



Fire Suppression Interim Committee

60th Montana Legislature

SENATE MEMBERS

JOHN COBB
KEN HANSEN
RICK LAIBLE
DAVE LEWIS
GERALD PEASE
CAROL WILLIAMS

HOUSE MEMBERS

STEVE BOLSTAD
JIM KEANE
KRAYTON KERNS
RICK RIPLEY
CHAS VINCENT
BILL WILSON

COMMITTEE STAFF

LEANNE HEISEL, Lead Staff
TODD EVERTS, Staff Attorney
DAWN FIELD, Secretary
BARBARA SMITH, Fiscal Analyst

MINUTES

Thompson Falls High School Music Room
June 19, 2008 - 6:00 p.m

Thompson Falls, Montana

Please note: These are summary minutes. Testimony and discussion are paraphrased and condensed. **Exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.**

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. The minutes are accompanied by an audio recording. For each action listed, the minutes indicate the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time may be used to locate the activity on the audio recording.

An electronic copy of these minutes and the audio recording may be accessed from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side column of the home page, select *Committees*, then *Interim*, and then the appropriate committee.

To view the minutes, locate the meeting date and click on minutes. To hear the audio recording, click on the Real Player icon. Note: You must have Real Player to listen to the audio recording.

COMMITTEE MEMBERS PRESENT

SEN. JOHN COBB
SEN. DAVE LEWIS
SEN. GERALD PEASE

REP. STEVE BOLSTAD
REP. JIM KEANE
REP. KRAYTON KERNS
REP. RICK RIPLEY
REP. CHAS VINCENT

COMMITTEE MEMBERS ABSENT

SEN. KEN HANSEN
SEN. RICK LAIBLE
SEN. CAROL WILLIAMS

REP. BILL WILSON

STAFF PRESENT

LEANNE HEISEL, Lead Staff
TODD EVERTS, Staff Attorney
CJ JOHNSON, Secretary
BARBARA SMITH, Fiscal Analyst

Visitors

Visitors' list, Attachment #1.
Agenda, Attachment #2.

AGENDA

- Public comments and information on fire policies.
- Committee Members addressed fire issues.

CALL TO ORDER AND ROLL CALL

00:14:29 REP. VINCENT called the committee to order at 6:00 p.m. The secretary noted the roll. Attachment #3.

Public Comment:

00:17:10 **Bob Sandman, area manager for the Northwestern Line Office, Department of Natural Resources and Conservation (DNRC) in Kalispell**, said that the DNRC has five offices within his district. He provided information about his district:

- They manage 316,000 acres of state trust lands.
- They have 64 employees, and 50 seasonal employees.
- The Kalispell district averages 185-195 fires a year.
- In 2007, the Kalispell district fought 210 fires.

00:18:27 **SEN. JIM ELLIOTT, Trout Creek**, welcomed the committee members to his district.

00:18:57 **Bill Meadows from the Trout Creek Fire District**, talked about his involvement with fire suppression. He worked for the BLM, the US Forest Service, and he was a firefighter jumper foreman. He discussed how the cost ratio between the amount of people employed and the amount of work is high. He doesn't go out on the fireline anymore because he can't stand to watch the firefighters stand around. He said that the fire bases need to be closer to the fires, not 40 miles away.

00:21:25 Mr. Meadows addressed the issue of people that live in the forest, stating that we cannot continue to protect these people anymore, they need to fight their own

fires. He has served as an international liaison for New Zealand, and told how they came to Montana in 2003 to learn about Montana procedures in firefighting. The New Zealanders were surprised at the length Montana goes to protect individuals that live way out in the rural areas. He said that the New Zealand firefighters color code their areas, if it isn't on their list, they drive right by that property. He stated that Montana policy is getting out-of-hand and taxpayers should not have to pay to protect people that choose to live out in these far rural areas. He talked about reviewing type I and type II fires and take a look at the efficiency. He said he was happy to volunteer his services.

- 00:25:00 **Randy Hojem, District Manager for the Plains/Thompson Falls Ranger District**, said his district has a very good working relationship with the state, and with the tribes. He is a strong advocate for protection, such as one section for each ranger district. He is available for any questions.
- 00:26:40 **Rob McCracken, representing the Clark Fork-Pend'Oreille Conservancy (CFPOC)**, that serves Sanders County in Montana and Bonner County in Idaho, distributed a brochure describing the CFPOC. **EXHIBIT 1** He explained the mission statement of the CFPOC. The conservation easements that the land trust holds require the landowners to still have a fire plan. The CFPOC easements are under active management, and the trust works with the foresters in the area. In addition to conservation easements, the trust offers land trusts and they work with owners to improve forest management.
- 00:31:42 **Patrick Legard, District Fire Manager, DNRC**, said he isn't enthused about having additional tax for fire suppression. He said his county is hurting already, but he doesn't have a solution. He talked about being a private contractor and how he has worked his way up to DNRC. His biggest pet peeve is Forest Service big wigs who stand around and don't let others get on the fires.
- 00:35:28 **Judy Woolley, Plains**, stated that she owns a tree farm that borders state land. She said that much of the tax base for the county has been eroded by the environmentalist groups that have blocked logging. However, she said that fire suppression still needs to be paid for and that turns into a large tax base. She wished for better logging practices. She commented that the environmentalists should be responsible for fire costs.
- 00:38:23 **Gail Patton, Sanders County Commissioner**, said there have been major fires every 2-years since he became commissioner. Last year the fires burned 95,000 acres in Sanders County. He stated that it is necessary to protect those houses that are way out in the forests. He said back in his grandparents' days the fires weren't so bad because the mountains were more open.
- 00:40:32 **REP. PAT INGRAHAM** asked the committee to look at her mountains and hills when they drive to Libby in the morning because the trees will soon be gone. She said that the legislature needs to figure out a way to protect them, because it is a very serious problem.

- 00:43:39 SEN. ELLIOTT talked about the forests and the timberline. He said that some issues are in our control of what we can and cannot do. Sustainable management is necessary and within our control. What we cannot control is the condition. He said that unless we institute something like the Conservation Corps camps of the 1930s, we do not have manpower to control the condition.
- 00:46:07 SEN. ELLIOTT talked about international trade. He said that 33% of the timber in the U.S. is soft wood. He said Canada is now sending their soft wood into the U.S. The DNRC, Confederated Salish and Kootenai tribes, and the U.S. Forest Service should meet to discuss the situation.
- 00:48:08 SEN. ELLIOTT talked about the Water Policy Committee, of which he is a member. He said the committee is trying to make it a recommendation to the legislature to use exempt wells and community water wells in subdivisions to provide water for fire suppression. If you have a community water well system or fire hydrants in those subdivisions, then you have real fire protection. SEN. ELLIOTT said that developers need to supply fire suppression systems.
- 00:49:31 REP. BOLSTAD asked Mr. Meadows about New Zealand and how they do their coding, and wanted to know when they determine their coding. Mr. Meadows stated that it was an annual inspection, then the coding proceeded prior to fire season. REP. BOLSTAD asked if New Zealand allowed the properties to be checked again during fire season. Mr. Meadows stated that he was not sure, but he could find out. REP. BOLSTAD said that he sat on the Urban Interface Committee (WUI) to look at the standards that the DNRC uses for insurance purposes. He explained what the WUI Committee had discussed.
- 00:52:35 REP. KEANE asked Mr. Meadows about insurance companies and stated that no insurance representatives have been to any of our committee hearings. Mr. Meadows explained that his insurance company will not insure a homeowner if they don't have a minimum of 75 feet of defensible space.
- 00:54:27 REP. KEANE talked about insurance standards that are retroactive. He also talked about how Missoula County is environmentally conscious, because they maintain clear cuts in the surrounding mountains for fire protection.
- 00:55:49 REP. VINCENT stated that approximately 17% of the lands are multiple use lands in the Missoula forest district. The Missoula forest district had to make changes after the State Farm Insurance Company threatened to drop them if they didn't make some changes.
- 00:56:32 REP. RIPLEY asked Mr. Meadows how often does the insurance company come out to the place to inspect the 75 feet of defensible space. Mr. Meadows said it depends on the policy.
- 00:57:21 REP. BOLSTAD commented that a national insurance underwriter told the committee that they weren't interested in Montana until there is a catastrophe.

- 00:58:20 REP. BOLSTAD asked Mr. Sandman and Mr. Hajem about firefighting at night, and wanted to know if Mr. Meadows claim is correct that spike tents are not put up anymore, and if any of that policy has changed.
- 01:01:11 Mr. Hajem answered that he has the same response as Mr. Meadows. However, he still has crews that work at night or very early in the morning. Yet, the casualty rate has gone up and that has an impact on fighting fires at night. He stated that when he has to go out and tell parents that their son or daughter has died because of fighting fires at night, he would rather not. He wants to keep the firefighters safe, however night fighting still occurs, but it has diminished as a result of casualties.
- 01:04:36 REP. BOLSTAD wanted to know where the fire teams come from and how is it decided within the Forest Service. Mr. Hajem explained there are several different teams; type I and type II teams. He said there are not many type I teams, however, there are a number of type II teams. The teams are scheduled so they are called in when it is their turn on the list. Mr. Hajem said when a fire occurs he first looks at availability, then if a team is not available in a region, he will look for a team outside of the region.
- 01:05:51 REP. RIPLEY talked about fighting fire early in the morning when the winds are down and the humidity is high.
- 01:06:40 Bob Sandman responded to both questions on participating with both incident national teams. First of all, his area has only two national teams and nine regional teams. Now they are down to five regional teams and two national teams. The national teams rely on each other. Nationally, there are approximately 50 teams that are available. He stated that he has seen all teams deployed at the same time. The regional teams are on a rotation schedule. If a regional team is available, then that is the team that is called. If there are no regional teams available they will call in the national teams.
- 01:08:29 Mr. Sandman talked about safety. He stated there are two factors that come into play; First, he said he fights from the best ridge, not the first ridge, and secondly, there are a lot of unsafe conditions to fighting at night. There are certain circumstances when fighting at night becomes necessary, however, it is far more dangerous than fighting in daylight.
- 01:09:51 REP. KEANE asked about aviation resources and using water and retardant in the early morning when pilots prefer to fly. The pilots claim that they sit in safety meetings or other meetings until late morning and the resources are not put to good use. REP. KEANE asked if this was the case for Mr. Hajem's district. Mr. Hajem agreed that the resources should be used early if the situation merits it. The safety checks do not take long and he tries to get them going in the early morning, however, sometimes it simply is not good management of the fire.
- 01:12:53 REP. BOLSTAD wanted to know why the state is losing incident commanders. Mr. Sandman said it takes about 25 years to become an incident commander. It

is difficult with the demographics and the types of employees. Employees do not stay as long as they have in the past.

- 01:14:39 REP. BOLSTAD asked about triage - assignments according to degrees of urgency. Mr. Sandman replied that they do not pick and choose which home to protect.
- 01:16:51 SEN. LEWIS asked about Steve Wallace at the Seeley Swan area, and wanted to know that if people choose to build a house where it is high risk what can be done. Mr. Harrington responded about people living in the WUI or out of WUI, and how local governments could help protect. He said they need to protect homeowners, but feels there should be homeowners incentives.
- 01:20:26 SEN. COBB talked about the state and DNRC putting fires out as soon as possible. He discussed providing supplementals and being "gung ho" when putting fires out. He said the homeowners need to protect their own property. He talked about fighting a fire in Circle, Alaska where it cost \$10 million to guide the fire around the town when the homes were worth "maybe" \$100,000. It would have been cheaper to let the fire burn through and give each homeowner \$.5 million."
- 01:24:27 Rep. Kerns asked about management teams. Mr. Harrington said several years ago the regional teams only went out maybe 3-times a year, and national teams about 2-times a year. Now national teams are going out all the time and so are regional teams.
- 01:28:13 REP. VINCENT talked about being equipped with the right equipment and having the resources in the right place. Mr. Harrington suggested making sure that people also understand the equipment and know how to use the equipment.
- 01:32:01 REP. BOLSTAD talked about putting restrictions on fire districts. He would like the legislature to give the districts more power to control the fires. He said there needs to be a method to handle the water system to keep the sprawl down, and additional legislation on water rights.
- 01:36:51 Leanne Heisel discussed the letter that she and Barb Smith, Budget Analyst, LFD, had written to the committee on recommendations for drafting a committee bill and how the funding would work. Ms. Heisel talked about the proposals that have been received and explained the policy descriptions that have been addressed in her handout. **EXHIBIT 2**
- 01:37:44 SEN. COBB discussed the comments and recommendations received from the public and the agencies. He asked Ms. Heisel to place them on the Committee's website.
- 01:39:42 REP. VINCENT adjourned the committee at 7:26 p.m.