

Fire Protection Coverage Working Group

White Paper



"Stewardship in Forestry"

October 2004

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Fire Protection Coverage Working Group White Paper

Executive Summary

The fire protection system in Oregon has evolved over time. The areas protected, and the type of protection provided has been based on landowner needs, desires, and their willingness to organize and fund these efforts. This process has resulted in approximately 6 million acres of wildlands in Oregon that have no agency or organization responsible for suppressing wildfires. Most of these lands occur in remote areas of the state involving areas with low population density, and relatively low resource values.

Many of the fires that occur on these lands remain small with action from landowners, or no action at all. However, some of these fires grow to become large fires that cause damage to adjacent landowners resources and property, become a hazard to public safety, and are expensive to suppress. Since 1996, at least 120 fires involving lands without fire protection, have burned over 240,000 acres with a suppression cost approaching \$9 million. After removing 4 large fires, the average suppression cost for the remaining fires was \$8,400.

Legislative efforts to address the issue in 1997, 1999, and 2003 were not successful, due primarily to not having a consensus approach for resolution. The current effort involves a diverse working group that involves a wide range of interested constituents. These include a variety of landowner groups, county government, structural fire protection organizations, wildland fire protection organizations, and the insurance industry.

The group worked through a series of questions to assist them in their deliberations. The questions were:

1. Should all wildlands in Oregon have some type of fire protection?
2. Should unprotected wildlands that could threaten ODF protected lands have some type of fire protection?
3. What level of protection from wildfire should be provided?
4. Who should be responsible for providing wildland fire protection where it is not currently provided?
5. What should the role of government be in establishing and providing this wildland fire protection?
6. Who should pay for the availability costs and suppression costs associated with providing wildland fire protection?

A wide variety of alternatives were considered, and the recommendations reflect a combination of these alternatives. This approach recognizes that current situations and needs will vary from place to place, and allow an informed discussion and choice by landowners and county government.

The general philosophy of the recommendations include:

- The role of landowners is to maintain a base level of responsibility for using fire wisely, managing fuels on their property, and taking appropriate suppression action on fires.
- The role of county government is to serve as a facilitator of community objectives and develop an approach to meet those needs.
- The role of state government is primarily to assist these efforts and to help make them successful. This would involve providing technical assistance related to organizing, equipping, and training for wildland fire suppression, prevention, and mitigation. They would also provide assistance with grants, planning, and appropriate suppression assistance.

- The role of the federal government would be to assist through providing grants, Federal Excess Personal Property (FEPP), and participating in agreements as appropriate.

Implementation of these recommendations are broken down into short- and long-term efforts.

Short-Term

- Incorporate this issue into the ongoing community fire planning process.
- Build understanding, acceptance, and support for the recommendations with the counties, Association of Oregon Counties, landowners, and a variety of interest groups.
- Assist Rangeland Protection Associations in being successful in the short term by providing assistance related to the cost of their liability insurance, and through providing an ODF position to provide technical assistance.

Long-Term

- Work towards defining what the responsibility of the landowner is in statute.
 - Work towards defining what the role of county government is and establishing in statute.
 - Work towards defining a protection buffer around ODF protected lands and associated issues.
 - Work with the federal government to allow transfer of ownership of FEPP equipment to fire organizations.
 - Consider establishing an agreement between the State and each county that links action by the county with assistance from the state.
 - Develop an evaluation time frame and adjust approach as appropriate.
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I. Issue Description

Oregon contains approximately 6 million acres of mostly private lands that have no one individual, organization, or agency responsible for fire prevention and suppression actions. Wildland fires in these areas have burned adjacent landowner resources, structures, and improvements; threaten public safety; and have other impacts on residents and the general public such as closing highways. While many of these fires remain small and have limited impacts, several have become large, damaging, and expensive fires to suppress. An incomplete record of fires involving unprotected lands exist, but since 1996, there have been at least 120 fires that have burned over 240,000 acres with suppression costs approaching \$9 Million. After removing 4 large, expensive fires, the average suppression cost for the remaining 117 fires was \$8,400.

In addition, this working group was originally tasked with looking into a related issue associated with structural fire protection. Since that time, the Governor's Fire Service Policy Council established a parallel effort to address the issue of continuing to provide catastrophic fire protection to communities outside a structural fire jurisdiction. Some additional discussion related to the connection between these two efforts will occur in this document, but will be considerably less than originally envisioned. Due to this parallel effort, the primary focus of this paper is on wildland fire protection.

II. Background

A. History of Fire Protection in Oregon

Fire protection in Oregon has remained closely tied to the landowners needs, willingness, and ability to pay. From the start, most aspects of fire protection in the state of Oregon have been established and funded according to affected landowners' wishes. The information below is somewhat simplified as it does not contain all aspects and organizations that have historically or currently provided fire protection.

1. **Private Forest Land Fire Protection** - Organized fire protection for private forestlands began in the early 1900s with the formation of Forest Fire Protection Associations. These organizations consisted of groups of landowners coming together to provide fire protection to membership lands. These “Operating Associations” controlled all aspects related to the level of protection and funding of their activities. By design, this system did not protect all forestlands. Over the years, some of these “Operating Associations” went out of business for a variety of reasons, but mostly related to their ability to remain solvent financially. The system evolved to provide protection to all private forestland in the state. Three operating Forest Protection Associations continue to provide fire protection in Oregon. The remainder of the state is provided protection through the Oregon Department of Forestry. For these state protection districts, the local forest protection association landowners continue to play an active role related to determining the level of protection, reviewing and approving annual budgets, and providing resources for the overall fire protection system.
2. **Federal Land Fire Protection** - The various federal government agencies that manage lands began providing fire protection to their lands in about the same timeframe as the private forestlands. The level of fire management capacity has changed over time from a very extensive level of protection to a much more managed, intensive approach that includes fuels management and the use of fire to meet resource management needs. The USFS and BLM are the primary federal agencies involved in wildland fire suppression and management in Oregon. In western Oregon and western Klamath County, the Oregon Department of Forestry has provided fire protection to BLM lands for many years. The protection was initially provided by agreement, and most recently through a contract. Other federal agencies with fire programs in Oregon include: National Park Service, US Fish and Wildlife Service, and the Bureau of Indian Affairs.
3. **Non-Forested Private Land Fire Protection** – The level of wildland fire protection on non-forest lands continues to vary widely. In many areas, no individual, organization, or agency has responsibility for providing fire protection. Many of these areas are remote, have low populations, and low land productivity. When a fire occurs in these areas, some of the ways they are addressed are through: local, individual landowners taking action; adjacent, threatened organizations taking action to protect their own interests; or no action taken. Several other options exist as well. A Rural Fire Protection District may exist and provide wildland fire protection. Generally, these RFPDs are formed primarily for structural fire protection, but will provide wildland fire protection as well.

The Ironside Rangeland Fire Protection Association has existed for 41 years to provide wildland fire protection in northern Malheur County. In recent years, five additional Rangeland Fire Protection Associations have formed. These are groups of landowners that come together to form an organization that provides fire protection to their members. Their equipment and staffing are generally the same that they use for their normal work on their lands, and are minimally funded operations.

An additional method of providing fire protection has been establishment of Zone 1 lands, where the county arranges for wildland fire protection services. Grant County is the only county that currently uses this method, and contracts with the Oregon Department of Forestry for these services.

4. **Structural Fire Protection** - Structural fire protection districts were formed through the years as a result of desires of the residents. Both municipal fire departments and rural fire protection districts are established and funded by those living within the respective jurisdiction. Fire departments primarily provide structural fire protection, emergency medical, rescue, and related services. Depending on the nature of the district, some level of wildland fire protection may be provided as well. As the structural fire protection system has evolved, there remain structures in Oregon that do not have fire protection. These exist as isolated structures, as well as those in subdivisions and small developments.

B. Current Situation

1. Current Fire Protection System (Figure # 1)

The table below outlines how wildland fire protection is currently provided in the state of Oregon. It contains information related to who protects what lands, the level of protection provided, the role of government, and how it is funded. The current delivery system continues to reflect the role of landowners in developing and providing for their own protection.

Figure 1. Current Fire Protection System

Organization	Where Applied	Level of Protection	Role of Government (County, State, ?)	Who Pays?
Federal Agencies (USFS, BLM, NPS, USF&WS)	Wildlands owned by the Federal Government, though some exceptions exist)	Fully trained and equipped initial attack forces in key locations, with assistance from outside the local area for large / complex fires	Protection provided by the Federal Government	Funded by federal Congressional appropriations.
Rural Fire Protection Districts	Wildlands within the boundaries of an established Rural Fire Protection District. Generally does not apply to lands protected by Federal Agencies. Some overlap occurs with ODF Protection (structure plus up to 5 acres to RFPD, and remainder to ODF)	Trained and equipped initial attack forces generally located to provide best structural protection within the RFPD boundaries. Varying amounts of wildland suppression experience and training.	Protection provided by a Rural Fire Protection District as established by law. Minimal standards established. (ORS Chapter 478)	Funded by taxes collected from homeowners / landowners within the Rural Fire Protection District. Generally through a tax 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.	Fully trained and equipped initial attack forces in key locations, with assistance from outside the local area for large / complex fires	Protection provided by State Government. (ORS Chapter 477)	Funded by a combination of forest landowners within the District (roughly 2/3 of local initial attack), the State General Fund (roughly 1/3 of local initial attack costs), and statewide forest landowners (large fire costs)
Forest Fire Protection Associations (Coos, Douglas, and Walker Range)	Association Member forest lands within their boundaries. Private, and other non-membership wildlands within the boundaries of an established Forest Fire Protection District are protected by the Association through agreement with the State Forester. Provides protection to BLM lands in Western Oregon.	Fully trained and equipped initial attack forces in key locations, with assistance from outside the local area for large / complex fires	Protection provided by a non-profit Forest Fire Protection Association. Standards established and reviewed by State Forester / Board of Forestry. (ORS Chapter 477)	Funded by a combination of forest landowners within the District (roughly 2/3 of local initial attack), the State General Fund (roughly 1/3 of local initial attack costs), and statewide forest landowners (large fire costs)
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 the affected landowners through the county at a current rate of \$0.30 / acre. These lands are not eligible for General Fund Support for initial attack resources or for the Emergency Fire Fund that pays for large fire costs.
Rangeland Protection Associations	Wildlands outside of other types of protection where landowners have come together to form a "Rangeland Protection Association". Several new Rangeland Protection Associations have been formed in far eastern Oregon over the last several 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.	Rangeland Protection Associations established through the Board of Forestry with budgets reviewed and approved on an annual basis. Eligible for FEPP (Surplus federal property), and provided some training by neighboring wildland fire agencies. (ORS Chapter 477)	Members of the Rangeland Protection Association pay for the services. Much of this is covered through in-kind contributions of the members equipment and time.

Organization	Where Applied	Level of Protection	Role of Government (County, State, ?)	Who Pays?
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.	The level of protection 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 who the organization is providing protection.	Landowners pay the organization providing protection. This may include an annual readiness charge and/or an actual suppression cost charge.
Tribal	Wildlands where a tribe has jurisdiction and responsibility for wildland fire protection.	Fully trained and equipped initial attack forces in key locations, with assistance from outside the local area for large / 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.
Special Service District (such as a Water District)	Within the boundaries of a Special Service District that is outside of an ODF Fire 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 ___)	Members of the Special Service District would pay for the services provided.

2. Comparison with other Western States (Figure # 2)

The table below outlines how non-forested wildlands are protected in a partial sample of western states. The approach ranges from California and New Mexico where the State provides for fire protection to all lands funded through the state's general fund; to Nevada and Montana where the county plays a significant role in determining the level of protection and providing it; to Idaho and Washington where unprotected non-forested areas exist similar to that in Oregon

Figure 2. Comparison with other Western States

State	What's Protected	Level of Protection	Who is Responsible for Providing?	Role of Government (County, State, ?)	Who Pays?
Calif	All Wildlands Protected	Intensive	CDF through CDF, and in some counties, through County Fire Organizations	State - Supplies organization, staffing, equipment, funding	State
Idaho	Unprotected Lands	None	No one	None - BLM has historically been responding if fire is in vicinity of unprotected lands fire. Idaho responds if threat to protected lands.	None
Nevada	All Wildlands Protected	Determined by County - varies from intensive to extensive to none.	County	County has responsibility for providing protection. State provides protection to Forest and Watershed lands. Fed Agencies providing some level of protection to adjacent lands	County
Montana	All Wildlands Protected	Determined by County - varies from intensive to extensive.	County by Agreement with state, though statutes actually place responsibility on the landowner.	County has responsibility for providing protection with State Assistance. State provides training, FEPP Equipment, and Assistance with suppression if County's resources overtaxed. State provides protection to Forest and Watershed lands. Fed Agencies providing some level of protection to adjacent lands	County w/ State Assistance
New Mexico	All Wildlands Protected	Extensive	State responsible, but majority of incidents suppressed by RFDs, and Fed Agencies.	State provides training and FEPP Equipment.	State through reimbursement of costs to responding agencies on state protected lands.
Oregon	Unprotected Lands	None	No One	State provides assistance with training, FEPP, and Rangeland Protection Association Formation. State provides protection to Forestland and threats to Forestland. Fed Agencies providing some level of protection to adjacent lands. Significant portion of unprotected lands have historically been Division of	None

State	What's Protected	Level of Protection	Who is Responsible for Providing?	Role of Government (County, State, ?)	Who Pays?
Washington	Unprotected Lands	None	No One	State Lands owned lands. State provides protection to Forestland and threats to Forestland. Fed Agencies providing some level of protection to adjacent lands. Significant portion of unprotected lands are owned by WA Dept of Nat Resources.	None

3. Impacts

Fires on unprotected lands occur throughout Eastern Oregon. They impact all fire suppression agencies through fires occurring that threaten or spread to lands they are responsible for. These fires result in a significant cost to the local landowners paying for fire protection, to the State of Oregon, and to the BLM. Significant acreage is burned by unprotected land fires, which greatly affects the livelihood of local landowners by damaging resources (forest, range, crops, etc) and improvements (fences, outbuildings, homes, etc). In addition, these fires threaten the life and property of both landowners, and those passing through the area with the potential for fire entrapment while on their property, or while travelling on county, state, and interstate roads and highways.

The Department of Forestry has partially tracked fire occurrences and costs on unprotected lands of the Department's Eastern Oregon Area (EOA) for the last 12 years. It's important to note that this information is by no way complete. It is compiled from a combination of fires that ODF and the BLM were directly involved in, as well as numerous fires where the agencies became aware of the fire, but had limited, or no direct involvement. The fire statistics that this information is based on is included in Appendix F.

Since 1992, ODF has recorded 120 fires on unprotected lands in eastern Oregon accounting for approximately 240,000 acres burned and \$8,965,698 spent in fire suppression costs. This averages out to be about nine 2000-acre fires per year at an average cost of \$75,000 per fire or \$675,000 per year. Not all of this cost is incurred from just ODF; there are several fires that the BLM suppressed due to the threat to their land. Also, agencies such as the USFS, the Oregon Office of State Fire Marshal, and other State, County, City, and Local agencies have spent much time and money in suppressing these fires as well. These efforts also result in reduced capability for fire suppression on the lands that are paying for these fire protection services and resources.

Of these 120 documented fires, 69 fires burned onto, or directly threatened ODF protected lands. 23 fires did not threaten ODF protection but ODF was involved through mutual aid with another agency, and the remaining 28 fires were handled by the BLM with 4 of these threatening ODF protection but no ODF involvement. On the fires directly threatening ODF protection, ODF alone spent \$7,406,257 in order to suppress these fires and protect the lands within the district from greater loss while other agencies contributed \$1,207,002 in the efforts to control these blazes.

Through this time period, 57 of the 92 fires with ODF involvement occurred in and around ODF's Central Oregon District.

C. Legislative Efforts

Efforts to address fire protection coverage in the Oregon Legislature have occurred in the 1997, 1999, and the 2003 legislative sessions. Bills were introduced in all 3 sessions, but none of them were successful in making their way through the complete legislative process. Generally, agreement among potentially affected parties was not sufficient to move the process forward. Vocal opposition to some of the approaches also existed. From the beginning of the current review, interested and affected parties from throughout the state have been involved in an effort to gain understanding, acceptance, and support for the recommendations developed.

A brief summary of the introduced legislation is outlined below:

1. 1997 Legislative Session

- Provided for a comprehensive approach to wildland and structural fire protection in Oregon.
- Wildland – If landowner or county chooses not to provide protection, then the State Forester would provide protection in a manner similar to Forest Fire Protection Districts, but that would reflect different values at risk.
- Structural – If landowner or county chooses not to provide protection, then the Oregon State Fire Marshal would provide. Also included amendments to the Zone 2 regulations, and enhanced the ability for Rural Fire Districts to expand.

2. 1999 Legislative Session

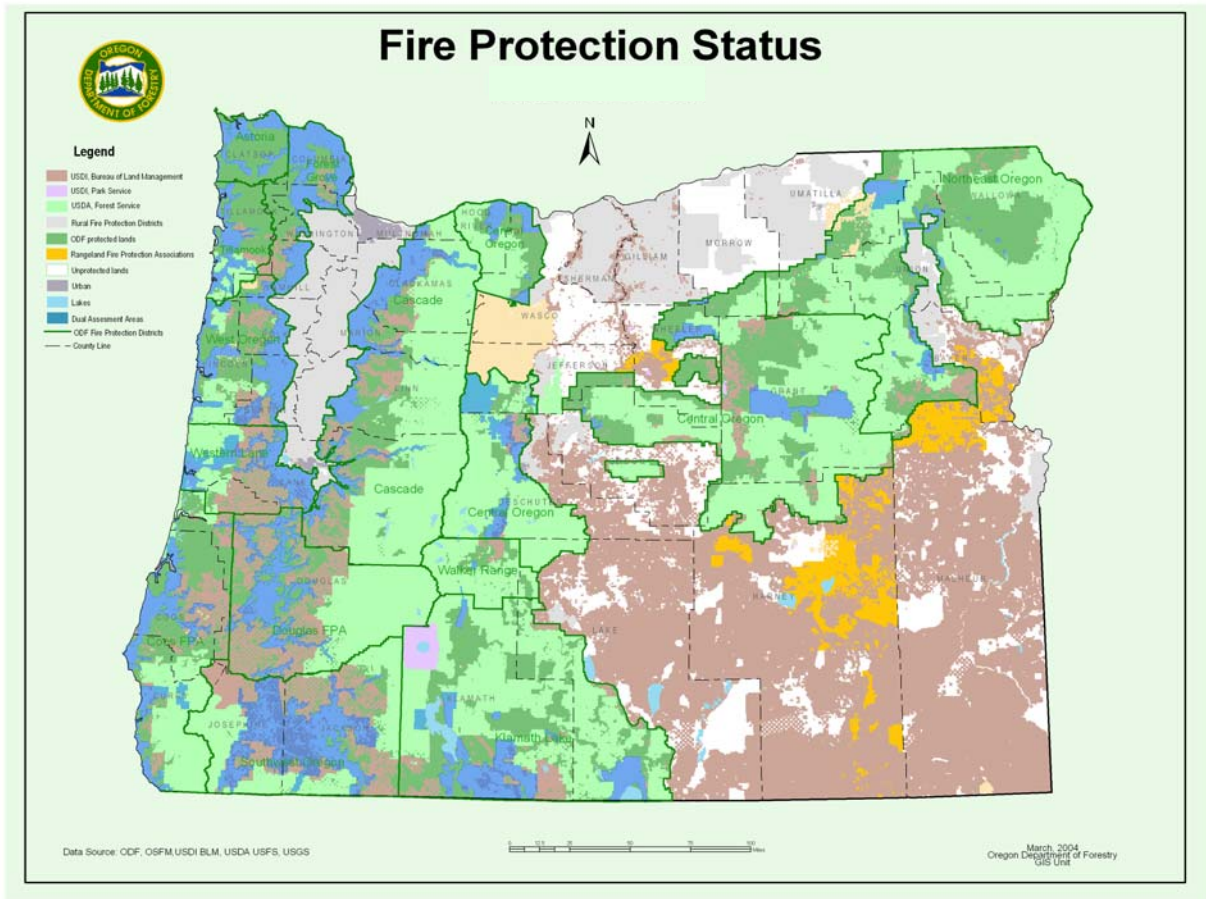
If a fire occurs on unprotected wildlands, and the County Board or Landowner requests, the State Forester may allow resources to attack and control a fire. The State Forester may recover costs from the landowner.

3. 2003 Legislative Session

Uncontrolled fire declared a public nuisance. The State Forester may attack or control if the fire could spread to a Forest Protection District boundary or if it was determined that early suppression action could prevent further resource shortages during a time of critical resource shortages. The State Forester may bill landowners for actual costs.

D. Fire Protection Status Map (Figure 3)

Figure 3. Fire Protection Status



III. Expectations and Analysis

A. Outcome Expectations

The following items were identified early in the process as important factors in determining successful outcomes. The recommendations in this paper are generally in line with these expectations.

1. Choice and informed decisions with appropriate impacts clearly understood
2. Combination of voluntary and mandatory
3. Level of Protection balanced with value at risk and risk of fire along with impacts to others.
4. Cost allocated fairly
5. Prevention a key component
6. Those affected a key part of successful outcome
7. Easy to administer
8. Short term actions align with long term goals
9. Efficient
10. Establish/ maintain/ enhance working relationships
11. Increased landowner and public understanding of risk and increased participation. Understanding of need for protection.
12. Respect and recognize current landowner and community efforts. Showcase these efforts.
13. Flexible to meet varying situations/needs.

B. Questions for Deliberation

The questions below were established early in the exploration phase of this process. It was designed to answer each question in order, as each answer tends to build upon the previous one. These questions served as an excellent starting point for discussion within the group. The groups answer to each is included along with the questions below.

1. **Should all wildlands in Oregon have some type of fire protection?** The working group answered "No" to this question. This is a result of recognition it may not be a good business decision to provide protection to ALL wildlands and structures. It recognizes that some areas (due to extremely low resource values, extremely low structure density and population) may not be able to provide fire protection services due to low potential for actual damage, as well as a lack of infrastructure to provide and support the service.
2. **Should unprotected wildlands that could threaten ODF protected lands have some type of fire protection?** The working group answered "Maybe" to this question. The group recognized a need to lessen the potential for an unprotected lands fire from moving onto ODF protected lands. The key to how this was answered is dependent on the level of protection provided, and how it is provided.
3. **What level of protection from wildfire should be provided?** The working group recognized that a system of variable levels of protection would be appropriate. The level of protection would vary primarily depending on the values at risk, and the risk that fire will occur. Some other variables that may come into play include: large vs. small landowner; individual vs. groups of landowners; local social values; and acceptance of government assistance.
4. **Who should be responsible for providing wildland fire protection where it is not currently provided?** The primary responsibility for providing fire protection should rest with the landowner. Counties should work with its landowners to identify what areas should be protected, and at what level. The county effort should be tied into ongoing planning efforts related to: Community Fire Plans; FEMA Mitigation Plans; etc.

5. **What should the role of government be in establishing and providing this wildland fire protection?**
Local Government should bring communities together and provide oversight and coordination to the process. State Government should assist with support, training, and equipment to those organizations providing fire protection. The state should work towards reducing liability insurance costs for Rangeland Protection Associations, and providing support for Governor declared disasters as appropriate. The Federal Government should provide assistance, support, and equipment by working with the State and Local Governments as appropriate.
6. **Who should pay for the availability costs and suppression costs associated with providing wildland fire protection?** The landowner has primary responsibility for fire protection on their lands. The County and State's responsibilities are at a broader, social level. This broader social aspect should involve meeting the needs through providing leadership, support, and funding assistance in establishing and maintaining an appropriate level of protection. The Federal Government should provide support through mutual aids, agreements with Rural Fire Departments and Protection Associations, Federal Excess Personal Property, and available grant funding.

C. Challenges

The following items have evolved as key challenges as the Work Group explored this issue:

1. **Fire may do little, or no damage to their lands** - The low productivity of many of these lands is also reflected in resources on the land that may actually benefit (at times) from fire, such as certain grasslands. This is often a matter of timing as a fire at the wrong time could deplete needed grass for feeding cattle, while at the right time could eliminate pest / invasive weeds, and improve future grass quantity / quality. Why pay for fire protection when fire could actually be a benefit?
2. **Ability to pay and who pays** – Many of the lands currently without fire protection are in areas with low land productivity. This is reflected in the lands limited ability to generate revenue and pay for fire protection and the many other things that a landowner needs. Should the landowners that own the more productive land (forested), and currently pay for this protection, be responsible for the costs of fires spreading off of unprotected lands onto their lands? Is there statewide benefit for protecting these lands worth funding by the people of the state of Oregon?
3. **Role of Government** – Many of the lands without fire protection are in remote areas with few, if any, government services. Some of these landowners choose to live there for that very reason. They are independent and prefer to provide for themselves without the involvement of government. The general feeling is that government is “less bad” as you move from federal, to state, to county and local government.
4. **Potential resource loss due to neighbors without fire protection** - Due to the nature of wildfire, property lines are not respected, and large fires may spread to other landowners lands, damaging their resources and improvements. Landowners may feel that, “If my neighbor chooses to not have fire protection, and a fire spreads through their property and causes resource damage and suppression costs that I'm responsible for, it's not right. Especially if that fire could have been stopped early with little damage and/or suppression costs.”
5. **Complete Fire Protection System** – Due to the nature of wildfire, property lines are not respected, and large fires may spread to other landowners' lands, damaging their resources and improvements. In Oregon, Law Enforcement, Haz-Mat Response, and some type of emergency medical response are available everywhere in the state. Why not fire protection as well?
6. **Protection System Design** - By its very nature, the design of the system that provides both wildland and structural fire protection in Oregon will contain significant gaps. The system is largely dependent on active and engaged local landowners to create, fund, and maintain the protection system. This results in areas with high value (timber or high value / high-density improvements as an example) to easily fund the necessary protection. Areas with lower value (sage / grasslands or lower value low density improvements) have less ability to fund and support a consistent local protection system. Other western states contain a variety of approaches related to how fire protection is provided. Some states contain no unprotected lands from a structural or wildland standpoint due to the design of their system. In these

types of systems, it's important to recognize that different levels of protection are provided based on the values at risk, and that someone does have the responsibility to respond and take appropriate action.

IV. Alternatives Considered

As alternatives and recommendations were developed, the group focused efforts on long term solutions. As part of this approach, short-term limitations (State General Fund shortages as an example) were not considered to constrain potential alternatives. Figure 4 contains a matrix that arrays various options that were used as a tool for developing alternatives. The list below consists of a variety of alternatives that evolved from these discussions related to wildland fire protection.

Figure 4. Options

What's Protected	Level of Protection	Who is Responsible for Providing?	Role of Government (County, State, ?)	Who Pays?
A) Only those lands that a fire would be a threat to protected lands	A) Minimal Protection - local response on an as needed basis with what resources happen to be available.	A) Landowner has responsibility for a fire that starts and/or spreads through their property. Landowners band together to provide necessary resources on an as needed basis.	A) No responsibility	A) Landowner responsible for readiness and suppression costs.
B) In addition to A) above, include those lands where a fire would be a threat to a high value (community, watershed, etc)	B) Limited Protection - Local response by minimally trained and equipped resources, and/or response by fully trained and equipped resources from some distance away from the local area.	B) Rangeland Association has responsibility for a fire that starts within it's area of responsibility. Landowners support the Association through planning, staffing, training, and equipping locally available resources.	B) Provide assistance to the responsible parties related to: planning, organizing, training, and equipping them for wildland fire protection.	B) County responsible for readiness and suppression costs.
C) All Wildlands Protected	C) Full Protection - Local response by fully trained and equipped resources with support from fully trained and equipped resources from outside of the local area.	C) County has responsibility for a fire that starts within it's border. County provides protection services either directly, or through an agreement or contract with another organization.	C) Establish a hierarchy of standards related to responsibilities, training, and equipment.	C) State Responsibility for readiness and suppression costs
		D) Class 4 land classification created to establish protection system. Responsibility for protection would fall to Rangeland Protection Association, County, ODF, or other organization depending on how the design is crafted.	D) Share in the cost of providing fire protection. This could include a wide range of issues from cost sharing the base level of protection, to some portion of actual suppression costs.	D) Some mix of the above resulting in a cost share between the landowners and government.
		E) ODF has responsibility for a fire that starts within it's area of responsibility. This option would reflect an expansion of current boundaries, and perhaps combine with the Class 4 lands system discussed above.	E) Provide the service at either the limited or full protection options.	

1. **Status Quo** – This could result in no additional protection, and current issues would continue. The landowner would be responsible for protecting themselves from wildland fires on their property. Limited, or no outside assistance would be available or expected to assist.
2. **Provide Protection Through Agreement / Contract with Neighboring Protection Agency** – This could result in additional protection in locations adjacent to another organization / agency that is currently providing protection. Neighboring Protection Agencies would include: BLM, ODF, Rural Fire Protection Districts, Rangeland Protection Associations, etc. Agreements between the federal agencies

and local government (county, rural fire district, rangeland protection association, etc) must be reciprocal in nature.

3. **Provide Protection Through Creation and Expansion of Rural Fire Protection Districts** – This could result in additional protection being provided by the expansion of existing Rural Fire Protection District boundaries. In addition, the creation of new Rural Fire Protection Districts would also provide coverage to additional areas.
4. **Provide Protection Through Creation and Expansion of Rangeland Protection Associations** This could result in additional protection being provided by the expansion of existing Rangeland Protection Association boundaries. In addition, the creation of new Rangeland Protection Associations would also provide coverage to additional areas.
5. **Provide Protection Through Creation and Expansion of the Zone 1 Approach** – This would expand the use of Zone 1 authority to provide fire protection. While the authority currently exists for a county to establish Zone 1 lands, raise funds, and make arrangements for fire protection, Grant County is currently the only county to recognize and use this authority.
6. **County Provided Fire Protection** – In this alternative, the county would be responsible for providing wildland fire protection. This could be achieved through establishing a county wide fire department, providing protection through an agreement or contract with a fire agency, establishing an extensive level of protection through something like training county road crews in key locations, and others.
7. **Provide an Additional Ring or Protection Zone around ODF Protected Lands** – This would establish an additional tier of protection that serves somewhat as a buffer between ODF protected lands and unprotected lands. The primary intent would be to reduce the costs and resource damage to ODF protected lands from fires that move off of unprotected lands. This would establish a shared responsibility and funding mechanism such as a capped per fire fee, or a subsidized annual fee.
8. **ODF Provides Fire Protection** – This approach would expand ODF’s current role and boundaries to include more lands than currently protected. This could range from a slight expansion to borders that are logical from the perspective of fire behavior and taking advantage of natural and man-made barriers; to an approach similar to several states that would give overall fire protection responsibility to ODF.

V. Recommendations

A. Recommendations

The following recommendations and actions are the result of numerous discussions and deliberations with the members of the Fire Protection Coverage Group. It is strongly felt by this group that these recommendations are intended to serve as the beginning of the process, as opposed to the end. It is recognized that there is still much work to do, and all of us are committed to making progress to improve Oregon’s fire protection system.

It became apparent quickly that no one alternative discussed above would provide the best “answer” for Oregon. With that in mind, the recommendation of the group is to use a combination of alternatives that provide the best results under the conditions in various geographic locations throughout the state.

The responsibilities of the various players (as listed below) would combine to provide a better overall approach than currently exists.

Landowner – The basic level of responsibility for the landowner is to use fire wisely, manage fuels appropriately on their property and near structures, and take “appropriate action” on fires occurring on their lands. “Appropriate action” would be to use equipment and staffing under their control to take suppression action on a fire that is likely to cross property lines. Landowner cannot be removed from their property while taking appropriate suppression actions.

County Government – Responsible for overall disaster management in their county. This involves developing necessary plans and actions to minimize damage from wildland fires, and to address resource and management needs if a large wildland fire should occur within the county. County Government serves as the

facilitator of community objectives in assessing current situation, determination of day to day protection needs, and how best to meet those needs. The intent is to have an informed discussion resulting in decisions that the “community” understands, accepts, and supports. This approach should help bring together multiple related planning efforts in a cohesive Community Fire Planning effort that produces results and minimizes duplication. A county based education, prevention, and mitigation effort will likely be a successful outcome of this effort.

State Government – Provide wildland fire technical assistance related to organizing, equipping and training. Provide suppression assistance through agreements as appropriate. Provide suppression assistance when requested by the Governor (Disaster Declaration). Provide support and assistance to help make Rangeland Protection Associations more successful (Liability Insurance, etc). Serve as a resource for education, prevention, and mitigation efforts as well as provide assistance with general guidance and grant processes. Provide funding to assist in the overall protection needs as appropriate. Through appropriate mutual aid agreements, provide wildland fire protection to lands adjacent to currently ODF protected lands. Work with Federal government to modify FEPP rules to allow title to transfer to a rural fire defense organization.

Federal Government – Provide cooperative guidance for adjacent rural fire departments and rangeland protection associations in developing mutual aid agreements and technical assistance related to training and organizing. Provide opportunities to obtain federal excess personal property (FEPP). Provide information regarding the Community Assistance Grant process. Through appropriate mutual aid agreements, work jointly to provide wildland fire protection to lands adjacent to federal government protected lands.

Oregon State Fire Marshal’s Office and Structural Fire Protection - Appendix D contains recommendations from the Governor’s Fire Service Policy to the Office of the Oregon State Fire Marshal. These recommendations were developed during the same time period that the Fire Protection Coverage Working Group was developing this report. To that end, the information was shared, but not fully discussed or coordinated. Additional effort should be undertaken to assure compatibility between the two efforts.

VI. Proposed Implementation

If the recommendations above are accepted, then the following actions should be considered as part of an implementation plan.

A. Recommended Short Term Actions (Starting Immediately)

1. ODF should work with all parties involved to include the discussion and development of improved fire protection as part of the Community Fire Planning Process. Involved parties would include: Federal Agencies, Counties, Association of Oregon Counties, and the Office of the Oregon State Fire Marshal, etc.
2. Establish effort using members of this group and others to build understanding, acceptance, and support for the approach with affected counties and the Association of Oregon Counties.
3. Establish effort using members of this group and others to build understanding, acceptance, and support for the approach with landowners and interested groups.
4. Establish and maintain unprotected lands fire occurrence database for future analysis.
5. Assist Rangeland Protection Associations through the following legislative actions:
 - Determine the base level of liability insurance needs and develop a method for reducing costs (partial funding, provided through a pooled concept, add on to state and/or county policies, etc).
 - Establish one ODF position with appropriate support to work directly with Rangeland Protection Associations, Counties, and other groups by providing assistance in organizing, equipping, training, prevention efforts, and community fire planning efforts. This would be a key step in establishing positive relationships and trust in these areas to keep the process moving forward.

B. Recommended Long Term Actions (Starting with the 2007 Legislative Session)

1. Define the desired approach through the legislative process by:
 - Define landowner responsibility as the foundation for fire protection.
 - Define the county's role as that of being responsible for ongoing informed decisions with their constituents regarding how fire protection is provided in their county as part of the community fire planning process. In addition, define the county's role in implementing this system.
 - Define and establishing a protected buffer between ODF protected lands and un-protected lands, with the intent of reducing suppression costs and resource damage related to fires moving off of un-protected lands.
2. Work with the Federal Government to explore the option of providing the title for Federal Excess Personal Property (FEPP) to fire organizations after a period of time, and to streamline the Federal Grant process.
3. Consider development of an agreement between the State and the Counties. This agreement would spell out that if the county makes good faith efforts to develop community fire plans, and address fire protection coverage needs, then the state would provide assistance in organizing, equipping, and training for wildland fires. In addition, the state would provide support and funds for wildland fire related disaster declarations within the county.
4. Develop an evaluation time line that takes a look at progress made and recommends further actions as appropriate.

Appendix

Appendix A - Fire Protection Coverage Working Group Membership

Appendix B - Process Description Fire Protection Coverage Work Group

Appendix C - Fire Protection Coverage Group Work Plan

Appendix D - Recommendations to the Office of the Oregon State Fire Marshal By the Governor's Fire Service Policy Council

Appendix E - Fire History on Unprotected Lands

Appendix F - Legislative History Detail

Appendix G - Governing Statutes