

Boulder County Comments to NFF Commission  
Davis, Megan

to:

nfwildfirecomm@state.co.us

09/25/2012 06:49 AM

Show Details

Committee staff,

I would be grateful if you would advance the message below to the North Fork Fire Commission members, either via email or with a hard copy, prior to their meeting today.

Thank you,

Megan

Dear Commission Members,

Boulder County is writing to provide input from the Board of County Commissioners and Sheriff's Office on legislation that will be considered on September 25, 2012 by the North Fork Fire Commission. First, Boulder County would like to thank the Commission for its extensive work in investigating the North Fork Fire, reviewing the prescribed burn systems in place and considering the best practices that will improve Colorado's system around prescribed burns and wildfire mitigation. The work of the Commission is well positioned to advance our wildfire mitigation efforts at the state level, reduce the impacts of wildfires – which are inevitable in Colorado, and continue our ability to conduct safe and effective prescribed burns.

**Proposed bill #2** – Boulder County supports the proposal for a statewide prescribed burning program including prescribed fire standards. We have a few comments about the proposed bill:

- 24-33.5-1203. Duties of division – This section specifies that the division will include in its prescribed burning program “mechanical or chemical treatment.” We propose that language regarding treatments other than prescribed burning is struck, since land management activities beyond prescribed burning are outside the mission of the Division of Fire Safety and are to be handled by the Colorado State Forest Service.
- 24-33.5-1217. Prescribed burning program - training and certification of prescribed burn managers - rules - fees. Sec. (I) This section gives the Director authority to “Adopt any such rules as the director deems necessary to administer the prescribed burning program.” Counties should be included at the table during the promulgation of rules. Our specific concerns is that counties who already meet the prescribed burning standards are not required to go through new permitting, evaluation or other administrative processes in order to demonstrate our compliance with the program. Boulder County currently has a robust prescribed burn program, in which we conduct prescribed burns on open space properties owned and managed by the county. In conducting prescribed burns, we currently work with CDPHE's permitting process and undergo a local public process.

In addition to this issue, we want to make sure that the work done by counties to meet the requirements of SB11 – 110 regarding open burning permit systems for private landowners to dispose of slash are aligned with the new standards, and any rules that may be established to administer the new prescribed burn program. Our primary concern is that the locally relevant work completed by counties to implement SB 110 will be overwritten by the new state rules around prescribed burning.

- Boulder County believes that the minimum prescribed burning standards outlined in the draft bill, which are based upon Interagency Prescribed Fire Planning and Implementation Procedures

Guide by the National Wildfire Coordinating Group capture the best practice around conducting safe and effective prescribed fires. Therefore, we do not support additional amendments to the proposed bill #2 that would add additional standards that are not supported through best practice documents and that may be captured through the training and certification process supported by the proposed prescribed burning program.

**Proposed bill #5** – While we have not yet had the opportunity to conduct a thorough review of this proposed bill, Boulder County supports the concept of a mandatory statewide WUI building code for counties who permit development in the wildland urban interface. A comprehensive wildland urban interface code for the built environment has been proven through data, tests and fire incidents (including recent fires on the Front Range) to improve the survivability of homes in wildland fires. Specifically, Boulder County would support the inclusion of measures that ensure the creation of defensible space and a safe Home Ignition Zone (including the use of ignition resistant building materials in construction of new homes and accessories.) To support implementation among smaller and rural counties, we propose the bill include adequate technical assistance for implementation of WUI building codes.

Thank you for the opportunity to provide input on this important issue. Please contact me if you have questions about our comments regarding the Commission's proposed legislation.

Regards,  
Megan

**Megan Davis** | Policy Analyst  
**Boulder County** | **Board of County Commissioners**  
Office: 303.441.3562 | Mobile: 303.489.2642