

TO: House Revenue Committee

FROM: Kenneth Cummings

DATE: April 17, 2019

RE: Opposition to HB 2495

Email to: lro.exhibits@oregonlegislature.gov

Good morning, to all members of the committee. My name is Kenneth Cummings and I am Chair of the Emergency Fire Cost Committee, which oversees the Oregon Forest Land Protection Fund. I represent all of the timberland owners in Oregon as they in one way or another pay into the fund. I appreciate the opportunity to be here with you today.

- Oregon's forest landowners have provided leadership in protecting forests from fire since the very early 1900's
- In fact, the Oregon Forest Fire Association (OFFA) was organized in 1910 – fire patrol districts were formed containing a number of private patrols within their boundaries of responsibility. These were the basis of what we know today as the Forest Protective Associations (FPAs) – at the core of the state of *Oregon's complete and coordinated fire protection system*.
- Through the action of ten member associations of OFFA, a fund known as the "Emergency Fire Cost Fund", was established in 1930, with the OFFA as its custodian. The Fund was established to equalize extraordinary fire costs across districts to ease the burden from year to year on their normal budgets that support the "fire department" if you will to deal with all the small fires.
- Today, after multiple iterations, this is now known as the Oregon Forest Land Protection Fund (OFLPF), administered by the Emergency Fire Cost Committee (EFCC) – an advisory committee to the Board of Forestry – established in statute. This group is made up of four landowners representing different geography and size class of ownership - all VOLUNTEERS.
- Landowners have always maintained the responsibility (in law) to put out fires and have continuously been at the forefront with foresters and fire fighters in the woods providing initial attack, and other critical resources such as dozers, water tenders, water holes, helicopters, construction and maintenance of roads to access fires, maps, and the funds to pay for the cost

of putting them out. An OFIC study recently showed that in-kind contribution from landowners (crews, equipment, etc.) during fire seasons over several years to be about 75% more than the sheer dollar income they contribute.

- And then fully taking on the responsibility of the financial loss and cost to put these burnt over lands on a path to growing new green trees for forests of tomorrow and future generations of Oregonians.
- As recently as this spring the EFCC unanimously voted to accept a proposal to move forward on a strategic investment called Forward Looking Infra Red (FLIR) technology. This is being fast tracked to be installed on the department's fixed wing aircraft for use this fire season. FLIR can see through smoke where the extensive camera system in place across the state cannot or fire fighters on the ground surrounded by a shroud of smoke can not smell the smoke from a smaller "new" fire they may be scouting for and could be only feet away. This was nearly \$700,000 which was **100%** **funded by landowner dollars** with no General Fund.

Oregon's complete and coordinated fire protection system underwritten by the commitment of landowners is unique in the nation and cannot be understated.

In 1967, ORS 321.012 was passed establishing the policy of public participation in fire suppression costs for public-caused fires.

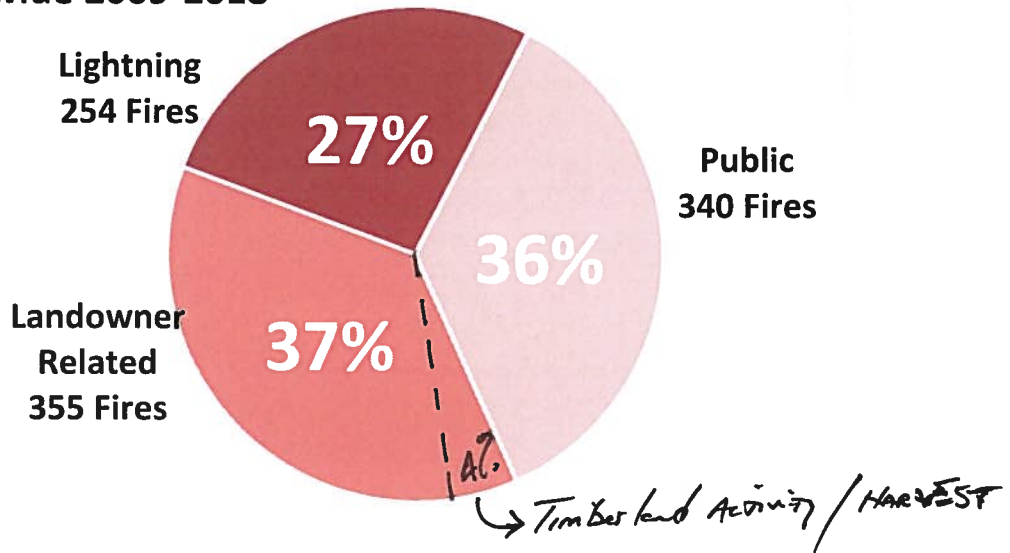
- **321.012 Public to share cost of suppressing fires caused by public. *The Legislative Assembly finds that it is in the interest of the State of Oregon that the public as a whole share responsibility for protecting the forests of this state, by making funds available from time to time for suppression of fires caused by the public. [1967 c.429 §60]***

My point is NOW is the time for the public to be more engaged. Additional burden on Timberland Owners to pay for fires they are not responsible for or even play the remotest part is ill conceived and reflects poorly on the situation we find ourselves. Let me share a few data points with you. These data recap fires from 2009 – 2018 period;

1. On average annually, 37 % of Landowner fires are mostly interface / houses / backyard burning / mowing grass, etc. Only 4% of these fires start on large / small landowner logging / harvest related operational fires. Another, 36% of the fires fall under a different public classification which captures,

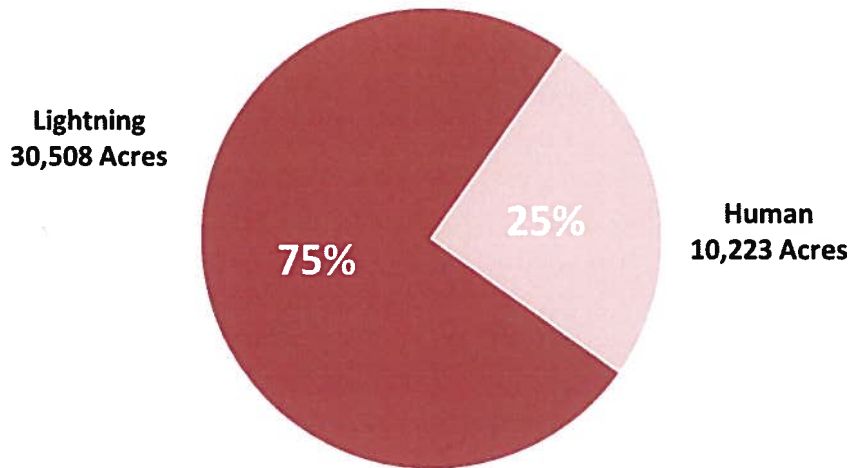
campfires, shooting, fireworks, careless acts, etc. The last 25% are from lightening. Bottom line – the people most invested in keeping Oregon Green - landowners - don't start the majority of fires. Or said another way 96% of the fires are not landowner / harvest related.

**Average Number of Fires by Cause - Annually
Statewide 2009-2018**



- When we look at acres burned - human caused fires (even though more than 2/3 of the starts are only 25% of the acres). The biggest source of large fires (and large fire costs) is lightening, then the public - NOT Timberland / harvests . Like fire - lightening is no respecter of property lines. Whether large cost fires originate with the public or from the sky, when 96% of the fire starts and not even 1% of the acres burned come from timberland activities and / or timber harvest, it is completely inequitable to consider additional burden on landowners.

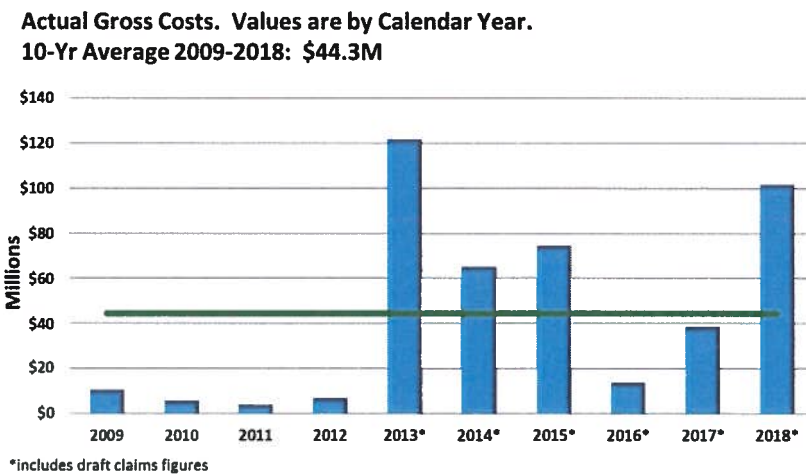
**Average Acres Burned
Statewide 2009-2018**



- Ten years ago we were holding our own with a pretty reasonable fire season and costs. In the last five years things have changed and over the 10 year period we are averaging about \$44 MM / year in expenditures, which puts a weighty burden on us all but again harvest activities and timberland management activities aren't the reason this trend has gone up !

On average, landowners through harvest taxes and other assessments currently cover 50% of this average cost from the OFPLF.

Large Fire Costs



4. One last point I would like to make is related to the Governor's Wildfire Response Council. The overall larger council, as you may be aware, is made up of a very broad cross section of Oregon communities to bring inclusion and overwhelming public support at the end of the day to recommendations and actionable items that will no doubt be outcomes of the process. Four of your fellow legislators are represented on that council and I would be glad to make sure you have those names if you would like. I am supporting the work as Chair of the subcommittee on suppression and funding. That team is making good progress and diving into the available information to consider several points from (ODF) organizational sustainability and effectiveness to large fire funding options, as well as how to deal with unprotected lands.

I would implore you to consider the structure of HB 2495 in context of this work. The Governor has convened one of the largest cross sections of the public ever to review this critical topic. To let the work of the Council unfold and be in lock step with publicly agreed outcomes on the other side of September would be more useful effort than this current bill.

In summary, I appreciate being able to visit with you today and would ask you to keep landowner contribution to the complete and coordinated protection system in Oregon in perspective. Additional burden levied on landowners is completely inappropriate and ill conceived. Furthermore, consider Oregon statute (321.012) which deliberately calls on the "public" to share in the costs from time to time.....for fires started by the public. While publicly caused fires (2/3) may not all turn into high cost fires like some uncontrolled lightening fires, however, they can become large for sure. Another potential issue is when ODF resources roll on this many public fires it drains large amounts of their budgets, takes time away from readiness when big fires do get started. Large fire costs are an issue but clearly with all the public fires needing attention the ability for quick initial attack can easily be compromised on any given day and possibly become the root cause for some other fires becoming large indirectly.

Bottom line - all of this costs real money and the public clearly benefits from way more than its' fair share currently.

If anything I would suggest....

Now is the Time...*for more public participation !*

Thank you,

Kenneth Cummings

Chair – Emergency Fire Cost Committee