

Response to questions from the Joint Committee on Ways and Means Subcommittee on Natural Resources February 28 to March 2, 2023



Sen. Dembrow requested more information about federal grants being pursued by ODF. The Inflation Reduction Act (IRA) and Bipartisan Infrastructure Law (BIL) both provide grant opportunities for fuels mitigation, forest restoration, and community wildfire defense. Below is a table of the grants ODF is currently seeking from these bills:

Bill	Award Range*	Status of proposal	Purpose of grant
IRA	0–\$35 million	Pre-proposal submitted	Urban and community forestry
IRA	\$300,000–\$1 million	Pending allocation	Urban and community forestry
IRA	\$500,000–\$9.8 million	Pending notice of funding	Forest Legacy Program
IRA	\$3–35 million	Pending notice of funding	Forest Legacy Program
IRA	0–\$10 million	Pending notice of fund availability	Wildfire mitigation
BIL	\$50,000/year for five years	Awarded	Community wildfire defense
BIL	\$5.8 million	Awarded	Wildfire recovery/disaster relief
BIL	0–\$1.5 million	Applications submitted	Fuels mitigation
BIL	\$980,000	Awarded	State Forest Action Plan
BIL	\$1,063,000	Notice of funding received	State Forest Action Plan
BIL	\$187,420	Awarded	Volunteer fire assistance
BIL	\$437,890	Awarded	State fire assistance
BIL	0–\$19 million	Round 1 applications submitted	Fuels mitigation/Community Wildfire Protection Planning
BIL	0–\$19 million	Round 2 applications open Spring 2023	Fuels mitigation/Community Wildfire Protection Planning

* In most cases, we anticipate awards below the upper bound of the award range.

These grants will require additional position authority for administrative tracking and monitoring. Many of these grants have waivers available for communities at risk or for completing work under an existing action plan; however some do have a match requirement. More match funds may help secure more grant awards. Additionally, the workforce capacity limitations of the public and private sectors in Oregon to conduct the work on the ground presents a challenge.



Rep. Owens asked to have entered into the record the image of the Bootleg fire showing the difference in post-fire condition when prescribed fire treatments were added to thinning operations before wildfire occurrence.

This image comes from the Klamath Tribe, who are managing their forests for descendent communities through western and ancestral practices.



Rep. Owens asked how many acres of publicly owned land are burned during fire season compared to privately owned land.

Of the 16.2 million acres of forestland protected by ODF, 77% is privately owned (12.5 million acres). Public lands managed by the Bureau of Land Management but covered under a protection agreement with ODF account for 2.3 million acres. The remaining 1.4 million protected acres are other ownerships, including Oregon’s state forestlands (760,000 acres). ODF-protected lands include those protected by Oregon’s three operating forest protective associations, which are private, not-for-profit organizations that protect forestlands in close coordination, and under an agreement, with ODF.

This table shows the total number of acres burned on ODF protected lands versus the total acres burned on federal land.

Year	Total acres burned	ODF Protected lands	% of total	Federal land	% of total
2020	1,635,240	541,408	33%	1,093,832	67%
2021	1,013,755	231,494	23%	782,261	77%
2022	445,581	34,474	8%	411,107	92%



Rep. Holvey asked how Private Forest Accord efforts impact the coastal non-point pollution program.

Included with this document is an interagency submission, dated March 2, 2021, from the Oregon Department of Environmental Quality, Department of Land Conservation and Development, and Oregon Department of Forestry regarding the Coastal Zone Act Reauthorization Amendments (CZARA). The document provides more background on CZARA. Agencies with authority to deliver this program have had preliminary conversations with federal agencies and ODF will be engaged as the state plans next steps to address CZARA program status.

Rep. Owens asked how department and local budgets are impacted by harvest volumes proposed in the Habitat Conservation Plan (HCP) and Forest Management Plan (FMP) for western state forests.

We understand that there may be budget impacts to recipients of revenues from state forests harvest by any reduction of harvest volume on state forestlands. However, budget impacts are difficult to estimate due to fluctuations in timber prices that affect harvest revenue at any volume. A good example of this dynamic is the Great Recession, where we continued to put forth a steady flow of timber volume to support communities, but realized significantly lower revenues stemming from those timber sale contracts.

Like any landowner, ODF must comply with the federal and state Endangered Species Acts while managing to provide the social, economic and environmental benefits required by the Greatest Permanent Value rule (OAR 629-035-0020). ODF currently achieves this through a process called "take avoidance." This approach requires extensive and costly species surveys, resulting in shifting protections that, over time, is likely to limit the quality and durability of the habitat provided. It also creates more uncertainty around planning and operations required to manage state forests for the benefits required by law. An HCP creates certainty relative to compliance with the federal and state Endangered Species Acts, and in turn, certainty around outcomes for timber harvest, conservation, county revenues, and other public values articulated in greatest permanent value.

The Western Oregon State Forests Habitat Conservation Plan (HCP) process seeks to explore an HCP as an opportunity to provide a more holistic and cost-effective way to comply with the federal Endangered Species Act (ESA), while managing state forests for social, economic and environmental benefits.

ODF, under direction of the Board of Forestry, is also developing a Forest Management Plan that that in part estimates timber harvest volumes over time to provide as sustainable funding as possible for harvest tax recipients while providing for social and environmental benefits along with economic benefits. ODF is currently conducting updates to modeling of timber harvest under the HCP and FMP recently, and updated modeling will be available in late June 2023.



Rep. Holvey asked for a copy of the initial MGO report and the latest status report on its implementation.

The original Macias, Gini, & O’Connell LLP (MGO) assessment report presented to the Joint Ways and Means Subcommittee on Natural Resources May 5, 2021 can be found at this link: [MGO Original Review and Assessment](#).

The most recent Implementation Management Plan Review from MGO from November 2022 is available at this link: [MGO 3rd Follow-up Assessment](#).

Rep. Holvey asked about interagency coordination on communications to the public to convey critical emergency information, such as evacuation levels and routes.

Following the 2020 Labor Day fires, the Oregon Department of Emergency Management (ODEM) and Department of Administrative Services (DAS) were charged with implementation of a system that provides statewide access to emergency alerts, warnings and notifications. Those agencies implemented OR-Alert. This system allows Oregonians to enter their address and find the information they need to sign up for local emergency alerts. Alerts are sent by official public safety and emergency management authorities at the local, county, tribal and/or state level depending on the scope of the emergency.

While ODF does not have direct responsibility for the state’s emergency communications, we do work closely with our federal, state and local emergency response partners before, during and after emergencies to ensure we are all doing everything we can to keep Oregonians safe. ODF is a member of the Oregon Emergency Response Council and part of the Oregon Emergency Response System. ODF is also one of two primary agencies responsible for Emergency Support Function 4—Firefighting, and we provide resources to staff OEM’s Emergency Coordination Center (ECC). Close coordination with partner agencies also occurs at the local level. ODF staff throughout the state plan, train, and respond side-by-side with local fire, law enforcement and emergency management personnel in the cities and counties we all serve.

Because Rep. Holvey raised specific concerns related to emergency communications during the Holiday Farm fire, we have also attached the executive summary of the after-action review of the statewide emergency response to the 2020 Labor Day fires.

Have questions or need more information?

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March 2, 2021

TO: Members of the Natural Resources Subcommittee of the Joint Committee on Ways and Means

FM: Richard Whitman, DEQ Director
Jim Rue, DLCD Director
Peter Daugherty, ODF State Forester/Director

RE: Joint W&M NR Subcommittee Request - Coastal Zone Act Reauthorization Amendments

The following is a coordinated response from DEQ/DLCD/ODF responding to recent questions and concerns raised by members of the Joint Ways & Means Subcommittee on Natural Resources – and subsequent questions posed by LFO – regarding the status of Oregon’s Coastal Nonpoint Pollution Control Program (CNPCP). The requirement that a CNPCP be developed by states with federally approved coastal management programs was established by Congress in 1990 under section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA). The program is jointly overseen by the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA). The goal of the program is to reduce polluted runoff to coastal waters. Coastal states are eligible to receive federal funding in part to implement CNPCPs, subject to EPA and NOAA review and approval. NOAA and EPA did not expect states to develop and implement stand-alone coastal nonpoint programs, but rather expected that states would develop and implement the coastal nonpoint program through changes to the approved state nonpoint source management program (DEQ) and to the approved state coastal zone management program (DLCD) developed under section 306 of the CZMA, as amended.

EPA and NOAA have had a long-standing national practice of conditionally-approving state CNPCPs; in essence providing full funding for these programs, subject to conditions requiring improvements and changes to the programs over time. Currently, there are ten states and territories still in conditional approval status. <https://coast.noaa.gov/czm/pollutioncontrol/> (last visited 2/27/2021). Oregon was in this status as well until 2015 when EPA and NOAA, in response to Oregon-specific litigation challenging the practice of conditional approvals, determined that Oregon’s CNPCP was not fully-approvable. As a result, since federal fiscal year

(FFY) 2015, Oregon has been subject to penalty reductions in funding eligibility for the state’s Coastal Zone Management Act (CZMA) Section 306 and Clean Water Act (CWA) Section 319 grant programs (administered by DLCD and DEQ, respectively).

The remainder of this memo responds to the following specific questions directed to the agencies by LFO:

1. *A clear timeline (exact dates and recipient of notifications) of when the State received notice from NOAA and the EPA that Oregon was out of compliance, the date of the lawsuit, and when the State received notice from NOAA and the EPA of their intent to disapprove Oregon’s coastal nonpoint program under CZARA.*
2. *What was the exact ruling that led to the disapproval of the coastal nonpoint program?*
3. *What has been done by DEQ, ODF, and DLCD to bring the State into compliance? What else needs to be done? What is the plan?*
4. *Do Washington and California apply for the same funds? Are they subject to the same regulations? Are Washington and California out of compliance?*

1. Chronological Timeline

Table 1. Chronology of events for Oregon Coastal Nonpoint Pollution Control	
Date	Event
1990	Congress enacts Coastal Zone Act Reauthorization Amendments (CZARA)
1995 (July)	State of Oregon submits Coastal Nonpoint Pollution Control Program (CNPCP) to NOAA/EPA
1998 (Jan 13)	EPA/NOAA issue Conditional Approval for Oregon’s CNPCP and publish findings which establish need for additional management measures
2004 (Apr)	EPA/NOAA issued interim CNPCP approval for several management measures, including all in the category of agricultural land use.
2008 (Jun)	EPA/NOAA issued interim CNPCP approval for eleven of the remaining seventeen management measures. The six unapproved were: four additional management measures for forest lands, stormwater management for new urban area development, and operating onsite disposal systems.
2009 (Jan 6)	Northwest Environmental Advocates (NWEA) files lawsuit against EPA/NOAA over the conditional approval status of Oregon’s CNPCP.
2010 (May)	EPA/NOAA provide letter to DEQ indicating information needed and the schedule for providing information before approval could occur (See 5/12/10 EPA letter to DEQ)
2010 (July)	Oregon commitment to institute the “Implementation Ready” TMDL approach
2010 (Sep 28)	Settlement Agreement between NWEA and US DOJ on behalf of EPA & NOAA - establishes timeline for State of Oregon actions and resulting EPA/NOAA response if actions are not fully achieved within set timelines

2013 (July 1)	DEQ and DLCDC send information to EPA and NOAA on the state's plan for meeting remaining management measures, identified in the Settlement Agreement.
2013 (Dec 20)	EPA/NOAA provided notice of intent to disapprove Oregon's CNPCP because of insufficient management measures for: additional management measures for private forest lands, stormwater management for new urban area development, operating onsite disposal systems
2014 (Mar 20)	DEQ and DLCDC submit new information for the six unapproved management measures: additional management measures for private forests, stormwater management for new urban area development, operating onsite disposal systems
2015 (Jan 30)	EPA/NOAA inform DEQ/DLCDC of their finding that: <ul style="list-style-type: none"> • EPA/NOAA provide interim approval for new urban area development stormwater management measure and the onsite disposal systems management measure • The state has not met additional forestry conditions for approval (four management measures) and therefore has not submitted a fully approvable coastal nonpoint program under Section 6217 of the CZARA. As a result, partial federal funding will be withheld for CZMA Section 306 and CWA Section 319 programs
2015 (July)	EPA/NOAA transmit 'Closing the Gaps' document to DEQ/DLCDC with guidance on measures that need to be taken to achieve a fully approvable CNPCP
2015 (July 1)	CZARA penalties begin resulting in reductions to funding for DLCDC and DEQ grant programs (see table below for penalty details)
2016 (Feb)	State of Oregon transmits approach to address Closing the Gaps guidance from EPA/NOAA
2016 (Mar)	EPA/NOAA transmit that the State of Oregon's February 2016 approach is insufficient
2017 (July)	New Oregon Forest Practice Act rules (riparian buffers) take effect for small and medium streams containing Salmon, Steelhead and Bull trout (SSBT) in Western Oregon
2018 (July 16)	EPA transmits letter to DEQ identifying progress made by the state toward closing CZARA gaps and ongoing efforts and approaches to address the deficiencies (see 7/16/18 EPA letter to DEQ)
2019 (July)	DEQ and ODF continue interagency collaborative effort to assure alignment concerning their respective roles and responsibilities regarding nonpoint source water pollution on non-federal forest lands with respect to total maximum daily loads (TMDLs).
2020 (Jun)	Legislature enacts SB 1602 – extending SSBT stream protection rules to Siskiyou geographic region and applying certain restrictions on aerial application of pesticides by helicopter.

2. What was the exact ruling that led to the disapproval of the coastal nonpoint program?

In 1998, under Section 6217 of the CZARA, EPA/NOAA provided conditional approval of Oregon’s CNPCP, while identifying a need for the state to address multiple areas of improvement. EPA/NOAA granted interim approvals in 2004 and 2008 for all but six management measures: four additional management measures for non-federal forest lands, stormwater management for new urban area development, and management of existing onsite disposal systems. In 2015, EPA/NOAA provided interim approval for two of the remaining six management measures but determined that the state had not fully met requirements for management measures on non-federal forestlands and therefore had not submitted a fully approvable coastal nonpoint program. As a result - since FFY 2015 - Oregon has been subject to penalty reductions in grant funding eligibility for CZMA Section 306 and CWA Section 319 programs. Table 2 describes the reductions in federal funding that have resulted from the partial disapproval in 2015.

Year	CWA Sec. 319 grant penalty (to DEQ from EPA)	CZMA Sec. 306 penalty (to DLCD from NOAA)
FFY2015	\$631,500 (out of \$2,083,000)	\$598,800 (of \$1,996,600)
FFY2016	\$435,540 (out of \$2,153,000)	\$637,500 (of \$2,125,000)
FFY2017	\$515,600 (out of \$2,227,000)	\$637,500 (of \$2,125,000)
FFY2018	\$509,100 (out of \$2,202,000)	\$696,900 (of \$2,323,000)
FFY2019	\$507,900 (out of \$2,179,000)	\$703,500 (of \$2,345,000)
FFY2020	\$501,300 (out of \$2,272,000)	\$724,500 (of \$2,415,000)

The specific findings from EPA and NOAA’s 2015 decision may be viewed here: <https://coast.noaa.gov/data/czm/pollutioncontrol/media/ORCZARAddecision013015.pdf>
In summary, EPA/NOAA determined that the basis for disapproval was that the State has not implemented or revised forestry management measures, backed by enforceable authorities, to:

- (1) protect riparian areas for medium-sized and small fish bearing streams, and riparian areas along non-fish-bearing streams,
- (2) address water quality impacts of forest roads, particularly impacts associated with “legacy” roads (forest roads not in current use),
- (3) protect high-risk landslide areas, and
- (4) ensure adequate stream buffers for the application of herbicides, particularly on non-fish-bearing streams.

Descriptions of approaches that EPA and NOAA may accept as sufficient to address these deficiencies have been refined over time. The State of Oregon has made efforts to address identified deficiencies through changes in programs, statute and regulations since the disapproval in 2015. These changes are described further in the next section.

3a. What has been done by DEQ, ODF, and DLCD to bring the State into compliance?

The State of Oregon has addressed two of the six deficiencies identified by EPA/NOAA in the notice of intent to disapprove Oregon's CNPCP.

DEQ addressed urban area new development management measures and onsite disposal systems management through:

- Programmatic changes for new development, including a low impact development manual; and
- A time-of-transfer education program for buyers of properties with onsite septic systems.

These measures have been accepted by EPA and NOAA.

With regard to the forestry management measures for which the state has not received approval or interim approval, noted in Table 1 above, ODF (working with DEQ and other partners and the Oregon legislature) has addressed several of the deficiencies concerning nonpoint source pollution from forest operations on non-federal forest lands in the coastal zone. These include:

- Significant increases in riparian buffer protections on small and medium SSBT streams in Western Oregon and the Siskiyou geographic region; and
- Additional protections for non-fish bearing streams from impacts of aerial application of pesticides, resulting from SB 1602.

Since 1993 DLCD has worked with DEQ and other state agencies to compile information on state enforceable authorities and voluntary programs that met the objectives described for the 56 management measures, described in the CNPCP federal program guidance. These management measures address many different water quality issues including agricultural practices, riparian and wetlands protection, clean marinas, urban development, etc. The original program submittal and several supplemental submittals were prepared jointly by DLCD and DEQ.

The Oregon Coastal Management Program (OCMP) is a highly networked program comprised of many state agencies and associated authorities, including DEQ and ODF. DLCD is the lead agency for the OCMP. While DLCD does not have direct regulatory authority regarding policies and enforcement authorities for forest practices, the agency is committed to continue its support of its networked agency partners of the Oregon Coastal Management Program. DLCD hopes to support and facilitate where appropriate the changes needed for approval.

3b. What else needs to be done? What is the plan?

Additional work remains to address certain specific forest management issues. The primary remaining issues identified by EPA and NOAA are:

- (1) protection of riparian areas along non-fish-bearing streams, adequate to achieve water quality standards and protect beneficial uses,
- (2) the adequacy of protections for riparian areas along medium-sized and small fish bearing streams, particularly for streams that are not currently meeting water quality standards,
- (3) programmatic approaches to identify high-priority legacy roads on forest lands, and means to mitigate water quality impacts from those roads (sedimentation), and
- (4) programmatic approaches to identify and manage high-risk landslide areas.

Over the past several years DEQ, ODF, EPA and NOAA have explored potential strategies for these remaining areas of work. Beginning in late 2019, DEQ and ODF began work to revise and update the 1998 Memorandum of Understanding between the agencies that describes their respective roles and responsibilities for achieving clean water on non-federal forest lands. This effort is expected to describe how the agencies will work together to address situations where water quality standards or other pollution limits are not being met on forest lands, particularly with regard to temperature. Under current federal and state law, DEQ is responsible for identifying waterways that are not meeting clean water standards, along with what changes in conditions are needed to meet standards. If changes in riparian or other conditions are necessary, and current forest practices are not sufficient to achieve those changes, the two agencies work together to develop and implement watershed-specific management plans. This process may be capable of achieving the desired standards and outcomes identified by EPA and NOAA regarding the adequacy of forest management measures in Oregon's CNPCP. EPA and NOAA require enough detail regarding this approach to be able to determine that it will produce the desired outcomes from the additional management measures, and DEQ and ODF are working to develop that information.

The objective of these efforts is identifying needed protections for Oregon's waters and critical species of concern, while establishing practicable administrative and on-the-ground means for accomplishing these outcomes. The agencies anticipate this effort may address the remaining issues standing in the way of full program approval. EPA and NOAA have consistently communicated that the threshold for approval is for the state to demonstrate the development and implementation of programs that address management measures backed by enforceable authorities. These can be regulatory, non-regulatory or mixed regulatory and non-regulatory programs. In addition, accountability and tracking measures are required for non-regulatory measures.

Relatedly, both ODF and DEQ are participating in the Private Forest Accord collaboration authorized by SB 1602 (2020). The Accord process is a science-based effort to reach agreement on changes to the Forest Practices Act (FPA) that could be included in a federally-approved plan

that provides regulatory assurances to participating landowners to meet Endangered Species Act requirements. DEQ and ODF anticipate that the measures that will be considered as part of this process may also achieve many, if not all, of the outcomes and processes needed to address the remaining CNPCP deficiencies identified by EPA and NOAA.

Finally, in the current work program of the Oregon Coastal Management Program with NOAA, DLCD has committed to conduct a current, thorough audit of all statutes, rules and programs on which conditional and interim approvals were based.

4. Do Washington and California apply for the same funds? Are they subject to the same regulations? Are Washington and California out of compliance?

Thirty-three other coastal (which includes Great Lakes) states and territories have Coastal Nonpoint Control Programs that are either conditionally or fully approved by EPA and NOAA. These states and territories received their full allocation of federal funding to support state CWA section 319 and CZMA section 306 grant programs. California's CNPCP was fully approved in 2000 (https://coast.noaa.gov/data/czm/pollutioncontrol/media/6217ca_fnl.pdf). Washington's CNPCP was proposed for approval by NOAA and EPA on June 6, 2020. NOAA and EPA continue to consider the public comment and tribal input received on their proposed findings and will issue a final finding as soon as they complete that process. (https://coast.noaa.gov/data/czm/pollutioncontrol/media/washingtondocket/wa-proposed-decision_factsheet.pdf).

Conclusion

Oregon has made progress toward resolving the remaining issues to its Coastal Nonpoint Source Pollution Control Program required by EPA, NOAA and applicable federal law and rule. However, several important and challenging issues remain to be resolved. ODF, DEQ and DLCD have committed substantial time and effort to this work over the past several years and will continue to press forward to secure federal approval of the state's program. Finally, it is important to understand that, while federal funding for DLCD's and DEQ's grant programs is sorely needed, the principal driver for completing this work is to assure all Oregonians that we are doing what is needed to protect clean water for our communities and our environment.

STATE OF OREGON AFTER-ACTION REVIEW OF THE SEPTEMBER 2020 WILDLAND FIRES AND WIND EVENT

Executive Summary

This after-action review (AAR) focuses on efforts by the State of Oregon to respond to widespread wildfires during September 2020 that were ignited due to critically hot, dry, and windy conditions. Oregon's firefighters worked tirelessly to save lives, protect critical infrastructure, public and private property, and contain the wildfires. The Governor of the State of Oregon, the Oregon Department of Forestry (ODF), and the Office of the State Fire Marshal (OSFM) took action to respond to the wildfires and mitigate the loss of life and property. The Emergency Coordination Center (ECC) and the state Joint Information Center (JIC) expanded operations to support the fire response.

The extraordinary scope and destruction of the September 2020 wildfires must be underscored – within 24 hours, 12 counties were battling conflagrations. The wildfire encroachment on rural and urban communities, causing one-sixth of Oregon's population to be under evacuation notice, is unprecedented. By the end of the response phase, nine Oregonians had tragically lost their lives, and over one million acres of public and private land burned. Recovery efforts will be on-going for many years. The AAR identifies areas of success and opportunities for improvement for Oregon to take proactive action in helping the state better prepare and respond to future wildfire events.

Methodology

The information collected for this report was derived from individuals and organizations that were identified as stakeholders through OEM, OSFM, ODF, and the State Resilience Officer. Local and tribal firefighter stakeholders were excluded from this review, as this is an evaluation of systems and coordination effectiveness, not an evaluation of firefighting decisions and actions. The information was gathered through online surveys, and interviews held virtually either one-on-one or in small groups. Documentation related to the response and initial recovery operations for this event was reviewed, including situation reports, after-action reports, articles, incident action plans, executive orders, and other documentation.

Preparedness

The primary state agencies for firefighting, outlined in Emergency Support Function 4 (ESF 4) of Oregon's Emergency Operations Plan, are ODF and OSFM. ODF is charged with the protection of approximately 16 million acres, including state and county forest land, private timber land, wildland areas within organized fire protection districts. As incidents grow beyond the capacity of local and expanded mutual aid partnerships, OSFM engages resources for fire response in support of state, federal, and local wildland, rural, and urban firefighting agencies.

Preparation for the 2020 Wildland Fire season occurred concurrently with the ongoing COVID-19 response. OSFM and ODF worked on developing COVID plans for Fire Camps. The 2020 Mobilization Readiness Review Guide outlined COVID-19 safety for safely mobilizing resources during the COVID-19 pandemic. Significant effort was required to modify the standard pre-season firefighter training process to address COVID-related risks, a process that is typically very hands-on and involves substantial interpersonal interaction.

Through the enterprise-wide response to COVID, there were processes and relationships built and fine-tuned that were instrumental to the wildfire response. COVID-19 support activities were active as fire season approached, so partners were already in disaster mode, and there was no "warm-up" period needed for the wildfires. Combined with strengthened connections, clear roles, and deference to expertise, this allowed for a more effective overall response to this unprecedented event.

Response

The 2020 fire season was well underway in August 2020. On August 20, 2020, a statewide State of Emergency was declared due to the imminent threat of wildfire. Within 24 hours of the arrival of strong winds on September 7, 2020, 12 counties were battling conflagrations. ODF and OSFM leveraged state, regional, and national firefighting resources to protect life and property, and the state ECC and the state JIC activated to support coordination of the expanded response efforts across the state.

From the dozens of fires that started or were exacerbated throughout the wind event, five grew to more than 100,000 acres. Many fires threatened or crossed the wildland-urban interface, placing over 500,000 Oregonians under some level of evacuation notice. At one point, the American Red Cross almost 2,000 survivors in congregate shelters and 2,210 people housed in hotel rooms. Hundreds of people were originally reported missing, and tragically, there were nine confirmed fatalities.

A Presidentially-declared Major Disaster Declaration was granted on September 15, 2020. With the help of multiple federal government agencies, forest landowners, contractors, and many volunteer-based agencies, Oregon was able to contain the fires – after more than 1 million acres burned – and move fully into the recovery phase.

Findings

The federal National Response Framework defines 31 core capabilities that in general must be accomplished in incident response. Observations on Oregon’s wildfire response efforts can be organized into these core capabilities: Planning, Public Information and Warning, Operational Coordination, Fire Management and Suppression, Mass Search and Rescue Operations, Fatality Management Services, Infrastructure Systems, Mass Care Services, Operational Communications, and Recovery.

Areas of Success

<p>Planning</p>	<p>Firefighting Response Planned for and Practiced—ODF and OSFM supported and augmented district firefighting resources using all available options. Conflagration declarations authorized engagement of expanded resource options from across state agencies as well as national and international assets.</p>
<p>Public Information and Warning</p>	<p>NWS Warning—Early identification of the wind threat, assessment of the potential amplification of fire risk, and communication to state and local partners enabled the local and state emergency management systems to lean into the response.</p> <p>State JIC Activation—State JIC operations began within 24 hours of incident onset using existing OEM staff. A practice of regular communication and coordination with the Governor’s Office and key stakeholders was established.</p>
<p>Operational Coordination</p>	<p>Federal Partner Integration—The Oregon FIT, FEMA Region X, DHS CISA, and other federal resources were proactive and integrated very well. The FEMA presence was critically important in assisting with declaration requests, which brought in resources and funding and facilitating the transition from response and recovery.</p> <p>Improved Relationships and ECC Role Knowledge—ECC operations were more coordinated and effective when compared to the COVID-19 response.</p> <p>Liaisons from OEM— The deployment of state liaisons to affected counties is very positively received.</p>
<p>Fire Management and Suppression</p>	<p>COVID-19 Safety—Pre-incident planning for Fire Camps embraced best practices to protect first responders from COVID-19 and resulted in zero Fire Camp outbreaks.</p> <p>Response Leadership—ODF and OSFM have a strong, well-coordinated team. They excel at communication and coordination between their agencies, with state agency leadership, and among teams. They prioritize strong coordination with communities by integrating local government into incident management teams.</p>

Areas of Success

<p>Mass Search and Rescue Operations</p>	<p>Federal Search and Rescue Teams—The skills and capabilities brought by the US&R team provided great support to state response. In addition to search support, damage assessments and reports development were extremely valuable.</p> <p>Strong County Search and Rescue System—Oregon’s County Search and Rescue (SAR) system seamlessly engaged with FEMA’s US&R team.</p>
<p>Fatality Management Services</p>	<p>Mobile Morgue Deployment—This was the first deployment of the mobile morgue in a real-life incident; it has been an asset of the Medical Examiner’s Office since 2014.</p>
<p>Infrastructure Systems</p>	<p>Lifeline Reporting—The Lifeline Reporting format helped to identify at-risk power lines that were at risk from the fires and allowed the infrastructure specialists to work with stakeholders for load balancing in Oregon that mitigated downstream/down state power impacts.</p> <p>Integration of EMAC Resources—Critical Infrastructure/Key Resources (CIKR) resources from the State of Washington and the US Coast Guard were integrated into the Infrastructure Branch allowing the CIKR lead and the Infrastructure Branch to focus on analytical work for CIKR priorities.</p>
<p>Mass Care Services</p>	<p>Mass Care Partnerships—The American Red Cross, Salvation Army, and other non-governmental organizations stepped up to handle a significant part of mass care operations, including sheltering, feeding, and donations, and volunteer management. The Red Cross, in particular, carried a heavy load supporting sheltering across the state.</p>
<p>Operational Communications</p>	<p>Critical Infrastructure Monitoring—The Infrastructure Branch monitored a great diversity in state assets, including public safety communications towers, cellular towers, water systems, wastewater systems, and power infrastructure.</p>
<p>Recovery</p>	<p>Speedy Declarations—FEMA provided strong support and helped get the declarations turned around in three to five days.</p> <p>State Recovery Plan Operationalized—The Recovery Coordinator leveraged EMAC to bring in planners focused on recovery planning. Their work transitioned the recovery plan to an integrated recovery action plan.</p> <p>State Agency Support to Recovery Operations—State agencies provided high-level experts to lead recovery support functions.</p>

Areas of Improvement

<p>Planning</p>	<p>ICS/ESF Integration—Many people staffing ESF positions are rarely activated to support ECC operations, therefore struggle to integrate into the NIMS-ICS structure and the planning process. They may have had the training but have never really engaged in a structured planning process.</p> <p>Coordination vs. Operations—When local and tribal jurisdictions are overwhelmed by an incident, there are too many demands to articulate what help is needed. The state must be organized and trained to take on more of the burden of executing response activities. The current posture is insufficient to manage statewide incidents.</p>
<p>Public Information and Warning</p>	<p>Notification System Failures—Community alert and warning systems are a locally controlled service. To work, all phone and text systems rely on communication towers to be intact and powered. Some communication towers were lost to fire, rendering some systems inoperable.</p> <p>Lead Agency Incorporation into the JIC—State JIC operations were successful in sharing and amplifying accurate and timely information to communities threatened by or affected by the fires. However, ODF communications staff were not folded into the state JIC, echoing the JIC disconnect between OHA communications and the state JIC from the early COVID-19 response.</p> <p>Outreach Equity—While greatly improved, the ability for incident outreach to support the most vulnerable needs additional work.</p>
<p>Operational Coordination</p>	<p>Staffing Shortfalls—OEM cannot fully staff needed ICS positions in the ECC during the initial stages of activation. This leaves the response at a disadvantage in the first hours and potentially the first days of response.</p> <p>Ops Center Limitations—Many people staffing the ECC describe OPS Center as inadequate for disaster response in a statewide emergency. The system does not have an inventory of resources, which makes it very difficult and time-consuming for locals when requesting assistance. It does not have collaboration tools, which are invaluable in the COVID environment, which has maximized virtual support and engagement.</p>
<p>Fire Management and Suppression</p>	<p>Take Action on Wildfire Council Recommendations—Oregon has experience decades of increasing wildfire incidents and associated suppression costs. Investment is needed to help Oregon to create fire-adapted communities, restore and maintain resilient landscapes, and respond safely and effectively to wildfire.</p>

Areas of Improvement

<p>Fatality Management Services</p>	<p>Family Assistance Center—There is concern about the capacity for a family assistance center to meet the equity, faith, and cultural consideration needs of disaster survivors.</p>
<p>Infrastructure Systems</p>	<p>Limited Training and Maintenance on Strategic Technology Reserve— Equipment in the Strategic Technology Reserve trailers is not trained on with any regularity, especially with more rural community partners. When leveraged in this response, most of the equipment was not in a ready state, with software requiring updates before deployment.</p> <p>Public Safety Power Shut-offs—Public Safety Power Shut-offs (PSPS) are a vital part of wildfire prevention and suppression. More knowledge is needed on how to request and execute shut-offs to maintain power for critical community infrastructure systems like public safety communications systems, traffic lights, water and wastewater systems, and healthcare facilities.</p>
<p>Mass Care Services</p>	<p>DHS Ownership of Mass Care Function— Staffing gaps at DHS, including a vacancy in the state Mass Care Lead role, created a gap in disaster response-related institutional knowledge and challenges connecting with mass care operational partners with subject matter expertise.</p> <p>Over-reliance on Non-Governmental Organizations— There is an over-reliance on the American Red Cross and other non-governmental organizations to execute the full mass care mission.</p> <p>Linkage with ESF 12 for Eligibility Validation— During the wildfire, replacing SNAP benefits became a large part of the mass care mission. ESF 6 needed detailed, specific power outage information from ESF 12 to determine an individual's eligibility for SNAP replacement. There is not a streamlined method for gathering and providing this information.</p>
<p>Operational Communications</p>	<p>Unified Information Sharing with Locals— The speed and unpredictability of wildfires create operational communication challenges. Still, the horizontal and vertical coordination of communications during response could be improved. Local emergency managers learned information from their senior and elected officials rather than the ECC. Local emergency managers felt their credibility suffered when officials asked about details they were unfamiliar with.</p> <p>Trusting Local Input—Several localities shared frustrations about state-level entities not trusting local input. For example, one road closure eliminated an evacuation route on a non-fire threatened road. The 'on-the-ground' information was dismissed rather than being trusted and used to support decision-making.</p>

Areas of Improvement

<p>Recovery</p>	<p>Damage Assessment— There is no common tool for damage assessment across disciplines. It was also discovered that the calculation of damage did not sufficiently capture the needs of people suffering non-structure-related wildfire losses, such as timber or crops. Oregonians facing those types of losses were unable to access relief offered through federal emergency funds.</p> <p>Deliberate Planning and Training—This was the first time the State Recovery Plan was used, and there was a significant learning curve for all involved. The facilitation of the enterprise recovery operation is being managed by two people, which is not sufficient for statewide implementation.</p>
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Opportunities and Recommendations

The State of Oregon’s wildfire response revealed opportunities and recommendations for the state to pursue further. These include:

- **Coordination vs. Operations.** The state should establish a workgroup to outline what a shift from the coordination posture to an operations posture requires.
- **Outreach Equity.** JIC equity planning should continue to build on improvements realized through the COVID-19 and wildfire responses of 2020. This includes assessing outreach successes and failures, then working to fill identified gaps.
- **Notification System Failures.** There is strong support for the state having a role in local and tribal notifications; home rule authorities are raised as concerns. Exploration of state-supported systems, lower-tech options, and no-tech options should also be explored.
- **Lead Agency Incorporation into the JIC.** Examine how recent state JIC activations have not succeeded in folding in Lead Agency personnel. Identify the roadblocks to effective collaboration and support of Lead Agencies.
- **Outreach Equity.** Explore options for adding public information specialists with additional language skills or how to embed other language speakers into the JIC to be present as messaging is developed. Develop specific plans for communications with vulnerable communities.
- **Staffing Shortfalls.** OEM staffing should be expanded to provide capacity for full operational support. Expansion of the liaison concept can provide better support to local and tribal communities.
- **Ops Center Limitations.** Engage state, tribal, and local stakeholders to define requirements for an effective information management system, then compare the desired requirements against Ops Center’s capabilities.

- **Take Action on Wildfire Council Recommendations.** Proceed to implement the recommendations established by the Governor’s Council of Wildfire Response.
- **Integration of EMAC Resources.** Consider pre-scripting Critical Infrastructure/Key Resources staffing resource requests for EMAC fulfillment.
- **Lifeline Reporting Integration.** Commit to evaluating existing reporting formats used by ESF agencies (i.e., situation reports, situation status reports, lifeline reporting, etc.) during ECC operations. A decision should be made about where reports link into the daily planning cycle and how/when each should be leveraged during response operations.
- **Limited Training and Maintenance on Strategic Technology Reserve.** A training and maintenance schedule should be developed to ensure these communications tools are immediately deployable to field personnel trained in putting the equipment to use.
- **Public Safety Power Shut-offs.** Educate ECC staff and decision-makers on the nature and role that PSPSs serve.
- **Over-reliance on Non-Governmental Organizations.** The state should provide leadership and facilitate an examination of mass care capacity across Oregon. This review needs to engage local and tribal partners, local, state, and national NGO partners, as well as state agencies with mass care responsibilities.
- **Critical Infrastructure Monitoring.** Consider developing a cadre of GIS experts to scale up staffing during large incidents to support visual communication. Identify and train GIS staff from other state agencies to support ECC operations.
- **Trusting Local Input.** Identify opportunities and mechanisms for quick collaboration to validate the local reality.
- **State Recovery Plan Operationalized.** Encourage deploying staff through EMAC to assist other states in implementing recovery strategies. These experiences will broaden and deepen recovery knowledge, which will benefit Oregon’s recovery from the next large event.
- **Damage Assessment.** The state should establish a common tool for damage assessment. There are technology tools and services that facilitate the unified collection of damage assessment data at the level needed to prepare declaration requests.
- **Deliberate Recovery Planning and Training.** Capture the challenges and adjustments that have been (and will be) identified in the wildfire recovery effort and refine the plan to be more effective and efficient in future events. Share the lessons learned with communities across the state to help them establish a localized recovery framework.