

# Committee on Resources

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## COMMITTEE ON RESOURCES

### FIELD HEARING ON

### FOREST HEALTH CRISIS IN SAN BERNARDINO NATIONAL FOREST

Testimony of

The Honorable Dennis Hansberger

Chairman

San Bernardino County Board of Supervisors

The County of San Bernardino would first of all like to express its appreciation to the Committee for the work it has done to protect our forests and for taking such a special interest in the extreme and unprecedented crisis we face.

Had the vision embodied in the Healthy Forests Initiative been realized many years ago, San Bernardino County's forest communities would not be facing the crisis we have today. Our forest is clearly overgrown, and this density created a perfect environment for drought and pestilence. Had we managed the forest as nature intended and in a manner consistent with the way we found it centuries ago, we would be living in harmony with our environment rather than taking expensive and exhaustive steps to protect ourselves from it.

Years of drought have left the millions of evergreens in our forest communities vulnerable to bark beetles, and these insects have turned entire tracts of once-emerald forests brown with death. The County has done much to address the threats posed by this situation, but the problem dwarfs any and all resources at our disposal.

The County of San Bernardino alone has so far invested more than \$6 million in the effort to address this crisis. This funding comes from a very limited source. Because of state and federal mandates and other inflexible needs, the County has true discretion over only a small fraction of its annual budget, and these dollars are under constant threat of being commandeered by the state to help solve California's fiscal crisis.

### TREE MORTALITY EMERGENCY

All of San Bernardino County's mountain communities - from Wrightwood to Oak Glen, including the densely populated communities of Lake Arrowhead, Crest Forest, City of Big Bear Lake and the rest of the Big Bear Valley - are heavily impacted by this emergency. In some neighborhoods in these communities, 100 percent of the trees are dead.

As of January 2003, the U.S. Forest Service had mapped more than 99,500 acres of dead trees in the San Bernardino County portion of the San Bernardino National Forest. Of that, approximately 72,500 acres are on public lands and approximately 27,000 exist on privately held residential and commercial land. Of these 27,000 acres, more than 21,000 acres have greater than 20 percent mortality, with properties within most of the Crestline/Lake Arrowhead communities experiencing 80% to 100% mortality on each lot. This is more than a 300% increase from the mapping performed in October 2002.

After a brief spring respite from February through May 2003, the mortality returned in full force in June and some say worse than before with trees dying in weeks, not months.

The numerous amounts of dead trees within private, public, and developed lands pose serious threats to life and property from fire, falling and damage to public utilities and other infrastructure. In addition to the devastating impact on private/residential property, the majority of the communities are host to a high volume

tourist and vacation activities. On certain weekends, some communities host more than 150,000 visitors on top of a base population of 97,000 people.

It is important to note that if luck prevails and no catastrophic fire occurs, the trees that are dead are rotting 3 to 5 times faster than normal. This creates a serious falling hazard. There have been several incidents involving trees falling with damage to structures and utilities. Also the longer the trees stand dead, the more reluctant tree fellers are to climb them and will call for a crane to remove them rather than climb them. This often doubles the cost of tree removal.

The potential for fire hazard is unprecedented. If a fire starts within or near the mountain communities, homes, lives, and the forest could be destroyed. According to the County Tax Assessor, the mountain communities that make up approximately 45,817 improved parcels have approximately \$7.6 billion in assessed property valuation including residential and commercial property. This does not include the value of non-taxable infrastructure such as roads, schools, and utilities.

Fire officials usually declare the fire season for the area beginning in June, and ending in late October. Strong warm winds are prevalent throughout this time, and gusts have been measured at up to 120 miles per hour. Given the current state of the forest, this is a recipe for an unprecedented wildfire disaster.

#### BARRIERS TO SUCCESS:

Unfortunately, the efforts to date are dwarfed by the magnitude of the problem. There are several barriers to rapid and complete response of this problem:

- Financial: Removing the trees and diminishing the risk in a particular area relies primarily on the efforts of the private landowners, who bear the total cost of removal. Most property owners have hazardous dead trees and fuel located adjacent to their homes and/or on nearby slopes. Typically, tree removal in these cases requires a crane and highly-skilled individuals. Local contractors currently charge from \$1,000 to more than \$10,000 for each tree that is within 20 feet of a structure. Trees further away from a structure are generally \$200 to \$500 to remove. It is common, however, to find 80% to 100% mortality on a single property, which can equate to as many as 20 to 30 dead trees on one lot. Therefore, tree removal bills average \$5,000 to \$10,000. This is a significant expense to property owners, and the majority cannot afford removal. Some property owners are taking out second and third mortgages on their homes to pay for tree removal. However, others cannot afford to take out these mortgages. The County is researching the creation of a Special Assessment District in which a municipal bond could be issued and the removal work performed under contract, thus providing a more rapid response. However, under California law this would require a two-thirds vote of the property owners and is not an immediate viable option.

**Lack of Resources:** Last year, there were only half a dozen tree removal companies scattered across the mountain, so the lack of adequate competition originally created an expensive and unstable market. The County, working with community Fire Safe Councils, has been actively trying to attract tree removal companies and loggers from Northern California and other parts of the United States to come into the area to foster competition and create more of a balance in supply and demand. That would lower the cost to the private resident. A significant degree of success has been obtained in that there are now two dozen companies that provide services to our mountain communities.

**Uncertain Funding Sources:** Some of these companies have expressed reluctance to come to Southern California and enter our market. Companies outside the area mainly ask, "What assurance do I have to get paid if I set up an operation in Southern California?" Prior to the implementation of the Block Concept and the participation of Southern California Edison, contractors were competing against each other on a door-to-door basis against two dozen other contractors. The competition has had a significant positive effect in the reduction of costs that each homeowner must pay. Prices for tree removal over the last year have dropped by two-thirds. This highly competitive market did not allow tree companies to grow and increase their tree removal capacity because of the lack of consistent predictable income. In some cases, companies refused to enter the market because of the hit and miss, door-to-door revenue generation process.

**Lack of Landfill Capacity and Options:** Trees produce a significant amount of solid waste. For every truckload of logs there are two to three truckloads of branches - "slash" - that join the County's solid waste stream. When lumber prices fall, as is the case now, those logs join the slash and other waste the County has to handle. The County's current solid waste management system is not designed for and cannot manage the amounts of wood waste being created today. The system is funded primarily by a flat rate

charged to residents based on the average amount of waste produced by their communities. This rate cannot begin to cover the tonnage the County must now handle.

Prior to this emergency, the County's Solid Waste Management Division (SWMD) processed 5 tons of wood waste per day. As soon as the County Fire Department began issuing tree removal notices, the amount of wood waste skyrocketed to more than 200 tons per day. Now that the lumber market has been saturated and prices have declined, the stream is approaching 500 tons per day.

Environmental Permitting: Other areas of the country that routinely produce vast amounts of wood waste are home to a number of viable solutions ranging from traditional lumber mills to the use of wood chips to create electricity, methane, and even ethanol. These businesses are reluctant to set up shop in our forest because of the length and complexity of the environmental review process. Our emergency is predicted to last five to seven years, but environmental review and the land use approval process takes two to three years. This limits the ability of an investor to obtain a return on their capital and equipment. Time frames need to be shortened. This inability to remove dead standing wildfire fuels poses a much greater threat to the environment than reasonably streamlining the environmental approval process.

## CROSSING BARRIERS

The County is crossing these "barriers" and has established a systematic program to utilize our existing resources and establish an infrastructure sufficient to establish a long-term solution to the problem. The effort that will be assisted by the Hazard Mitigation Grant Program grant that will result in the removal and disposal of more than 4,560 trees on developed private and non-federal public properties.

The program includes a series of tasks ranging from citizen participation, mapping the mountain areas to determine priority tree removal areas, coordinating efforts with Southern California Edison, using logging engineers and market specialists to provide technical assistance with removal and disposal/reuse techniques, minimizing impacts on solid waste systems, organizing tree removal by blocks, assisting low income home owners in the cost of tree removal, and reducing the per tree cost by aiding in the collection and disposal of slash and debris created by the block by block removal of trees. Additionally, the County will coordinate with all other allied agencies through the Mountain Area Safety Taskforce (MAST).

### Citizen Participation

First and foremost we must commend the actions of our citizens. They have risen to meet this challenge head on. County citizens have removed more trees, either voluntarily or under order of the County Fire Department, than all other government agencies combined.

### Tree Removal Fund

The Board of Supervisors has created a \$1 million revolving fund to assist in removing dead trees. This fund was created using several sources of County and Federal funds. This fund will be used to provide working capital to assist households particularly those with low income in the removal of their trees. It is also to be used to conduct tree removal enforcement actions on properties that refuse to cooperate with tree removal notices. In addition, the Board of Supervisors has also created a \$2 million contingency within the County's General Fund. In other efforts to assist the low-income households last year, the Board has allocated \$85,000 of Community Development Block Grant funds.

### Business Assistance

County Economic and Community Development Department has been providing low interest loans to assist tree removal contractors and licensed timber operators. These loans can be from the thousands to the hundreds of thousands of dollars. They have provided financial stability and have allowed businesses to increase tree removal capacity by acquiring more equipment, chainsaws, vehicles and acquiring additional employees. Recently ECD received support from the US Forest Service in the form of \$124,000 Grant to support wood milling and wood product development.

### County Financial Contribution

The County has already dedicated thousands of staff hours to manage this ongoing emergency without reimbursement or compensation. The County's Solid Waste Management Division (SWMD) in just the past nine months has spent approximately \$2 million, including amortized capital costs, to process approximately

60,000 tons of bark beetle waste. We anticipate our costs in FY 03/04 to exceed \$4 million. The Fire Department has spent \$405,000 in salaries alone. Public Works Transportation has spent \$138,600 for additional roads activities and slash crew activities. There has been no assessment on the damage done to roads by heavy equipment in the tree removal operations. The Flood Control District allocates \$132,000 to support the State CDF tree removal crews. The Sheriff's Office has spent more than \$100,000 in responding to this emergency.

#### Other Funding Sources

##### USFS

The County recently received two grant approvals from the U.S. Forest Service for \$200,000 each. One to operate a slash crew made up of County prisoners. A second was to support the operation of the staging area that is being used by the tree removal contractors.

##### NATIONAL RESOURCE CONSERVATION SERVICE

The County was also exploring a grant from the National Resource Conservation Service Emergency Watershed Protection Program (NRCS). The County in cooperation with the NRCS endeavored to develop a damage assessment that would then be forwarded to Congress with an appeal for an allocation of supplemental Federal funding. The County was prepared to provide a hard match of 25% within in the last week the County was notified that the NRCS would not be forwarding our proposal for consideration.

#### Other Attempts At Funding

The County explored the feasibility of creating a Special Tax Assessment or Tax District. This District would have charged property owners an annual assessment or tax. For that fee, a Forest Management Plan could have been prepared, property owners would have received free tree removal, and more importantly, the Assessment District would have had the ability to bond to fund future disasters, or meet matching requirements of any future grant. Before an Assessment District could be implemented, all property owners in the proposed district boundaries must vote on the assessment. California law requires two-thirds voter approval for such an assessment, and it became clear to the County that this level of support does not exist at this time for this option.

#### Federal Support

In February 2003, Congressman Jerry Lewis secured approximately \$3.3 million from the Federal Emergency Management Agency (FEMA)'s Hazard Mitigation Grant Program, under Public Law 108-7, for Riverside and San Bernardino counties to utilize toward tree removal programs on private properties in the San Bernardino and Angeles National Forests.

On March 7, 2003, Governor Davis signed a Declaration of a State Emergency for the San Bernardino Mountains. The Governor at that time forwarded the local proclamation of emergency to the President. The Boards of Supervisors for Riverside and San Bernardino counties have continued to adopt Local Emergency proclamations for the individual counties since March and April of 2002 respectively.

The County of San Bernardino has strongly urged the President to declare a federal emergency for our mountain communities, which would open the doors to the additional support that is needed to address this crisis.

#### FINANCE/ADMINISTRATION

The County Office of Emergency Services is responsible for gathering and reporting expenditures of the Bark Beetle Emergency Hazard Mitigation Grant Program the County was awarded on June 26, 2003. Total grant expenditures are \$3,564,134.66 with \$2,673,101 federal share and \$891,033 county share.

The Office of Emergency Services has developed a system that records all expenditures related to the Bark Beetle Emergency HMGP Tree Remediation Grant. System reports are used to request grant reimbursement from the State Office of Emergency Services as well as in efforts to obtain additional funding and grants for the Bark Beetle Emergency.

## Public Education

Providing information to the public about this emergency and how they can deal with it and possibly mitigate its effects is critical to mission success. The County has been involved in creating and printing informational items regarding the Bark Beetle, reforestation, erosion control, and evacuation planning. A public outreach program coordinated by the Mountain Area Task Force (MAST) has been implemented to inform and educate the mountain communities. The County provides leadership in the Public Information Section of MAST. In cooperation with the Fire Safe Councils, the County and allied agencies have held numerous community meetings, on various topics related to the emergency with overwhelming attendance. Each of these meetings has been attended by 100 to 700 people.

## PARTNERSHIP WITH ESRI

The Environmental Systems Research Institute (ESRI) of Redlands, California, is the largest provider of geographic information systems software and expertise in the world. The County and other MAST agencies have worked with ESRI to develop maps that show the growing tracts of dead and dying trees and merge them into a database that allows users to track the crisis and develop strategies. This information is being developed into a web-based platform, which will be available to agencies and the public.

## DATA GATHERING AND ACCESS TO PUBLIC INFORMATION

A key component of providing information to the public is collecting and centralizing a location that it can be accessed. This is a job for the Internet. Data mapping and statistics gathering has been an integral part of the Bark Beetle Emergency. The San Bernardino County Fire Department, Office of Emergency Services is in the process of collecting critical statistics related to tree mortality in the San Bernardino and Angeles Forests.

This data will be used for Natural Resource Conservation Services (NRCS) funding, Hazard Mitigation Grant Program (HMPG) funding, Pre-Disaster Mitigation funding, and other programs that might be available. The statistics relate to the number of dead trees, community population, total number of structure, and parcel values.

## Tree Removal Efforts

To address the problem the County has worked collaboratively with the general public, Southern California Edison, the U.S. Forest Service, the California Department of Forestry, the California Department of Transportation, and other agencies. The following efforts are underway:

- Hazard Tree Abatement Program: The County Fire Department operates a Hazard Tree Abatement Program that inspects trees on private property, issues tree removal notices, and conducts follow-up in all unincorporated areas of the mountains. This program has the legal authority to cite private property owners to remove hazard trees and fuel when the private property owner fails to do so. To date, County Fire has issued more than 5,000 tree removal notices. Typically, if the private property owner who received the tree removal notice fails to remove the dead trees within a stated timeframe, such as 30 or 60 days, the County will pay a contractor to remove all of the hazardous fuel on the property, and lien the property for reimbursement. This program was very successful until mid-2002 when the impacts of the four-year drought and bark beetle infestation began to accelerate significantly. County Fire does not have the funding to remove all of the dead, hazardous fuel for property owners who fail to comply.

The high cost of tree removal lead one mountain neighborhood to develop a cooperative agreement involving everyone in the neighborhood. This neighborhood concept did indeed reduce costs for property owners and, once implemented, the "Block" concept was born. County Fire is implementing the block concept in cooperation with Southern California Edison. County Fire is working more diligently with property owners to contract directly with tree removal companies, and working to assist property owners in ensuring cost-effective removal.

- Southern California Edison: Southern California Edison (SCE) has been directed by the state Public Utilities Commission to completely remove all trees that could possibly fall into SCE electrical transmission lines. County Fire, Running Springs Fire, Crest Forest Fire and all involved fire agencies are collaborating with SCE in the removal of dead trees adjacent to electrical transmission lines that are threatening evacuation routes and causing high fire hazard areas. Again, the block concept is being implemented. SCE pays the licensed contractors directly for the tree removal. However, the County's role is to implement a programmatic approach for all tree removal, including non-SCE trees, that ensures cost-controls to the

homeowner, which ensures that the homeowner will receive the most cost-effective and affordable service.

- **County Slash Crews:** The County Fire Department in cooperation with the Sheriff's Department has created a crew of County inmates to assist in the removal of slash, which consists of branches from the removed trees. Slash removal can account for 30% to 50% of the cost for a tree removal, so these crews provide a valuable service to homeowners.

- **CDF State Inmate Crews:** California Department of Forestry and Fire Protection (CDF) has a program that trains minimum-security inmates to climb actively infested trees on private property and cut them down. It is important to note that the County of San Bernardino provides one half of the funding for this program. By State regulations, CDF crews can only cut and spray actively infested trees not located adjacent to structures on private property. In January of 2003 these crews were reassigned by MAST to work on evacuation routes. These same inmate crews also provide hand crew support during fires.

- **Activities on Adjacent Federal Land:** More than 60% of the dead and dying trees are on federal land. The San Bernardino National Forest will soon be advertising for timber harvest sales and service contracts with product removal. It is crucial to the safety of residents who live adjacent to these federal lands that immediate action is taken.

#### Financial Assistance For Tree Removal

Of the approximately 97,000 full-time residents affected by the mortality, approximately 30% are classified as low or low-moderate income per the federal Housing and Urban Development (HUD) Department or some other similar low-income standard. While not all of the persons are property owners, there are those who do own their homes, and their properties do have dead or dying trees. Low and low-moderate income property owners are typically senior citizens or disabled persons. The FEMA grant includes an allocation of \$500,000 for financial assistance to individuals who meet the HUD guidelines for low and moderate income. In addition to assisting low-income individuals, in an effort to facilitate block tree bidding a sliding scale may be developed for those property owners within a block bid area who otherwise could not participate financially. As identified above, those that are targeted as eligible to receive financial assistance will be targeted during the block tree removal notification process. A voucher will be issued to the successful contractor to be redeemed from the County for the work performed on these specific properties.

#### Solid Waste Management

In response to the Bark Beetle Emergency, the County's Solid Waste Management Division has been handling an unanticipated increase from 5 tons per day of green waste to a current 400 tons per day. This amounts to additional County expenditures of more than \$12,000 per day, or more than \$320,000 per month.

The Solid Waste Management Division is responsible for the disposal and diversion of the waste trees and material generated from the Bark Beetle Emergency.

Homeowners currently pay private tree companies to haul the tree waste to one of two locations: the Heaps Peak Transfer Station, located in Running Springs, or the Burnt Flats Wood Waste Processing Facility in Lake Arrowhead. Both sites are currently running at maximum capacity, with the Burner site operating 24 hours per day. The amount of wood waste is expected to more than double when Southern California Edison ramps up its mandated tree removal program. Solid Waste Management's next phase is to begin log storage and processing at the closed Cajon landfill, which is next to a rail line. This will facilitate less expensive long-range transportation.

The operation at Heaps Peak consists of chipping and grinding for use for erosion control or alternative cover on our landfills, and approximately 500 tons per week for Colmac Energy, a biomass facility in Mecca, located in Riverside County.

In cooperation with the USDA Forest Service and Caltrans, the County was able to site, permit and operate the first incinerator in more than 20 years in Southern California. This is the first time in known history that Caltrans allowed a county to pave an unpaved State Highway.

The Burnt Flats facility consists of two wood waste incinerators, which each burn approximately 7 tons per hour. These are operated 24 hours per day, six days per week. The County is in the process of purchasing a third, larger burner, which is anticipated to burn between 11 and 14 tons per hour.

An industrial work area was developed by the County in less than 3 months to accommodate equipment storage, log decking and other tree removal related operations for six tree removal contractors and licensed timber operators. They have so far been able to remove thousands of trees off of privately held lands.

Between December and June, much of the wood was diverted to Sierra Forest Products, a sawmill near Bakersfield. The mill paid loggers for their loads brought to the mill. However, a drop in lumber prices in late June forced Sierra Forest Products to lower the price they paid loggers for the wood. Since that time, we have seen a sharp increase in the amount of wood brought to our disposal facilities. As an example, during the week ending July 20, 2003, our disposal facilities received 1,303 tons. The following week, ending July 27, 2003, our disposal facilities received an additional 1,188 tons.

In the last nine months, Solid Waste Management has spent approximately \$2 million, including amortized capital costs, to process approximately 60,000 tons of bark beetle related waste. We anticipate our costs in FY 03/04 to exceed \$4 million. Our portion of the FEMA grant assistance recently secured by Congressman Jerry Lewis is approximately \$850,000.

Our County is constantly researching and attempting to foster markets for the wood in order to divert it for better and higher uses. The biggest challenge in most of the markets appears to be the high cost of transportation.

Our County is currently working to foster the location of two sawmills, one in Lake Arrowhead and one in San Bernardino, in addition to working with paper companies and other outlets throughout the western United States, Mexico and even China.

#### Beetle Control Study

County staff has obtained mixed messages from experts as to the effectiveness of pheromone traps to trap Bark Beetles so they avoid destroying trees. Therefore, County staff will work with the U.S. Forest Service and other scientists on a study to determine if there is a feasible infestation control mechanism for future implementation. Field surveys may be a part of this task, and a report is expected to be generated at the end of the study period.

#### Participation In The Mountain Area Safety Taskforce

Due to the magnitude of this problem, the Mountain Area Safety Task Force (MAST), a multijurisdictional task force, was formed in 2002 to develop a mitigation and emergency plan to address this problem. Agencies in MAST include representatives of the San Bernardino County Fire Department, San Bernardino County Department of Public Works (Divisions of Transportation and Solid Waste Management), San Bernardino National Forest (USFS), California Department of Forestry (CDF), San Bernardino County Sheriff's Department, California Department of Transportation (CalTrans), South Coast Air Quality Management District, (SCAQMD), Southern California Edison (SCE), California Highway Patrol (CHP), California State Office of Emergency Services (OES), San Bernardino County OES, and community representatives of the Fire Safe Councils.

MAST has been working on a strategic-type plan to coordinate efforts to ensure that all aspects of the issue are being addressed. The MAST has developed a plan to address the tree mortality issue. The plan is arranged into the following three (3) phases: immediate, mid-term, and long-term. The plan was designed with the understanding that work could be performed in any one of the phases simultaneously:

Immediate phase: Identifying critical community infrastructure and removing impediments and/or potential impediments to ensure safe evacuation routes, distribution of utilities and communication service

Mid-term phase: Addressing forest management practices

Long-term phase: Improving forest health and community safety.

The main workload in completing the current tasks is removing affected (dead and/or dying) trees. The removal of affected trees will help reduce the direct threat to lives and homes. Additionally, in conjunction with local Fire Safe Council's awareness efforts, the removal of the affected trees will reduce the fuel loads, create defensible space, and lessen the impacts from wildfires.

A four-point action plan has been developed to implement the above phases which includes:

- Assure public safety (develop evacuation plans and clear potential hazard trees from transportation routes).

- Obtain assistance to secure funding through local, state, and federal legislators.
- Reduce fuel and create fuel breaks in strategic locations. This means working to eliminate dead standing trees, reduce tightly packed ground vegetation, and create defensible space around developed areas.
- Develop commercial use or disposal options for waste wood products.

The County's program is consistent with the MAST plan.

#### LONG TERM MAINTENANCE AND RECOVERY

It has been determined that tree removal of the affected areas would exceed \$200 million. Suppression and damage from a fire in these same areas, however, could exceed tens of billions of dollars.

The County of San Bernardino's approach provides a long-term programmatic solution in that it offers public services for effective, low-cost tree removal. This framework provides the basis to receive other grant funding to continue these services.

#### CONCLUSION

Once again the County expresses its appreciation to the Committee for the interest it is showing in our emergency and the support you have provided.

The County would be remiss if it did not acknowledge the efforts of our federal representatives, particularly Congressman Jerry Lewis and Senator Dianne Feinstein, and various federal and state agencies to secure funding and resources to address this emergency.

Every action the County has taken in response to this crisis and every dollar that has been spent has focused on the tens of thousands of human lives that could be lost if this challenge is not met and our mountains erupt in wildfire.

The County of San Bernardino is committed to dedicating every available resource to address this emergency, but with one million trees already dead and dying and many more to follow, this crisis is well beyond the capabilities of local government and private citizens. The County will continue to work with the federal government to secure the funding necessary to manage this threat, and the County urges Congress to untie the hands of the U.S. Forest Service so that it may quickly respond to a quickly dying forest.