

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 WUI Subcommittee

Date: January 11, 2008 10:00 a.m. to 11:35 a.m. Room 152, State Capitol Building Helena, Montana

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. **Exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.**

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.

SUBCOMMITTEE MEMBERS PRESENT

REP. BILL WILSON, Chair REP. STEVE BOLSTAD REP. KRAYTON KERNS REP. RICK RIPLEY

SEN. RICK LAIBLE SEN. DAVE LEWIS SEN. CAROL WILLIAMS

STAFF PRESENT

LEANNE HEISEL, Lead Staff TODD EVERTS, Staff Attorney Cj Johnson, Secretary

Visitors/Agenda

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

CALL TO ORDER AND ROLL CALL

00:00:01 REP. BILL WILSON, Chair, called the committee to order at 9:00 a.m. The secretary took the roll. Rep. Ripley was absent.

AGENDA

- 00:00:38 Leanne Heisel, Legislative Staff, discussed and explained the agenda, **Attachment 1**.
- 00:03:45 Ms. Heisel talked about the memo she wrote to REP. WILSON regarding statutes and programs related to Wildland-Urban Interface (WUI). **EXHIBIT 1** She discussed:
 - Land use policies
 - Zoning and subdivision laws
 - Building codes and city/county certification programs, and
 - Community Wildfire Protection Plans (CWPPs)

Ms. Heisel said this information is an attempt to assist the members in understanding what is currently in place. If the committee decides to do nothing in regard to new laws she said that local governments have tools they can use that relate to fire and development in the WUI.

Ms. Heisel said that Harold Blattie, Executive Director of Montana Association of Counties (MACo) is working on legislation that would be stand-alone proposal that would not be a part of zoning or subdivision, but a separate piece of law that would allow counties/local governments to regulate development in WUI.

Ms. Heisel said that DNRC and the DLI have both been working on adopting rules regarding WUI as required in SB 51.

Ms. Heisel informed the committee that staff from Headwaters Economics are here and they will discuss their research on land-ownership in the WUI. She said Headwaters has done some detailed research on the potential development in forested areas of the WUI in western Montana.

Wildland-Urban Interface Subcommittee (WUI)

Ms. Heisel informed REP. WILSON and Committee Members that the memo to REP. WILSON **EXHIBIT 1** was developed after the first WUI meeting had taken place to determine what currently existed in code with regard to defensible space around structures, e.g., 1) can Montana law require standards for construction, and 2) whether the legislature could require people who live in certain areas to meet certain requirements. She said currently there is nothing in Montana law that requires defensible space around structures. The standards for structures is governed by building codes for certain buildings, but no specific state law requires certain building features for structures in the WUI. She talked about zoning and subdivision regulations and how local governments can be certified to

have their own building code enforcement program. She discussed a program called "firewise", a wildfire protection plan that is currently in place for communities and local governments to use.

Ms. Heisel stated that the Committee will hear debate between individuals and organizations who will say what is currently in law is all that local governments need to help mitigate problems and regulate development in the urban interface. She said others claim there are too many barriers to use what is there now, politically and culturally, and that the laws are too limited to make any difference. She said it will be the Committee's decision to decide who will they agree with.

Ms. Heisel said that many subdivisions currently address fire protection in their regulations. She talked about several bills from the 2007 Legislature that were enacted that specifically mention fire and wildland fire for subdivision laws and growth policy statutes. She talked about:

- Growth policies local governments need this before they can zone.
- Subdivision regulations for Ravalli County (EXHIBIT 2),
- 2006 Model Subdivision regulations (EXHIBIT 3).
- Three types of zoning; page 4, on exhibit 1. Ms. Heisel read and explained each type.
- Requirements on protesting for each of the three types of zoning; and
- The firewise communities in Montana.
- 00:20:57 Ms. Heisel discussed Community Wildfire Protection Plans (CWPPs).
- 00:21:46 Ms. Heisel closed stating that the options in this article are to show the members there are laws and regulations currently in place.
- 00:22:51 REP. WILSON asked for comments.

QUESTIONS FROM COMMITTEE MEMBERS:

- 00:23:07 SEN. LEWIS talked about California's legislature discussing adding a surcharge on fire insurance policies for the people that live in the rural areas. He asked if the Committee can get a copy of that bill. Ms. Heisel said she plans for the February meeting to have information from other states including California and what they are doing.
- 00:24:16 SEN. LAIBLE talked about zoning protest provisions, and legislation that would require communities not to zone, but to identify certain areas. He wanted to know if a protest provision would be necessary when it isn't requiring any standards in the area, nor mandating that communities identify these areas. Ms. Heisel replied if the communities were required to identify the WUI they could have hearings and an appeal procedure and they wouldn't need to have a protest if it was done outside of the zoning area.

REP. KEANE said that he knows of two counties that do not have a difficult time when it comes to zoning, and they are Silver-Bow County and Deer Lodge County, because they have a consolidated government. He said that whatever the government does also applies to the counties.

PUBLIC TESTIMONY:

Building codes and city/county certification program - DLI staff

- 00:26:15 Jack Kane, Deputy Administrator, Business Standards Division, Department of Labor (DLI), said he was asked to explain the certified cities and counties program. The purpose of the state building code is to provide reasonably uniform standards for applicability and adoption. These standards are requirements for construction and constructions materials. He said that means they are to be consistent with design, engineering and fire prevention practices. He talked about the certification of cities, counties, or towns, stating the certification allows those entities to adopt and enforce building codes. He said that current adopted codes and a list of fees have to be filed with the state building code's section, and they are audited every three years. Also, the state inspectors must be properly licensed as journeymen in that craft or be certified by a nationally recognized entity for testing and certification of inspectors that is approved by the department before being permitted to inspect or approve any installation. Mr. Kane said cities, counties and towns are permitted to adopt building codes as long as those codes are the same as the state, and enforced the same as the state. He said when a city or town adopts building codes they may only enforce that code within the corporate limits of that city or town. If a county adopts a code on a countywide basis, and a city or town within that county has already adopted its own building codes, then the county cannot enforce a county building code within the incorporated limits of that city or town.
- 00:29:34 Mr. Kane said there are 42 certified cities and four certified counties that have adopted codes. The other towns and counties only adopt a code that is specific to their needs as shown on **EXHIBIT 4**. Mr. Kane said there are 12 codes that are available and put out by the international code council. He said that six of those have been adopted by the State of Montana, and they are: 1) commercial and residential, 2) mechanical, 3) fuel and gas, 4) existing building codes, 5) energy international conservation code, and 6) plumbing codes. Mr. Kane informed the committee there is one code that is still available and that is the wildland urban interface (WUI) code.

QUESTIONS FROM COMMITTEE MEMBERS:

- 00:31:53 REP. KEANE asked about the interface code for WUI, and wanted to know if Montana has adopted this. Mr. Kane replied there is an international WUI code, but Montana has not adopted it. REP. KEANE asked if there are other states that have adopted this WUI code. Mr. Kane replied some states have adopted this and have adjusted and made amendments to fit their needs and standards. He thought that Utah was one of those states.
- 00:32:35 REP. WILSON asked Mr. Kane to furnish the Committee with a copy of the codes. Mr. Kane replied that he will order copies for all of the Committee members.

Community Wildfire Protection Plans

- 00:34:53 Pam Shrauger, Big Sky Hazard Management, LLC, Bozeman, distributed a handout **(EXHIBIT 5)**. She discussed CWPPs, and how to find a solution to mitigate problems in the WUI.
- 00:39:53 Ms. Shrauger discussed:
 - communities hiring consultants who map GIS plans,
 - federal and state agencies working together,
 - counties taking responsibility, and
 - regulatory measures and implementation on land use, etc.

She informed the Committee that Big Sky Hazard Management has been successful in saving money for Montana by incorporating CWPPs in all hazard pre-disaster mitigation plans. She stated these are plans that FEMA regulates, and for any jurisdiction to receive federal funding they have to adopt this plan. The end product is for the county to assist in meeting its needs, but they usually include federal, state and local agencies, and local fire departments.

- 00:41:15 REP. KEANE asked Ms. Shrauger who hires her company. She responded that usually it is the counties. She said the funding comes from various sources, e.g. federal grants, and/or local money from the county.
- 00:42:15 Bob Harrington, Administrator, Forestry Division, DNRC, said that 47 of 56 counties have either completed CWPPs or they are in the process. He hopes that all 56 counties will come on board in the near future. His primary message to the Committee and the communities is that planning doesn't mean anything unless it is implemented. He said that local, state, and federal government funds have to be prioritized.
- 00:44:12 Mr. Harrington said since 2001, Montana has received \$7 million to \$8 million dollars, which has been distributed for the purpose of completing defensible space work. These funds go to the highest priority on the CWPP list. He would like to see a statewide WUI map that is GIS based and has several different layers to answer different questions about planning. He said that when a CWPP is completed by a county or town, the money is made available and locally managed to carry out the plan.
- 00:49:10 SEN. LAIBLE asked about 1) CWPPs and the tools that are available for the communities and subdivisions; 2) how the Forest Service and Federal agencies are brought into this planning; and 3) how can Montana assist the Forest Service to implement CWPPs so they can also do fuel reductions on the WUI. Mr. Harrington responded that the Forest Service and the BLM are very active in this process. He discussed 1) how 50% the Forest Service's budget goes toward fire suppression; and 2) offices being closed and people being laid off so they cannot manage lands. He said on the local level there are ongoing efforts to resolve gridlock over projects, such as the Montana Forest Restoration Committee. He talked about this Committee which will present to the full interim committee in the near future on building a consensus and support for projects so there won't be

projects hanging out there that are in appeal or litigation. He talked about the "good neighbor authority", that surrounding states like Colorado, Wyoming, and Utah have used to allow state or local governments to administer contracts on Forest Service lands. He said that funding is usually a downside along with the environmental analysis process, but the money has to come from somewhere, and the environmental analysis still has to be completed. He said that both of these are issues that have to be dealt with.

- 00:54:32 SEN. LAIBLE commented that most counties currently have GIS that identifies the county's needs, and he asked if this is a cost factor after counties have identified the WUI areas, and could they assist federal agencies to help manage federal lands. Mr. Harrington said when a company such as Big Sky Hazard Management has done a CWPP for a county, there is also a GIS layer that identifies where the WUI is. He stated it isn't universal, and they are in communication with counties that don't have GIS. He discussed a current map that shows the WUI in Montana that was developed by the Forest Service for their requirements to identify WUI, and prioritize their projects. He commented that these maps are based on one set of criteria, and not based on a consolidation of locally-driven boundaries. SEN. LAIBLE also talked about a meeting in Ravalli County and the Forest Service removing roads. He discussed the county shutting down approximately 400 miles of roads, which is resulting in 50% of their offices shutting down and losing people to manage these roads. SEN. LAIBLE said "when we should be finding ways for access to fire suppression we are going in the opposite direction."
- 00:58:37 REP. KEANE asked are we missing out on money because of no match. Mr. Harrington replied no.

MACo's stand-alone WUI legislation proposal (tentative)

- 00:59:36 Leanne Heisel distributed a handout from Harold Blattie, Executive Director, MACo, **EXHIBIT 6**, who was not able to attend this meeting.
- 01:04:22 Mary Sexton, Director, Department of Natural Resources and Conservation (DNRC), talked about the WUI proposal. She said the Committee has already addressed one of the issues today which is: there is no on-going authority to make sure that mitigation work in the WUI continues. She addressed the duties of the county commissioners, and the similarities between WUI and the floodplain management aspects of building in the flood way. She said that counties have to adopt ordinances dealing with the floodplain, and they could do the same with the WUI. She said as the stakeholders go through the process to implement the stand-alone statute that Mr. Blattie has presented, it will give the counties the authority they have been asking for. This is an authority that counties can have outside of the subdivision and planning statutes and can be adopted and designated for the counties. She discussed: 1) the different incentives that will be useful; 2) the statutory requirements; and 3) how they are implemented. She closed stating that Montana cannot wait for five to 10 years to act on this issue. She said the state is seeing just the tip of the iceberg as to what kind of development that Montana will see in the WUI.

- 01:09:08 Scott Waldron, Fire Chief of the Frenchtown Fire District, and representing Montana Fire Chiefs' Association and the Fire Wardens' Association, said the associations have been in contact with MACo, and they are supportive of this process. But, he asked that the Committee, when considering any kind of regulatory process, that local governments will have the mechanism to fund the enforcement. He reiterated that the associations support the process, and the statements from Director Sexton.
- 01:10:23 Rep. Bolstad reiterated Scott Waldron's comments, stating he is from Cascade County, and a lot of these issues are overlooked at the county level. He added that the Committee will need to make sure there are people out there that can enforce this legislation.
- 01:11:11 Glenn Oppel, Montana Association of Realtors (MAR), talked about SB 51, and working with MACo, DNRC, the builders, and the Montana Smart Growth Coalition in formulating this bill. He discussed the issues in the development and regulation of land use in the WUI. He said that SB 51 provides tools for local governments to address these issues. SB 51 deals with: 1) growth policies; 2) local governments' need to evaluate the potential for wildland fire; and 3) ingress and egress defensible space, and water supply. One of the key provisions in SB 51 is that local governments can look at wildfire issues through their subdivision regulations. He talked about section 4 in SB 51, which requires DNRC to develop rules on best practices, and how counties can create development standards in the WUI. He stated that MAR is working with DNRC, and other interested groups on what is best practice to implement in the MCA. He stated that MAR is concerned about the approach that is recommended by MACo in comparing the floodplain regulation to fires. He said that fires are not like floods: "you know where it is going to flood, but you don't know where a fire is going to be." Mr. Oppel's second concern is if this is made a mandate, it will bypass several principles, such as: 1) local control of land use; and 2) it will cause problems with landowners. He discussed the pitfalls of zoning, stating it provides authority to regulate planning which also bypasses the rights of landowners. If WUI is treated the same as floodplains, it will bypass homeowners. He talked about development in the WUI, and asked if it is really the root cause of the increasing cost of fighting wildfires, or is fuel-loading to blame. He said that homes do not cause fires nor perpetuate them, but they can be a part of it.

QUESTIONS FROM COMMITTEE:

01:18:37 SEN. WILLIAMS discussed the cost of fires when protecting homes, and how it becomes an important factor in the WUI. She hopes that MAR will not discount this by only discussing fuel reduction, because fire money is being spent to protect homes. Mr. Oppel replied that protecting homes is part of the cost, but he asked is it the root cause. He said MAR supports and assisted in the development of SB 51, the best practice rule, which gives the local governments the tools to address land use in the WUI. He said the MACo proposal bypasses local landowners and land use in the regulatory process. Sen. Williams asked MAR to bring back a proposal that the Committee can look at.

- 01:22:12 Mr. Oppel responded that MAR was the primary group that developed SB 51, and introduced it in the 2007 Legislative session. He talked about working out the differences between SB 167 and SB 51, and explained how it has worked for landowners.
- 01:23:10 SEN. LAIBLE asked Mr. Oppel about the MACo proposal, and said the tools presented in the proposal can be offered as a choice and not mandated, and that each jurisdiction could choose what option they want. Mr. Oppel responded that he had attended a MACo meeting this last November where the concept of the floodplain regulations were discussed and compared to WUI. Mr. Oppel explained his understanding of the floodplain regulations, which is: The State of Montana comes up with the standards, and the county has a choice to adopt them or not. If they do not adopt those standards then it would default to the DNRC who then becomes the regulating entity for that case. SEN. LAIBLE commented that the MACo proposal will continue to evolve from the November meeting and he feels it will be an ongoing process and all parities will need to come together to find common ground. Mr. Oppel responded that MAR will be more then happy to look at MACo's proposal.
- 01:26:44 SEN. COBB directed a comment to Mr. Oppel, stating that whether you do the best management practices or do the MACo legislation, as this Committee goes forward those local governments and individuals should take better care of and control of those areas around them. He said "if these individuals want to be on their own and don't want fire management, why should the state do as much in those areas where the locals don't want any assistance." He stated there is no money at the state level, and the federal government is planning to spend less on structure protection, and asked "why should the state be involved in those issues".
- 01:28:05 Tim Davis, Montana Smart Growth Coalition, said the Coalition was also involved with SB 51, and they will continue to work on it. He said legislation should not mandate, but keep it in the public process. He said it is human nature as development grows more people move into these areas, those areas will burn, and it will cost more to fight fires in those areas.
- 01:29:49 Leanne Heisel distributed a handout on the statutes that require DNRC and DLI rulemaking as a result of SB 51. **EXHIBIT 7**
- 01:30:29 Bob Harrington, DNRC, discussed the first meeting to develop rules and how everyone agreed to adopt three existing documents that address development in the interface. One is the existing guidelines that the legislature adopted in 1993 for development in the interface. Another document is called the NFPA1144- (National Fire Protection Association). He said the intent is to consolidate these existing documents because they cannot stand alone for best practices. He informed the Committee of the dates when DNRC will be meeting on published rules and holding public hearings. He said the Department is also charged with the allocation of funds to the counties for the implementation and adoption of best practices.

01:34:20 Dave Cook, Building and Measurement Standards Bureau, Department of Labor and Industry (DLI), reported that the Department's role for SB 51 was to adopt rules that specified standards or construction techniques that would mitigate fire hazards.

Mr. Cook distributed a handout on the possible codes and standards schedule for the WUI. **EXHIBIT 8** He talked about how DLI will approach the rulemaking:

- 1) stakeholder engagement, e.g., fire officials, planners, legislature, building codes, county/local people, etc.
- 2) what factors need mitigation, e.g., what is in the subdivision's approval process, and
- 3) the development of the standards into a rule document.
- 01:35:43 Mr. Cook said that by March 15, 2008, the stakeholder list will be developed which will include all persons who will be invited to the DLI meetings. He said the Department currently has a stakeholder list and a interested parties list they can add to. He talked about a process currently in place at the Bureau to adopt codes. He informed the Committee that on April 15, the Bureau will begin holding meetings with the stakeholders and gathering information to determine what information is needed, and what problems are with fire hazards that will need to be mitigated. He said the meetings will be held every 3 to 3 ½ weeks. He hopes to have the draft ready by July 15, 2008 to start the administrative rule process, and have the rules approved by November 2008, and be ready for the session. He has documents on time-lines. Mr. Cook distributed a handout **EXHIBIT 9**
- 01:37:34 SEN. LAIBLE asked Dave Cook about components for water in the WUI, and Ravalli County regulations being limited. Mr. Cook responded that the amount of water is high for a lot of the WUI.
- 01:38:35 Break

WUI analysis and land ownership research - Headwaters Economics

- 02:02:47 Patty Gude, Headwaters Economics, a nonprofit research group, Bozeman, explained what Headwaters does.
- 02:04:02 Ms. Gude gave a powerpoint presentation. **EXHIBIT 10** She addressed the three main sections: 1) Overview of Development Patterns, 2) Development in Fire-Prone Areas, and 3) Growth Forecasts. She explained each one and what they do. The presentation is maps of the NorthWest region which gives a visual of land converted to residential development from 1990 to 2000. She discussed the percent change per capita of land consumption from 1990 to 2000. She said that Montana has the fastest rate of spread more people moving in and taking space. Ms. Gude's presentation discussed homes in the WUI and the projected cost of protecting those homes from fire. She also discussed identifying extreme risk areas where protection is all but impossible and provided information on growth forecasts.

- 02:29:26 SEN. LAIBLE asked about the WUI in Wisconsin and wanted to know why it doesn't include most of the state. Ms. Gude said that agriculture and paved areas are not included in the WUI.
- 02:32:24 Ms. Gude discussed the forecasting model which assumes the same rate and driving factors from 1995 to 2005.
- 02:36:56 She talked about the year 2025 status quo scenario and provided questions for future research, which are:
 - How much will firefighting costs increase if development trends continue?
 - Will the taxpayers shoulder the burden?
 - What are Montana's options for limiting future development on fire-prone lands?
- 02:42:07 SEN. LAIBLE asked Ms. Gude about her discussion on limiting development when the Committee has been discussing how to manage development. Ms. Gude responded that management is guidance for limiting growth.
- 02:45:05 She concluded that the money will still have to be spent to send people to fight fires and to protect those homes in the rural areas. She said the taxpayers spend a lot of money to have these homes protected. She closed stating there are some places that are unsuitable for building a home, and it is also too expensive to fight fires there.
- 02:47:04 SEN. LAIBLE asked who is Headwaters and how are they funded. Ms. Gude replied it is a research group of economists, planners, and researchers who receive funding from large federal agencies such as BLM, independent rural agencies, and other non-profit organizations. SEN. LAIBLE asked if part of the recommendations that Headwaters has given to the Forest Service included the delineation of fuels. She responded that her group isn't a policy making group, and they only provide information to the Forest Service who handles how to manage fuels. She discussed other background research on the effectiveness on fuels treatment, literature reviews for knowledge on thinning, and fuels management.
- 02:51:20 SEN. LEWIS asked about an analysis of what the costs are for providing fire protection in the WUI, and wanted to know who benefits, and who is carrying those costs. Ms. Gude replied that is their next step. She said Headwaters is relying on a partnership with DNRC to provide specific data on the fire suppression costs.
- 02:52:54 SEN. COBB asked Ms. Gude when they expect to have that completed, because the Committee is working on a deadline. He stated that the Committee needs some general ideas, such as: 1) What will the total costs be? and 2) Whose burden is it? Ms. Gude said her group may have the information ready by March as requested by SEN. COBB. SEN. COBB talked about the Committee setting policy, and asked Ms. Gude if she could give the Committee policy ideas.
- 02:55:36 REP. KEANE asked if there are other ways to fund fire suppression other then

the taxpayers. Ms. Gude replied that a large part of the fires are funded by the government, state and federal. She said that MACo's idea and other groups are talking about handing down costs. She discussed property owners "opting out", and declining protection.

WRITTEN PUBLIC COMMENT

- 02:59:42 Ms. Heisel distributed a handout that she read to the Committee in regard to public comments she has received as of January 10 on fire suppression. **EXHIBIT 10**
- 03:06:10 REP. WILSON opened for public comment.

PUBLIC COMMENT

- 03:06:23 Scott Waldron, Fire Chief's Association, stated the association will gladly assist with resources and an equitable funding for firefighting.
- 03:09:01 SEN. LAIBLE talked about what the state and the Committee can do to help the Forest Service which owns land adjacent to the WUI. Jerry Meyer, Forest Service liaison, responded that the Committee may not be able to do as much as the federal government, and said that contacting the Congressional delegation would be the way for the Committee to go. He said the one area where the state can help is with the thinning process. He discussed the funding and the litigation which are the biggest issues. He said that the Committee can assist with the advocacy on actual research on adjacent landowners by being "good neighbors" and assisting the Forest Service with those types of projects.
- 03:12:04 Tom Futral, small business owner/taxpayer, talked about the need to address funding when it comes down to people protecting their own homes. He said it isn't the taxpayers responsibility to support and protect these homes. He stated there are numerous options out there for a private home owner to protect their own homes. He said in the future that the federal government will be forcing the state to "protect their own homes".
- 03:13:31 Bob Harrington commented on previous testimony by Ms. Gude stating that Headwaters can have as much access to research as they need from DNRC. Mr. Harrington talked about why some of those areas that Ms. Gude showed are not "static", because where growth occurs overtime the boundaries will change. He said the people who live in the WUI are a part of the solution not solely a part of the problem.
- 03:18:43 Pat McKelvey, Fire Safe Montana, congratulated the Committee on trying to get their arms around the intangible. He commented on a conference dealing with this issue that will be taking place in Bozeman on February 25 27.
- 03:20:26 Pam Shrauger, Big Sky Hazard Management, said she wanted to provide "clarification that during the comparison to the flood insurance program, it was stated that if communities did not belong to the program, then DNRC steps in.

That is not the case. If a community does not choose to participate then certainly they have ramifications with federal insurance but it's not a case where state government steps in and tells them to regulate their floodplain."

- 03:21:24 REP. WILSON said the Committee will try to get the insurance industry in this Committee at the March hearing
- 03:21:56 Ms. Heisel talked about specific options needed for the next Committee meeting that will include a followup from Headwaters on analyzing policy recommendations and where the costs are going.
- 03:23:36 SEN. LAIBLE wanted to know what the banking industry has to say about this. He said there are fire safe areas that lending banks can control.
- 03:24:47 SEN. COBB asked that the Committee continue to get ideas on funding to report to the full Committee.
- 03:25:31 REP. WILSON adjourned the Committee at 11:35 a.m.

Cl0206 8081coxa.