

Written Comments in Support of Senate Bill No. 47 Introduced by Senator Chas D. Vincent
Monday – January 10, 2011 at 3:00 pm Room 422

Chairperson Senator Debby Barrett and members of the Senate Natural Resource Committee, I am submitting written comments in support of Senate Bill No.47 introduced by Senator Chas D. Vincent.

My name is Richard E. Grady, a private citizen, at 9312 Lincoln Road West – Canyon Creek Montana, located 25 miles Northwest of Helena. My family has a ranching operation that has been owned by 3 generations and has been part of the Canyon Creek community since the early 1900's. The two family ranches have classified timber lands of approximately 6000 acres consisting of a mixture of Ponderosa Pine, Spruce, Douglas Fir, and Lodge pole Pine. It has been harvested for pulp, post and poles, firewood, along with saw logs the past 40 years and is impacted by the Mountain Pine Beetle and Spruce Budworm. It is also part of a conservation easement with Fish, Wildlife and Parks.

I also serve as a trustee with the Canyon Creek Rural Fire District that has areas within the Wildland Urban Interface (WUI) that property owners are attempting to reduce the fire loading of dead trees around their homes and seasonal cabins. Given the depressed timber markets and a declining timber industry, it is becoming difficult on the ability of these property owners too managed their dead trees and market the dead trees for firewood and other value added products.

Also my family's ranches and other property owners were impacted by the escaped control burn know as the Davis Fire too enhance grizzly bear habitat of sub-alpine fir of the Lincoln Ranger District - Helena National Forest on August 26, 2010 when all opening burning in Lewis and Clark County was closed due to extreme fire conditions and potential red flag warnings of high seasonal temperatures, low relative humidity and potential for dry lightning. I have attached a photopoint of the fire, showing the extreme fire behavior, and the amount of smoke particles being released into the atmosphere.

The amendment of the language under 75-2-11, MCA Powers of the Board under © a wood chipper, wood grinder, or other forestry equipment and its associated engine used for forestry practices that remains in a single location for less than 12 months and is not subject to the requirements of 42 U.S.C. 7475 or 766a, except when used in an incorporated city or town.

On Saturday, January 8th, 2010 I attended and listened to those whom spoke at the Jobs Listening Session supported by this legislative body on recommendations to help small business succeed and improve the regulatory environment for the State of Montana.

The amendment to this state statue will help the small business owner or property owner who contracts with a private contractor to help with fuel mitigation to reduce the dead and dying timber that is being affected by the Mountain Pine Beetle and Spruce Budworm outside an incorporated city or town. Also it will help to reduce the amount of slash that would be piled to be burned later under an Hazard Reduction Agreements that requires a property owner involving a timber harvest, by not burning the fuel, reduce the potential of an escaped fire that could threaten adjacent property, the general public and firefighter safety.

If we are going to improve the regulatory environment of Montana, we have too work together in a positive way that can help incorporate acceptable forestry practices and current technology with the continued decline of our timber industry and help too promote in the future biomass opportunities. This will help reduce the dead and dying trees around homes and classified timber property; be able to comply with Air Quality Regulations to protect public health, safety and the air Quality of our State in compliance to the Montana Environmental Policy Act (MEPA) and open burning permits. Thank –you for the opportunity as a private citizen to testify before the committee today.

/s/ *Richard E. Grady*

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Helena National Forest **DAVIS FIRE REVIEW SUMMARY**

This document summarizes the results, conclusions, and recommendations of the Davis Escaped Prescribed Fire Report and immediate actions the Helena National Forest will implement. The Helena gives commendations to the Interagency Review Team for a thorough report. This knowledge and our future actions will strengthen our Prescribed Fire Program and enhance our ability to maintain, restore vegetative communities, achieve desired resource conditions, and protect life and property.

Summarized below are the review team's findings that led to the wildland fire declaration of the Davis 5 Prescribed Burn on August 26, 2010.

1. **Awareness of potential prescribed fire complexity**—As a group there needed to be better recognition of a low probability, high consequence event for this prescribed burn.
2. **Fuel type differences inside and outside the planned burn unit**—The Davis 5 Prescribed Fire Plan does not address the abundance of subalpine fir inside and outside of the unit and does not include a discussion of the associated spotting potential and probability of ignition.
3. **Spot Forecasts**—The winds predicted in the spot weather forecast changed between the forecast received the afternoon on August 24 and immediately prior to ignitions on August 25. The prescribed burn personnel stated they did not note any differences between the two forecasts.
4. **Weather/Fuels Conditions**—Weather conditions crossed a critical threshold for the torching of subalpine fir and as the winds shifted from upslope to a westerly direction a number of embers spotted outside of the unit.
5. **Other conditions**—The saddle in the southern part of the unit, the proximity of the fuels to the boundary, and the slash in the last mixed timber stand to burn in the burn unit contributed to the escape of the prescribed burn.
6. **Compressed timeframe to complete the project**—Given the fire weather watch that escalated into a red flag warning, there was little opportunity for error or course-correction when spots occurred.

After outlining their findings, the review team provided eight recommendations within three areas of concentration. Below are those areas and the Helena National Forest's planned actions in response to those recommendations.

1. **Administrative Processes:** The Helena National Forest will ensure that all fire qualification and delegation of authority will be documented in writing prior to prescribe burn ignition. All burn plans will include a robust discussion about seasonal and site specific complexities.
2. **Communications:** The Helena National Forest will utilize a variety of methods to improve communications both within the agency and with the public. A communication plan and public involvement strategy will be developed at the local level to include landowners, local and state agencies, local and state officials, community leaders and media.
3. **Complexity Factor(s):** The Helena National Forest will use current information in all aspects of analyzing the potential for a successful prescribed burn. Information to be considered will include current fuels data, spot weather forecasts, changed forest conditions, research data and findings, contingency plans, fire behavior modeling, and firefighter safety.

The *Davis 5 Prescribed Fire—Escaped Fire Review* is posted on the Helena Forest website at: www.fs.fed.us/r1/helena/.

**Davis Fire
Escaped Prescribed Burn
Lincoln Ranger District
Helena National Forest
August 26, 2010**

08/26/2010