

Agenda Item No.:	F
Title and # of Issue:	Wildfire Risk Management - Issue 7 <u>Objective 2</u> - Treatment of Vacant Lots Under the Oregon Forestland-Urban Interface Fire Protection Act
Date of Presentation:	March 7, 2007
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SUMMARY

The purpose of this agenda item is to adopt amendments to Oregon Administrative Rules (OAR) 629-044-1005, 629-044-1020 and 629-044-1075, relating to the classification criteria and the standards of the High Density Extreme classification, under the *Oregon Forestland-Urban Interface Fire Protection Act of 1997*.

CONTEXT

The *Oregon Forestland-Urban Interface Fire Protection Act of 1997* (Act), more commonly known as "Senate Bill 360," was designed to address the growing problem of fire in the wildland-urban interface. Implementation of the Act is currently underway in Baker, Crook, Deschutes, Douglas, Jackson, Jefferson, Josephine, Klamath, Wallowa, Wasco and Umatilla counties. Implementation is scheduled to begin in additional counties later this year.

The subject of whether vacant lots should be subject to the Act and how they should be treated was discussed during the Legislature's deliberations on the Act and during the development of the administrative rules which set forth the standards to be applied by landowners. In the spring of 2004, the Board was approached by several homeowner organizations which expressed concerns about the adequacy of the standards which apply to vacant lots. In response, the Board directed the Department to develop a Work Plan and to review those concerns. A Senate Bill 360 Vacant Lot Advisory Committee (Committee) was formed to carryout the Work Plan.

BACKGROUND

In March 2006, the Committee delivered an Issue Paper to the Board which concluded that some statute and administrative rule adjustments were warranted. The Board accepted the conclusions of the Issue Paper and directed the Committee to develop specific administrative rule amendments and to recommend statutory language changes needed to implement those rule amendments.

The Board, at the September 6, 2006 meeting, accepted the Committee's recommended administrative rule amendments and directed the State Forester to begin the rulemaking process, by soliciting public input and then developing final rules for the Board's consideration.

Four public hearings were held between November 21 and December 14, 2006. No oral or written comments were received at three of the hearings. At the hearing in Bend, on November 29, 2006, five people provided oral comments. In addition, written comments were received from the Deschutes County Board of Commissioners. All comments received were favorable and positive toward the propose rule amendments.

RECOMMENDATION

Adopt the amendments to OAR 629-044-1005, 629-044-1020, and 629-044-1075.

ATTACHMENTS

- (1) Proposed High Density Extreme / Vacant Lot Administrative Rule Amendments
- (2) Hearing Officer's Report, for the November 21, 2006 public hearing
- (3) Hearing Officer's Report, for the November 29, 2006 public hearing
- (4) Hearing Officer's Report, for the December 5, 2006 public hearing
- (5) Hearing Officer's Report, for the December 14, 2006 public hearing
- (6) Written comments for the Deschutes County Board of Commissioners, dated November 27, 2006