Case Study: Florida Wildfires Committee
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During the summer of 1998, wildfires throughout Florida burned nearly 500,000 acres of timber, destroyed nearly 350 homes, 34 businesses, and caused an evacuation of over 140,000 persons from their homes, including all 42,000 Flagler County residents. Forty counties were declared disaster areas, and over $400 million in damages took place. Under then Governor Chiles Executive Order #98-201, a special committee was appointed to review the problem of the wildfires, and come up with a number of recommendations on how to respond to, recover from, and prevent wildfire incidents like this from occurring in the future.

The overall goal was "to reach a consensus with the Committee on a report and recommendations related to wildfire response and mitigation issues, laws, plans and programs to the Governor, Florida legislature and Florida congressional delegation by December 23, 1998." In other words, the Committee was to give the Governor and legislatures a list of recommendations they had agreed upon to review and possibly pass into law and be implemented as to the subjects of prevention and mitigation of future wildfires, response to future wildfires that occur, and recovery from future wildfires.

The nature of the dispute can be defined as the selected Committee, representing their varying interests, and informed through technical advisors, to come up with a series of recommendations that can be agreed upon by the majority (80%) of the members.

As stated in the objective, the nature of the resolution process was consensus building, which is a problem solving process in which all members of a group (or committee) jointly distinguish their concerns, educate each other on their needs, jointly develop alternatives, and then adapt recommendations everyone can embrace, or at least live with. In a consensus, an outcome means that agreement on the final package of recommendations is reached by all members or by a super-majority of members specified and agreed to in advance. In this case, it was set that 80% of the Committee members.

Phillip Lewis was asked and accepted appointment as chair of the Committee. He had also chaired the committee that reviewed the Hurricane Andrew disaster several years back, and was former president of the state senate. A vice chair was appointed, and requested to assist the chair in his duties. The Florida Conflict Resolution Consortium was asked to facilitate the Committee meetings, and the Florida State University Center for Professional Development agreed to handle meeting site logistics and reimbursement procedures. Since this was an executive order by the Governor, state departments were required to fully cooperate and assist in the entire process of this endeavor. Since the Wildfire response fell under the Department of Community Affairs, this department was responsible in a large part for providing technical support and securing technical advisors for the Committee, as well as other planning and coordination activities. Frank Koutnik of DCA's Division of Emergency Management was delegated authority for initial selection of committee members by the Governor's Office. An initial list of prospective committee members
and technical advisors was created, and as persons were asked to be a part of this consensus process, other names were suggested. Representatives from various interests, such as the timber industry, government, elected officials, tourism, and environmentalists were asked and agreed to be on the Committee. Including the Committee chair and vice-chair, 23 members were appointed. At least two dozen technical advisors were also appointed by the Chair in consultation with the committee member drafting groups.

Time was an unintentional yet irrefutable constraint from the day the executive order was executed. Coordinating and execution of the committee, and delivery of the final report was confined in the period of August through December 1998. This would allow recommendations to be on the Governor's desk before he left office, and in the hands of legislatures before their lawmaking session started in March of 1999. With this in mind, the facilitators worked with the chair and staff in organizing the first meeting, outline the consensus process the Committee would go through, and seek member input through pre-meeting surveys.

Surveys were sent out to Committee members as well as technical advisors, and included their evaluation of 3 categories of the wildfires: response, recovery, and prevention/mitigation. Members were asked to evaluate the effectiveness of the wildfire response within the current system, and note the degree of changes needed (this was in accordance with the executive order required Committee members to evaluate effectiveness of the current system, and make appropriate recommendations for improvements). It also requested the member to list key issues the Committee needed to address, and to answer other legal issues regarding wildfires. Despite the relatively low number of surveys that were filled out and sent back (15 Committee members and 5 technical advisors), evaluation results from the 3 wildfire categories were tabulated, and key wildfire issues were listed.

In the initial meeting, members introduce themselves for foundation building purposes. Issues that had been received by the pre-meeting surveys were looked at and combined (as permitted by those who had submitted the issue). The members were also asked to select the most important issues by putting dots next to what they felt were the top three topics. Dots were color coded, distinguishing Committee members from technical advisors. This procedure gave a rough ranking order of the issues. Members were asked to use "post-it" notes to make suggestions for the wildfire response. Suggestions were then solicited for any key "challenge statement" on wildfire response (in terms of how it could be improved). Statements were recorded on a flip chart. Members were then broken down into three groups by their appointed category, and worksheets were used to describe ideal characteristics of response, recovery, and prevention/mitigation. Each group contained a number of "voting" Committee members (those that could vote on the final recommendations to be made), as well as technical advisors, who were present to advise members on certain subjects (as they were experts in their field). Members reconvened together again, and the response panel gave a presentation on key issues in their category. Public comments were made, a meeting evaluation sheet was given to all members to fill out, and the first meeting was concluded.
The second meeting had the wildfire prevention/mitigation panel give a presentation of their category, and a question/answer session followed. A review on the Committee mission statement was made, and the wildfire recovery panel addressed the Committee's key questions. An upcoming public workshop was discussed, and input on worksheets was requested so members could review comments made by citizens. The Committee also attempted to identify common themes through the designated smaller groups coming back together into one committee and discussing them. The Committee mission statement was redrafted, discussion took place, and adaptation was sought. Evaluation sheets were given to all members to fill out.

At the third meeting, the members were broken down into 3 review committees of response, recovery, and mitigation/prevention. Groups worked on the formulation of initial recommendations to be put into the final report. This took a considerable amount time, as review committee members had to agree on which recommendations would go into the final report, and then develop the wording.

At the start of the fourth meeting, the chairman of the Committee reminded members that new issues or recommendations could be raised anytime during the development of the final recommendations, and everyone should feel free to raise new concerns when necessary. This may have been announced for fear that, although the Chair had broken down the groups according to the technical advisors and Committee members' expertise, other recommendations from outside the group for that specific category may have been thought of. Presentations on insurance, law enforcement, FEMA, and the Division of Forestry were given. A question and answer period followed. There was then a full Committee review and refinement of the draft recommendations from all 3 categories. Public comments were requested, and identification of additional presentations were requested. The floor was also opened up for public comment.

At the fifth meeting, draft recommendations were ranked by members on a three point system of acceptable/acceptable with changes/in disagreement. All panels then made presentations, and question/answer period followed. There was a full Committee review and refinement of the draft report, and members were asked to review and evaluate provisions of the draft. Public comment was requested, and the draft report was reviewed and refined again (and again public comment was requested).

At the sixth meeting, response, recovery, and prevention/mitigation recommendation amendments were reviewed, public comments were requested, and final review and adoption of the report as amended was completed.

It should be noted that considerable work took place outside the six meetings that have been reviewed. Small groups and drafting groups as per their category communicated via conference calls, and at times face to face, in between the six Committee meetings. These calls/in person meetings allowed continued discussion, drafting, and refining of the appropriate recommendations that did not require the presence of all the members on the Committee.

An analysis of this case can be conducted by looking critically at steps taken in coming to a consensus of recommendations which comprised the majority of the final report. I will do this by examining the initial formation of the Committee members, the processes of the six meetings.
The selection of the Committee members that were given the authority to vote numbered twenty three. It was the Governor's Office that had the official responsibility of selecting the members. As the staff were not directly involved and may not have known all the players and interests involved in this event, much of the responsibility was delegated to Frank Koutnik of DCA's Division of Emergency Management. Working with several members of his division, and Philip Lewis, the Chair of the Committee, names were brought up, considered, and agreed upon. As members came aboard and the selection process continued, other names were brought up, and more were chosen. The Committee was seen as too large by at least two persons interviewed. Philip Lewis stated himself that so many members were harder to work with. With technical advisors included, the sheer numbers tended to slow the process, made consensus more difficult. A committee of closer to a dozen, or 15 maximum, commented one anonymous interviewee, would have been much more ideal.

There were concerns with the weighting of the Committee. Several persons interviewed expressed a problem of a "slanted" or "imbalanced" group, which would have been caused by the selection process. Jim Murrian of The Nature Conservancy felt the timber interests were over-represented. Likewise, the conservationists and environmentalists were under-represented. The makeup of the Committee was not a true representation of the community. He and several members had communicated this to Frank Koutnik, but the final makeup of voting members was relatively unchanged. Mr. Murrian supposed the selection process went very quickly. Mr. Koutnik's lack of knowledge on wildfires may have attributed to this also. Lane Green of Tall Timbers felt small land owners were not properly represented. Environmental groups could have been part of the Committee, also. Two he mentioned were the Sierra Club, and the Audubon Club. Of nine persons interviewed, four total felt that industry had been well represented, or over-represented, and either hinted or outright decried what was seen as a (timber industry) partial Committee.

The other issue of selection was citizen representation, which is related to Mr. Green's concern of "small land owners" not being properly represented. Initially, two citizens were selected to reside on the Committee. One had his house burned down in the Flagler Beach area, but for reasons unknown (no interviewee knew why, including Frank Koutnik and Phillip Lewis) did not serve. No one served in his place as a private citizen. The other citizen, Joanne Leach, had her house saved by a fire participating fire department. She was selected after giving a speech at a fire fighters appreciation day in Jacksonville, and making a donation to the department that had hosed down and saved her dwelling.

Several interviewees expressed satisfaction with the Committee makeup. Mike Iocana, Chief of the Orange County Fire Department said the Committee had a "very good balance." He had no concerns with the makeup of the group. Phillip Lewis felt the forestry and environmental interests "balanced out" the timber industry's input on recommendations. He felt the timber interests seemed broad minded, and very amenable to the opinions of others.

In analyzing the selection of voting Committee members, the main constraint was time. Members were selected relatively quickly due to the forthcoming of the six meetings, and the pre-meeting business (surveys, etc.) that was required. Regardless, from the interviews and research I conducted in the case files, the selection seemed random at best. There seemed to be little scientific or
quantitative basis for the reason why three private timber interests were represented on the voting Committee, and no non-governmental environmental groups were voting members (there was some dispute by several persons interviewed whether Tall Timbers was specifically an "environmental group." For purposes of neutrality, I will not count them as such). There was no reason given for the second public citizen who could not (?) be on the Committee. Since his house was lost, he may have been a more valuable contributor to the recommendations that the citizen whose house was saved (although Ms. Leach said she gave both credit and criticism to Flagler County Fire Department). Was there not another citizen whose house had burned that could have been asked to serve?

The very process of the six meetings was designed to solicit, consolidate, and rank issues; discuss, educate, and allow for public comments of the wildfire event; divide the policy-makers and technical advisors into the three categories of response, recovery, and mitigation/prevention by expertise and as assigned by the Chair; and bring them back together in a full committee for review, drafting, refinement, amendment, and adoption. Mike Iocana saw the consensus process in dealing with the initial wildfire issues as going from general, to specific, back to general, etc. This is an ideal design for people in a committee that needed more focus, but this was not the case with the selected members. The facilitators tended to focus on identifying the critical points, which slowed up the process. The weighting of issues went too far, also, Mr. Iocana stated. Jim Murrian, who was asked to be a technical advisor, said he gave as much input as any of the Committee members. He was sorry he couldn't vote on the final recommendations (although he said he would have improved them all).

None of the persons interviewed felt they were constrained in any way in participation or giving their input into the consensus process. Even though there were two persons who mentioned the technical advisors seemed to provide the most input at the subcommittee and break-down sessions where the specifics of the categorical recommendations were "hashed" out, this may have been due to the very nature of the process. The drafting of recommendations required a more technical information discussion and understanding of the subject(s), and the technical advisors fit this exact task. Several persons interviewed were very impressed with the respect and professionalism displayed and that existed between voting Committee members and technical advisors. Each person interviewed felt they had ample opportunity to bring up issues that may have existed in the wildfires incident. The chair of the Committee even prompted members to bring up issues that had not been dealt with or had not yet been mentioned. Four persons interviewed specifically mentioned that coming to a consensus is never easy, and that the debates and disagreements that occurred were beneficial and healthy for the consensus building process. The facilitation of allowing and even encouraging input and participation in building consensus was clearly done well, and many members interviewed espoused this.

Although the process of participation and input among the Committee members was facilitated well, the process of public participation and meeting locations may have been severely mishandled. When interviewed, Mr. Murrian brought up a point that was a concern to five other members interviewed: meeting logistics. He realized the impending time constraints, etc., but the fact that most of the meetings were held in Tallahassee may have inhibited public comments and public participation. Only two meetings were held in the field, or areas where the bulk of the fires took place (Fort Lauderdale and the Palm Coast).
Most members interviewed agreed public comment was alarmingly low. Although the public could mail letters, or email their comments to the Florida Conflict Resolution Consortium and have them reviewed and discussed by the full Committee, input was extremely low. Location may not have been the prevailing factor, either. Phillip Lewis conducted a public meeting without the Committee (due to Florida Sunshine laws) in Mimms (near where the worst fires raged) and turnout was relatively low. Only 35-40 people showed. Another meeting he conducted (there was no record or mention of this by other members) saw only two people show. Mr. Lewis said the meetings were advertised in the papers, and other forms of publicity were administered.

To counter this, Jim Murrian said the public meetings may not have been advertised well enough. Talking with other people, he said the public was indeed interested in the wildfire issues, but may not have been aware of the meetings. Apathy was probably not a factor. The process of communicating the Committee meetings and public hearings may have been flawed. The question of was the administering of public notice about these meetings done systematically, on a timely basis, in a form of broad media spectrum accomplished needs to be looked. Simply placing a notice in local papers does not constitute effective media dissemination. Were radio announcements made, television advertising and mention of the meetings on the local news programs done? One interviewee only knew of the notices in local newspapers. That may have fulfilled the legal requirement, but with newspaper readership down and the public looking to other forms of communications to receive information, the social requirement may have been unsatisfied. There were unanimous concerns about this from every single person that I interviewed: public participation was undeniably low.

Severe time constraints were undeniable, and inevitable with the timing of the extinguishing of the fires, the announcing of the executive order, and the need to have a final report due before the current administration was ushered out and the General Assembly was to begin its session. Every member interviewed at least mentioned this concern, but most felt that even within the short time frame and convening of six formal meetings, all issues regarding the wildfires were at least brought out and discussed.

No one interviewed was outright dissatisfied with the final report despite the little time there was to produce the ninety recommendations. Several comments were made, though, citing it could have contained some additional items. Mike Iocana felt the final report lacked the critical element that will make or break whether the recommendations are carried out: funding. Not one funding recommendation was made. He felt it would have been easier for the Committee to have made the recommendations on where the funding would have come from. Dedicated funding streams could have been indicated in the recommendations. Lane Green also felt the final product lacked stronger support for DCA to amend state comprehensive land use. He felt this may have been due to the fact that the state comprehensive plan is already controversial enough, and there was some pressure not to meddle with it even further.

Outcome of the final report, and success of the consensus process may be measured by several indicators. First, will the recommendations go before the legislatures, and be approved and funded as the Committee wishes? In speaking with Phillip Lewis, who is very familiar with the legislative process (being a former state senate president), he thinks eventually all ninety recommendations
will pass- it's just a matter of time. Full implementation of the recommendations will require considerable funding (i.e.-considerable money). Many agencies can fulfill the recommendations themselves, but the key is getting the money appropriated. Mr. Lewis said the bill is currently in the legislative works, under the Division of Forestry. He believes most of the recommendations are realistic, and passing and implementing them will benefit the state. If passage and implementation occur, it can be suggested that the consensus process worked: the recommendations were realistic and affordable, and seen by representatives of the public as worthwhile and beneficial to the future welfare of its citizens.

A second indicator may be the success of implementation. Mike Iocana suggested when I interviewed him that there needs to be a link between what comes out of the Committee, and a full citizen review on how the recommendations (and possibly future laws) are communicated to the public through education. He said the linkage is yet to take place, and success of the consensus process may hinge on whether the public becomes informed, educated, and responsive to wildfires, and the prevention thereof.

My final indicator of the success is closely related to the second one regarding the link of educating the public of wildfires and its prevention. I believe the true test of this Committee and the consensus process that took place will be what occurs in the future in terms of wildfires in the state of Florida. I see the success of response, recovery, and prevention and mitigation of wildfires as a personal as well as institutional element for Florida. Uncontrollable wildfires can and will be prevented in Florida only if our institutions such as government, civic organizations, community groups, and special interest groups as well as citizens are educated, aware, and act accordingly in terms of land use, open burning, vehicle (recreational and road) use, and numerous other actions and habits we execute. Success of this may not lie in just well oiled and ready fire departments, and government bureaus, but citizens who are aware when wildfire conditions are extremely high, and act accordingly.

Upon viewing the final report myself, I found the recommendations to be well written, explicit, and well worth implementation. I only hope that they go beyond just becoming laws, and procedures in our government offices. I look forward to them becoming incorporated into our schools, our parks, our community centers, and our society.