

Prescribed Burn Association Workshop

Tuesday, January 15th, 2019

1:00pm-5:00pm

Quincy Library Meeting Room

445 Jackson Street, Quincy CA

Questions and comments are included in italics.

Brad Graevs from the Feather River Resource Conservation District summarized the Plumas Prescribed Burn Association's activities to date and started introductions. Attendees included private landowners, fuel reduction operators, CAL FIRE, Plumas National Forest (attending as private citizens), the Natural Resources Conservation Service, Plumas Audubon, the Northern Sierra Air Quality Management District, Greenville Rancheria, Meadow Valley Fire Department, Eastern Plumas Rural Fire Protection District, tribal representatives, Plumas County Fire Safe Council, Feather River Land Trust, and the Sierra Institute.

Options for Burning: Lenya Quinn Davidson, Humboldt UC Extension

Currently about 50,000 acres/year are burned in northern California; 91% of the burning is done by federal agencies.

Options for private lands burning:

- CAL FIRE Vegetation Management Program (VMP) -

Pros:

Liability covered by CAL FIRE

Low cost for the landowner

Experienced crews/resources

Permits/air quality covered

Cons:

Limited agency capacity

Planning time/compliance with California

Environmental Quality Act

Not guaranteed

Prior to the CAL FIRE Vegetation Management Program, rangeland burning in California averaged as much as 200,000 acres per year. The VMP provides resources for prescribed burning, but under the program rangeland burning has decreased to less than 10,000 acres per year. In this transition, cultural knowledge about burning on private lands was lost.

Q: What is the smallest area for a VMP project? CAL FIRE: VMP project sizes range from 300 – 10,000 acres in order to get an appropriate economy of scale.

- Private Contractor –

Pros:

Contractor provides insurance
Landowner can set expectations and timeframes
Experienced crews/resources
Help with permits/air quality

Cons:

Cost
Potential for limited availability

- Do It Yourself -

Pros:

Do it when and how you want
Low cost
Limited environmental compliance

Cons:

Liability
People power/resources
Permits/air quality

- Prescribed Burn Association -

Pros:

Do it when and how you want
Low cost – volunteer based
Limited environmental compliance
Pooled equipment and labor
PBA can apply for grants/funding
Every burn is a training opportunity
Work with contractors

Cons:

Liability (or hire a burn boss with insurance)
Permits/air quality
Someone has to coordinate

The Prescribed Burn Association (PBA) model incorporates local interest, cooperation between landowners, and volunteer fire departments. It is primarily volunteer based. To reduce costs, the use of contractors is strategically incorporated.

Every PBA burn is an opportunity for training because participants are not required to have specific qualifications.

The Humboldt PBA has burned 800 acres, has 60 active members, and over 200 people on their email list.

Prescribed Fire Myths:

Liability - “It’s just too risky”

Some states have Strict Liability laws in which case if a fire leaves your property, you are liable. At the other end of the spectrum are states with Gross Negligence laws. California has a simple negligence law, which means if you’ve done “due diligence” you have protection under California State law. Senate Bill 1260 passed in September and defines due diligence. CAL FIRE permits list the resources that are required for a burn.

Farm insurance coverage can be increased for the day of a burn for a reasonable cost.

It is important to plan with neighbors so that if issues do arise during or after a burn, everyone is already on board.

Assembly Bill 2091 directs the Department of Insurance to work with the Governor's Task Force to create a plan for private lands burning.

Permits – "There's too much red tape"

There are only two permits required. An Air Quality permit is needed year-round. A CAL FIRE permit is required during declared fire season.

Population – "The public won't support it"

There are high levels of public support for prescribed fire. The public is not a scapegoat for not burning.

Qualifications – "Only fire experts can conduct burns"

The PBA model brings in experts as needed but it also values individuals with a diversity of skills such as outreach and communication, welding, burn day support, and those who can provide equipment.

Volunteer fire departments are already taxed. Their time should be respected and their participation should be remunerated.

Funding – "We'll never find funding to treat all these acres"

Tools and equipment can easily be acquired through grants and donations.

The Natural Resources Conservation Service (NRCS) can provide financial support for site prep and burning. If a NRCS contract is part of a Humboldt PBA burn, the landowner contributes 25% to the PBA.

The Big Issues:

More burn bosses are needed. Recent California legislation will hopefully bolster the burn boss pool in the state.

There are air quality limitations and it is necessary to work closely with the Air Quality Management District for flexibility.

A positive outlook is needed.

Policy Updates:

SB 901 provides \$200 million per year for five years for forest health and fire prevention activities.

SB 1260 requires CAL FIRE to develop a certified burner program, clarifies “due diligence” for prescribed fire, enables CAL FIRE to privately contract prescribed fire projects, requires the Air Resources Board to provide a public awareness campaign regarding prescribed fire, and allows CAL FIRE to participate in burns led by cooperators.

SB 2091 requires the Governor’s Task Force to work with the Department of Insurance to develop an insurance pool or other mechanism to increase pace and scale of prescribed fire.

Q: Examples from the Humboldt PBA have mostly been grasslands, how will the model work in heavy timber? Lenya: It is possible to burn forestlands. The landowner needs to be committed to site preparation and closely monitoring after the burn.

Q: Does the Humboldt PBA have a membership fee? Lenya: The fee is \$25 per individual per year. An organization can pay \$200/year to cover all of their membership/employees. Membership fees have been used for equipment maintenance and to purchase VHF radios and a frequency.

Q: If you’re burning outside of the burn season, do you need a burn plan? Lenya: The smoke management plan has some of the key elements of a burn plan, which can suffice. However, it is good to have a burn plan to reference to demonstrate that the burn was done within prescription.

Q: Do volunteers fill our liability waivers? Lenya: Yes, volunteers sign waivers and the landowner signs a hold-harmless agreement with the PBA.

Q: Can you get air quality permits for multiple landowners. Julie Ruiz: Yes, it is possible to group landowners in a close geographic area.

CAL FIRE Permitting: John Berglund and Scott Packwood, CAL FIRE Lassen-Modoc Unit

CAL FIRE adheres to the California Public Resources Codes, which don’t include language about due diligence when it comes to prescribed burning. If you burn the land of another or if you lose control of your fire, you can be held liable.

LE-5 permits are issued for burns larger than a 4’x4’ pile. They are only required for part of the year. This permit does not relieve you from liability.

Q: Who issues citations? John Berglund: A prevention officer will send a citation to the District Attorney.

Q: Does the VMP still exist? Chief Packwood: Yes, it has never completely gone away. The program has declined with changes in CAL FIRE’s mission as well as air quality and liability issues. Currently VMP projects are mostly done on large commercial timberlands in preparation for reforestation. It exists for fuel reduction projects without the use of prescribed fire. However, you don’t have to go through the VMP process to burn, an LE-5 permit allows burns on

larger tracts of land. For an LE-5 permit CAL FIRE will send a prevention officer or battalion chief to make recommendations. The landowner is then given a period of time to adhere to the recommendations.

Governor Newsom is working towards getting more fuel reduction and burning done. The new Director of CAL FIRE, Thom Porter, took office last week. He will be promoting more VMP projects. There are negotiations at the state level about adjusting the cost-share requirement for the program.

The state is trying to eliminate red tape to demonstrate that necessary projects can be done. They are also trying to align granting programs and broaden eligibility. With the influx of funding it will be important to ensure that it is being spent in a productive way.

The Governor has mandated a report of cities and towns at risk from wildfire; Plumas County communities will definitely be represented.

Q: Will CAL FIRE be increasing in-house capacity? Chief Packwood: There will be funding, but most of the work will likely go out to contractors. Some additional budget will be used to fund fuels crews.

The Lassen-Modoc Unit is large and it is a struggle to send a singular message throughout the unit. Plumas has the most restrictive air quality because of the terrain.

Q: How do local fire departments get CAL FIRE support for investigations and citing? Chief Packwood: It is important to be clear about the request. If the cause has already been determined, there is not usually a need to send CAL FIRE for an investigation. If a citation is required, there needs to be continuity of presence, which means local commitment to remain on scene until CAL FIRE arrives.

Q: Does CAL FIRE train burn bosses? Chief Packwood: CAL FIRE staff are not required to be burn bosses. CAL FIRE provides their own training to personnel. Burn boss training will likely be offered through community outreach and community college programs in the near future. Lenya: Certification requires many years of experience on fires and the program will probably resemble the existing National Wildfire Coordinating Group (NWCG) requirements.

Q: Do you see funds becoming available for contractors to purchase equipment? Chief Packwood: It is unlikely because state resources should not be used for private gain. Funds are available to contract operators and for CEQA compliance. Lenya: Through the Fire Prevention grant program funds are available for outreach and education and some equipment purchases. The Forest Health grant program can even fund research.

The Lassen-Modoc Unit has a few direct funded projects. There has been a small amount of equipment purchased by CAL FIRE throughout the state.

The Lassen-Modoc unit was the first unit in the state to lift the burn ban in 2018 to allow for burning. There is a lot of responsibility when burning in timber. You'll be "owning" the fire for a week or two.

Nick Bunch: Interactions between state and federal agencies are becoming more streamlined. There are more concise rules about how to burn across jurisdictions. Things are on the cusp of getting easier, but it's going to take a long time to build capacity. Collaborative efforts are going to be required to develop a plan that really works.

Jess Wills (Firestorm): Timbered areas are often perfectly in prescription during fire season, when the rest of the state is burning. It's going to be challenging getting permits signed because Plumas County is primarily federal response area. It's going to require a good relationship with the District Rangers. Chief Packwood: We will likely see the new CAL FIRE Director decentralizing decision making.

Air Quality Permitting and Smoke Management Planning: Julie Ruiz, Northern Sierra Air Quality Management District

The District covers three counties. There is a single air pollution control specialist for Plumas and Sierra counties.

The Air Quality Management District partners with CAL FIRE when there is an LE-5 permit issued. Both agencies will conduct site visits at the same time.

Dooryard burning with an LE 62A permit doesn't require an air quality permit. If the area is larger than an acre or is non-residential, an air quality permit is required. The permit is good for one year, so it can cover both spring and fall burn windows. The permit base fee is \$70.35 plus an additional fee per acre.

If a burn is more than 10 acres it requires a smoke management plan. However, if not all 10 acres are being burned at the same time, it may not be required. Smoke management plans are processed through Air Quality's Grass Valley office.

Burn day status is determined by smoke dispersion. Decisions are made in Sacramento. If there is high fire danger CAL FIRE can issue a burn ban or require a permit.

The Air Quality Management District measures PM 2.5 all over Plumas County and ensures that there are not elevated levels that affect public health. Portola is in non-attainment. Quincy has been close to non-attainment in the past. It is imperative to avoid non-attainment because it limits what activities can be undertaken in that air-shed.

Q: Burning in Quincy has been a problem because the restriction on burning is a calendar date. Is there going to be an alignment to allow for safe burn conditions and adequate air quality?
Julie: Woodstove burning in the winter months has a significant effect on air quality. There is a

woodstove exchange program county-wide, but there is a waitlist. It is unknown if statewide changes will allow for more localized decision making.

Q: What is the justification for charging for an air quality permit? Julie: Prescribed fire puts pollutants into the air-shed. The money collected from permits goes into managing the air-shed.

NRCS Opportunities: Dan Martynn, Natural Resource Conservation Service

The NRCS works directly with private landowners to do conservation work on their property. Recently that has been pre-fire work. However, the agency is looking at how to address the need for prescribed fire.

The NRCS model provides incentive payments as a reimbursement. \$235/acre are available for prescribed burning. NRCS payments are not intended to cover 100% of costs. Additionally, the NRCS can pay up-front for a burn plan. A burn plan template is available. A burn boss can be hired or the landowner can collaborate with other entities to do the burning. Hiring contractors can address the liability issue.

Jess Wills: No one is writing insurance for prescribed burning. That can limit an operator's willingness to act as burn boss if they are not getting significant value out of the project. The landowner should be responsible for the liability. The role of the burn boss is to make sure that things go smoothly. Operator costs are dependent on: scale, complexity, neighbor support, available boundaries (the property boundary is not usually the right fire boundary), fuel type (timber vs. range), landowner objectives (eg. consumption of heavy fuels), level of site-prep (contractor should be consulted), time of year, and how long the contractor will maintain responsibility for the land.

The NRCS can facilitate projects as a model for prescribed burning in the state. There will be a TREX (Prescribed Fire Training Exchange) on an NRCS project in Butte County.

Humboldt PBA Success Stories: Jeff Stackhouse, Humboldt UC Extension

The biggest challenge in the formation of a PBA is securing a person to coordinate the permitting and paperwork.

A lot can be learned at a small scale. Prescribed burning needs to be learned by doing.

Volunteer fire departments are an important partner because they have equipment that meets permitting requirements. CAL FIRE can also help with a list of smaller equipment that can be purchased, donated, or shared. Radios are an important piece of safety equipment that should not be overlooked.

Humboldt ranks projects based on prior involvement. 500,000 acres of burning has been identified by the Humboldt PBA.

Prescribed burning can be used for invasive species management. All prescribed burning should be driven by objectives. The economics of the burn should be considered against alternative treatments.

Lunch is provided by the landowner and should be in to-go lunch bags.

Q: Do you mop up on the burns or do they require long-term suppression? Jeff: Humboldt burns have 48 hours of patrol. If there are hot spots they are mopped up.

PBA's should target the lowest hanging fruit. The CAL FIRE VMP should be used for the more complex projects.

Q: Has burning been done in dense timber stands? Jeff: Blodgett Research Forest has had successful prescribed burns in dense timber. Rob York is the burn boss there and can be a resource for questions.

Plumas PBA Model Discussion:

Currently the Plumas PBA meets at 11:00am on the second Thursday of the month at the Planning Department building in Quincy (following Fire Safe Council meetings).

There will be a pile building workshop at Bob Beckwith's property in Genesee on January 26th.

- What site-prep responsibilities does the landowner have before a burn?

Someone needs to conduct site visits with the landowners to determine eligibility and site-prep requirements. Resources available include NRCS, Plumas County Fire Safe Council, the UC Cooperative Extension, and CAL FIRE. Once the PBA has funding, the coordinator can conduct site-prep visits.

- How will properties be prioritized for burning?

Prioritization should be those landowners who have participated in a Fire Safe Council or NRCS project or have done extensive site-prep. A healthy pool of sites should be available to allow the PBA to take advantage of conditions. Wind direction will dictate what's available on any given day.

- How will volunteer hours be recorded?

Volunteer hours will be recorded at the site by signing in and out. Records will be maintained by the PBA coordinator.

People are concerned about two kinds of liability: losing a fire or lawsuit from injury. As a result, some people don't volunteer, they loan equipment or provide other services.

- Will PBA members pay for membership? One-time or annually? How much? What will the funds be used for?

Yes, there should be membership dues. It could be a sliding scale or a flat fee per year. An annual fee keeps entry costs low compared to a one-time membership. Annual operational costs should be determined, from there the fee can be calculated. When the Humboldt PBA burns a property, they request 25% of NRCS payments to landowners or grant funds, if used. If it is out of pocket, the landowner pays \$250/acre. There are some barriers to participation if out-of-pocket payments are required. Volunteer time should be valued in the economics. Don't expect everything to be done by volunteers or there will be burn out.

- How will burn bosses be funded? Who will contract with them?

The NRCS is a possibility for funding burn bosses. The Humboldt PBA does not pay for the burn boss, it is up to the landowner to determine the right path for their property. Retired Forest Service employees are a resource for burning without a burn boss. The NWCG has national certification requirements for a burn boss. But that might not be necessary, it depends on what CAL FIRE is comfortable with, which will be determined by complexity.

- Is there an alternative name that the group prefers over Plumas PBA?

No comments.

- What sort of leadership structure does the group want?

Leadership committee: Don Gasser, Mike Yost, Sally McGowan, Dan Martynn, Lindsay Wood, Jason Moghaddas

Potential Sites for Burning:

Travis Rubke – 7-8 acres in several years' time, there are roads but no fire line
 Don Gasser – about 4 acres on a former NRCS project above Beskeen Lane in Quincy
 Bob Beckwith – 100+ acres in Genesee, burn units are prepped with fire line
 Jason Moghaddas – 20 acres in the footprint of the Moonlight Fire
 William Jacks – several neighboring properties in Butterfly Valley
 Sally McGowan – along Old Highway Road east of Quincy
 David Popp's property on La Porte Road
 The Dow property on Radio Hill

Q: There are several ranches in Meadow Valley that would benefit from burning; how do we conduct outreach to landowners who should participate, but who are not engaged with the PBA? Ryan Bauer: Spanish Ranch will be an opportunity for a demonstration project in that area.

Experience Forum/Best Practices/Q&A

There is a Plumas Fire Chief's Association meeting on January 19th, it is an opportunity to engage the volunteer fire departments. Joining a volunteer fire department is a way to access training.

Feather River College is a possible venue for a burn boss training program.

High school Fire Science classes could be incorporated into PBA burns. However, their participation requires pre-scheduling that can be problematic.

Fire duration is the biggest challenge in Plumas County. The landowner will have responsibility before and after the burn. Preparation is necessary as a foundation because burns conducted under marginal conditions will lead to failure. Outreach to neighbors will be important.

A phased approach is recommended: first pile burning then follow-up with underburning in subsequent years.

Don't be afraid to contact burn bosses about participation. Prescribed burns are an opportunity to keep their crews trained.

