

# 2022

Report to the Colorado General Assembly

## Wildfire Matters Review Committee



Prepared by Legislative Council Staff  
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December 2022

## **Wildfire Matters Review Committee**

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***December 2022***

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December 2022

To Members of the Seventy-third General Assembly:

Submitted herewith is the final report of the Wildfire Matters Review Committee. This committee was created pursuant to Part 16 of Article 3 of Title 2, Colorado Revised Statutes. The purpose of this committee is to oversee and review prevention, mitigation, public safety, and forest health in regards to wildfire matters in Colorado.

At its meeting on October 14, 2022, the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2023 session was approved.

Sincerely,

/s/ Representative Alec Garnett  
Chair

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*This report is also available online at:*

*<https://leg.colorado.gov/committees/wildfire-matters-review-committee/2022-regular-session>*

## **Committee Charge**

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Pursuant to Section 2-3-1602, C.R.S., the committee is charged with reviewing and proposing legislation or other policy changes related to wildfire prevention, mitigation, and related matters, including public safety and forest health issues. [Senate Bill 13-082](#) created the Wildfire Matters Review Committee as an interim committee, and [Senate Bill 18-039](#) extended the repeal date of the committee to September 1, 2025. The committee did not meet in 2020 due to the COVID-19 pandemic. [Senate Bill 21-012](#) requires the committee to review policy changes to maximize the utilization of wildland fire services through the inmate disaster relief program.

## **Committee Activities**

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During the 2022 interim, the committee held five meetings and took one field trip. The committee heard various presentations regarding prevention, response, and recovery from wildfires. The following organizations gave briefings and presentations before the committee:

- City of Boulder Open Space and Mountain Parks;
- Coalition for the Poudre River Watershed;
- Colorado Camps Network;
- Colorado Department of Agriculture;
- Colorado Division of Insurance;
- Colorado Fire Aviation;
- Colorado State Forest Service;
- Colorado Youth Corps Association;
- County commissioners;
- Department of Natural Resources;
- Division of Fire Prevention and Control, Department of Public Safety;
- Earth Force Technologies;
- Electric associations;
- Local firefighter departments;
- Local sheriff's offices;
- Lockheed Martin and United Rotorcraft;
- Virginia Modeling, Analysis, and Simulation Center;
- Westside Watch; and
- Northern Water.

The following sections discuss the committee's activities during the 2022 interim.

## **Wildfire Workforce Challenges**

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**Wildfire mitigation and timber industry worker shortage.** The Colorado State Forest Service (CSFS) and the Department of Natural Resources (DNR) discussed a shortage of workers to conduct wildfire mitigation in Colorado due to lack of training programs and lack of competitive pay. A representative from the Colorado Youth Corps Association described the mitigation work that youth corps conduct

and the association's capacity to expand. The Colorado Timber Industry and a local timber operator described challenges in the industry, including aging workforce and lack of internship or apprenticeship opportunities. Earth Force Technologies presented on a remote fire mitigation program. The Colorado Forest Health Council presented their recommendations to support forestry careers in Colorado, including investing and supporting existing forestry education and workforce development programs, increasing cooperation with federal forestry agencies, and assisting local government in planning mitigation projects.

**Firefighter workforce issues.** Representatives from three firefighter departments with volunteer firefighters presented on the challenges with attracting and retaining volunteer firefighters. They discussed the high cost of living in the wildland urban interface, and a demanding and unpredictable workload for wildland firefighters. They also described difficulties applying for state and federal grants without technical assistance.

**Committee recommendations.** As a result of its discussions, the committee recommends Bill A, which concerns supporting timber, forest health, and wildfire mitigation workforce development and education programs across multiple state agencies. The committee also recommends Bill C, which creates timber industry incentives, including reimbursement for hiring interns and tax credits.

## **Forest Health and Recovery Programs**

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**State and federal mitigation and recovery funding.** DNR discussed the status of state and federal grant funding for wildfire projects, focusing on the Colorado Strategic Wildfire Action Program and federal watershed restoration funding. DNR explained that state funding is being distributed to local governments, and several projects are already underway. CSFS gave an update on grant programs to support wildfire mitigation by local governments, and funding to support the state tree nursery and other forest health programs. County commissioners provided an update on wildfire mitigation and recovery projects using state funding. Some commissioners expressed difficulties with applying for grants, and conducting mitigation on privately-owned land and tribal land. A representative from Legislative Council Staff presented on state and federal wildfire appropriations in recent years.

**Utilities' mitigation and recovery efforts.** Representatives from electric utility associations discussed new strategies to conduct mitigation and the challenges around conducting mitigation on privately owned land. The Coalition for the Poudre River Watershed presented on the recovery efforts following the historic Cameron Peak Fire, and Northern Water provided an update on watershed restoration following the East Troublesome Fire.

**Committee recommendations.** As a result of its discussions, the committee recommends Bill D, which provides funding to upgrade the CSFS tree nursery. The committee drafted a bill to increase state wildfire mitigation funding, but that draft bill was not approved by the committee.

## **Wildfire Detection and Response Strategies**

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**Wildfire detection and response technology and aircraft.** The committee received demonstrations of manned fire detection aircraft, drones that detect and mitigate fire, and team awareness kit technology during a tour of the Division of Fire Prevention and Control's (DFPC) Center of Excellence at the Centennial Airport. United Rotorcraft and Lockheed Martin presented on the capabilities and status of the Firehawk firefighting helicopter, which was purchased in 2019 and is currently being assembled in Colorado. A representative from Colorado Fire Aviation discussed the use of single engine air tankers to fight fire and their availability in Colorado.

**Marshall Fire response.** The Marshall Fire, which burned in December 2021, was a grass fire that caused extensive property damage in Boulder County. A representative from Mountain View Fire and Rescue discussed factors that contributed to the severity of the Marshall Fire, including extreme drought and abnormally high winds. He discussed issues responding to the fire, including poor radio signals, unpredictability of the fire's movement, and first responder exhaustion. Boulder County Open Space representatives discussed fire behavior in open space and local authority to conduct mitigation.

**Committee recommendations.** As a result of its discussions, the committee recommends Bill B, which creates a remote camera fire detection pilot program.

## **Evacuations, Insurance, and Fire Investigations**

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**Wildfire evacuation planning.** A community group, Westside Watch, presented on the threat of wildfire in El Paso County, the need for community wildfire evacuation planning, and a recommendation for legislation to mandate evacuation planning, similar to a law in California. A representative from the Virginia Modeling, Analysis, and Simulation Center presented on technology to simulate evacuations and factors to consider when planning evacuation routes, including population behavior, travel demand, and traffic simulation. The Colorado Department of Agriculture presented on evacuation of domestic pets with cooperation of local agencies, and evacuation of cattle during a fire.

**Homeowner and commercial insurance issues in the WUI.** The Commissioner of Insurance of the Division of Insurance discussed the historic property loss during the Marshall Fire, the proportion of property owners that were underinsured, and recommendations to encourage homeowners to fully insure their houses. Summer camp representatives discussed the high cost of commercial insurance and lack of insurers, due to the threat of wildfire in summer camp areas.

**Challenges with wildland fire investigation.** DFPC presented on their small fire investigation staff, and explained that state law places the responsibility on local officials to investigate fires. They provided data on the causes of wildland fires and the number of fires with an undetermined cause. Representatives from Larimer County Sheriff's Office talked about the difficulties with long-term wildland fire investigations, including lack of resources and specialized staff.

**Committee recommendations.** As a result of its discussions, the committee recommends Bill E, which requires the DFPC to conduct wildland fire investigations, and provides funding to DFPC. The committee also drafted bills to allow state grant recipients to use the funding for wildfire home resilience, and to require that state assistance be provided to local agencies for evacuation modeling. The two bill drafts were not approved by the committee.

## Summary of Recommendations

As a result of the committee's activities, the committee recommended five bills to the Legislative Council for consideration in the 2023 session. At its meeting on October 14, 2022, the Legislative Council approved the five recommended bills for introduction. The approved bills are described below.

### ***Bill A — Forestry and Wildfire Mitigation Workforce***

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Bill A creates and expands timber, forest health, and wildfire mitigation workforce development and education programs across multiple agencies, including the Department of Higher Education, the DNR, and CSFS. The bill directs CSFS to develop educational materials related to career opportunities in forestry for high school students, and creates the Timber, Forest Health, and Wildfire Mitigation Industries Development Program in CSFS to partially reimburse timber and forest health entities to hire interns. The bill also creates a new forestry program in the community college system, creates a program to recruit wildfire educators, and provides for the acquisition of a training simulator.

### ***Bill B — Wildfire Detection Technology Pilot Program***

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Bill B requires that the Center of Excellence for Advanced Technology Aerial Firefighting in the Department of Public Safety (DPS) create one or more remote camera technology pilot programs to detect wildfires. The camera programs must be implemented by April 2024, and DPS is required to annually report to the Wildfire Matters Review Committee on the program beginning in August 2024.

### ***Bill C — Timber Industry Incentives***

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Bill C creates the Timber, Forest Health, and Wildfire Mitigation Industries Workforce Development Program in the Colorado State Forest Service to partially reimburse timber and wildfire mitigation entities for hiring interns. The bill also creates an income tax credit for equipment used in the timber, wood product manufacturing, forest health, and wildfire mitigation industries.

### ***Bill D — Updates to State Forest Service Tree Nursery***

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Bill D requires CSFS to upgrade and improve its seedling tree nursery in Fort Collins to expand capacity and contribute to reforestation efforts. Specifically, CSFS must upgrade bare-root tree and shrub fields, purchase a new seed storage cooler, and purchase two refrigerated box trucks.



## ***Bill E — Fire Investigations***

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Bill E requires that the DPS conduct fire origin and cause investigations and creates the Fire Investigation Fund to support investigation costs and analyze and share data. Eighty percent of the money spent from the fund must be used for investigating wildland fires. DPS may adopt rules to implement the fund, and must report annually to the Wildfire Matters Review Committee on the number and status of wildland fire investigations conducted in the previous calendar year.

## Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain links to all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://leg.colorado.gov/committees/wildfire-matters-review-committee/2022-regular-session>

### Meeting Date and Topics Discussed

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July 20, 2022

- ◆ Overview of committee charge and bill request process
- ◆ Wildfire state agency updates: Colorado State Forest Service
- ◆ Wildfire state agency updates: Department of Public Safety, Division of Fire Prevention and Control
- ◆ Wildfire state agency updates: Department of Natural Resources
- ◆ Update from counties on wildfire projects and challenges
- ◆ Public testimony
- ◆ Committee discussion on next steps

July 27, 2022

- ◆ Workforce issues in timber industry and Forest Service
- ◆ Marshall Fire response and aftermath
- ◆ Fire behavior and fuel mitigation
- ◆ Volunteer firefighter challenges
- ◆ Marshall Fire homeowner insurance issues
- ◆ Presentation on the Firehawk helicopter
- ◆ Citizen wildfire evacuation issues
- ◆ Watershed restoration updates
- ◆ Utilities and mitigation issues
- ◆ Public testimony

August 5, 2022

- ♦ Colorado Forest Health Council recommendations
- ♦ Wildland fire investigation issues
- ♦ Wildfire impacts to domestic animals
- ♦ Wildfire state agency spending update
- ♦ Summer camps and wildfire challenges
- ♦ Earth Force Technologies overview
- ♦ Single engine air tanker perspective
- ♦ Public testimony

August 15, 2022

- ♦ Public testimony
- ♦ Committee bill draft requests
- ♦ Committee field trip ideas and dates

September 28, 2022

- ♦ Public testimony
- ♦ Committee discussion and votes on bills