HB 3023 Preparing For Our Wildfire Future.

Kyle Williams – Oregon Forest Industries Council

Adam Sinkey – Douglas Forest Patrol Association

Brennan Garrelts – Lone Rock Timber Co.

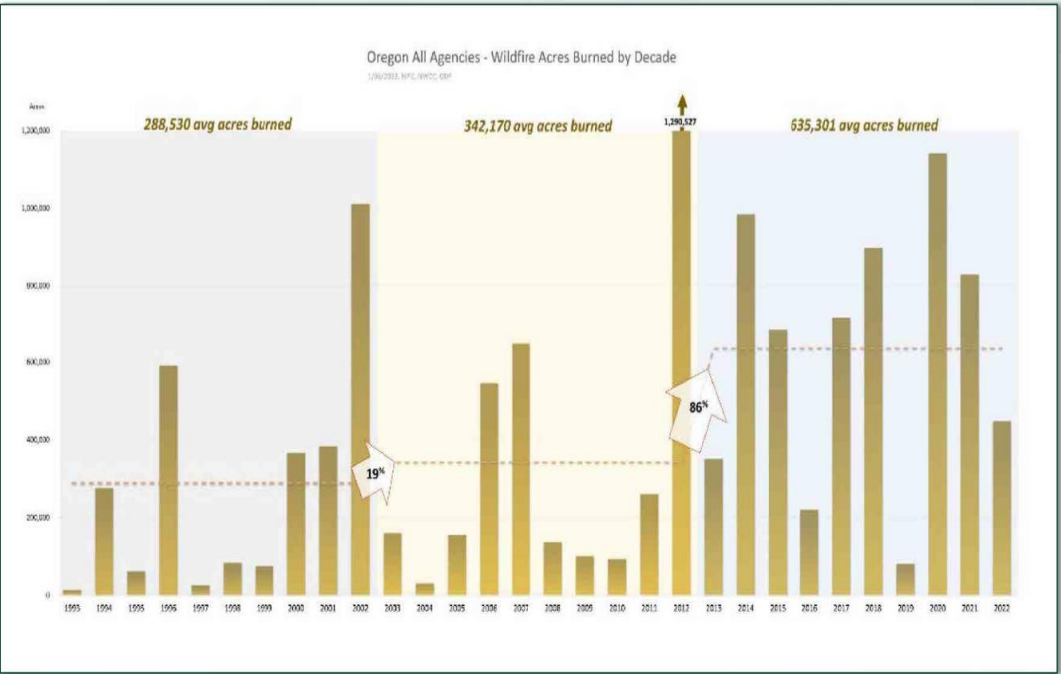**Roger Beyer – Oregon Small Woodlands Association**

Agenda

- Policy environment driving the issue

- Practical implications and need

- Landowner experiences

- Sideboards and Questions

Acres Burned: All Jurisdictions

Oregon All Agencies - Wildfire Acres Burned by Decade

288,530 avg acres burned · 342,170 avg acres burned · 1,290,527 · 635,301 avg acres burned

Oregon has seen an increase in size and severity of wildfire across the landscape that is unprecedented in our lifetimes.

At the same time, need for water and downward pressure on availability has never been higher.
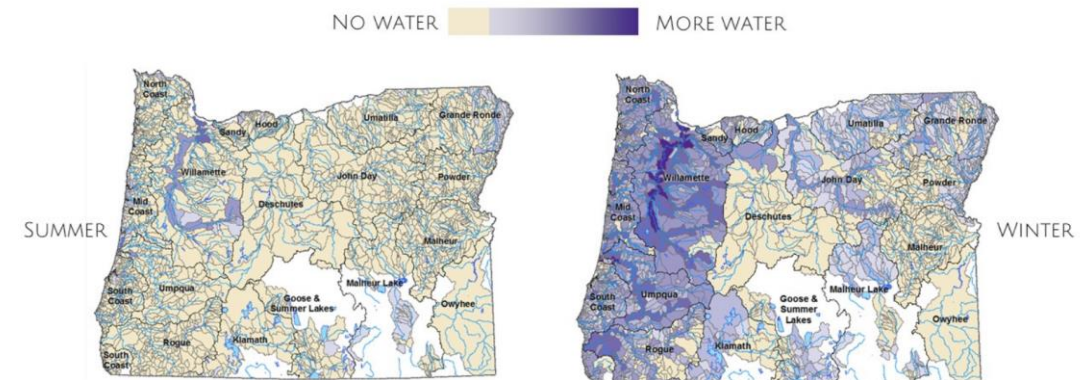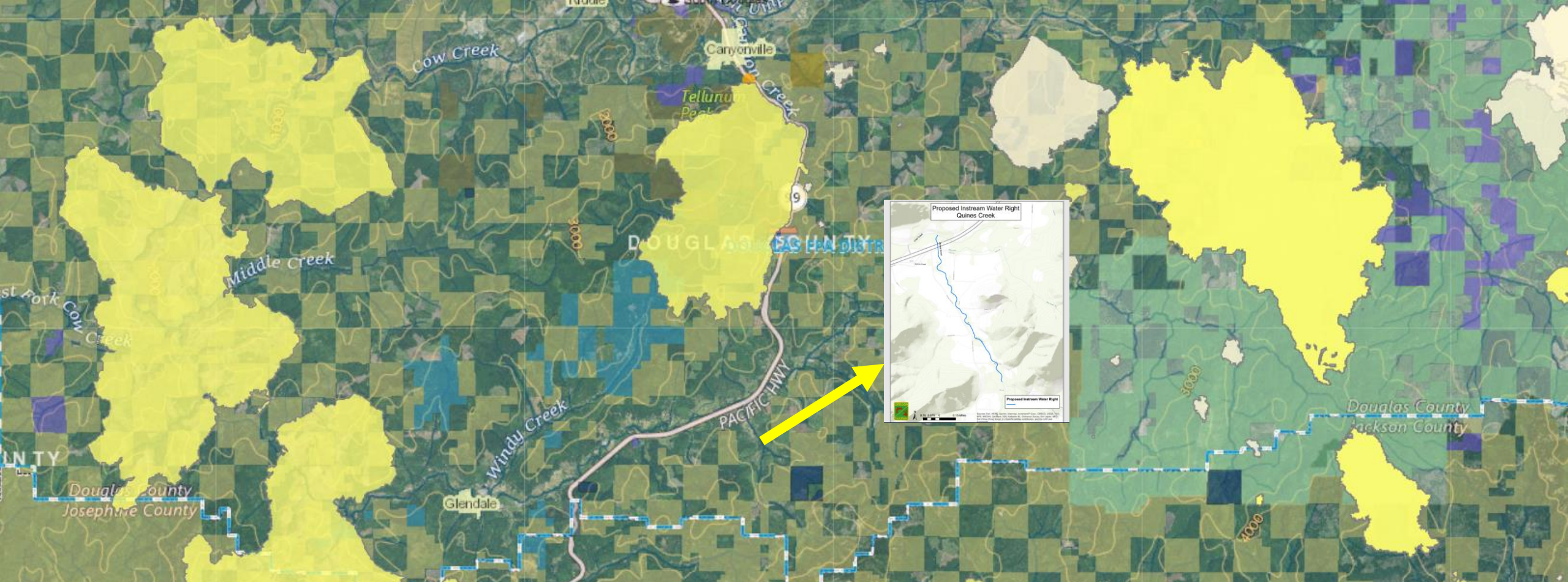
Policy Environment Driving the Need

ODFW focusing on in-stream water rights as a primary strategy for securing water for fish and habitat needs.

In-Stream Water Rights Efforts Risking Future Fire Protection

Limiting Options for Future Fire Protection Infrastructure

Application IS-89046

Priority date: November 30, 2020

Description:

Quines Creek, tributary to Cow Creek, beginning at river mile 1.7 (SWNW, S26, T32S, R5W, WM) in Douglas County (42.76226, -123.262527) and continuing downstream to the mouth river mile 0.0 (NWNE, S22, T32S, R5W, WM) in Douglas County (42.78152, -123.275011).

a. The amount of water requested for instream use:

Fish Life and Fish Habitat:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
42	42	41.7	29.9	20.9	11.5	4.6	0	0	0	0	41.5

Estimated Average Natural Flow:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
32.9	30.6	37.4	22.5	10.9	4.95	2.28	1.15	1.19	2.04	6.84	25.9

Allowable Instream Use:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
32.9	30.6	37.4	22.5	10.9	4.95	2.28	0	0	0	0	25.9

Summary of Determination:

A percentage of the water applied for has been determined allocable for the purpose(s) identified in the application. That rate allowed is shown in the table above titled "Allowable Instream Use" and, if less than the rate shown in "Requested for Fish Life and Fish Habitat" table, is limited to the rate shown in the "Estimated Average Natural Flow" table.

Before an Alternate Reservoir application can be submitted, the applicant must contact the Oregon Department of Fish and Wildlife to assess what fish passage and screening requirements will need to be addressed. ODFW will also assess whether the requested use has a significant detrimental impact to existing fishery resources, which includes biological flow needs for fish that may result in a different outcome than assessment of water availability. ODFW will complete the Alternate Reservoir

Existing Emergency Exemption Issue

- 690-340-10 sub 3 reads:

- "Water used for emergency firefighting is exempt from permit and certificate requirements regardless of the source of water."

- The problem is… what if there isn't source water available at the location and during the time of year wildfire is a threat?

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"The fact remains, water is the most efficient tool to fight wildfire."

Pat Skrip, District Manager Douglas Forest Patrol Association

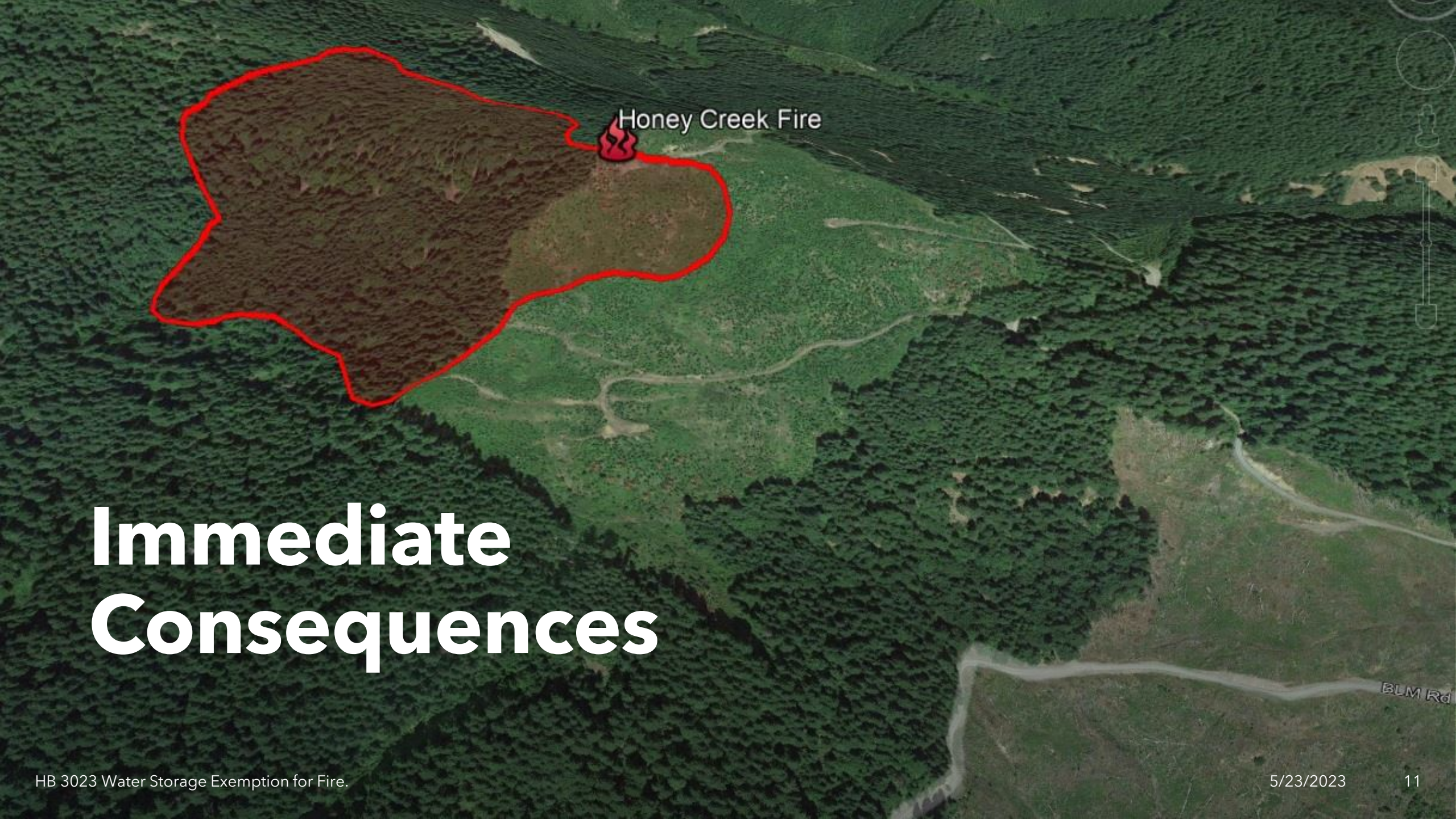**Honey Creek Fire Lived Experience**

Six miles from fire to water source

Long Turnarounds Lead to Bad Outcomes

Immediate Consequences

Small Woodland Owners

• With smaller parcels and fewer acres OSWA members face total loss from fires.

• Many OSWA members also live on properties.

• Small water sources can help protect resources and homes.

- HB 3023 is a starting point to highlight a forgotten element in the water needs discussion.

- Volume limitation of less than 1 ac. ft. of water.

- Additional sideboard discussion is welcomed.

  - ODF/Association certification of need
  - Eligibility criteria
  - Others?