



Colorado State University
Fort Collins, Colorado 80523-5060
(970) 491-6303

Chairperson Hodge, members of the committee, thank you for the opportunity to comment on SB10-102. My name is Richard Homann and I am the Fire Division Supervisor for the Colorado State Forest Service. We support the legislation as proposed. I will begin by presenting some of the benefits of prescribed fire as a tool to achieve land management objectives.

Much of Colorado is composed of fire dependant forest communities. Prescribed fire can be used effectively to thin forests, reduce understory vegetation and reduce fuel loads and the risk of damaging catastrophic fire. Dead wood, overcrowded, unhealthy trees, and thick layers of pine needles can all contribute to catastrophic wildfires including crown fires. Thinned forests can recover faster and are more resistant to attack from insects and diseases. Fire releases nitrogen and other nutrients back to the soil. While it may seem paradoxical, prescribed fire also enhances public safety.

CSFS approach is non-regulatory. Each point in the introduced legislation would be addressed by CSFS as information (providing definition; process; procedure; clarification of current requirements) about the planning for and the use of fire as a tool to reach management objectives. This would be done in consultation with the Prescribed Fire Council. All information would be posted on the CSFS website.

CSFS views these pieces of information as 'tools' that landowners, agencies, consultants will be able to use to: 1. increase the probability of success of reaching management objectives when using prescribed fire; and 2. Decrease the risk of a prescribed fire escaping control.

Implementation of both training and certification would be voluntary at the individual landowner, local, and county, and industry levels. It is expected that by accepting and following standards, applicators of Rx Fire will be more successful at reaching their objectives and decreasing risk of fire escape. Decreasing risk may be important in gaining permission to burn (obtaining a permit) from local or county agencies and may influence liability protection to the user.

The program direction in this bill fits well with what CSFS currently does. This legislation will increase awareness of prescribed fire as a management tool and also, through the requirement of consultation with the members of the Prescribed Fire Counsel, lead to better understanding of the science of prescribed fire.

Currently, CSFS has not identified any costs for providing training to standards developed. CSFS would not preclude charging in the future. Federal grants or fees for material are two sources that could be considered. As an agency of CSU, CSFS follows CSU fiscal and accounting practices. Any accounts needed for revenue generation are set up through the university.

As written, workload generated by the legislation would roll into existing activities. Costs are now covered through federal grants; fees could be considered but not anticipated at this time.

Air Quality: CSFS has a very positive working relationship with CDPHE and will continue to consult with them in carrying out the direction of this legislation. Again, CSFS sees this legislation as non-regulatory with focus being on identifying the tools needed to be successful in the use of Rx Fire. Part of the legislation speaks to clearly identifying rules and regulations along with attached liability when using fire as a tool. This is where CSFS will get input and recommendations from CDPHE on what their requirements are relative to Prescribed Fire and will include them in the publication CSFS produces and posts on our website.

Specific to the direction of SB 102, CSFS will consult with the Colorado Prescribed Fire Council when it addresses each of the points outlined in the bill. The Council currently has members from federal, state, county, and local government, NGO's and private business. It also provides a venue for fire departments to contribute to prescribed fire discussion.

(A) CREATE CERTIFIED BURNER AND NONCERTIFIED BURNER DESIGNATIONS FOR USERS OF PRESCRIBED FIRE ON PRIVATE AND NONFEDERAL LAND; CSFS supports this direction as beneficial to local or state entities as one means of determining or differentiating between levels of knowledge, experience or training in regard to using prescribed fire as a management tool.

(B) ESTABLISH REQUIREMENTS FOR CERTIFIED BURNERS TO CONDUCT LAWFUL ACTIVITIES PURSUANT TO AUTHORIZATION UNDER SECTION 18-13-109 (2) (b) (IV), C.R.S., REGARDING FIRING OF WOODS OR PRAIRIE; CSFS supports this direction as it will clarify the referenced section during times of extreme fire hazard.

CSFS supports direction contained in provisions C, D, and E below as it will result in tools and guidance, based in science and experience, to certified burners in the planning and implementation phases of using prescribed fire.

(C) IDENTIFY PROCESSES AND PROCEDURES FOR CERTIFIED BURNERS TO CONDUCT A PRESCRIBED FIRE; typically found in a Prescribed Burn Plan format.

(D) RECOMMEND ORGANIZATIONAL STRUCTURES FOR PRESCRIBED BURN OPERATIONS; typically identifies the number and types of positions (personnel) needed to successfully conduct a prescribed fire based on the complexity of the fire.

(E) ESTABLISH TRAINING STANDARDS FOR CERTIFIED BURNERS; training standards benefit the efficiencies and safety in conducting prescribed fire.

(F) CLEARLY IDENTIFY PREEXISTING FEES, PERMIT REQUIREMENTS, LIABILITIES, LIABILITY EXEMPTIONS, AND PENALTIES FOR PRESCRIBED BURN PERSONNEL AND LANDOWNERS, INCLUDING THOSE SPECIFIED IN SECTIONS 25-7-106 (7) AND (8) AND 25-7-123, C.R.S
CSFS supports this direction as beneficial to users of prescribed fire in providing them a source of information related to current fee, permits, processes, and statutory requirements.

The non-regulatory approach of this legislation respects landowner property rights while providing tools that increase the success of reaching land management objects and decrease the potential of risk of escaped fires. I appreciate the opportunity to comment and would be happy to answer any questions you may have.

Richard Homann
Fire Division Supervisor
Colorado State Forest Service