 although the company changed hands several times due to financial difficulties and was eventually taken over by the Southern Pacific Railroad. A grant was also made to facilitate construction of a wagon road from Roseburg to Coos Bay, a project that encountered problems similar to those of the O & C Railroad. (Fick 2004.)

Under the terms of the grants, no more than 160 acres were to be sold to any one purchaser for not more than \$2.50 per acre. By 1894 Southern Pacific had sold land to less than 50 purchasers, often to speculators and lumber companies in tracts thousands of acres in size, and for as much as \$40 per acre. These failures to comply with grant provisions led to a series of legal actions between 1908 and 1919 in which titles to the O & C Railroad Grant and Coos Bay Wagon Road lands were revested back to the federal government. Initially, the USFS patrolled O & C lands that were intermixed with national forests, and contracted with associations and state districts to provide protection on O & C lands intermixed with non-federal lands. (Fick 2004.)

In 1937, administration of O & C lands was transferred to the Bureau of Land Management (BLM) which contracted with the OFFA to protect them and other intermixed federal lands. A similar agreement was made between the OFFA and BOF to provide protection on intermixed federal lands in Northwest Oregon, Polk-Benton, and Southwest Oregon State Districts. In 1952, the BLM turned over protection responsibilities on these lands to the state under an agreement which in 1988 became a contract, renewable at five-year intervals. Today, the Protection from Fire Program provides wildfire protection on about 2.37 million acres of BLM forestland, primarily in western Oregon.

Keep Oregon Green Association

In 1940 the Keep Oregon Green (KOG) Association was established to promote wildfire safety and prevention. The association was established independently, but served as a publicity agency and much of their operating budget is dispensed through ODF, an arrangement that continues today. KOG is funded through landowner assessments as a line item in district budgets. in district budgets Due to budgetary constraints, a couple of districts have opted to either not provide funds to KOG or to pay less than the full assessment.

Emergency fire cost funding: history

Readiness, prevention and detection costs associated with protecting Oregon's forests from wildfire tend to be relatively uniform from year to year, but fire suppression costs can vary tremendously in response to multi-year climate trends, seasonal weather patterns and random or multiple ignition events. Costs can escalate rapidly when initial attack efforts are unsuccessful and significant amounts of additional human and equipment resources are mobilized and deployed on extended attack or project fires. Being ready to cope with these large, unpredictable cost fluctuations is a primary challenge for the Protection from Fire Program.

By the late 1920's, protective associations realized that fire suppression costs in dry years were causing owners of low value timberland to drop their association memberships, or let their lands

go tax delinquent. This was placing additional burdens on remaining landowners. In 1930, the associations formed a mutual insurance fund that was overseen by the OFFA. Each association paid into a fund for insurance against fire fighting costs in excess of a deductible set at twice the average annual costs for the preceding 5 years. The Central Fund, as it came to be called, was initially financed with 65% of each association's Clarke-McNary allotment for a total of \$25,400. In 1936, the OFFA purchased a \$200,000 insurance policy from a private firm with a \$50,000 deductible to be paid from the Central Fund. (Fick 2004.)

The Central Fund and supplemental insurance worked well for several years, including the 1933 Tillamook Fire, but the fires of 1945 caused the fund to fold. In 1946, the BOF authorized creation of the Emergency Fire Cost Fund to replace it, using \$125,000 in Clarke-McNary funds annually. By 1949 the fund reached \$250,000 and the BOF was authorized to increase the reserve base to \$500,000. In 1953, the fund was augmented by a harvest tax of \$.04 per thousand board feet (mbf) for western Oregon lands protected by the State Forester. The tax was reduced to \$.02 when the fund reached \$750,000.

Oregon Forest Land Protection Fund established

In 1959, the legislature began assessing eastside forestlands \$.01 per acre to finance a similar fund for eastern Oregon, later augmented by a harvest tax of \$.02 per mbf for all eastside forestlands administered by the State Forester. There were problems with maintaining the solvency of this fund after tough fire seasons. In 1969 the Oregon Forest Land Protection Fund (OFLPF) was created by combining the west and east side funds. The OFLPF remains a key component of the Protection from Fire Program by providing funding when costs for wildfire suppression resources exceed the districts' capacity to absorb them within their regular budgets.

Taxes, assessments and surcharges to fund the OFLPF have been increased periodically to account for inflation and rising fire suppression costs. The OFLPF reserve base has been incrementally raised for the same reasons, to \$6 million in 1986, \$10 million in 1989, \$15 million in 1991 and temporarily to \$22.5 million in 2003. After the 1987 fire season the law was changed to cap the total amount that can be paid out of the OFLPF annually at \$10 million. The cap was temporarily raised to \$15 million in 2003.

Supplemental insurance was purchased starting in 1973 (except 1976 and 1986 when premium costs were prohibitive) and is still purchased to this day.

Landowner liability for wildfire suppression costs

Originally, forestland owners who paid the state or a private association for protection services had no additional financial obligation if a fire occurred. Partially in response to the 1933 Tillamook Fire, which is generally thought to have been ignited by a logging operation, this legal framework was modified in the late 1930's to stipulate that forestland owners are responsible for additional suppression costs if the landowner:

- Is willful, malicious or negligent in the origin or subsequent spread of a forest fire.
- Is conducting a forest operation.
- Has allowed an extra slash hazard to exist.

If an individual landowner/operator is willful, malicious or negligent in the origin or spread of a fire, or the fire originates in, or spreads to a designated area of additional fire hazard they are liable for the total cost of the fire. There is no limit or cap to liability. Landowner and operator are considered as one entity in the law.

If a fire results from a forest operation or burning, and the landowner/operator is *not* willful, malicious or negligent in the origin or subsequent spread of the fire, and the fire did *not* originate on or spread to a designated area of additional fire hazard, they are still liable for providing every reasonable effort (defined in statute) on the fire plus up to \$300,000 of the State Forester's costs (costs beyond the local district resources used on the fire). They are not charged for district costs.

The Protection from Fire Program Today

This section summarizes regular district funding, emergency fire funding, severity funding and other revenue sources that currently support the Protection from Fire Program, followed by a short discussion of how the program is administered.

Regular ODF district and association fire budgets

Funding sources

Regular annual district fire budgets are funded from acreage assessments on private, city, county, state and federal forestland, and from the state General Fund. These assessments are calculated by dividing the budget by the acres protected. Assessments on private timber and grazing lands are split 50-50 between public and private sectors. Higher value timberland is assessed more per acre than lower value grazing lands. The Public Share Fire Fund is the public match of the private landowner acreage assessments, appropriated to ODF from the General Fund. City, county, state and federal landowners pay the entire acreage assessment. Additional funds come from minimum assessments of \$18 on each lot of record, which helps defray some of the additional administrative and operational costs of providing wildfire protection on small parcels. Fifteen dollars of each \$18 minimum assessment goes to regular district budgets and three dollars goes to the OFLPF.

Budgeting process

Using fire history analysis, and fuels and suppression response modeling, the district forester and staff for each district prepare a tentative budget intended to minimize combined costs of protection and resource value losses. The budget is based on what would be needed in an “average bad” fire year, as determined by the district forester working with district staff and the association board of directors. A committee of forest protective association board of directors representing major industrial and small woodland owners and, if applicable, grazing land owners in the district reviews the budget in detail with the ODF district forester or association district manager.

After review and change as necessary, the association president certifies that the association agrees that the budget is adequate to meet the district’s needs in an “average bad” year and the association’s board of directors recommends budget approval to the BOF. Each year, a public meeting is advertised locally and held to formally address stakeholder questions or concerns about the budget. Depending on fire season severity, districts may have a surplus or deficit at fiscal year end. A surplus counts as a credit against the next year’s budget for that district, reducing the assessment rate. A deficit counts as a debit and increases the next year’s assessment rate. (Legal details of the district budgeting process are in ORS 477.205–407.281.)

Emergency fire cost funding

Oregon Forest Land Protection Fund and supplemental insurance

The OFLPF (administered by the Emergency Fire Cost Committee) operates on an insurance principle in which landowners pay into the fund through a variety of means. The OFLPF

reimburses “extra” suppression costs for the less than 5% of fires that exceed the capability of regularly funded local district protection forces, after district deductibles are met.

OFLPF funding comes from:

- A harvest tax of \$.50 per thousand board feet of timber harvested in Oregon
- \$.06 per acre assessment of ODF-protected grazing land statewide
- \$.06 per acre assessment of ODF-protected timberland east of the Cascade summit
- \$.04 per acre assessment of ODF-protected timberland west of the Cascade summit
- \$3 out of each minimum assessed lot (small lots where, figured on an acreage basis, the assessment for forest protection would not reach \$18)
- \$38 surcharge on each lot with an improvement on it (house, shed, utilities etc.). In establishing this surcharge, the Legislature used the logic that the cost of fire suppression tactics and the incidence of fire are much higher where homes are involved.

(NOTE: These revenues are *not* matched by the General Fund.)

Revenue from these sources totals nearly \$8 million per year. Payments are held in trust and invested by the State Treasurer, and accumulate until needed or until the legislatively mandated reserve base is reached. If the unencumbered fund balance exceeds the reserve base, no harvest taxes, land assessments or other surcharges are collected until the balance falls below the reserve base and needs to be replenished. If districts’ fire suppression cost claims temporarily exhaust the OFLPF, the State Treasurer is authorized to transfer a “loan” to the fund up to the reserve base. If assessments, harvest taxes and surcharges for that year are inadequate to repay the loan, the State Forester is required to increase them sufficiently to retire the debt the following year.

In addition, supplemental insurance is purchased (currently through Lloyds of London and several other insurance carriers) with the intent that the insurance deductible plus coverage should increase available fire fighting funds to about \$45 million. Oregon is able to obtain this type of insurance coverage because of its long history of effective fire protection. Ultimately forestland owners are responsible for any deficits incurred up to the reserve base limit of \$15 million.

Eligibility for OFLPF funds

To be eligible for OFLPF funds, a district must meet a per fire season deductible on expenses for resources beyond those available within the district budget. The deductible is currently \$.08 per acre on forestland and \$.04 per acre on grazing land, and can be adjusted annually by the Emergency Fire Cost Committee. A \$25,000 daily deductible also applies on the first day of a fire or series of fires in any one day, up to a maximum of \$.15/acre on forestland and \$.06/acre on grazing land. This deductible applies on a per fire/per day basis. If a district experiences multiple high cost fires in a single day, only one \$25,000 deductible applies. Further, only one deductible applies for each fire in the event that the fire continues for more than one day.

Deductibles must be paid from the district budgets. If deductibles are not met in a below average fire season, the balance becomes a credit against the next year’s budget. Once deductibles are met, districts may claim fire suppression costs from labor, services, transportation, supplies,

equipment reconditioning and rental, and resources used to recover emergency fire suppression costs (OAR 629.061.000 and -0020).

Emergency Fire Cost Committee (EFCC)

The EFCC is appointed by the BOF and administers the OFLPF to equalize suppression costs and pay administrative expenses across all forest protection districts after each district meets its deductibles. Landowner representatives serve on the EFCC, which generally meets quarterly in Salem. Meetings are advertised and open to the public. OFLPF expenditures by districts are audited annually to ensure that they are consistent with established guidance and administrative rule. Primary authority and structure for the OFLPF are established by the legislature and can be found in ORS 477.750 – ORS 477.970.

Severity funding

Regular annual district budgets are based on forecasted “average bad” fire conditions rather than the worst case scenario. With careful analysis of fuel and weather conditions, and other factors, the most severe fire risk days of the fire season can usually be predicted. If “severity” funding is available to deploy additional resources and increase rapid initial attack capability on these days, large fires and their associated costs can be reduced. On occasion, past Legislative Assemblies or Emergency Boards have authorized use or appropriated General Fund moneys to supplement regular district resources with additional crews and tactical support during predicted periods of extreme fire danger or resource shortages.

Severity funding was used to deploy additional resources on the most severe fire risk days in 2003 and to replace cancelled federal air tanker resources in 2004. Fire conditions in 2003 were as bad as or worse than the record fire season of 2002, but costs of fires and acres burned were much lower- evidence that severity funding does help the state reduce wildfire costs and losses. Conditions in the latter part of the 2004 fire season were much less severe than forecasted, but the severity resources were still credited with some significant acreage and cost savings.

Other revenue sources

Wildfire cost recovery

Under Oregon law, “any person”, whether landowner or not, is liable for the total cost of a fire if willful, malicious or negligent in the origin or subsequent spread of the fire. ODF maintains an aggressive fire cost recovery program in which all fires are investigated to determine specific causes and costs are recovered from the responsible party (if they can be identified) to reimburse the local district and OFLPF for funds spent on fire fighting. In cases where the responsible party is found to be willful, malicious or negligent, total costs may be recovered. This program has recovered almost \$9 million since 1980. If the fire was *not* caused by a willful, malicious or negligent act but resulted from a logging operation or slash burning, liability is limited to a maximum of \$300,000 plus the landowner/operator’s “every reasonable effort” responsibility.

Smoke management funds

The Protection from Fire Program smoke management services subprogram receives revenue from private landowners and federal agencies conducting controlled burns based on number of acres registered and burned, from harvest taxes and from specific contracts for forecasting services. General Funds previously dedicated to the smoke management program were removed by the 2003 legislature. Increased fees for pile burning were initiated to replace these funds to maintain current services.

Other federal fund sources

ODF receives payments from the BLM under a contract to protect all western Oregon and some eastern Oregon BLM lands. The U.S. Forest Service State Fire Assistance (SFA) program provides funding that is used to offset headquarters staff costs and to fund special projects such as the arson patrol and lightning tracker programs. If a wildfire threatens or involves homes on a large scale, the Federal Emergency Management Agency (FEMA) may reimburse 75% of fire suppression costs for the period that the structures are threatened and possibly some costs for resources that are pre-positioned for up to 21 days. Federal grants are also available for fuel reduction, wildfire prevention and planning. (A detailed summary of grants is provided as an appendix in the Forest Fuels and Hazard Mitigation Committee report.)

A stylized illustration of the major components of Protection from Fire Program funding is shown in Appendix E.

Administering the program

Forestland owners continue to have the same three options, dating back to 1911, for complying with the obligation to provide fire protection on their lands:

- Providing their own protection in a manner approved by the BOF
- Joining an association of landowners whose protection system is approved by the BOF
- Letting the State Forester and ODF provide protection using revenues generated from an annual forest patrol assessment on their lands

It is still possible, but generally not cost-effective, for a single private forestland owner to meet BOF wildfire protection standards on their own, so none currently choose to do so. About 50% of private forestland in Oregon, including nearly all corporate-owned forestland, is currently protected through membership with one or more of 12 forest protection associations. Lands not included in a protection association (tax roll lands) are protected by the State Forester, either directly through the Protection from Fire Program, or through a contract with a protection association. If, at some future time, an association or landowner decides it is in their best interest to provide their own protection, they are free to do so as long as their protection system meets BOF approval.

Administrative and Forest Protection Districts, and Forest Protective Associations

ODF administers the Protection from Fire Program through Northwest Oregon, Southern Oregon and Eastern Oregon Areas. Each area is subdivided into several administrative forest districts,

most of which are overseen by an ODF District Forester. With some exceptions, each administrative district has a forest protection district or association with identical boundaries. Exceptions include the Northwest Oregon Forest Protection District and Northwest Oregon Protective Association which encompass the Forest Grove, Tillamook and Astoria Districts, and the East Oregon Forest Protective Association which includes the Northeast Oregon and Central Oregon Districts, and Linn Association which has some of its lands in the North Cascade District and some in the South Cascades District.

There are also three remaining private associations with primary responsibility for fire protection- the Walker Range Forest Patrol Association, the Coos Forest Protective Association and Douglas Forest Protective Association. In these three districts, management responsibility falls to a district manager employed by the respective association.

A representative of the State Forester, the respective Area Director, serves as an advisory member to the Board of Directors of each association.

Appendix F includes a table of Oregon forest protective organizations in the Protection from Fire Program and the districts in which they operate, a map of forest protection districts, and a table that can be used to compare how wildfire protection is provided across a range of different private, state and federal jurisdictions in Oregon.

The Protection from Fire Program includes Fire Operations, Fire Business, and Fire Policy and Prevention units. An organizational chart for the program is shown in Appendix G.

Fire Protection in Oregon: Issues and Challenges

Overview

Nearly one hundred years ago, wildfire protection was ODF's original mission. Since then, the agency has adapted to a range of social, demographic, and ecological changes as uses and demands on Oregon forests have increased and diversified. In calling for a comprehensive review of the Protection from Fire Program, the State Forester recognized that a number of interrelated trends influence the program and its day to day operations. The principal issues that were addressed during the review are introduced below and discussed in greater detail in subsequent sections.

The level of hazardous fuels in dry eastside and southern Oregon forests is a critical issue for the Protection from Fire Program. Interactions among past land management practices, fire suppression, insect and disease outbreaks, and climate have resulted in what many experts believe are uncharacteristically high fuel accumulations in these areas. Evidence suggests that fuel buildups are a primary factor in rising fire frequency, intensity, severity and size.

Fire risks and suppression costs are exacerbated by greater numbers of people living and recreating in forests. Eastside and southwestern Oregon communities have expanded rapidly in recent decades, especially WUI areas where community boundaries abut forestlands. Many of these areas have high fuel loadings. ODF is charged by statute with protecting, in order: 1) human lives, 2) forest resources and 3) homes and other structures. People moving to WUI areas often expect structural fire protection similar to what they experienced in cities. The presence of homes in forests complicates wildland firefighting by forcing agencies to adjust their tactics when these homes are threatened. This happens with increasing frequency. Severe fires and more complex suppression roles require greater workforce, equipment and financial resources.

At a time when fires are becoming more frequent and severe, and firefighting is more complicated, ODF's experienced wildfire workers and senior staff are aging and retiring faster than they are being replaced. In addition, availability of forest industry human and equipment resources to assist with fire suppression has declined in many areas. Availability of contract fire crews and equipment has increased, but regulatory and administrative constraints can hinder ODF's ability to utilize non-agency industrial and contract resources as effectively as it could. The agency is in the process of updating its business systems, including efforts to streamline the use and tracking of contract resources and to take advantage of new technologies.

After several decades of being relatively similar, management practices on private, state and federal forests in Oregon have diverged in recent years. The level of management activity and intensity remains high on many private timberlands, but has declined dramatically on most federal forests, where recreation, water quality, wildlife habitat and other values have become more prominent management goals. At the same time, there have been major reductions in federal land management agency budgets and staff. Federal, state and private fire protection priorities and strategies also differ in some significant ways, which can complicate landscape level protection efforts.

There are fewer wildfire ignitions associated with forest industry operations than in the past, but this is offset by rising numbers of fires caused by wildland recreationists and non-industrial landowners. There is a continuing need for fire prevention programs to adapt and account for these trends. Also, there are several million acres of mostly private wildlands in Oregon that have no organization responsible for wildfire protection, mostly in non-forested, remote and sparsely populated areas.

Oregon's fire protection strategy has served the state well but providing protection is more challenging, complex and expensive today than ever before. The issues cited above and discussed in greater detail below guided the Oregon Fire Program Review Steering Committee in structuring the review, and framed the recommendations that the work groups developed.

Fire Program Funding

The formula for funding the Protection from Fire Program has not been significantly revised for 15 years. In addition to the ecological, managerial and demographic changes that have occurred in Oregon forests, unstable insurance markets, declining values of east side timberlands and rising firefighting costs have added to the challenges of maintaining effective fire protection.

As the Oregon Legislature convened in 2003, Oregon had just experienced two of its three costliest fire seasons in the last thirty-five years. Claims in excess of \$4 million (2001) and \$19 million (2002) had been made against the EFCC catastrophic fire cost insurance policy, the nation and the international insurance industry had been shaken by the September 11, 2001 terrorist attacks, and the State of Oregon was in the midst of a billion dollar General Fund revenue shortfall. Under these circumstances, there was considerable concern about the future viability of the state's emergency fire funding mechanisms.

In Budget Note #3 (Appendix A) the 2003 Oregon Legislature directed ODF to form a group including legislators, the EFCC, the Department of Administrative Services, landowners and the Legislative Fiscal Office to examine these funding mechanisms and "...ensure that sufficient funds are available to reasonably respond to anticipated emergency fire protection needs over time." As directed in the budget note, ODF assembled the Budget Note #3 Work Group, which initially concluded that:

- Large fires result from multiple incidents that overwhelm the system (e.g., a far ranging lightning storm), difficult access fires on a few critical fire weather days per year, and differing land management and fire suppression practices across jurisdictions. Thus, large fires are likely to continue to occasionally occur.
- The Oregon General Fund is the payer of last resort for costs of suppressing large wildfires on ODF protected lands. The best ways to keep these costs down and protect the general fund are to focus on prevention, readiness and initial attack to put fires out when they are small.
- Oregon has a world-class firefighting organization that is strengthened by longstanding collaboration among landowners and ODF. Maintaining this relationship and funding for

adequate district level protection is imperative. Any proposed change should not have the effect of converting forestland to non-forest use or lessen landowner participation in the coordinated fire-fighting system.

- Insurance markets have stabilized. It still makes financial sense for the state to purchase catastrophic wildfire coverage as it has for many years in the past. Premium costs can be reduced by raising the deductible on the insurance policy.
- Severity funding (additional, discretionary money that can be spent to mitigate risk during more severe fire seasons) is a critical issue. Money saved by raising the insurance policy deductible can be used for severity funding.
- Central, eastern and southwestern Oregon areas consistently draw more suppression funding resources from the state than they contribute. Relatively lower land and resource values in these areas preclude raising protection rates on landowners to the degree required to cover actual costs.

It is difficult to precisely quantify the balance of benefits of wildfire suppression to the general public, rural residents and forestland owners or the contributions of these sectors to fire prevention, readiness and suppression. It is a little less difficult, but still not entirely possible to accurately apportion the cause, size and cost of wildfires to these sectors. The Budget Note #3 Work Group further concluded that:

- The general public, rural residents and forestland owners benefit from wildfire suppression through protection of water supplies, air quality, maintenance of wildlife habitat, recreational opportunities, quality of life, protection of public safety and personal property, and maintenance of indirect economic benefits of the timber industry. Fires close to communities, highways or railways can affect local and even regional commerce.
- Forestland owners and rural residents also benefit from protection of their properties and income-producing timber. Homeowners can insure their properties for replacement value, but no such insurance is available for timber crops.
- Statewide, wildfires in Oregon are caused in roughly equal proportion by 1) lightning, 2) forestland owners and their agents, including rural residents in forested areas, and 3) the visiting public. The number of lightning caused fires varies considerably across different state regions while the split in human-caused fires is relatively consistent throughout.
- The majority of human-caused wildfires are not arson-related but some are. Anyone who causes a fire deliberately or through negligence is liable for the full suppression cost if they can be detected and successfully prosecuted.
- Forestland owners who have a fire start while conducting operations must participate in fighting the fire to the extent that they have resources available to do so even if they are not found to be negligent. They are additionally liable for up to \$300,000 in emergency costs of the State Forester.
- The general public causes fires in numbers equal to and in some areas greater than landowners and their agents. The general public are less frequently held directly responsible for suppression costs resulting from their actions, either because they cannot be identified or don't have the means to pay. Members of the general public are not called upon individually to participate in wildfire suppression activities.

- The general public helps fund the fire protection system through their tax contributions to the state's General Fund.
- Rural residents in forest protection districts and forestland owners, in addition to General Fund contributions, pay for fire protection through forest patrol and emergency fire assessments. Many forestland owners develop and maintain considerable firefighting resources that are supplementally available to the State Forester and forest protective associations to suppress fires.

The Budget Note #3 Work group analyzed the types and amounts of wildfire protection provided on Oregon forestlands, emergency fire cost revenue sources and how costs are distributed between public and private sectors. The group explored options for refining the existing funding formula, and made recommendations intended to assure that the funding structure for Oregon's fire protection program remains robust in future years. (See Appendix E.)

Forest Fuels and Hazard Mitigation

According to many scientists and forest managers, wildfire fuels have accumulated to uncharacteristically high levels in drier forest ecosystems causing fire risk, frequency, intensity, severity and size (and associated suppression costs) to increase. This conclusion has led to intense interest in reducing fuels in fire prone landscapes.

Key Points:

- Low intensity fires were historically frequent in dry interior western U.S. conifer forests, and were key to maintaining wildfire resilience, forest structure and ecosystem health
- Fire return intervals, fuel accumulations and other fire regime characteristics are no longer within their historical range of variability in many dry conifer forests
- Fuels have accumulated to uncharacteristically high levels due to various combinations of fire suppression, timber harvesting, grazing and other land uses
- Dense stands of small trees resulting from fire exclusion and other land uses are more prone to being killed by insects and disease, which in turn adds to the amount of dry, flammable fuels
- Climate variability and climate change may further exacerbate fire risk due to multi-year dry periods and/or extended drought, overall warmer, drier climate patterns, reduced winter snowpack and longer fire seasons
- Fuel buildups have significantly increased the risk of uncharacteristically large and severe wildfires in many dry conifer forests
- Many forest managers see the need to return fire regimes (e.g. frequency, intensity) to their historical range of variability in dry forests to restore and maintain healthy, fire resilient forest ecosystems
- Restoring fire to its natural role in these ecosystems will be risky and problematic in many areas until fuel loading is significantly reduced by non-fire methods
- Mechanical removal of wildfire fuels at the landscape level in wildland areas remains somewhat controversial, but there is widespread agreement that fuel reduction in WUI areas near communities is urgently needed

- Significant funding for fuels reduction is now available but the scope of the problem is huge, and prioritizing, coordinating and implementing projects across jurisdictional and ownership boundaries is complex

Wildfire is a natural disturbance process in forest ecosystems, but decades of fire suppression, land use changes and climate interactions have led to forest health problems, flammable fuel buildups and uncharacteristically severe wildfires, especially in dry ponderosa pine and Douglas-fir forests. WUI areas of communities in these forests continue to expand rapidly so when fires break out, more people and structures are at risk than ever before.

Forest *fire regimes* (fire intensity, frequency, season, size, extent and effects) vary widely with location. An important component of a fire regime is the *fire return interval*, or average time between fires. Prior to Euro-American settlement large, stand-replacing crown fires probably occurred in Oregon coastal forests every 100-400 years. Fires typically visited westside Cascade forests somewhat more frequently depending on elevation and local weather patterns. Mostly lower intensity surface fires returned to drier eastside forests as often as every 4-20 years.

Active wildfire suppression began to be codified in public policy by the early 1900's, but was not widely effective until the advent of modern vehicles and road systems in the 1940's. Thus, fire in coastal forests with long fire return intervals may still be functioning largely within its *historic range of variability*, or HRV. (HRV refers to the range of variation in ecological conditions prior to extensive Euro-American influences, and is used by scientists to estimate "natural" conditions for an area.) However, some central, northeastern and southwestern Oregon forests have missed as many as 7-10 fire return intervals and are thus far outside of the HRV for fire. Fuel buildups and wildfire hazards are the greatest in these forests.

Several factors contribute to fuel buildups and increased fire risks

In drier Oregon forests, biomass (trees, needles, leaves, branches, etc.) accumulates faster than it decomposes. Historically, frequent low intensity fires often ignited by lightning, but also by Native Americans kept these accumulations in check, usually sparing larger trees. Low intensity surface fires promoted regeneration of fire-tolerant ponderosa pine and Douglas-fir (but controlled numbers of surviving seedlings), maintained open forests of large fire resistant trees, reduced biomass, cycled nutrients, decreased disease and insect impacts, and provided habitats for wildlife species that favor open stands.

Today, wildfires in these ecosystems are increasingly large and severe due to a number of inter-related factors, any one of which may be relatively more important in a particular area, depending on local conditions and land use history.

Small diameter tree density and brushy undergrowth have increased

After decades of fire suppression, drier Oregon forests now often contain uncharacteristically high levels of flammable, dense stands of small trees, brushy undergrowth and needles, twigs and leaves. Harvesting of larger, more fire resistant trees and livestock grazing, which reduces perennial grass cover and disturbs soils, providing a foothold for tree seedlings, have also contributed to development of uncharacteristically dense stands. These stands are more prone to

tree-killing insect and disease infestations than more widely spaced stands. Greater numbers of dead trees further exacerbate fuel loadings.

Species composition changes also increase fuels and fire intensity

Ponderosa pine and Douglas-fir develop thick bark and high crowns which protect them from surface fires. Fire sensitive species such as grand fir are a component of mixed conifer forests, but most seedlings are eliminated under frequent, low intensity ground fire regimes. Fire exclusion has resulted in more of the landscape occupied by forests with a dense understory of shade tolerant, fire sensitive fir. These trees have thin bark and retain low branches making them susceptible to virtually all fires in which they often serve as ladder fuels to the overstory and facilitate intense crown fires in areas that rarely experienced them historically.

Climate and fuel interactions may increase wildfire risks

The Pacific Decadal Oscillation (PDO), a 20-40 year oscillation in north Pacific Ocean currents, is correlated with multi-year periods of wetter or drier summers, and significantly higher fire risks in drier periods. Scientists remain uncertain about relationships between the massive (perhaps 500-year) drought that the western U.S. is currently experiencing, and decadal climate variation and longer term global warming but drier, longer summers clearly increase fire hazards and risks. Long-term moisture stress makes trees more susceptible to pathogens such as bark beetles, which exacerbates stress and can push trees past survival thresholds, causing forest die-offs and increased fuel loadings from dead trees. Warmer winter temperatures resulting from global warming may be reducing winter snowpack and lengthening summer fire seasons.

The role of hazardous fuel mitigation in reducing wildfire severity and costs

Severe wildfires can threaten human safety, homes, community infrastructure, fish and wildlife habitat, timber resources, soil productivity, air and water quality, and esthetic values. Attempts to suppress large, severe wildfires can be very costly, especially when wildland fire agencies are diverted from the surrounding landscape and community fire protection resources are mobilized to protect structures in the path of wildfire. Values at risk, suppression costs, and the likelihood of severe wildfire events in the future have spurred intense interest in proactive silvicultural fuels treatments to mitigate wildfire intensity, severity and size and increase the chance of rapidly suppressing fires once they start.

Expenditures on proactive fuels treatments are natural resource investments. The challenge is to strategically target and maintain these investments to maximize returns, which may include increased public safety, private property protection, municipal water quality, reduced wildfire suppression costs, timber resource protection, improved forest health, resilient fire adapted ecosystems, better wildlife habitat and esthetic values.

Mitigating forest fuel hazards near WUI communities in dry forests is now a widely accepted policy, and recognition is growing that citizens have a critical responsibility to actively reduce fire hazards on their properties. Public agencies have initiated efforts to reduce hazardous fuels and increase community wildfire readiness as directed by the National Fire Plan (NFP 2000) and Healthy Forests Restoration Act (HFRA 2003). Significant funding for fuels reduction is now available but the scope of the problem is huge and prioritizing, coordinating and implementing

projects across jurisdictional and ownership boundaries is complex. Moreover, Oregon communities at risk for wildfire vary widely in capacity to prioritize projects and mobilize resources necessary to deal with hazardous fuel buildups in their WUI areas.

The HFRA explicitly directs the USFS and BLM to collaborate with local governments and communities to develop Community Wildfire Protection Plans (CWPPs) that identify and prioritize areas for hazardous fuel treatments. The FFHM Committee recommended ways that ODF can help communities optimize investments in fuels reduction, encourage fire-safe citizen actions and maximize returns over time as the NFP and HFRA are implemented. Strategic prioritization and efficient implementation of community level fuels projects, coupled with incentives for homeowners to reduce fire hazards on their properties may be the most cost effective ways to mitigate wildfire risks, impacts and costs in Oregon forests and WUI areas.

Fire Protection Coverage

From the start, the areas of private forestlands in Oregon protected from wildfire and the level of protection provided have been closely tied to affected landowners' needs, willingness, and ability to pay. A system of private fire protection associations began to coalesce in the early 1900's, under which member landowners controlled all decisions concerning funding and protection level. By design, this system did not protect all forestlands. Over time, some associations went out of business, legislation was passed requiring and facilitating greater state involvement, and ODF gradually assumed fire protection responsibilities on most private forestland in Oregon.

One outcome of this evolving process is that today about 6 million acres of mostly private wildlands in Oregon have no agency or organization responsible for preventing and suppressing wildfires. Most of these lands are non-forested, in remote areas, with low population density. Relatively low resource values hamper landowners' ability to pay land and timber assessments to help defray wildfire protection costs. When a fire occurs in unprotected areas, local landowners may take action to suppress it, or organizations responsible for adjacent lands that are threatened may do so to protect their own interests. Fairly often, no suppression action is taken.

Locally established and funded Rural Fire Protection Districts (RFPDs) primarily provide structural protection, emergency medical care, search and rescue, and related services. The rural structural fire protection system has evolved and expanded but some isolated structures, as well as some subdivisions and small developments, still lack structural fire protection. Depending on the nature of the district, an RFPD may provide some level of wildland fire protection, but RFPDs often have limited capacity to serve lands outside their districts.

Most wildfires that occur on lands without organized protection remain small with suppression action taken by local landowners or no action at all. However, a few become large fires that damage adjacent landowners' resources, structures and improvements, threaten public safety, cause impacts to residents and the general public such as closing highways, and are expensive to suppress. The record of these fires is incomplete but since 1996 there have been at least 120 that burned over 240,000 acres with suppression costs approaching \$9 million. Suppression costs

averaged about \$2 million for the 4 largest fires but only about \$8,400 for the remaining 117. Legislative efforts in 1997, 1999 and 2003 to address the issue of lands without organized wildfire protection were not successful, due primarily to lack of consensus on solutions.

The Protection Coverage Work Group brought together stakeholders representing interested constituents including a variety of landowner groups, county governments, structural fire and wildland fire protection organizations, and the insurance industry. The group recommended strategies to extend effective wildfire protection to include more of eastern Oregon's wildlands and isolated structures tailored to community needs and capabilities.

Fire Prevention

In the early 1900's, timber harvesting, forest management and land clearing activities were the dominant forest uses and caused most wildfires in Oregon. Thus, Oregon's forest protection system was initially structured to address fires started by these activities. Since then, Oregon forestland use has fundamentally changed. Recreationists and rural residents now far outnumber timber workers in Oregon forests. Forest management and harvesting now result in relatively few wildfires, due to changing harvesting practices, a shift to harvesting second growth, increased wood utilization, ODF and landowner industrial wildfire prevention efforts, reductions in industry slash burning and other factors. Recreationists and owners of small parcels of land, usually in the WUI, now cause most fires on ODF-protected lands. For example, the number of non-logging debris disposal fires is rising. Traditional causes such as carelessness with campfires continue to warrant attention, especially as forest health and drought concerns increase. ODF prevention efforts now increasingly focus on rural residential and public use-related fires.

Most ODF wildfire prevention efforts occur in local districts except for the Keep Oregon Green Association (KOG) which conducts large-scale mass media public awareness efforts in cooperation with ODF and other agencies. Districts focus on specific local fire causes. Prevention is assigned to many district personnel, but is usually a collateral duty. Often, prevention and suppression do not receive the same level of attention from ODF districts and staff. The latitude afforded to field prevention is greater than that for suppression efforts. District prevention programs often target general fire awareness. Evidence points to the need for more directed efforts to educate homeowners about preventing specific human-caused fires that could occur on their properties

In Oregon, forest communities are undergoing substantial ecological and social change. The threat of large, severe wildfires has become part of this dynamic. This situation does not need to be a case of simply waiting for the next big fire to erupt. Wildfire prevention, the ultimate need for wildfire suppression, and resulting fire damage are directly related. A well coordinated, multi-partner prevention program can significantly reduce fire suppression costs and risks to personal property and forest resources. The Fire Prevention Work Group reviewed existing prevention activities and recommended strategies to reduce the number and severity of human-caused wildfires through increased ODF emphasis on prevention, improved training for those

who implement fire prevention outreach, consideration of some state statutory amendments, and more focused education to increase citizen understanding of their responsibility in wildfire prevention.

Workforce Capacity

The Protection from Fire Program is facing growing difficulties in maintaining an adequate workforce. Reasons include:

- Aging wildfire workers. Institutional firefighting knowledge and expertise is being lost when senior wildfire employees retire. Recruitment of replacements has not kept pace with retirements
- Increasingly complex fire prevention and suppression responsibilities as wildfires have become larger and more severe, and WUI areas have expanded
- Diversification of ODF forest stewardship duties over time into several areas besides wildfire protection in response to societal demands and change
- Reduction in the number of loggers working in the forests with decline in timber harvesting, particularly in eastside forests
- Reduction in the number of federal land agency personnel in the forests with decline in timber harvesting on federal lands
- Training and safety requirements that inhibit the agency's ability to recruit and retain non-agency human resources and retain senior agency staff

Retirements and problems with use and retention of experienced senior level staff

The Protection from Fire Program workforce is aging, and recruitment to fill critical incident command and fire investigator positions has not kept pace with retirement. In recent years, ODF has utilized experienced retirees on an interim basis to the great benefit of the agency, but this is not a viable long-term solution. Because senior wildfire staff positions require several years of experience and training, a more aggressive recruitment strategy is needed.

This issue is compounded by barriers to retention of remaining senior wildfire staff. ODF has developed strong working relationships with rural fire departments and the USFS and BLM because of their key roles in Oregon's firefighting system. The Protection from Fire Program has emulated these agencies' training, experience, and physical fitness standards for qualifying and certifying wildfire workers. However, ODF may need greater flexibility in defining qualification standards to retain and utilize the valuable institutional knowledge of experienced senior staff. For example, strict adherence to the National Wildfire Coordinating Group's (NWCG) Wildland and Prescribed Fire Qualification System (PMS-310-1) standards for national interagency dispatch may limit ODF's ability to utilize certain highly experienced and sorely needed Incident Command personnel.

Increasing complexity of wildfire protection; diversification of ODF duties

ODF is charged by statute with protecting, in order; 1) human lives, 2) forest resources and then 3) structures. People moving to WUI areas often expect structural fire protection similar to what

they experienced in cities, and the number of structures in WUI areas where community boundaries abut forest lands has grown rapidly. The presence of homes in forests complicates wildland firefighting by forcing agencies to adjust their tactics when these homes are threatened. This happens with increasing frequency. More complex suppression roles require greater workforce resources.

Protection from Fire remains the largest program within ODF but over time the agency's role in forest stewardship has diversified into several other areas, including State Forest Management, Private and Community Forests and Resources Planning programs, all of which compete for human resources and workload allocation. This has also made it increasingly difficult for the agency to maintain a strong wildfire workforce.

Maintaining non-agency workforce capacity: Challenges and opportunities

ODF has a strong working relationship with Oregon's private timber industry, and a history of coordinating firefighting efforts with privately employed timber workers that dates back to the agency's inception. However, Oregon Occupational Safety and Health Division (OR-OSHA) as well as ODF training requirements are hindering ODF's ability to continue to utilize this non-agency workforce. Moreover, timber harvesting has declined on federal lands statewide and on central and eastern Oregon industrial forestlands. Thus, the pool of skilled loggers and federal forest workers that could assist with fire protection and suppression is much smaller today than in the past.

Other non-agency resources have become more available in recent years. More contract resources are available today than ever before. Protection from Fire Program staff have learned that rigorous oversight of private contractors is necessary to ensure compliance with contract provisions and cost effective use of these resources. They have also learned how to utilize other human resources such as inmate crews and the National Guard. The 1998 Northwest Wildland Fire Protection Agreement (NW Compact) provides a framework through which Pacific Northwest states and Canada may share resources to fight wildfires. Recommendations of the Workforce Capacity Work Group will help strengthen these programs in the future.

Business Systems

A key goal of the Oregon Fire Program Review was to identify ways to better utilize existing resources and improve the efficiency of program operations. One area identified for potential improvement was Fire Program Business Systems: policies, procedures and assets (human, financial, information, capital) that are brought together in logical processes that effectively support the goals of the Protection from Fire Program. The Business Systems Work Group sought to improve and understand fire business policies, processes, systems and technologies that ensure comprehensive, accurate and timely management of financial resources, legal obligations and risk related to the Protection from Fire Program.

Needs and objectives identified by the work group include:

- The need to recommend and develop an effective automated fire finance processing system integrated with the Statewide Financial Management System (SFMS) and the Resource Ordering Status System (ROSS). Ideally, the system should operate smoothly from fire camp to Salem Fiscal Services and from mobilization to demobilization. “Right Sizing” and Interfaces are the keys to success.
- The need to set standards and develop systems that ensure payment for all suppression resources within a specified time from control of the fire.
- The need to set standards and develop systems that ensure receipt of all fire-specific cash receivables due to ODF (including incident-specific federal grants, e.g. FEMA), within a specified time from control of the fire. Components of such a system include:
 - Accounts Receivable – methods and mechanisms
 - Management of agency cash flow – current review with State Treasury
 - Supplemental Fire Line Agreement development and tracking system – incident cost accounting system (ICARS)
- The need to develop methods for effectively and efficiently contracting fire resources, including minimizing the use of Administratively Determined (AD) employment by reviewing and updating:
 - Existing “call when needed” contracts – contracts themselves and capacity to manage contracts - Pacific Northwest Wildfire Coordinating Group (PNWCG) review
 - Pre-season emergency contracts or agreements – landowner and logging contractor resources
 - Oregon Revised Statutes Chapter 279: re-write from 2003 session
 - “Strategic sourcing” – better managed procurement of goods and services – continuation of current State of Oregon project at a focused level
- The need to work with the Department of Administrative Services and other external cooperators to improve the efficiency of emergency business systems wherever possible while maintaining adequate means of internal controls. Aspects include:
 - Specific policy, processes or procedures for emergency situations
 - Internal audit function development
- The need to set standards and develop systems that ensure receipt, proper control, management and budgeting (fiscal and biennial) of non-suppression fire program grants, revenue payments and expenditures, including federal programmatic grants, forest patrol assessments, and cooperative works payments. Aspects include:
 - Program revenue process management – systems work for forest patrol assessments, direct billings, cooperative works project payments
 - Grant management – current efforts in Fire Program and Fiscal Services

- The need to set standards and develop systems that ensure appropriate assessment and management of operational risks faced by ODF relative to the fire program. Aspects include:
 - Internal controls for financial risk – agency and program internal audit function
 - Controls for liability risk – currently revising with Risk Management Division
 - Controls for risks to employees – currently re-evaluating policies and procedures
 - New OR-OSHA rules – currently engaged in development process

- The need to build agency capacity and processes to fulfill fire business management responsibilities and obligations at all levels of the organization including incident-specific, field units, and program staff. To accomplish this, the agency will need to:
 - Determine fire business management capacity needs – Knowledge, Skills and Abilities (KSA's)
 - Build organizational structures to address needs – temporary and permanent; local and agency level
 - Training and development to fulfill and support KSA's and organization needs

The Business Systems Work Group realized some of these goals would take longer to implement than others, but the group was committed to a comprehensive review that took a longer term view and treated root causes of inefficiencies and problems, rather than just symptoms. Important aspects of this were looking closely at the use of automation and technology, and ensuring that ODF's business systems are well integrated with the agency's partners.

Private, state and federal forest management and protection priorities

A major challenge for ODF is providing effective wildfire protection when state and federal forest management objectives and legal mandates diverge. Management of private, state and federal forests in Oregon was more similar in the past. However, after a long history of intensive management, timber harvesting on Pacific Northwest federal forests declined dramatically in the mid-1990s. Much of Oregon's landscape is in second or third growth forest, which is actively and intensively managed on most industrial timberlands and managed less intensively or not actively managed on most federal land. Evolving public attitudes, growing and diversifying demands on forests and greater public scrutiny have broadened and refocused federal forest management goals. Recreation, water quality, wildlife habitat and other values have displaced timber production as the primary emphasis on many federal forests.

Federal managers are also implementing major pieces of legislation focused on WUI areas such as the National Fire Plan (NFP 2001, 2002) and Healthy Forests Restoration Act (HFRA 2003). Current federal interagency wildfire policies emphasize protection of human infrastructure, second only to human life (USDA Forest Service and USDI 2003). In contrast, public policy for Oregon declares that "the primary mission of the State Forestry Department in [a complete and coordinated forest protection system] is protecting forest resources, second only to saving lives. Structural protection, though indirect, shall not inhibit protection of forest resources." (ORS 477.005.) This disparity between state and federal priorities can complicate protection efforts.

Many managers and scientists believe that active forest management is needed to restore the health of drier forest ecosystems. One of seven major strategies detailed by the BOF in its Forestry Program for Oregon (FPFO) is to “*protect, maintain, and enhance the health of Oregon's forest ecosystems, watersheds, and airsheds within a context of natural disturbance and active management.*” As a key action in support of this strategy, “*the board will promote active fuels and vegetation management, along with aggressive wildfire suppression, as key tools to manage forest health on public and private forestlands.*” (BOF 2003, p. 17.)

Active management is a less explicit objective in federal forests for several reasons. First, non-timber values are now the primary focus on many national forests. Moreover, even if, as many believe, these values are threatened in many areas by declining forest health and increasing fire risk, federal managers are constrained by administrative complexity, declining staff and budgets, and a significant public sector wary that “active management” is a code word for logging. Private timberland owners are concerned that changes in federal management objectives and the declining level of active management in federal forests may be exacerbating forest health and hazardous fuel problems, increasing the risk that wildfires that start on federal lands will spread to private timberlands. To the extent that severe wildfires threaten their timber values, landowner incentive to invest in growing trees is reduced.

The FPFO notes that “forest health is a social value based on both public perception and scientific information.” (BOF 2003, p. 54.) The public may need to be encouraged to look beyond the scenic to an ecological perspective on forest health (Shindler and others 2002) and recognize that some active management, judiciously applied, could help sustain and benefit other forest values in addition to timber. The BOF recognizes that dynamism and disturbance are important elements in maintaining desired forest conditions, and argues that this validates an active management approach.

Debates about what is meant by forest health and active management, and where and how active management approaches are implemented are likely to continue. ODF and BOF are reappraising the conceptual and scientific underpinnings of forest management, with an eye toward research that supports active management. The point is made that “static” or “hands off” management may not produce outcomes that many citizens desire (Lorensen 2004). These discussions and their influence on state forest policy will directly affect the Protection from Fire Program.

Implementing the Recommendations

In early 2005, ODF drafted an Oregon Fire Program Review Implementation Plan describing strategies and specific actions that will be undertaken to implement recommendations of the 2004 Oregon Fire Program Review. For each recommendation, the Implementation Plan includes:

- The lead task group or individual with primary responsibility for implementation
- Anticipated timelines, completion dates and/or milestones
- Descriptions of products or metrics for determining whether the recommended action has been successfully implemented
- Methods for documenting accomplishments and status reporting

At the time of this writing, a significant number of the review recommendations are already being implemented. House Bill 2327, “Maintaining and Enhancing Oregon's Firefighting Capacity”, was introduced at the beginning of the 2005 legislative session and is currently in committee. HB2327 is essentially a summary of the Budget Note #3 Work Group recommendations.

A significant number of Oregon communities have completed Community Wildfire Protection Plans, with assistance from ODF staff and tools developed by the Forest Fuels and Hazard Mitigation Committee. A statewide fire risk assessment is due to be completed by March, 2005. Key members of the FFHM Work Group are developing a statewide fuel reduction strategy. These efforts are expected to expedite fuels treatments in many Oregon WUI communities.

ODF has renewed its commitment to fire prevention by revising position descriptions and duties of prevention staff. Key members of the Protection Coverage Work Group are working to make fire insurance more accessible and affordable for eastern Oregon rangeland protective associations (RPAs), and believe they have an excellent chance of obtaining funding for a full time position to assist RPAs with organization, training, equipping and grant writing.

ODF has officially adopted the Local Single Resource Boss (SRB) program for certifying non-agency personnel for firefighting duties statewide- the primary recommendation of the Workforce Capacity Work Group. The Local SRB training program is being revised with completion expected by April, 2005. ODF recently established and filled the position of Workforce Capacity Director, who continues to implement a number of other recommendations of this work group.

The Forestry Business Improvement Initiative (FBII) has begun and will address the recommendations of the Business Systems Work Group. The FBII is a comprehensive examination of all ODF business systems and processes spanning multiple programs and organizational units. The FBII is intended to ensure that results from "program-specific" examinations like the Fire Program Review are coordinated across ODF, maximizing efficiency and ensuring that redundant or competing processes are not created.

Conclusion

The 2004 Oregon Fire Program Review represents the work of nearly 120 forest and fire managers, legislators and stakeholders over a period of nearly one year. The reviewers sought ways to maintain, refine and improve a system of fire protection and funding that has worked well for many decades but faces new challenges as the scope of wildfire protection responsibilities and associated prevention, readiness and suppression costs continue to increase.

Over 120 diverse recommendations for making adjustments to the present system and proactive efforts looking ahead were submitted by the six Oregon Fire Program Review work groups. These recommendations were evaluated and integrated by the review Steering Committee, circulated to stakeholders and agency staff for further comment and revised accordingly.

Through a program-wide range of actions to implement the Oregon Fire Program Review recommendations, many of which are already underway, ODF intends to keep the Protection from Fire Program healthy and robust for many years to come so that it can continue to provide multiple benefits for all Oregonians.

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Appendix A: Oregon Department of Forestry – Budget Note #3

(Complete text of Budget Note #3 to the Oregon Department of Forestry from the 2003 Legislative Ways and Means Committee.)

“To ensure that sufficient funds are available to reasonably respond to anticipated emergency fire protection needs over time, the Department of Forestry is directed to form a work group including legislators, the Emergency Fire Cost Committee, the Department of Administrative Services, land owners and the Legislative Fiscal Office to examine the funding mechanisms for emergency forest fires. This review will include analysis of the fund’s revenue sources (types, amounts and equity) and coverage of fire suppression expenses beyond the capacity of the Fund, including whether to continue the commercial insurance program and if so, options for how the costs of the insurance should be paid. One of the principle considerations for the work group to consider is maintaining the historic relationship of the public share to the landowner’s cost share. The Department shall report the outcomes of this review and recommendations to the Emergency Board by its meeting in September 2004.”

Appendix B: 2004 Oregon Fire Program Review Participants

Steering Committee

Dan Shults, Co-chair	Oregon Department of Forestry
Tim Keith, Co-chair	Oregon Department of Forestry
Roy Woo, Co-chair (retired 6/2004)	Oregon Department of Forestry
Rep. Susan Morgan	Oregon State Legislature
Charlie Stone	Oregon Department of Forestry
Cliff Liedtke	Oregon Department of Forestry
Mike Robison	Coos Forest Protective Association
Clark Seely	Oregon Department of Forestry
Jeff Schwanke	Oregon Department of Forestry
Mary Ellen Holly	Keep Oregon Green Association
Bill Lafferty	Oregon Department of Forestry
Bonnie Wood	USDA Forest Service
Gail Achterman	Institute for Natural Resources
Nancy Orr	Oregon State Fire Marshal
Paul Bell	Oregon Department of Forestry
Jeri Chase	Oregon Department of Forestry
Rick Gibson	Oregon Department of Forestry
Dennis Williamson	USDI Bureau of Land Management
Travis Medema	Oregon Department of Forestry
Melvin Thornton	Douglas Forest Protective Association
Barte Starker	Starker Forests
Steve Cafferata	Weyerhaeuser Corporation (retired)
Randy Silbernagel	Freres Lumber Company
John Poppino	Oregon Small Woodlands Association
Mike Dykzeul	Oregon Forest Industries Council
Rod Greene	Lone Rock Timber Company
Ken Cummings	Boise Building Solutions, Manufacturing
Chris Sokol	Timber Resource Services

Budget Note #3/Funding Work group

Susan Morgan, Chair	Oregon State Legislature
Senator Kurt Schrader	Oregon State Legislature
Representative Wayne Krieger	Oregon State Legislature
Senator Ben Westlund	Oregon State Legislature
Representative Elaine Hopson	Oregon State Legislature
Senator Rick Metsger	Oregon State Legislature
Representative Jeff Kropf	Oregon State Legislature
Senator Ted Ferrioli	Oregon State Legislature
Representative Betsy Johnson	Oregon State Legislature
Sue Richardson	USDI Bureau of Land Management
Rod Greene	Emergency Fire Cost Committee

Ray Wilkeson	Oregon Forest Industries Council
Kristina McNitt	Oregon Small Woodlands Association
Greg Addington	Oregon Farm Bureau
Susan Jordan	Legislative Fiscal Office
Christina Shearer	Oregon Department of Administrative Services
Andrea Peters	Oregon Department of Administrative Services
Nancy Orr	Oregon State Fire Marshal
Clark Seely	Oregon Department of Forestry
Charlie Stone	Oregon Department of Forestry

Fire Prevention Work group

Rick Gibson, Co-Chair	Oregon Department of Forestry
Mary Ellen Holly, Co-chair	Keep Oregon Green Association
Suzanne Bader	Facilitator
Norie Dimeo-Ediger	Oregon Forest Research Institute
Krista Fischer	Insurance Information Service of Oregon and Idaho
Jim Geisinger	Associated Oregon Loggers
Rochelle Goertzen	Keep Oregon Green Association
Mike Hicks	Boise Cascade
Matt Howard	Oregon Department of Forestry
Jeanne Hunt	Weyerhaeuser Company
Ken Johnson	Jackson County Fire District #3
Sara Leiman	Oregon Small Woodland Owner
Bob Panucchio	Retired, Oregon State Fire Marshal
Doug Perry	Eugene Fire & EMS
Bruce Shindler	Oregon State University, College of Forestry
Dewey Tate	USDA Forest Service/USDI Bureau of Land Mgmt
Dennis Turco	Oregon Department of Forestry

Fire Protection Coverage Work group

Cliff Liedtke, Chair	Oregon Department of Forestry
Nancy Orr	Oregon State Fire Marshal
Greg Addington	Oregon Farm Bureau
Jean Burch	Wheeler County Judge
Earl Cordes	Jefferson County Fire District #1
Mike Dykzeul	Oregon Forest Industries Council
Gordon Foster	Oregon Department of Forestry
Steve Grasty	Harney County Judge
Leo Sidebotham	USDI Bureau of Land Management
Micah Wells	Oregon Cattleman's Association
Krista Fischer	Insurance Information Service of Oregon and Idaho
Jon Weck	Oregon Small Woodlands Association
Jim Welsh	Oregon State Grange
Bob Wright	Oregon State Fire Marshal's Office
Dustin Gustavson	Oregon Department of Forestry (Staff Support)

Workforce Capacity Work group

Mike Robison, Chair	Coos Forest Protective Association
Melvin Thornton	Douglas Forest Protective Association
Dick Beeby	Roseburg Resources
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Tom Savage	Oregon Department of Forestry
Bob Young	Oregon Department of Forestry
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Forest Fuels and Hazard Mitigation Work group

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Mike Cloughesy	Oregon Forest Resources Institute
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Senator Ted Ferrioli	Oregon State Legislature
Stephen Fitzgerald	Oregon State University Extension
Angie Johnson	Oregon Department of Forestry
Representative Jeff Kropf	Oregon State Legislature
Kathy Lynn University of Oregon	
Jim Mair	Oregon Department of Forestry
Charley Martin	USDI Bureau of Land Management
Harold Merritt	Plum Creek Timberlands
Margaret Peterson	USDA Forest Service
Gil Riddell	Association of Oregon Counties
Lena Tucker	Oregon Department of Forestry
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Business Systems Work group

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Dianna Sandoval	ODF/Emergency Fire Cost Committee
Don Matlick	Oregon Department of Forestry
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Keith Dehut	Oregon Department of Forestry
Marti Graham	Oregon Department of Forestry
Dan Christensen	Oregon Department of Forestry
Taunie Murray	Oregon Department of Forestry

Appendix C: Descriptions of Recommendations

Funding/Budgeting

Recommendation	Additional Description
1. Continue commercial insurance; split premium 50-50	The commercial insurance industry is recovering from the shock of 9-11-01 and coverage of catastrophic emergency fires still makes sense from the standpoint of state budgeting. Cost/benefit should be evaluated annually. The committee's recommendation is that the premium be paid half from the General Fund and half from the Oregon Forest Land Protection Fund.
2. Bring General Fund closer to 50% overall fire funding	District budgets are currently funded 50/50 from General Fund/landowner assessments. However, emergency costs have been supported primarily by landowner revenue sources, such that overall funding has been closer to 35 percent GF. The committee recommends the public through the GF participate to a greater degree in emergency costs and through severity funding.
3. Increase insurance deductible by \$10 million (GF) to \$25 million to lower premium costs; increase initial attack capability in proportion to premium savings (using severity method for allocation)	Increasing the deductible from \$15 million to \$25 million will lower the premium from \$3.9 million to an estimated \$1.7 million; a savings of over \$2 million. In turn, the committee recommends that \$2 million be made available annually from the General Fund to supplement initial attack on a "severity" basis. The expenditure limit for the OFLPF would be raised to \$15 million, but have to be renewed biennially or revert back to \$10 million.
4. Formalize severity funding (GF) as a budgeted item	Severity funding has been a "hit or miss" proposition over the years. The committee recommends that severity funding be formalized as a budget item to be requested by the State Forester, separate from district budgets, every biennium. We want legislators and the Governor's office to think of severity as a part of the system.
5. Permanently raise reserve base to \$22.5 million. (Revenue sources will be reduced by 50% in years when reserve base limit is reached.)	The committee recommends raising the reserve base permanently to \$22.5 million. When the reserve base is met, instead of shutting off revenues, they would be reduced by half.
6. Re-create statutory authority for district budget carryovers (debits and credits)	The authority for district budgets to carry over regular cost debits and credits was inadvertently deleted from the statutes in 1989, though the practice has routinely continued. The committee recommends re-establishing the proper authority.
7. Reconcile timing of insurance and collection of harvest tax with the OFLPF fiscal year	The Oregon Forest Land Protection Fund (OFLPF) operates on a fiscal year of July 1 to June 30. The insurance policy is for April 1 to April 1. The harvest tax rate is set on a calendar year basis. These inconsistencies create some minor difficulties in the administration of the OFLPF, and the committee recommends trying to resolve them. However, there are also difficulties that may be created by changing any of these time frames, so the situation will require an evaluation as to whether the "illness" is truly worse than the "cure".

Protection Coverage

Recommendation	Additional Description
1. Assist the formation and maintenance of rangeland protective associations by improving the situation with liability insurance through cost-sharing or alternative solutions.	Rangeland protection associations are minimally funded through a variety of landowner donations and contributions (many of them in kind contributions). Liability insurance costs for these organizations constitute 25-50% or more of their annual budgets. Reducing these costs make more funding available for additional protection measures, and increase the likelihood of Rangeland Protection Associations continuing to exist

Protection Coverage

Recommendation	Additional Description
2. Establish 1 ODF position with S&S to provide technical support and to assist in development of rangeland protective associations.	Rangeland protection associations are minimally funded and staffed entirely by volunteers. By providing technical assistance in the areas of organizing, training, and equipping, these associations will be better prepared to provide fire protection services.
3. Assign the Protection Coverage group to continue to build local partnerships and collaboration to address improved fire protection coverage suited to local community needs and expectations.	While the report has been written, the reality is that the work has just begun. The general philosophy throughout the report revolves around affected landowners and local government exploring alternatives and making conscious decisions regarding fire protection and associated risks. Ongoing efforts will be needed to build understanding, acceptance, and support of this approach, and to reach meaningful results.
4. Create and maintain a database on "unprotected lands" fire occurrence (acres, cost, etc.).	Currently, no complete database of fires that occur on unprotected lands exists. Currently available information consists of reports from protection organizations that have been affected by unprotected lands fires. Without complete and reasonably accurate information, it is difficult to fully assess the impacts of unprotected lands fires, and what reasonable options to address these fires might be.
5. Clarify the roles and responsibilities of private landowners, county governments and state and federal wildland agencies in fire protection	Currently, no individual or organization has clear responsibility for fires that occur on unprotected lands. Agreement has been reached among members of the Fire Protection Coverage Group regarding how these responsibilities should be addressed. Additional discussion and policy discussion needs to occur to further clarify and delineate these responsibilities.
6. Develop mechanism for transferring title of FEPP equipment to local fire/rangeland districts	Currently, Federal Excess Personal Property (FEPP) such as trucks, fire engines, and trailers remain the property of the federal government. Often times, fire organizations such as rangeland protection associations and fire protection districts invest considerable time and money to convert and maintain a piece of FEPP equipment. If at some point, they could gain title to this equipment, it could be used as an investment in the future for acquiring and improving additional equipment.

Prevention

Recommendation	Additional Description
1. Develop a comprehensive training program for ODF and cooperators to enhance fire prevention.	Prevention training opportunities are lacking at the agency, regional and national levels. This recommendation envisions development of a comprehensive, three level, interagency approach to prevention training which would be adopted throughout ODF, from the State Forester's office on down.
2. Re-dedicate ODF program staff to fire prevention leadership and coordination (centralized prevention planning, standards development and communication to provide staff support to the districts and integrate statewide efforts).	This recommendation is designed to improve agency fire prevention coordination and leadership. ODF has neither a consistent, agency wide planning process nor an effective interagency communication system, to develop and exchange fire prevention information and ideas. Staff support for prevention has been dramatically reduced in recent years, due to competing priorities and responsibility realignments.

Prevention

Recommendation	Additional Description
3. Improve and coordinate administration and control of open burning to prevent escaped fires.	Four state agencies regulate open burning across the state and additional state and local agencies regulate burning in specific situations or locations. This has created a confusing and conflicting overlap of responsibility and regulations. This recommendation proposes development of a process to bring all involved agencies together and agree on a common, unified system of open burning regulation.
4. Actively communicate fire prevention, SB 360 and National Fire Plan successes to key decision makers to enhance credibility and increase support. (Also recommended by FFHM.)	While much improvement is needed, ODF has had successes in addressing human caused wildfire, however, such successes have not been well communicate to “circles of influence.” It is anticipated that the communication of successful efforts will enhance credibility and generate support for additional prevention resources.
5. Identify standards to allocate FTE between suppression, prevention and other fire management activities. [<i>Develop management accountability for delivery of prevention programs.</i>]	ODF promotes a cultural emphasis on fire suppression and has failed to equally embrace fire prevention. Experience in other states has shown a direct relationship between aggressive prevention and a significant decrease in human caused fires. The agency should develop a leadership team charged to establish and implement policy and standards which will enhance prevention programs, activities and resources.
6. Promote greater citizen involvement in fire prevention. (Consider an active volunteer/retiree program, a coordinator is needed for this initiative.)	As part of cultural shift toward more active fire prevention, KOG should promote greater individual citizen involvement in wildfire prevention, starting at the lowest field level. Ways to solicit citizen participation in projects, focus groups and community planning should be developed and implemented at all levels of the agency.
7. Encourage formation of, and increase ODF participation in local interagency fire prevention cooperatives.	In many portions of the state, ODF participation in fire prevention cooperatives has waned due to personnel preference, workload issues or lack of a functioning cooperative. Where cooperatives are active, ODF employees state that participation is critical to their success. The agency should aggressively promote statewide cooperative involvement, and seek to gain the interagency synergy that typically results.
8. Clarify state statutes on closures, investigators, hazardous activities, and permits.	Oregon’s laws regarding wildfire prevention are generally adequate. However, some housekeeping and clarification needs were identified by the Fire Prevention Work Group.

Forest Fuels and Hazard Mitigation

Recommendation	Additional Description
1. Assign FFHM Committee to define roles, responsibilities and resources of partner organizations in wildfire hazard mitigation.	This will create a resource list for partner agencies, local communities, legislators and stake holder organizations involved in wildfire hazard mitigation.
2. Secure adequate personnel to administer fuel reduction and community wildfire planning activities on ODF districts.	ODF is currently not staffed to meet state responsibilities for implementation of the NFP. In order to meet these requirements, hiring priorities need to include additional skilled ODF personnel. The limitation on hiring exists within DAS.
3. Develop and support local fire coordinating groups. (LCGs)	Local area coordination groups are key stakeholders in the development of Community Wildfire Protection Plans, applying for NFP grants, deliver of wildfire education and prevention messages. Local area coordination groups may already exist in communities and clearly understand their role in collaboration. In communities where local area coordination groups are just forming, ODF will facilitate their development.

Forest Fuels and Hazard Mitigation

Recommendation	Additional Description
4. Continue to develop a "one-stop" grant access system for fuels reduction and community planning and regularly review system performance.	<p>The objectives are:</p> <ul style="list-style-type: none"> ▪ develop a single list of all grant opportunities in the Pacific NW for wildfire grants, ▪ develop a process for application and delivery of these grants that encourages collaboration and best utilization of grant funds available, ▪ use community wildfire plans in selection and delivery of grants.
5. Ensure forest health and fuel reduction grant program delivery and administration are coordinated and integrated among Private and Community Forests and Protection from Fire programs. (Task federal and state technical specialists to maintain coordination.)	<p>If Oregon is to fully address the issue of fuels management and forest health both programs should be fully coordinated to ensure all sources of fuels treatment funds and grants are utilized to the most efficient level. In some areas it may be best to use forest health funding rather than WUI/fuel reduction grants.</p>
6. Develop a training module and technical assistance teams to help communities develop and update Community Wildfire Protection Plans (CWPPs).	<p>Many counties and communities throughout Oregon are beginning development of CWPPs. With clearer guidance about the development of these plans, conducting risk assessment, strategies for collaboration and public involvement and other aspects of CWPPs, there will be an increased opportunity for strong collaboration between agencies and communities and more comprehensive and holistic plans. A technical assistance program might result in statewide training sessions on development and implementation of CWPPs.</p>
7. Develop a statewide risk assessment map and ranking process for Communities at Risk. Update at regular intervals.	<p>The Department of Forestry staffs are developing a state-wide risk assessment in collaboration with federal, state and tribal partners. The National Fire Plan placed the responsibility for identifying Communities at Risk (CAR) on the State Forestry Agencies. NASF and WFLC developed the process for each state to prioritize CAR. Regular intervals have not been defined.</p>
8. Disseminate data used to identify communities at risk to local communities, integrate information in statewide risk assessment and provide regular updates.	<p>This is simply the dissemination of the data, criteria and ranking of communities at risk in Oregon to agencies and communities alike. (Compatible with 1b, which develops risk assessment)</p>
9. Develop an integrated (local, state, federal) spatial database of treated areas, fire perimeters, current condition class, fire regimes and risk.	<p>In order to fully coordinate treatment and understand the degree of the fuels management issue, it would be best understood if it could be shown graphically and a spatial database kept up to date. This would also help in prioritizing areas for retreatment in the future and for developing budgets to secure funding for such treatments.</p>
10. Develop a coordinated multi-organization communication plan, including web accessible tutorials and other materials needed to prepare and implement Community Wildfire Protection Plans and communicate and promote National Fire Plan strategies.	<p>Need to create consistent information regarding CWPP; Integrate with current efforts already underway through NFP strategy team to create a tech assistance training team and program to assist with development of CWPP.</p>

Forest Fuels and Hazard Mitigation

Recommendation	Additional Description
11. ODF should actively engage and participate in the Oregon Biomass Work Group and implementation of the biomass components of the Healthy Forest Initiative so as to promote incentives, investments and training on biomass utilization.	ODF should strongly consider taking the lead in joint partnership with the Oregon Department of Energy to organize an Oregon Biomass Working Group of representative/stakeholders from all agencies and entities including private industry and public utilities working on biomass issues in Oregon. The group should provide proactive, productive and workable administrative, fiscal and operational input to the Governor and Legislature through the Executive board of the Renewable Energy Working Group (formed from the Renewable Energy Action Plan) to address, develop and promote all aspects of biomass waste utilization to energy or other viable and sustainable products including bio-fuels. From this group will outflow sustainable visions, goals, strategies, action/implementation plans and education. Currently a Wind Energy Working Group exists. To date multiple autonomous efforts at different levels are being undertaken by a wide diversity of stakeholders. These efforts must move from independent to interdependent forums through a statewide Biomass Working Group where all efforts will be coordinated and synchronized at each level of sustainability (economically, ecologically, and socially).
12. Develop criteria for fuels retreatment.	Given limited funding, this will enable improved targeting and prioritizing of areas for treatment to those of the highest risk. Information from the statewide fire risk assessment, condition class, slope and topography, proximity to homes and other human infrastructure (values at risk) and other elements would be useful in developing the criteria for treatment.
13. Share ignition risk information with private insurance companies and collaborate on development of incentives for landowner risk reduction.	Recently insurance companies have demonstrated greater interest in the wildfire threat to homes. Sharing statistical data with the insurance companies will help them and ODF develop incentive programs beneficial for the wildland urban interface homeowner.
14. Support reauthorization of PL 106-393 (Title II and III of the Secure Rural Schools and Communities Payments Act).	These funds are often used by the counties to develop GIS maps, community wildfire protection plans, and to improve a community's ability to respond to the threat of wildfire. It is beneficial to the counties and ODF to secure reauthorization of PL 106-393.
15. For the benefit of fire prevention and protection, ODF will work closely with other agencies to facilitate extension at the county level of Goal 4 criteria to rural residential lands as well as forestland. ODF will effectively facilitate implementation of SB 360.	Fire, planning and land-use codes for WUI need to be collaboratively developed by agencies responsible for plan review and code enforcement.
16. Survey non-governmental organizations to identify fire-related missions and capacities that could be leveraged to support fire protection. Develop guidelines for working with such groups.	There are many community-based, social service and non-governmental organizations statewide that serve landowners and residents that are at risk to losses from wildfire. Coordinating with these groups will assist in increasing communication and coordinating resources with more isolated populations. A formal survey would result in a comprehensive understanding of the populations served and channels of communication that could be utilized.

Work Force Capacity

Recommendation	Additional Description
<p>1. Adopt 8-hour Single Resource Boss Program (Southern Oregon Area Pilot Program) as the standard for training non-agency (industry) personnel, with some means of identifying between those SRBs who have received 40 vs 8 hours of formal training. Also, identify, train, and utilize non-agency personnel that can function beyond the SRB level in local situations if needed. All of these non-agency resources would be complementary and not included in a District's MEL in order to prevent too much draw-down of a district's resources during critical fire events.</p>	<p>Update and adopt the eight hour Non-Agency Single Resource Boss Program as the statewide Oregon Department of Forestry (ODF) standard for non-agency personnel. This system recognizes performance-based training and experience to qualify up to Single Resource Boss. Positions certified through this process are only available for local use and not for other agency dispatch.. Our intent is that the Non-Agency Single Resource Boss (SRB) designation become equivalent to ODF certified SRB's, eg; Dozer Boss (DOZB) = DOZB, however it is imperative that the non-agency trained DOZB is only used at the local area and on wildfires managed by ODF</p> <ul style="list-style-type: none"> ▪ Completion of the S-290 Intermediate Fire Behavior course is required to move to higher level ICS positions. ▪ Encourage non-agency cooperators to train their personnel to higher level Incident Command System (ICS) positions.
<p>2. Ensure that landowners can continue to participate in protecting their lands. (Also identified by Protection Coverage and Budget Note/Funding Groups; included in BN3 draft bill)</p>	<p>We accomplish this recommendation through implementing the Non-Agency Single Resource Boss Program. We also strengthen this position by recommending updating our training manual and directives to recognize this program as part of the complete and coordinated system. This is covered in more detail in our White Paper under recommendations for implementation of the Non-Agency Single Resource Boss</p>
<p>3. Identify and utilize all qualified private sector and inmate fire-fighting (personnel) resources.</p>	<p>The Work Force Capacity Work Group addressed the contract crew resources that ODF and other agencies rely on heavily for the staffing of extended and project size fires. These resources are secured through an interagency agreement that has many details that traditionally have made it difficult to administer.</p> <p>Department of Correction resources are a very important part of the complete and coordinated protection system. Correctional facilities provide much needed manpower and logistical support for extended and project size fires. There is potential to increase the number of inmate crews to support firefighting in Oregon.</p> <p>The work group discussed the need for increased coordination and communications between state agencies to utilize more inmates to support the complete and coordinated system in Oregon. The work group also discussed necessary logistical support to use Corrections resources. A statewide physical fitness standard needs to be developed for inmate crews.</p>
<p>4. Explore funding alternatives, and secure adequate funding and staffing to administer and enforce the Interagency Crew Agreement.</p>	<p>This dovetails into the work that was completed for Recommendation #3 above. The following ideas were discussed:</p> <ul style="list-style-type: none"> ▪ Continue to evaluate a "best value" and multi-year agreement. ▪ Continue to provide funding and adequate staffing, enforce compliance and penalties for violating contracts and evaluate methods to strengthen remedies. ▪ Evaluate the user fees (\$60/crew-day to using agencies) and explore augmenting revenues by adding a vendor (crew contractors) fee to provide a more stable revenue source. ▪ Continue to evaluate crew performances and release crews that are not performing to contract specifications.

Work Force Capacity

Recommendation	Additional Description
<p>5. Identify critical shortage ICS positions and develop and implement a mitigation plan (recruitment, training, qualifications).</p>	<p>ODF has utilized retirees to fill critical shortage overhead positions in time of need. This was especially true in 2001, 2002 and 2003. This group sees a slightly different approach to the use of these retirees, which will benefit the department with succession management, and filling of critical shortage overhead positions. This is a successful short-term approach but the work group sees an immediate need to develop a long-term strategy. Other recommendations on critical shortages are as follows:</p> <ul style="list-style-type: none"> ▪ Districts need to get Incident Qualification System (IQS) training. ▪ Protection Program needs to identify the critical unfilled positions (gap analyses) on a statewide level with assistance from the Areas and Districts. ▪ Retirees need to continue to help with our fire investigating in the short term. ▪ Review Safety Officer qualifications and determine if the current level of training and experience is necessary. ▪ Explore incentive programs to retain employees with critical ICS position qualifications who are close to retirement.
<p>6. Strengthen and clarify ODF employee responsibilities to train for and participate in emergency wildfire activities. Strengthen and clarify expectations of supervisors that employee participation is expected and will be used for evaluation of supervisors' performance.</p>	<p>Some ODF employees feel that involvement in the fire program is voluntary. The work group recommends developing specific training for all department employees to get more involvement in the fire program.</p> <ul style="list-style-type: none"> ▪ Fire Program Orientation needs to be reviewed and specific training requirements need to be developed. Training needs to include an introduction to Basic Forest Law and Chapter 477. ▪ Fire duty responsibility statement that is in all Department employees' Position Description needs to be reviewed to ensure employees' obligation to fire is clear. ▪ Executive Team emphasize and declare that fire training (Basic Firefighter, Law I, II and Basic ICS) is a very high priority for all Department employees to meet ODF's statutory obligations (ORS Chapters 477 and 526). ▪ Executive Team assure that training priorities are set to provide direction and support to managers. ▪ Encourage managers to cross train their staff to maintain essential functions and allow interested employees to actively engage in fire management positions.
<p>7. Update ODF Protection Training and Certification Manual to establish appropriate standards while encouraging full utilization of cooperater overhead (align with directives).</p>	<p>This covers a couple of the work group's recommendations. This included educating ODF personnel on the PTCM along with having the manual as our standard (not the 310-1). This recommendation also speaks to the work group's idea of adding the non-agency single resource boss verbiage into the manual.</p> <ul style="list-style-type: none"> ▪ Review and update the Protection Training & Certification Manual (PT&CM) and require only the training and qualifications that are necessary for each ICS position to enable Department employees to safely and effectively perform the duties of these positions. ▪ Educate Department employees to understand the differences between ODF's training and certification standards and 310-1 ▪ The PT&CM continue to be used to specify ODF wildfire training, certification and currency standards. ▪ The Protection Training & Certification Manual (PT&CM) Chapter 9, page 3 needs to be changed to recognize the Non-Agency SRB program for certification and maintenance of landowner/operator resources.

Work Force Capacity

Recommendation	Additional Description
8. Review fitness standards for all ICS positions used by ODF, and method of evaluation at state and district levels.	<p>The work group consensus is that ODF needs agency specific training, experience and physical fitness standards for use in Oregon. Details for the physical fitness standards are as follows:</p> <ul style="list-style-type: none"> ▪ ODF should study and identify the fitness level (arduous, moderate, low, none) standard for all Protection funded positions and ICS positions used by ODF. ▪ ODF Fitness Standards policy be revised to include the following: <ul style="list-style-type: none"> ➤ District Foresters authority to examine/measure their employee's abilities to perform their daily duties. ➤ Allow Supervisors to modify duties of an employee, to maintain position qualifications, as long as they are meeting district objectives. ➤ Allow multiple processes, including physical examinations, for measuring fitness levels. ➤ Set a standard for "out of district" assignments for all ICS positions.
8a. Review fitness standards for all ICS positions used by ODF, and method of evaluation at state and district levels.	
9. Update IQS database program to include non-agency overhead (industry) certification information.	Currently the ODF IQS system does not include non-agency qualified personnel. This needs to be corrected by Protection Staff.
10. Restore ODF's fire investigation capacity. (Also recommended by Prevention Group.)	<p>Currently we rely heavily on a specialized fire investigation retiree group that has been a great benefit to the department. Current ODF employee investigator numbers are low and some investigators are nearing retirement age.</p> <ul style="list-style-type: none"> ▪ Retirees need to continue to help with our fire investigating in the short term. However, we need to utilize them more in the coach/trainer/mentor role with Department trainees. ▪ Explore incentive programs to retain employees with critical ICS position qualifications who are close to retirement.
11. Consider ODF-specific fire suppression contracts for 10-person initial attack/project work crews.	This was discussed along with the use of contract crews. The thought was to secure quality resources that at times are hard to come by in multi-fire situations around the Pacific Northwest.
12. Add Forest Inmate Crew Coordinator (FICC) position authority (FTEs) to increase utilization of inmate crews.	<p>The work group believes that inmate crew utilization is not at a maximum in Oregon. One solution is to add Forest Inmate Crew Coordinators for crew development. Other ideas from the work group on this recommendation included:</p> <ul style="list-style-type: none"> ▪ ODF seek budget authority in 2007-2009 biennium for one statewide inmate resources coordinator position to perform the needed organization/coordination work at the state and county level. ▪ Identify AD Crew Bosses to fill the need. ▪ Assist DOC to train and qualify their personnel as Crew Bosses.
13. Seek federal changes (Dept. of Defense) to include fire suppression in National Guard mission and training.	<p>The National Guard availability and training creates a barrier in their use as a firefighting resource. The work group made the following recommendations:</p> <ul style="list-style-type: none"> ▪ State Forester, through National Association of State Foresters (NASF), should work with other states and jointly recommend that the National Guard's Mission be expanded to include fire fighting including annual readiness. ▪ Find ways to have crew fire training included into National Guard normal training.

Work Force Capacity

Recommendation	Additional Description
<p>14. Continue to explore opportunities to use other Oregon state agency personnel (e.g.; ODF&W, ODOT, OPRD) in fire protection. Recognize that the Oregon National Guard - an active agency participant with ODF in wildfire emergency situations - may not be available during times of increased mobilization/war.</p>	<p>The work group looked at other agencies and groups that we currently use as resources for Oregon's complete and coordinated firefighting system. The work group also discussed opportunities to utilize Oregon National Guard, Rangeland Associations, ODOT, Oregon Parks Department, ODF&W, DOC and others resources to assist in the extended attack situations.</p> <ul style="list-style-type: none"> ▪ Protection Staff enter into discussion with the other agencies at the state level and address any issues/barriers so that ODF can successfully utilize other agency personnel in firefighting activities in a timely manner. ▪ ODF districts build a "pool list" of individuals from other agencies in their local areas that express interest in assisting on fire assignments based upon their training/experience.
<p>15. Collaborate with structural fire services, OSFM, DPSST to establish equivalencies in training curricula in order to expand utilization of personnel.</p>	<p>The Rural Fire Departments (RFD) across Oregon are used and relied upon heavily for both initial attack and extended attack fires. There is currently a need to address redundant training and develop bridge courses to fill the gap between standard structural training and interface fire training. To assist the State Fire Marshall with this, the work group had the following recommendations:</p> <ul style="list-style-type: none"> ▪ Protection Staff support Structural Fire Services to establish bridge courses and equivalencies between their interface-training curriculum and the wildfire-training curriculum ▪ Clearly defined roles for Structural resources on interface fires and assure that wildland fire management agencies know, understand and utilize these resources accordingly.

Business Systems

Recommendation	Additional Description
<p>1. Develop an automated fire finance processing system that is integrated and interfaced with other ODF business systems.</p>	<p>Develop, by March 1, 2007, an "Integrated/Interfaced [Fire Business Management] System" that is fully automated and integrated with the other business systems of the Department. The Department is undergoing an agency-wide review of its business management systems – the fire business needs will be fully integrated into this review and be an important component of the implementation of an automated business management system. The processing system will also include an integrated automated AD employee payroll system that completely and accurately interfaces with the Oregon State Payroll System application.</p>
<p>2. Improve 1) the content and process of, and 2) the capacity to manage PNW interagency "call when needed" fire resource contracts via the current Pacific Northwest Wildfire Coordinating Group (PNWCG) review.</p>	<p>The interagency fire resource contracts in the Pacific Northwest are being extensively reviewed by the Pacific Northwest Wildfire Coordination Council for improvement, concurrently with the ability to manage these contracts. It is anticipated that this review will result in improved contracts that deliver a high quality fire suppression resource product.</p>

Business Systems

Recommendation	Additional Description
3. Revise “preseason” emergency fire resource contracts and agreements with contractors and landowners to make them more responsive. (Two stage process.)	<ul style="list-style-type: none"> ▪ Development of pre-season agreements for fire suppression resources has the potential to significantly reduce the workload associated with “signing up” these resources, as well as the errors made when workload and stress is high. This effort will require working with the AG’s office in order to allow the agency to pursue this objective. ▪ Implement staged results of the State of Oregon “Strategic Sourcing Project – Oregon Smart Buy”. This project is anticipated to positively influence the cost of supplies and capital (e.g. business supplies; business equipment; telecom-munications equipment and lines; data equipment; software and data lines; two-way radio equipment; fleet vehicles).
4. Build agency capacity by establishing final “on scene” fire business management personnel standards and qualifications (KSAs).	As part of the fire business management KSA and course development is the need to strengthen the “payment team” concept of the agency – both the depth of this resource pool, but also the KSAs of the personnel doing this vital fire business work. In addition, there is a need to development a more formal organizational structure for these Payment and Collection Teams in order to establish firm guidance and control of this process.
5. Build agency capacity by establishing Fire Program business management personnel standards and qualifications for permanent ODF positions.	This effort will become an integral portion of the overall Workforce Capacity effort of the Department. Standards and qualifications for Department fire business management personnel will be created (the KSA’s of these positions: Knowledge, Skills and Abilities). These KSAs are needed for local district fire business management personnel, personnel responding to incidents that are part of a “payment team”, as well as the incident management team fire business personnel.
6. Build agency capacity by developing ODF-specific Fire Program business management training courses.	Once KSAs are developed for fire business management personnel, efforts will be invested in developing agency-specific fire business management courses which result in a stronger core of knowledgeable, high performing business management personnel.

List of Acronyms

AOC: Association of Oregon Counties	KOG: Keep Oregon Green Association
BLM: (U.S.) Bureau of Land Management	KSAs: Knowledges, Skills and Abilities
BN3: Budget Note #3 Work Group	NASF: National Association of State Foresters
BPSST: Board of Public Safety Standards & Training	ODA: Oregon Department of Agriculture
DAS: (Oregon) Department of Administrative Services	ODFW: Oregon Department of Fish & Wildlife
DEQ: (Oregon) Department of Environmental Quality	ODOT: Oregon Department of Transportation
DLCD: Department of Land Conservation & Development	OFLPF: Oregon Forest Land Protection Fund
DOI: Department of the Interior (U.S.)	OFRI: Oregon Forest Resources Institute
DOR: (Oregon) Department of Revenue	OPRD: Oregon Parks & Recreation Department
DPSST: Department of Public Safety Standards & Training	OSFM: Oregon State Fire Marshal
EFCC: Emergency Fire Cost Committee	PC: Protection Coverage Work Group
FEMA: Federal Emergency Management Agency	PNWCG: Pacific Northwest Wildfire Coordinating Group
FEPP: Federal Excess Personal Property (program)	RFA: Rural Fire Assistance
FFHM: Forest Fuels & Hazard Mitigation Work group	RFD: Rural Fire Department
FTE: Full Time Employee	SFA: State Fire Assistance
ICS: Incident Command System	USFS: United States Forest Service
IQS: Incident Qualification System	VFA: Volunteer Fire Assistance

Appendix D: Wildfire Legislation and Statutes in Oregon

Overview

Forest management policies and programs related to wildfire continue to evolve in response to better scientific understanding of land management and ecosystem changes, evolving public attitudes, and growing and diversifying demands placed on forests. Forestland is typically managed for a suite of values, but the particular values emphasized often vary depending on whether the land is held in federal, state, tribal or private ownership.

Agencies responsible for wildfire protection must manage in the context of an array of public values and agency mandates that are sometimes inconsistent, and across forest land ownerships that may be spatially connected but managed to emphasize different forest values. As part of the background necessary to address these challenges, this appendix consists of an overview of state and federal policies that influence wildfire protection efforts in Oregon.

Oregon State Policies and Programs

1. Forestry Program for Oregon

The Oregon Board of Forestry (BOF) supervises forest policy in Oregon, appoints the State Forester, adopts forest practice regulations and oversees the State Forester's duties in managing the Oregon Department of Forestry (ODF). The 2003 Forestry Program for Oregon (FPFO) is the BOF strategic plan. It sets forth the BOF's mission and vision for Oregon's forests and the values, strategies, policies and programs that guide BOF decisions.

The FPFO supports the diversity of ownerships that now characterizes Oregon's forestlands, including federal, tribal, state, and local governments, and private industrial and family forest landowners. To promote sustainable forest management, the FPFO advocates different management strategies for different forest types, ownerships, and locations.

One of the 7 major BOF strategies for Oregon forests in the FPFO is to “*Protect, maintain, and enhance the health of Oregon's forest ecosystems, watersheds, and airsheds within a context of natural disturbance and active management.*”

As a key action in support of this strategy:

- The board will promote active fuels and vegetation management, along with aggressive wildfire suppression, as key tools to manage forest health on public and private forestlands.

Other actions in support of this strategy:

- The board will continue to promote smoke management programs that maintain and improve air quality while allowing sufficient opportunities for prescribed burning, fuel reduction, and forest health improvements.

- It is the policy of the board that wildfire suppression actions in all of Oregon's forests reflect the following protection priorities: (1) human lives, (2) forest resources, (3) dwellings and other developments.
- The board will promote shared public and landowner funding to maintain the most efficient level of fire protection and other forest health activities on nonfederal forestland.

(Oregon Board of Forestry 2003, p. 17.)

2. Oregon Department of Forestry Strategic Plan 2004 to 2011

ODF recently completed its own *Oregon Department of Forestry Strategic Plan 2004 to 2011* that is fully integrated with the FPFO. (ODF 2004.) Each ODF program developed strategies for this plan, which describes actions the agency will undertake between 2004 and 2011 to meet its statutory mandates and assist the BOF in achieving the strategies, actions, and vision in the FPFO.

The strategies that the Protection from Fire Program developed are:

- 1.1. Work with affected parties to determine scope and level of protection coverage.
- 1.2. Work with landowner organizations, federal agencies, and legislatures to secure adequate funding and resources.
- 2.1. Actively engage cooperators and the public in helping to prevent fires and address wildland-urban interface related problems.
- 3.1. Cooperate in the development of solutions for statewide fuel reduction and forest health.
- 3.2. Facilitate fuel reduction through administration of National Fire Plan Grant monies and technical assistance.
- 4.1. Intensify internal expectations for training and participation in fire suppression.
- 4.2. Remove barriers and encourage participation of a broader spectrum of cooperators in fire suppression.
- 5.1. Revise business and fiscal management process and practices, to ensure cost efficiency, timely payments, and the timely recovery of revenue.
- 6.1. Provide our workforce with appropriate and cost effective new technologies.

3. ORS Chapter 477 Fire Protection of Forests & Vegetation: Protection from Fire Program

Oregon law (ORS 477.005) declares preservation of forests and conservation of forest resources through prevention and suppression of forest fires to be the public policy of the State of Oregon. This policy establishes two basic principles for forest fire protection:

"A complete and coordinated forest protection system;" and

"The primary mission of the State Forestry Department in such a system is protecting forest resources, second only to saving lives. Structural protection, though indirect, shall not inhibit protection of forest resources."

Under ORS Chapter 477, a "shared responsibility" principle exists for forest landowners and operators with "forest operations." Specific to fuels management (ORS 477.580), if the forester determines that an "additional fire hazard exists" on an operation area sufficient to endanger life, forest resources or property, the operator may have additional responsibilities. These can include fuel treatment, provision of additional protection and/or payment to the forester for extra protection. ORS Chapter 477 includes a number of sub-program elements including Urban Interface Fire Protection and Smoke Management.

4. ORS 477.015-061: Urban Interface Fire Protection (Senate Bill 360)

The Oregon Forestland-Urban Interface Fire Protection Act of 1997 (SB 360) is intended to facilitate development of an effective Wildland Urban Interface (WUI) protection system in Oregon by

- Establishment of legislative policy regarding WUI protection
- Defining the WUI in Oregon and establishing a process and system for classifying fire risk in the interface
- Establishing minimum standards for WUI property owners so they can manage or minimize fire hazards and risks
- Providing the means for establishing adequate, integrated fire protections systems in WUI areas, including education and prevention efforts

Failure of a homeowner to comply with minimum standards results in that homeowner having additional liability for fire suppression costs. Oregon believes this combination of incentives and responsibilities will ensure continued homeowner investment in fuels management, rather than a one-time or too limited effort.

Currently Jackson County and Deschutes County are implementing SB 360. The forestland-urban interface classification committees in Deschutes and Jackson counties identified forestland-urban interface areas and assigned fire-risk classifications to each area on June 30, 2004. Landowner self-certification information was mailed out in both counties starting in summer 2004.

Josephine County is developing a county fire plan that will meet the majority of requirements and intent of SB 360. Northern Klamath County hired a WUI Coordinator to assist with forming the classification committee, and initiated implementation in fall 2004. The framework ODF has developed to help communities develop Community Wildfire Protection Plans is designed to result in plans that also meet the intent of SB 360.

Federal NFP funding tentatively awarded to ODF for spring, 2005 will allow implementation to begin in Douglas County, one county in Northeast Oregon yet to be determined, and then either Jefferson, Wasco or Crook County in Central Oregon. The rate of SB 360 implementation in

other Oregon counties will be contingent on future funding, and prioritized based on Community at Risk map/risk ranking tools developed by ODF Protection Program. ODF has legislative authorization to hire 4 Wildland Urban Interface Coordinators to help implement SB 360 in priority areas, currently determined to be Southwest Oregon, Klamath Falls, Deschutes County and Northeast Oregon.

5. ORS 476.510: Oregon Conflagration Act

The Office of State Fire Marshal (OSFM) assists and supports Oregon fire services during major emergency fire operations through the Emergency Conflagration Act (ORS 476.510). When local and mutual aid suppression resources have been exhausted, the act can be invoked only by the Governor, and only for fires that involve or threaten life and structures. The act allows the State Fire Marshal to mobilize firefighters and equipment from around the state and provides for the State to reimburse local jurisdictions for use of these resources. Established as a civil defense measure to mobilize suppression resources for massive urban fires, the act was first used in 1951 after an explosion and fire in downtown Roseburg, and was not invoked again until 1972.

Over the past three decades, Oregon has witnessed a spiraling increase in costs associated with the Conflagration Act, which has been invoked more and more frequently since 1972 and nearly always for fires threatening structures in WUI areas. In the decade after 1987 (a record year for fire starts) the average declarations per year more than doubled, and doubled again since 1998. In 2002, ten wildland fires were declared Conflagrations at a cost of \$3.6 million dollars to Federal Emergency Management Agency (FEMA) and the State of Oregon. FEMA reimbursed a portion of those costs.

Oregon does not have the resources to sustain this level of structural suppression expense. Additionally, it may not be attainable. During a wildfire, when multiple homes/buildings are threatened, the triage protocol designates homes and structures with the highest chance of surviving the fire for protection. Structures lacking in fire-resistance, adequate fuel reduction, and road/bridge emergency vehicle access are at risk to be considered indefensible. When resources must be prioritized, structural fire protection resources are concentrated on structures with the best chance.

6. Oregon Statewide Land Use Planning

Oregon Statewide Land Use Planning Goal 7 for Areas Subject to Natural Hazards aims to protect people and property from natural hazards. Goal 7 directs local governments to adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards. Goal 7 also requires new hazard inventory information provided by federal and state agencies to be reviewed by the Oregon Department of Land Conservation and Development (DLCD) in consultation with affected state and local government representatives.

After consultation, the DLCD notifies local governments if the new hazard information requires a local response. Local governments must respond to new inventory information on natural

hazards within 36 months after being notified by the DLCD, unless extended by the Department. In relationship to ODF, as new data is identified, and particularly high hazard areas identified through Senate Bill 360, local governments will need to comply with Goal 7 requirements.

DLCD's Goal 4 (OAR 660-015-0000[4]) pertains directly to "forestland zones." Since one of the negative aspects of residential development in forestland zones is increased fire danger, DLCD adopted administrative rules for Goal 4 highlighting fire safety requirements which include:

- Road access design
- Fuel-free buffers
- Roofing materials
- Chimney spark arresters
- Public or contracted fire protection
- Water availability
- Maximum grade of the building site

Unfortunately, these Goal 4 standards do not apply to lands such as "rural residential zones" characteristic of the WUI, which are not zoned "forestland".

Federal Policies and Programs

1. Interagency Strategy for the Implementation of Federal Wildland Fire Management Policy

The Interagency Strategy for the Implementation of Federal Wildland Fire Management Policy of 2003 (Review and Update of the 1995 Federal Fire Management Policy) provides a unified federal policy for management of wildfires (USDA and USDI 2003). The 2003 policy clarifies and modifies earlier federal policies and is more consistent with the FPFO than the 1995 policy. The updated policy clarifies that federal fire protection priorities are life first and then property, community infrastructure, and natural and cultural resources based on the values to be protected, human health and safety, and costs of protection.

To a large degree fuel management objectives and treatments on federal lands are and will be set by federal agency Land and Resource Management Plans. The USFS and BLM are beginning to update these plans.

2. National Fire Plan, 10-Year Comprehensive Strategy and Implementation Plan

After the landmark 2000 wildfire season then-President Clinton asked his Secretaries of Agriculture and Interior to outline how the nation could better respond to severe wildfires and their impacts to communities and assure sufficient future firefighting capacity. The resulting report and corresponding agency strategies form the basis of the National Fire Plan (NFP) a long-term commitment to help protect human lives, communities and natural resources. The report was incorporated into the Administration's 2001 budget request to Congress, which appropriated funds and provided direction and authority to federal agencies for implementing the NFP.

The NFP addresses five key points:

- Firefighting
- Rehabilitation
- Hazardous Fuels Reduction
- Community Assistance
- Accountability

As directed by Congress, the Interior and Agriculture Secretaries worked with state governors and other stakeholders to complete a *10-Year Comprehensive Strategy* in 2001 (NFP 2001) which laid out *goals* and *guiding principles* of a collaborative approach to reducing wildfire risk to communities and the environment.

10-Year Comprehensive Strategy goals:

1. Improve Prevention and Suppression
2. Reduce Hazardous Fuels
3. Restore Fire-Adapted Ecosystems
4. Promote Community Assistance

Guiding Principles for all goals include:

- Collaboration – Facilitate a collaborative approach at the local, regional, and national levels.
- Priority Setting – Emphasize the protection of communities, municipal and other high-priority watersheds at risk.
- Accountability – Establish uniform and cost-effective measures, standards, reporting process and budget information in implementation plans.

The companion 10-Year Comprehensive Strategy *Implementation Plan* (NFP 2002) includes 23 priority tasks (under the 4 goals) for federal, state, and local governments. Federal land management agency line officers are the principal decision makers concerning public lands, but the Framework for Collaboration in the Implementation Plan defines *national*, *regional*, and *local* collaboration levels and clear roles and responsibilities to assist in implementing the 10-Year Strategy:

National Level – The Secretaries of Agriculture and Interior will implement the stated goals in full partnership with the governors. The secretaries will also work closely with the governors and Congress on policy and budget matters affecting strategy implementation. The Wildland Fire Leadership Council (WFLC) will coordinate policy direction for the federal wildfire management agencies.

Regional Level – Regional, state, local, tribal, or area administrators or other federal officials, tribal leaders, and governors will collaborate and coordinate across jurisdictions to facilitate accomplishments at the local level. Activity at this level will focus on addressing geographically distinct needs and issues, facilitating communication between local and national levels, and resource allocation and prioritization.

Local Level – Successful implementation will include stakeholder groups with broad representation including federal, state, and local agencies, tribes and the public, collaborating with local line officers on decision making to establish priorities, cooperate on activities, and increase public awareness and participation to reduce the risk to communities and environments.

The intent is that ongoing communication among these 3 levels facilitates exchange of technical information to make fully informed decisions and include specific outreach and coordination efforts. The levels are based on participants' scope of decision-making, management responsibility and/or interest, rather than traditional governmental hierarchies. This allows federal, state and tribal and local governments to be represented at each level. Under this plan, all parties agreed that reducing the threat of wildland fire to people, communities, and ecosystems will require that:

- Firefighter and public safety continue as the highest priority.
- A sustained, long-term and cost-effective investment of resources by all public and private parties, recognizing overall budget parameters affecting federal, state, tribal, and local governments.

- A unified effort to implement the collaborative framework called for in the 10 -Year Strategy in a manner that ensures timely decisions at each level.
- Accountability for measuring and monitoring performance and outcomes, and a commitment to factoring findings into future decision making activities.
- The achievement of national goals through action at the local level with particular attention on the unique needs of cross-boundary efforts and the importance of funding on-the-ground activities.
- Communities and individuals in the wildland urban interface to initiate personal stewardship and volunteer actions that will reduce wildland fire risks.
- Management activities, both in the wildland-urban interface and in at-risk areas across the broader landscape.
- Active forest and rangeland management, including thinning that produces commercial or pre-commercial products, biomass removal and utilization, prescribed fire and other fuels reduction tools to simultaneously meet long-term ecological, economic, and community objectives.

The Wildland Fire Leadership Council was established in April 2002 to implement and coordinate the NFP and other federal fire policies. WFLC consists of senior level department officials, federal, state, tribal and county representatives, including all five federal wildland firefighting agency heads. WFLC was established to address interagency, interdepartmental differences to ensure seamless delivery of a coordinated fire protection program. WFLC brings together wildland firefighting organizations to implement the 10-Year Comprehensive Strategy and Implementation Plan. WFLC meets regularly to monitor progress of the Ten-Year Strategy, to discuss current issues, and to resolve differences among wildland firefighting agencies.

The Western Forestry Leadership Coalition is a partnership between state forestry agencies and USDA Forest Service to deliver state and private forestry programs in the west and promote science-based forest management. Coalition priority focus areas for 2004 include working with other federal agencies and partners to ensure effective and efficient delivery of the NFP, and promoting specific actions to reverse the trend of overly dense forests on federal and non-federal lands that threaten communities, watersheds, wildlife habitats, old-growth forests and recreation areas in much of the west. The Coalition believes it is more cost effective and efficient to proactively address forest conditions than to deal with negative impacts that result from inaction.

Recognizing the value of coordinating fuels treatments across jurisdictions to effectively protect communities and improve forest and rangeland health, the USFS, BLM, USFWS, NPS, National Association of State Foresters and National Association of Counties signed a *Memorandum of Understanding for the Development of a Collaborative Fuels Treatment Program* in January 2003 to provide a framework for these entities to collaborate on selection of fuels treatments within their respective jurisdictions. (USDA Forest Service and others 2003.)

3. Healthy Forests Initiative

Under the 2002 Healthy Forests Initiative (HFI), President Bush directed the Secretaries of Agriculture and Interior to streamline regulatory processes to promote faster decision making, improve efficiency, and achieve better results in reducing wildfire risk. The goal of the HFI was to remove barriers to implementing projects under the NFP.

Since August 2002, several tools have been developed and distributed to federal agencies under the HFI, including:

- Alternative Approaches for Streamlining Section 7 Consultation (10/2002)
- Council on Environmental Quality Guidance on Environmental Assessments for Forest Health Projects (12/2002)
- Stewardship End Result Contracting provisions, PL 108-7 (February 2003)
- Two new categorical exclusions for fuels reduction and restoration activities (June 2003)
- Revised 36 Code of Federal Regulations 215 Notice, Comment and Appeal Regulations (June 2003)
- Joint Counterpart Endangered Species Act Consultation Regulations (December 2003)
- Healthy Forest Restoration Act of 2003 (December 2003)
- 36 CFR 218 Predecisional Administrative Review Process under HFRA (January 2004)
- Healthy Forests Initiative and Healthy Forests Restoration Act: Interim Field Guide (January 2004)

4. Healthy Forests Restoration Act

The Healthy Forests Restoration Act (HFRA) of 2003 aims to reduce dense undergrowth that fuels large, severe fires by expediting thinning, other mechanical treatments and prescribed burning or fuels projects on federal land, and assisting rural communities, states, and private landowners in restoring healthy forest conditions on state and private lands. The act encourages development of Community Wildfire Protection Plans (CWPPs), under which communities will designate their WUIs, where HFRA projects may take place. The current HFRA funding structure directs 50% of appropriated fuel treatment funding to wildfire agencies for use in community WUI protection zones. HFRA also encourages biomass energy production through grants and assistance to local communities to create market incentives for removal of otherwise valueless forest material.

5. Tribal Forest Protection Act

Signed into law in July, 2004, this legislation supplements existing laws by allowing tribes to enter into stewardship contracts with the Interior and Agriculture departments to conduct hazardous fuels treatments on federal lands within and adjacent to tribal boundaries in order to help better protect those areas from catastrophic wildfires. The bill complements the objectives of the HFRA for reducing wildfire risk across lands of multiple ownerships and jurisdictions and is intended to improve the ability of tribes and federal agencies to protect tribal lands by addressing fire, insect infestation and other threats on federal lands.

6. Federal Emergency Management Agency, Disaster Mitigation Act

The Disaster Mitigation Act of 2000 is administered by the Federal Emergency Management Agency (FEMA) and reinforces the importance of pre-disaster mitigation planning. In February 2002, FEMA published an Interim Final Rule (see 44 CFR Part 201), which specifies criteria for state and local hazard mitigation planning and requires all states to develop and adopt Natural Hazard Mitigation Plans (NHMPs) that meet the FEMA criteria by November 2004 in order to maintain eligibility for certain categories of federal disaster assistance. In order to be eligible for certain hazard mitigation grant funding programs, local and tribal governments must develop and adopt NHMPs that meet FEMA standards. These plans may be for a single jurisdiction or county, or they may be multi-jurisdictional. For the latter type, FEMA requires that all jurisdictions adopt the NHMP and that the NHMP addresses the specific natural hazard risks and needed actions for each jurisdiction.

Local and tribal governments must have approved plans in order to be eligible for Pre-Disaster Mitigation (PDM) funds. Activities eligible for funding can include management costs, information dissemination, planning, and technical assistance. States must have an adopted, FEMA-approved NHMP in place in order to be eligible for hazard mitigation and public assistance funds if a Presidential disaster has been declared.

7. Title III of the Secure Rural Schools and Community Self-Determination Act of 2000 (PL 106-393)

This legislation provides federal funds to counties containing USFS and BLM lands that traditionally have been supported by timber payments, effective FY2001-2006. Specified fund uses include community service work camps for federal lands, easement purchases, forest related educational opportunities, fire prevention and county planning and community forestry.

Counties have the option of putting 15% or 20% of the funds they receive into Title II or Title III projects. Title II Projects can occur on or off federal lands, but in some way must benefit resources on federal lands. Title III Projects are submitted directly to County Commissioners for the county in which the project is taking place. Five Resource Advisory Committees (RACs) have been formed for western Oregon BLM districts that contain Oregon & California (O&C) Grant Lands and Coos Bay Wagon Road (CBWR) lands. Each RAC has a Designated Federal Officer (DFO). RACs review project proposals and make recommendations on spending county-designated funds to the Secretary of Interior (or Agriculture for Forest Service Committees.)

Several Oregon counties depend on this funding and use it for fuels treatments and community fire planning efforts.

References for Appendix D

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Appendix E: Protection from Fire Program Funding Structure

Protection from Fire - Funding Structure*
(Historic)
2001-2003

Emergency Fire Costs	FEMA + Co-op Fire	Insurance Coverage \$43,000,000 (OF)	} Insurance deductible (\$10,000,000)		
		OFLPF \$10,000,000 (OF)			
		Ins. Prem. (\$3,400,000)			
Severity (E-board)		\$400,000 (GF)	} L.O. In-kind Contrib. + Every Reasonable Effort		
Forest Protection District Budgets		\$9,760,000 (OF) \$9,760,000 (GF)			
Public Owners		\$5,650,000 (OF)			
General Agency Administration \$2,490,000 (GF)	Debt Service \$640,000 (GF)				

*All \$ amounts are annual; some are approximations.

ODF Budget Note #3

Protection from Fire - Funding Structure Proposal*
2005-2007 (and beyond)

Emergency Fire Costs	FEMA + Co-op Fire	Insurance Coverage \$25,000,000 (OF)	} Insurance deductible (\$25,000,000)		
		Emergency Board \$10,000,000 (GF)			
		OFLPF \$15,000,000 (OF)			
		Ins. Prem. (\$850,000)			
Severity		\$2,850,000 (GF)	} L.O. In-kind Contrib. + Every Reasonable Effort		
Forest Protection District Budgets		\$10,200,000 (OF) \$10,200,000 (GF)			
Public Owners		\$6,300,000 (OF)			
General Agency Administration \$2,650,000 (GF)	Debt Services \$710,000 (GF)				

*All \$ amounts are annual; some are approximations.

Appendix F: Oregon Fire Protection System: January, 2005

Forest Protection Organizations in the Protection from Fire Program

Area/District	Forest Protection District	Forest Protective Association
<u>Eastern Oregon Area</u> Central Oregon District Northeast Oregon District Klamath-Lake District Walker Range District	Central Oregon Forest Protection District Northeast Oregon Forest Protection District Klamath-Lake Forest Protection District Walker Range Forest Protection District	East Oregon Forest Protective Association East Oregon Forest Protective Association Klamath Forest Protective Association Walker Range Patrol Association*
<u>Northwest Oregon Area</u> Astoria District Forest Grove District Tillamook District North Cascade District North Cascade District West Oregon District	Northwest Oregon Forest Protection District Northwest Oregon Forest Protection District Northwest Oregon Forest Protection District Clackamas-Marion Forest Protection District Linn Forest Protection District (north ½) West Oregon Forest Protection District	N.W. Oregon Forest Protective Association N.W. Oregon Forest Protective Association N.W. Oregon Forest Protective Association Clackamas-Marion Forest Protection Association Linn Forest Protective Association West Oregon Forest Protective Association
<u>Southern Oregon Area</u> Coos District Douglas District South Cascade District South Cascade District Southwest Oregon District Western Lane District	Coos Forest Protection District Douglas Forest Protection District Eastern Lane Forest Protection District Linn Forest Protection District (south ½) Southwest Oregon Forest Protection District Western Lane Forest Protection District	Coos Forest Protective Association* Douglas Forest Protective Association* Eastern Lane Forest Protective Association Linn Forest Protective Association Rogue Forest Protective Association Western Lane Forest Protective Association

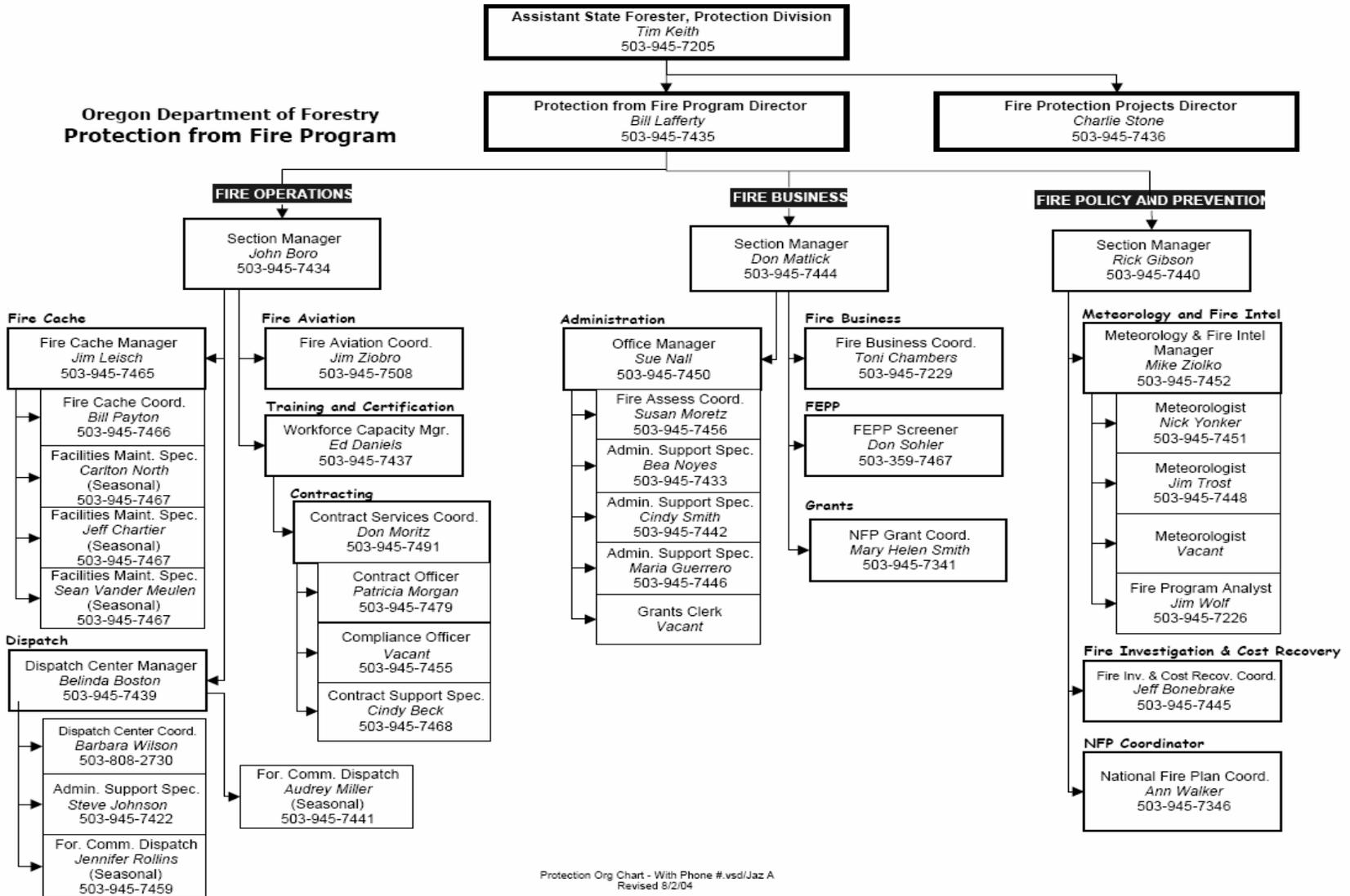
*Private fire protective associations that coordinate with ODF.

Comparison of Wildfire Protection across Jurisdictions in Oregon

Organization	Where Applied	Level of Protection	Role of Government: Local, County, State, Federal.	Who Pays?
Federal Agencies (USFS, BLM, NPS, USF&WS)	Federal government wildlands- mostly USFS, but also national parks, national wildlife refuges, most BLM lands. Exception: Under the Western Oregon Fire Protection contract, ODF provides protection on 2,368,440 acres of western Oregon BLM lands	Fully trained & equipped initial attack forces in key locations, with assistance from outside the local area for large and/or complex fires	Protection provided by the Federal Government	Funded by federal Congressional appropriations.
Rural Fire Protection Districts	Wildlands within established Rural Fire Protection District boundaries. Generally does not apply to lands protected by federal agencies, except in summer home lease areas. Some overlap occurs with ODF on up to 5 acres surrounding structures.	Trained and equipped initial attack forces generally located to provide best structural protection within the RFPD boundaries. Varying amounts of wild-land suppression experience and training.	Protection provided by a Rural Fire Protection District as established by law. (ORS Chapter 478)	Funded by taxes collected from property owners within the Rural Fire Protection District, based on assessed value.
Oregon Department of Forestry	Private and other wildlands within the boundaries of an established Forest Fire Protection District. Provides protection to BLM lands in western Oregon and portions of Klamath County.	Fully trained and equipped initial attack forces in key locations, with assistance from outside the local area for large and/or complex fires	Protection provided by State Government. (ORS Chapter 477)	Initial attack funded by 50% landowner acreage assessment; 50% Gen. Fund (public lands pay 100% of acreage assessment). Large fire costs funded by OFLPF (supported by landowner revenues) and insurance. If costs exceed OFLPF and insurance, Gen. Fund is liable.
City Fire Departments	Wildlands within city limits. Generally does not apply to lands protected by Federal Agencies. Some overlap occurs with ODF.	Trained and equipped initial attack forces generally located to provide best structural protection within the city limits. Varying amounts of wildland suppression experience and training.	Protection provided by City Government.	Funded by taxes collected from landowners within the city based on assessed value.
Private Fire Departments (e.g. Metro Rural; Grants Pass Rural)	Wildlands within area of subscription. Some overlap occurs with ODF.	Level of protection varies. Trained and equipped initial attack forces generally located to provide best structural protection within area of subscription. Varying amounts of wildland suppression experience and training.	Protection provided by a private for profit organization.	Funded by subscription fees rates established by the provider. Participation by property owners is voluntary.
Forest Fire Protective Associations (Coos, Douglas, and Walker Range)	Association member forest lands within their boundaries. Private, BLM and other non-member wildlands within boundaries of an established Forest Protection District are protected by the Association through agreement with the State Forester.	Fully trained and equipped initial attack forces in key locations, with assistance from outside the local area for large and/or complex fires.	Protection provided by a non-profit Forest Fire Protective Association. Standards established and reviewed by State Forester / Board of Forestry. (ORS Chapter 477)	Initial attack funded by 50% landowner acreage assessment; 50% Gen. Fund (public lands pay 100% of acreage assessment). Large fire costs funded by OFLPF (supported by landowner revenues) and insurance. If costs exceed OFLPF and insurance, Gen. Fund is liable.

Organization	Where Applied	Level of Protection	Role of Government: Local, County, State, Federal.	Who Pays?
Zone 1 Lands	Private lands designated as Zone 1 lands by the County. Currently, only exists in Grant County. These lands are not classified as "forestland".	Determined by County Court / Commission. In the case of Grant County, fully trained and equipped initial attack forces in key locations, with assistance from outside the local area for large/complex fires	Protection provided by agreement with the County. In Grant County, the protection is provided by ODF. (ORS Chapter 476)	Initial attack is funded by affected landowners through the county. These lands are not eligible for General Fund support for initial attack or for the Emergency Fire Fund that pays for large fire costs.
Rangeland Fire Protection Associations (RFPA)	Eastern Oregon rangelands outside of other types of protection where landowners have come together to form a "Rangeland Fire Protection Association". Several new Rangeland Fire Protection Associations have been formed in recent years.	Minimal protection provided through a network of landowners and residents with a variety of equipment (dozers, graders, water trucks, etc). Through mutual aid agreements, eligible for assistance from adjacent wildland fire agencies.	RFPA's established through BOF with budgets reviewed and approved annually. Eligible for FEPP (Surplus federal property); neighboring wildland fire agencies provide some training (ORS Ch. 477)	Members of the Rangeland Fire Protection Association pay for the services. Most of this is covered through in-kind contributions of the members' equipment and time.
By Agreement or Contract	Wildlands adjacent to the boundaries of another organization providing wildland fire protection. Protection provided through an agreement / contract between the owner of the lands to be protected and the organization providing protection.	Protection level varies depending on who the neighboring protection organization is. In addition, prioritization favoring the organizations' legal responsibilities likely would take preference over lands protected by agreement.	Varies, depending on which organization is providing protection.	Landowners pay the organization providing protection. This may include an annual readiness charge and/or an actual suppression cost charge.
Tribes	Wildlands where a tribe has jurisdiction and responsibility for wildland fire protection. Currently only the Warm Springs Tribe provides its own fire protection. Other reservations within protection districts are protected by ODF.	Fully trained and equipped initial attack forces in key locations, with assistance from outside the local area for large and/or complex fires	Tribal Government and /or Federal Government (BIA) determine level of protection and standards for protection.	Tribal Government and / or Federal Government (BIA) pay the costs of protection.
County Service Districts (e.g. Sunriver Service District)	Wildlands within special district boundaries. Some overlap occurs with ODF.	Trained and equipped initial attack forces generally located to provide structural protection within service district boundaries. Varying amounts of wildland suppression experience and training.	Protection provided by County Government, usually through a local management board.	Funded by taxes collected from landowners within the special district, usually based on assessed value.
Special Service District (such as a Water District)	Within the boundaries of a Special Service District inside or outside of an ODF Forest Protection District. Currently not a significant delivery method for wildland fire protection.	Determined by the Special Service District.	Special Service District Board would establish and oversee operations. (ORS Chapter 198.)	Members of the Special Service District would pay for the services provided, usually based on assessed value.

Appendix G: Protection from Fire Program Organizational Chart



Protection Org Chart - With Phone #.vsd/Jaz A
Revised 8/2/04