

Advancing Wildfire Prevention

Oregon Board of Forestry

June 6, 2024



Overview

- Wildfire Prevention Laws and Responsibilities
- Wildfire Cause Statistics and Response
- Moving Forward
 - Training, Collaboration, Education
 - Prevention Administrative Rules Recommendations
 - Ongoing Developments
- Timeline and board decision



Wildfire Prevention Laws and Responsibilities



Oregon Revised Statutes

- **477.005(1) Policy**

- The preservation of the forests and the conservation of the forest resources through the prevention and suppression of forest fires hereby are declared to be the public policy of State of Oregon.

- **526.041 General duties of the State Forester**

- The forester, under the general supervision of the State Board of Forestry, shall:
 - (5) Take action authorized by law to prevent and extinguish forest, brush, and grass fires.

- **477.365(1) Duties and powers of wardens**

- Under instructions from the forester as to their exercise of state authority, all wardens shall:
 - (a) Take proper steps for the prevention and extinguishment of fires within the locations in which they exercise their functions.



OAR 629-047-0020

- **General Enforcement Policy**

- It is the policy of the Oregon Department of Forestry to gain compliance with the fire prevention requirements of ORS Chapter 477 **first through education and cooperation**, and second through enforcement. Authorized fire wardens are to educate forest users on the need for the fire prevention requirements and to **cooperate with the users in formulating solutions** to compliance problems within the realm of these requirements.



Wildfire Cause Statistics and Response



10-Year Averages

	Fires	Acres Burned
All Jurisdictions	2,167	621,044
ODF Protected Lands	1,027	111,158

ODF Protection Breakdown

	Fires	Acres Burned
Lightning	235	42,096
Human	792	69,085
Total	1,027	111,158

10 Year averages for 2014-2023, large fires in year 2020 skews Stat fire acreages up



ODF Fire and Enforcement Response

- **Average Statistical Fire Runs:**
1,027 fires, 111,181 acres
- **Average Non-Statistical Fire Runs:**
309 fires, 29,728 acres
- **Average Non-Fire Crew Action Runs:**
2,298

10 Year averages for 2014-2023, large fires in year 2020 skews Stat fire acreages up



ODF Human-Caused Fires 10-Year Averages

- **Public:**

- | | |
|---------------------------|-------------------------------|
| 1. Outdoor Debris Burning | 171 fires / 616 acres |
| 2. Vehicles | 92 fires / 579 acres |
| 3. Campfires | 86 fires / 1,578 acres |

- **Industrial Operations:**

- | | |
|---|----------------------------|
| 1. Sparks or Friction from Rotary Head Saws | 6 fires / 141 acres |
| 2. Exhaust or Sparks from Mobile Loaders | 2 fires / 7 acres |
| 3. Electrical Wiring on Equipment | 2 fires / 0.16 acre |



Public Activities

- “Regulated Closures” under the authority of ORS 477.535-550. Regulates activities at the district level such as campfires, smoking, non-industrial chainsaw use, fireworks, off-road driving, cutting and grinding of metal, mowing dry cured grass, etc.
- Debris Burning is regulated separately through ORS 477.515.
- Direct public engagement for education and enforcement through district fire wardens, rely on coordinated wildfire prevention system, statewide efforts to promote wildfire prevention, defensible space, and fire adaption.



Industrial Fire Prevention

- “Forest Operation” fires account for less than 5 percent of all human-caused fires.
- Fire Season Regulations and Requirements
 - ORS 477.510 - .550 and 477.615 - .745
 - Water supply, fire tools, spark arresters, fire watch, etc.
 - IFPL west of Cascades
 - Extreme Fire Danger restrictions east of Cascades
- Rules and policy reviewed and analyzed, annually, by the Industrial Fire Rules Review Committee.



Moving Forward



Training, Collaboration, Education

- Provide continuous and consistent training
- Serve as lead for public burning program (beforeyouburn.net)
- Increase public awareness campaigns through traditional and social media.





ODF Wildfire Prevention and Investigation Symposium

- 5-Day in-person workshop with over 100 attendees
- Focused on fire prevention and investigation policies and practices
- Sharing ideas and improving consistency statewide





BEFORE YOU BURN PROGRAM

SMART REAL-TIME WEATHER, ALERTS, AND BURN CONDITION UPDATES

CHECK IN NOW >

Public Outreach



Board Rule Recommendations



Prevention Administrative Rules Recommendations

- Fire warden and investigative authorities
- Strengthen enforcement rules and practices
- Debris Burning still at the top
- Addressing fireworks on State Forests



OAR 629-Division 47- Enforcement Policy

Definitions

629-047-0010(a) “Authorized Fire Warden” means a person who has been designated, a Fire Warden- Class A, ~~or a~~ Fire Warden – Class B, or a Fire Warden-Wildfire Investigator by the forester. ~~after June 9, 1994.~~



OAR 629-Division 47- Enforcement Policy

Basic Enforcement Action

629-047-0040 (1)(a)(A)(i) A violator has been issued a Fire Prevention Citation or a Fire Prevention Warning for ~~the same~~ any violation of ORS 477, in ~~the same~~ any district in the previous ~~36~~ 60 months; or

(ii) The enforcement policy for the violation set forth in OAR 629, division 047 requires the issuance of a Fire Prevention Citation;
or

(iii) Under periods of extreme fire danger.



OAR 629-Division 47- Enforcement Policy

Enforcement Policy for ORS 477.515, OAR 629-043-0041 and 629-043-0043 - Burning Permits

629-047-0100 A Fire Prevention Citation shall be issued for all violations.

~~(1) The basic enforcement action set forth in OAR 629-047-0040 shall apply to all violations.~~

~~(2) Notwithstanding the requirements of section (1) of this rule, if the violation results in a fire, the following shall apply:~~

~~(a) If the fire does not cross a property line and if suppression assistance from a fire service agency is not required, the basic enforcement action set forth in OAR 629-047-0040 shall apply.~~

~~(b) If the fire crossed a property line or if suppression assistance from a fire service agency is required, a Fire Prevention Citation shall be issued for all violations.~~



OAR 629- Division 25- Forest Park and Recreation Areas

General Forest Recreation Rules and Public Conduct

629-025-0040 ~~(i) Discharge or cause to be discharged any firecrackers, explosives, torpedoes, rockets, fireworks, sky lanterns, or other substance which could be harmful to visitors or forest resources without written permission of the Forester.~~

Designated Recreation Areas

629-025-0050 ~~(c) Discharge or cause to be discharged any firecrackers, explosives, torpedoes, rockets, fireworks, sky lanterns, or other substance which could be harmful to visitors or forest resources without permission of the Forester.~~



Industrial Fire Rules Updates

- Reduce Minimum Fire Watch Service Time Requirements
 - Technology, Practices and Landscapes Have Evolved
 - Reduced Time May Lead To Improved Fire Watch Personnel
 - Landowners May Still Require Additional Time
- Update Water Delivery Requirement From 2017 Change.
 - Include equipment with blade option when water delivery is delayed.



OAR 629-Division 43- Fire Prevention

Water Supply and Equipment for Fire Suppression

629-043-0020(4) Within an operation area, excepts as required by ORS 477.615 or 477.660, only one water supply will be required to comply with sections (1), (2) or both of this rule, so long as access and communications are such that the combination of water supply, pump and hose or equipment capable of constructing fire line, can timely and effectively attack deliver ~~water to~~ a fire start. Taking more than ten minutes ~~from discovery of the fire to move a self-propelled water supply into position and/or begin to deploy hose and nozzle for an to~~ effectively attack ~~on~~ a fire start may ~~indicate water deliver was~~ not be considered timely.



OAR 629-Division 43 - Fire Prevention

Fire Watch Service – Proposed Updates

629-043-0030(1)(a) Constantly observe the operation area during any breaks (~~up to three hours~~) in operation activity and for ~~three hours~~ a period of time designated by the forester, through a written order, not to exceed 2 hours after the power-driven machinery used by the operator has been shut down for the day;

629-043-0030(2) ~~After a measurable amount of rain on the operation area, the forester may suspend the requirements of subsection (1) of this rule until such time as, in the judgement of the forester, conditions warrant reinstatement.~~

(3) The forester may reduce or waive any requirement of subsection (1)(a) or (b) of this rule in a written order if, in the judgment of the forester, conditions so warrant.



Ongoing Developments

- Evaluation of “Before you burn” concept after pilot.
- Evaluate the Department’s enforcement authority in comparison with other natural resource agencies.
- Identify and provide recommendations where statutory authorities need modernization.



Board Decision and Timeline



Recommendation

The Department recommends that the Board directs the State Forester to begin the rulemaking process to amend Oregon Administrative Rules **629-043-0020, 629-043-0030, 629-047-0010, 629-047-0040, 629-047-0100, 629-025-0040 and 629-025-0050.**



Timeline

- June 15, 2024 – Notice of Proposed Rulemaking and Fiscal Impact Statement sent to Secretary of State.
- July 2024 – Department conducts public hearings.
- September 5, 2024 – Department submits final rule draft with public comments to the Board for final considerations and approval.
- September 15, 2024 – Submit rule to Secretary of State and Legislative Counsel for filing.
- January 1, 2025 – Rules Effective.



Questions?

