



# RAC 1 Meeting 4 Summary for August 17, 2021



## Agenda

Welcome and Participant Meeting Instructions
Agenda Review and RAC Approval
<p>ODF's Draft WUI Definition Staff Report (30 Minutes)</p> <ul style="list-style-type: none"> <li>• Review Report (15 Minutes) <ul style="list-style-type: none"> <li>○ NOTE: The International WUI definition is, "That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels." The second "or" was missing in previous RAC documents.</li> <li>○ Poll: Do you recommend the correct International WUI definition stated above?</li> </ul> </li> <li>• RAC Comments (20 Minutes) <ul style="list-style-type: none"> <li>○ What Staff Report observations do you have for ODF's consideration?</li> </ul> </li> <li>• Last Call for written RAC comments to be submitted with the staff report</li> <li>• Please send to <a href="mailto:Tim.J.HOLSCHBACH@oregon.gov">Tim.J.HOLSCHBACH@oregon.gov</a> and <a href="mailto:Jenna.A.Trentadue@oregon.gov">Jenna.A.Trentadue@oregon.gov</a> by 4:00 PM today with a copy to <a href="mailto:SamImperati@ICMresolutions.com">SamImperati@ICMresolutions.com</a></li> </ul>
Additional Input Reminder
<p>Fiscal Impact Statement Introduction:</p> <ul style="list-style-type: none"> <li>• ODF Staff Draft Recommendation (10 Minutes) <ul style="list-style-type: none"> <li>○ Staff Presentation</li> <li>○ Reminder: Additional FIS on the Criteria</li> </ul> </li> <li>• RAC Feedback (20 Minutes)</li> </ul> <p>What FIS observations do you have for ODF consideration?</p>
<p>Phase Two: Conceptual Workplan Overview</p> <ul style="list-style-type: none"> <li>• Criteria Concepts and Workplan (10 Minutes) <ul style="list-style-type: none"> <li>○ Criteria Topics</li> <li>○ Timeline/Meeting Schedule</li> </ul> </li> <li>• RAC Discussion (15 Minutes) <ul style="list-style-type: none"> <li>○ Are these all the words that will need to be defined?</li> <li>○ What existing tools may help with these definitions that we haven't taken into account?</li> </ul> </li> </ul> <p>What are some specific concerns or suggestions that you feel need to be included in future meetings to address WUI boundary Criteria?</p>
Public Comment
<p>Next Steps</p> <ul style="list-style-type: none"> <li>• Next Meeting: September 7, 2021 <ul style="list-style-type: none"> <li>○ Topics: <ul style="list-style-type: none"> <li>▪ Comprehensive Criteria Workplan</li> <li>▪ Defining Key Terms in WUI Definition</li> </ul> </li> </ul> </li> <li>• Homework: <ul style="list-style-type: none"> <li>○ WUI and FIS Comments due Today at 4:00 PM</li> </ul> </li> </ul>



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<ul style="list-style-type: none"> <li>○ Criteria Concepts Homework: Please send to <a href="mailto:Tim.J.HOLSCHBACH@oregon.gov">Tim.J.HOLSCHBACH@oregon.gov</a> and <a href="mailto:Jenna.A.Trentadue@oregon.gov">Jenna.A.Trentadue@oregon.gov</a> by 8/25/21 by 4:00 PM with a copy to <a href="mailto:SamImperati@ICMresolutions.com">SamImperati@ICMresolutions.com</a></li> <li>● Meeting Evaluation</li> <li>● Closing Comments</li> </ul>
Adjourn

### Participants

Organization	Primary Contact Person	Aug 17 Attendance	Name	Aug 17 Attendance
<b>Members (alphabetical by first name)</b>			<b>Alternates</b>	
Associated Oregon Loggers	Amanda Astor	X	Rex Storm	
Jackson County Fire	Bob Horton	X		
Oregon State University - Extension	Erica Fischer	X	Chris Dunn	X
Oregon Property Owner's Association	Dave Hunnicut		Samantha Bayer	
Sustainable Northwest	Dylan Kruse	X		
Association of Oregon County Planning Directors	Holly Kerns	X	Lindsey Eichner	
Cow Creek Band of Umpqua Tribe of Indians	Jason Robison	X	Tim Vrendenburg	
League of Oregon Cities	Jim McCauley	X		
Department of Land Use & Conservation	Jon Jinings	X	Sadie Carney	X
The Nature Conservancy	Kerry Metlen	X	Amelia Porterfield	X
Oregon Forest Industries Council	Kyle Williams	X		
Association of Oregon Counties	Lauren Smith	X		
Tualatin Valley Fire	Les Hallman	X		
Hood River County Planning Commission	Leti Moretti	X		
Oregon Home Builders	Mark Long	X		
Oregon Farm Bureau	Mary Anne Cooper	X		
1000 Friends	Mary Kyle McCurdy	X		
Oregon State University - Institute Natural Resources	Megan Creutzburg			



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Special Districts Association	Michele Bradley, President	X	Jason Jantzi	
Oregon Fire Chiefs Association	Nicole PalmHazelbaker		Garrett Mosher	X
Western Enviromental Law Center	Pam Hardy	X		
Oregon Small Woodlands Association	Roger Beyer			
Sisters Fire	Roger Johnson	X		
Oregon Fire Marshall's Association	Shawn Olson		Tanner Farrington	
Office of the State Fire Marshal	Travis Medema	X	Chad Hawkins	X
<b>Advisory (alphabetical by first name)</b>				
United States Forest Service	Ian Rickert	X		
Bureau of Land Management	Richard Parrish	X		
<b>ODF &amp; Facilitation Project Team</b>				
Oregon Department of Forestry (ODF)	Tim Holschbach			
ODF	Jenna Trentadue	X		
ODF	Jason Cox	X		
ODF	Julie Waters			
ODF	Derek Gasperini	X		
Triangle, RAC No. 2 Facilitation Team	Annie Kilburg Smith			
Triangle, RAC No. 2 Facilitation Team	Anna Shepherd			
ICM Resolutions, RAC No. 1 Facilitation Team	Sam Imperati	X		
ICM Resolutions, RAC No. 1 Facilitation Team	Millie Webb	X		
Oregon Consensus	Robin Harkless	X		
Oregon Consensus	Kristen Wright			



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### Polling Issues (See below for results)

- 1) Do you recommend the correct International WUI definition stated above?
- 2) Do you recommend the Communities at Risk report definition? WUI: “The area where houses meet or intermingle with underdeveloped wildland vegetation.”

### Next Steps/Action Items:

Action Items	Who?	By When?
No Consensus on using the “correct” International WUI definition.	RAC	At meeting
No consensus on using the Communities at Risk WUI definition.	RAC	At meeting
RAC 1 – Phase One completed	RAC	8/17/21 at 4:00 PM
RAC 1 – Phase Two begins	RAC	9/7/21 at 10:00 AM
Major Topics for the next meeting include: <ul style="list-style-type: none"> <li>▪ Comprehensive Criteria Workplan</li> <li>▪ Defining Key Terms in WUI Definition</li> </ul>	ALL	9/7/21 at 10:00 AM
Phase Two Homework	RAC	8/25/21 by 4:00 PM

**Official Meeting Record:** please go to <https://www.oregon.gov/odf/board/Pages/rac.aspx>



## RAC 1 Meeting 4 Summary for August 17, 2021



**Poll # 1: Do you recommend the correct International WUI definition stated above?**

Organization	Contact Person	Not Here	Ab-stain = 0	1	2	3
1000 Friends	Mary Kyle McCurdy			X		
Associated Oregon Loggers	Amanda Astor / (Rex Storm)					X
Association of Oregon Counties	Lauren Smith					X
Association of Oregon County Planning Directors	Holly Kerns / Lindsey Eicher				X	
Cow Creek Band of Umpqua Tribe of Indians	Jason Robison			X		
Department of Land Use & Conservation	Jon Jinings / (Sadie Carney)			X		
Hood River County Planning Commission	Leti Moretti			X		
Jackson County Fire	Robert (Bob) Horton			X		
League of Oregon Cities	Jim McCauley				X	
Office of the State Fire Marshal	Travis Medema / (Chad Hawkins)			X		
Oregon Farm Bureau	Mary Anne Cooper					X
Oregon Fire Chiefs Association	Nicole Hazelbaker / (Garrett Mosher)			X		
Oregon Fire Marshall's Association	Shawn Olson / Tanner Farrington	X				
Oregon Forest Industries Council	Kyle Williams					X
Oregon Home Builders	Mark Long					X
Oregon Property Owner's Association	Dave Hunnicut / (Samantha Bayer)	X				
Oregon Small Woodlands Association	Roger Beyer	X				
Oregon State University - Extension	Erica Fisher / (Chris Dunn)			X		
Sisters Fire	Roger Johnson			X		



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Special Districts Association	Michele Bradley / (Jason Jantzi)			X		
Sustainable Northwest	Dylan Kruse			X		
The Nature Conservancy	Amelia Porterfield/ Kerry Metlen			X		
Tualatin Valley Fire	Les Hallman			X		
Western Environmental Law Center	Pam Hardy			X		
<b>Totals:</b>		<b>3</b>	<b>0</b>	<b>14</b>	<b>2</b>	<b>5</b>
<b>Code:</b>		<b>Not Here</b>	<b>Ab-stain</b>	<b>1</b>	<b>2</b>	<b>3</b>

**Note:** 23 people voted, but we did not count the two members of the public – only RAC members.

**RESULT:** Consensus / **No Consensus**

**Summary of Major Reasons in Support:** See Meeting Recording, below Chat, and Member Submissions to follow.

**Minority Proposal:** See Meeting Recording, below Chat, and Member Submissions to follow.

**Summary of Major in Reasons in Opposition:** See Meeting Recording, below Chat, and Member Submissions to follow.



## RAC 1 Meeting 4 Summary for August 17, 2021



**Poll: # 2: Do you recommend the Communities at Risk report definition? WUI: The area where houses meet or intermingle with underdeveloped wildland vegetation.**

Organization	Contact Person	Not Here	Abstain = 0	1	2	3
1000 Friends	Mary Kyle McCurdy					X
Associated Oregon Loggers	Amanda Astor / (Rex Storm)			X		
Association of Oregon Counties	Lauren Smith			X		
Association of Oregon County Planning Directors	Holly Kerns / Lindsey Eicher				X	
Cow Creek Band of Umpqua Tribe of Indians	Jason Robison				X	
Department of Land Use & Conservation	Jon Jinings / (Sadie Carney)					X
Hood River County Planning Commission	Leti Moretti					X
Jackson County Fire	Robert (Bob) Horton					X
League of Oregon Cities	Jim McCauley			X		
Office of the State Fire Marshal	Travis Medema / (Chad Hawkins)		X			
Oregon Farm Bureau	Mary Anne Cooper			X		
Oregon Fire Chiefs Association	Nicole Hazelbaker / (Garrett Mosher)			X		
Oregon Fire Marshall's Association	Shawn Olson / Tanner Fairrington	X				
Oregon Forest Industries Council	Kyle Williams			X		
Oregon Home Builders	Mark Long			X		
Oregon Property Owner's Association	Dave Hunnicut / (Samantha Bayer)	X				
Oregon Small Woodlands Association	Roger Beyer	X				



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Oregon State University - Extension	Erica Fisher / <del>(Chris Dunn)</del>					X
Sisters Fire	Roger Johnson					X
Special Districts Association	Michele Bradley / (Jason Jantzi)				X	
Sustainable Northwest	Dylan Kruse					X
The Nature Conservancy	Amelia Porterfield/ Kerry Metlen					X
Tualatin Valley Fire	Les Hallman				X	
Western Environmental Law Center	Pam Hardy					X
<b>Totals:</b>		<b>3</b>	<b>1</b>	<b>7</b>	<b>4</b>	<b>9</b>
<b>Code:</b>		<b>Not Here</b>	<b>Ab-stain</b>	<b>1</b>	<b>2</b>	<b>3</b>

**Note:** 22 people voted, but we did not count the two members of the public – only RAC members.

**RESULT:** Consensus / No Consensus

**Summary of Major Reasons in Support:** See Meeting Recording, below Chat, and Member Submissions to follow.

**Minority Proposal:** See Meeting Recording, below Chat, and Member Submissions to follow.

**Summary of Major in Reasons in Opposition:** See Meeting Recording, below Chat, and Member Submissions to follow.





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### MEETING CHAT:

**From RAC - Mary Anne Cooper, OFB to Everyone: 10:23 AM**

Here is the communities at risk report definition: The Wildland Urban Interface (WUI): the area where houses meet or intermingle with undeveloped wildland vegetation. (Federal Register 66:751, 2001)  
<https://www.oregon.gov/odf/Documents/Fire/Communities-at-risk-report.pdf>

**From Public - Dan Nunez to Everyone: 10:33 AM**

Will the state be providing GIS boundaries with this definition as a data set and publicly available to everyone? Apologies if this is not the right forum for that inquiry. Playing catchup.

**From RAC Alt - Sadie Carney (she/her), DLCD to Dan(& Everyone): 10:35 AM**

@ Dan - Yes, but the GIS boundary comes later. The first exercise is establishing a definition. Per legislative directive in SB 762.

**From RAC - Jim McCauley (LOC) to Everyone: 10:35 AM**

still prefer a definition closer to the community risk report, but recognize the details of our concerns over a broad definition may well be dealt with on the second phase of the WUI process.

**From Public - Dan Nunez to Everyone: 10:35 AM**

Much appreciated thank you Sadie.

**From RAC - Jason Robison CCBUTI to Everyone: 10:38 AM**

Is there a way to better align the two? My preference is international def.

**From RAC - Erica Fischer, Oregon State University to Everyone: 10:38 AM**

Does this definition mean that only residential areas of communities are considered WUI and therefore commercial structures, schools, and hospitals cannot be located in a WUI?

**From RAC - Holly Kerns, AOC PD to Everyone: 10:38 AM**

Swapping out the word houses for something a little more inclusive of commercial buildings, etc. could make this definition stronger, but generally I think it gets to the point.

**From RAC - Pam Hardy, WELC (she/they/ella) to Everyone: 10:38 AM**

Is it technologically possible to draft poll questions on the fly so the actual question is in the poll?

**From RAC - Michele Bradley, Special Districts to Everyone: 10:40 AM**

I agree with Holly. Homes feels too narrow, there are other structures that should be considered, such as water, Stormwater, and wastewater infrastructure, or power lines.

**From RAC - Derek Gasperini (ODF) to Everyone: 10:40 AM**

Unfortunately, polls must be drafted prior to the launch of a Zoom meeting. That's why we have blank polls set if they become necessary, but text cannot be added after the start of the meeting.



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**From RAC - Jim McCauley (LOC) to Everyone: 10:41 AM**

All polls on the WUI definition should be part of the BOF report. Actual numerical reference and not simply a majority vote to describe the outcome.

**From RAC - Jason Robison CCBUTI to Eveyone: 10:47 AM**

Is there a process to limit impacts on Tribal specific businesses and/or governments?

**From RAC - Jon Jinings, DLCD to Everyone: 10:55 AM**

That is a great question, Amanda.

**From RAC - Leti Moretti (she/ella) to Everyone: 10:56 AM**

Thank you all for the rich discussion. I need to leave this meeting at 10am and look forward to reviewing the meeting materials. Gracias.

**From RAC - Jon Jinings, DLCD to Everyone: 10:56 AM**

Thanks, Leti!

**From RAC - Leti Moretti (she/ella) to Everyone: 11:00 AM**

11am\*

**From RAC - Mary Kyle McCurdy, 1000 Friends (she/her) to Everyone: 11:01 AM**

Thanks, Leti!

**From RAC - Jon Jinings, DLCD to Everyone: 11:03 AM**

If it isn't in rule it doesn't have the effect of law.

**From RAC - Mary Anne Cooper, OFB to Everyone: 11:07 AM**

John that's not quite right. The agencies will generally be given deference on their policies and they can absolutely interpret rule through policy guidance or just practice that has the effect of law. The bill doesn't specify that the criteria will be in rule, but glad that's the intent and plan - it should be done via rule so we get the benefit of a full public process.

**From RAC - Lauren Smith, AOC to Everyone: 11:08 AM**

Thank you Mary Anne. That was the point I was trying to get it.

**From RAC - Amanda Astor, AOL to Everyone: 11:10 AM**

We need to have the BOF do public hearings first...

**From RAC - Amelia Porterfield, TNC to Everyone: 11:10 AM**

SB 762 does specify that the criteria be put into rule: SECTION 33. ORS 477.027 is amended to read: 477.027. (1) By [administrative] rule, considering national best practices, the State Board of Forestry shall establish:



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(a) A definition of “wildland-urban interface.”

(b) Criteria by which the [forestland-urban] wildland-urban interface [shall] must be identified and classified.

**From RAC - Erica Fischer, Oregon State University to Everyone: 11:11 AM**

Yes, this reflects what I understand to be what ODF is saying. Thank you all for the great discussions today, I have to sign off unfortunately. As always, thank you Sam also for your facilitating.

**From RAC - Amanda Astor, AOL to Everyone: 11:11 AM**

Thanks Amelia!

**From RAC - Lauren Smith, AOC: 11:12 AM**

My concern is that Section 33 has to happen within the 100 days, so how would this timeline fit for the 2nd part of the RAC?

**From RAC - Lauren Smith, AOC to Everyone: 11:13 AM**

I guess- that is only (a) so we are fine- Nervermind

**From RAC - Holly Kerns, AOCPD to Everyone: 11:13 AM**

Great point about the other uses of this definition, Amelia. Thanks.

**From RAC - Jim McCauley (LOC) to Everyone: 11:36 AM**

Have to jet to another meeting. see everyone next week or later this week on RAC 2..

**From RAC - Amanda Astor, AOL to Everyone: 11:36 AM**

Jenna, I am more concerned with lessons learned from states like WA, CA and CO... not other state agencies in Oregon.

**From RAC - Pam Hardy, WELC (she/they/ella) to Everyone: 11:39 AM**

I agree with Amanda - it would be helpful to hear from other states (or other entities) who have examined this, and why they made the decision they did. However, I am interested in other Oregon agencies, and the definitions we already have locally. I could see a problem arising if we define the same word differently in different contexts.

**From Public - Ryan Kragero, OFMA, Clackamas Fire Dist #1 to Everyone: 11:40 AM**

I believe that most of these words have been defined as it relates to the WUI in the IWUIC. These existing definitions may give us a starting point / foundation for some of the foundational words for this process.

**From RAC - Kyle Williams (OFIC) to Everyone: 11:40 AM**

Here ya go Ryan - <https://codes.iccsafe.org/content/IWUIC2018/chapter-2-definitions>

**From RAC - Holly Kerns, AOCPD to Everyone: 11:40 AM**



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I think it's important to note that we knew all along this would be a short turn around for the definition. Correct me if I'm wrong, but I think Mary Anne's concern is not the amount of time but how the time was utilized. That is a concern I have as well. We can't undo it, but we can be more focused going forward. Is that fair?

**From Public - Peggy Lynch (she/her/hers) LWVOR to Everyone: 11:46 AM**

Great most substantive mtg. Thank you.

**From RAC - Mary Anne Cooper, OFB to Everyone: 11:46 AM**

That's exactly it Holly. I would love for us to be more focused and more substantive going forward. This felt too much like a check the box exercise with a predetermined outcome.

**From Public - Peggy Lynch (she/her/hers) LWVOR to Everyone: 11:49 AM**

Announce time of Aug. 24th Sp BOF mtg. please

**From ODF - Jason Cox to Everyone: 11:50 AM**

Special Board Meeting is 10 a.m. August 24.

**From ODF - Jenna Trentadue to Everyone: 11:50 AM**

BOF meeting on the 24th is at 10am Link to view Board of Forestry Meeting available at <https://www.youtube.com/c/OregonDepartmentofForestry>

**From RAC - Holly Kerns, AOCPD to Everyone: 11:53 AM**

Thank you Jenna

# ODF SB 762 RAC 1 Meeting 4 Evaluation Summary

<b>Responses:</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
	Very Satisfied	Satisfied	Okay	Dissatisfied	Very Dissatisfied
<b>1. Overall Meeting</b>	1	2 (1)	3 (1)	4	5
<b>2. Presentations</b>	1 (1)	2	3 (1)	4	5
<b>3. Materials</b>	1 (1)	2	3 (1)	4	5
<b>4. Discussions</b>	1	2 (1)	3 (1)	4	5
<b>5. Facilitator</b>	1	2 (2)	3	4	5
<b>6. Pace</b>	<i>Too Slow</i>		<i>Just Right</i>		<i>Too Fast</i>
	1	2 (2)	3	4	5

**7. What were the most useful parts of the meeting?**

- Open discussion periods
- Positive push back from RAC members to help understand where the department is coming from.

## ODF SB 762 RAC 1 Meeting 4 Evaluation Summary

### 8. What things would you have changed about the meeting?

- Nothing. It was the best meeting yet.
- There seemed to be confusion around the process for selecting options for the definitions. Making the process for decision making clearer in the future might be useful.

### 9. Do you have specific suggestions for improving the RAC meetings?

- I agree with some of the comments - the beginning meetings was too heavy on process and could have gotten to the heart of the subject more quickly.

### 10. Do you have any additional comments that you would like the facilitation team to consider as they prepare for the next RAC meeting?

### 11. Your Name and Organization?

- Jason Robinson (CCBUTI)
- Michele Bradley (Special Districts)

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August 12, 2021

To: Tim Holschbach, ODF and Sam Imperati, ICM Resolutions

From: Mary Kyle McCurdy, 1000 Friends of Oregon

Re: SB 762 Rules Advisory Committee #1: WUI

#### Homework following RAC 3<sup>rd</sup> meeting – WUI definition

1000 Friends of Oregon supports use of the International Wildland-Urban Interface definition (IWUI), without change: *“That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.”*

We support this definition for the following reasons:

- SB 762, Section 33, requires that in defining the WUI, the Board of Forestry “consider[] national best practices.” Use of the International WUI definition meets that criterion. As noted in the presentations by the ODF and in examples we provided in our follow-up to the second RAC meeting, this definition is used by most western states, at the state or local level, as the basis for an array of voluntary programs, regulatory structures, preventative actions, public health interventions, incentives, and/or other actions.
- Oregon’s WUI definition should be consistent with the definition broadly relied upon, including by fire professionals, federal agencies, other western states, the Council of Western State Foresters, and scientists. Among other things, a nationally recognized definition both allows better coordination across various jurisdictional boundaries and better positions Oregon for federal funding and funding from other sources.
- The IWUI is scientifically-sound, in that it includes intermingled areas and both dwellings and structures.
- It is appropriate at this stage – which is simply defining the WUI - to use an inclusive definition. Among other things, later stages of implementing SB 762 will include policy and investment decisions about how to ensure our communities are more wildfire resilient and all Oregonians are safer from wildfire. Interventions will not be only regulatory, as some seem to fear, but they will also include investments, subsidies, determinations about where to place life-saving equipment and fire-fighting resources, actions by the Oregon Conservation Corps, placement of wildfire smoke shelters, and more. We should not artificially exclude areas now, an action that could result in actually harming Oregonians. The SB 762 implementation process allows for taking specific characteristics into account later.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

August 13, 2021

**TO:** Sam Imperati, ICM Resolutions  
Tim Holschbach, Oregon Department of  
Forestry **FROM:** Jon Jinings, Community Services Specialist  
Sadie Carney, Policy Analyst & Communications Manager  
**SUBJECT:** DLCD Recommendations for RAC 1 Goal Statement and Wildland-Urban  
Interface definition

Greetings,

Please see below for the department's position on the Wildland-Urban Interface Definition and Fiscal Impact Statement Issues.

Feel free to contact me with any questions. The department looks forward to discussing these items at the next RAC meeting scheduled for August 17, 2021.

### **Concise explanation of your organization's position on the WUI definition issue; and/or**

DLCD supports using the International Wild-Land Urban Interface as proposed by the Oregon Department of Forestry.

August 17, 2021

**TO:** ODF  
**FROM:** Jon Jinings, Community Services Specialist  
Sadie Carney, Policy Analyst & Communications Manager  
**SUBJECT:** DLCD Comments on Wildland-Urban Interface definition

Greetings,

We would like to thank the Oregon Department of Forestry staff, members of the Rules Advisory Committee, and all interested parties for their hard work on this matter. The department eagerly anticipates the next step in this process, which will necessarily require much more hard work: discussing the subsequent rulemaking regarding how this definition should apply. We look forward to seeing everyone again soon.

### Attachments

DLCD Comments on the proposed Wildland-Urban Interface Definition.

As identified in our earlier correspondence and comments at the RAC meetings, DLCD supports using the International Wild-Land Urban Interface proposed by the Oregon Department of Forestry (ODF) in its entirety.

DLCD supports this definition because it includes the components necessary to adequately protect human life, private property, and public investment.



## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

### ODF SB 762 RAC 1 Meeting Three

Participant: Leti Moretti

Representing: Latinx, Rural Health Center, Hood River County Planning Commission

Alternate: Jay Lyman, Hood River County Planning Commissioner

### Meeting 3 Homework

Concise explanation of your organization's position on the WUI definition issue.

I support the ODF proposal (International definition):

**“That geographical area where structures and other human development meets or intermingles with wildland vegetative fuels.”**

I support this definition because it aligns with international and Western state definitions and consistency helps with understanding.

Also, without first establishing definitions this definition it seems the most inclusive and I feel that will allow to consider farmworker housing.

Hood River County is mostly rural and our orchards and where our farmworkers live is surrounded by forest and vegetation fuels. Words like urban and suburban, to me, don't include farmworker housing.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

Lauren Smith, Association of Oregon Counties

Holly Kerns, Association of Oregon County Planning Directors

Jim McCauley, League of Oregon Cities

### Feedback on WUI Definition and Fiscal Impact Analysis

Association of Oregon Counties, the Association of Oregon County Planning Directors and League of Oregon Cities would like to thank you for the opportunity to be a part of the rules advisory committee (RAC) and provide feedback on the definition of Wildland Urban Interface (WUI) under SB 762 and the fiscal impact of the proposed WUI definition in rule.

### **Wildland Urban Interface Definition Feedback**

Local governments recognize the need to protect our communities from wildfire and are committed to collaborating with state partners to build a better way. We are writing to raise our concerns that the definition being proposed by Oregon Department of Forestry (ODF) is overly broad and will have serious unintended consequences for our communities and needs to be amended before being put into rule. Rather than utilize the RAC to further flush out a definition of WUI, the agency has indicated an intent at our last rules advisory committee meeting to move forward with the definition that was previously rejected by the Oregon legislature, defining the WUI as “the geographic area in which structures or other human development meets or intermingles with wildland or vegetative fuels.” This definition is unnecessarily vague, and potentially includes all kinds of rural development that are clearly outside of any plain language understanding of what the terms "Wildland Urban Interface" mean. For example: utility cabinets, mountain top communications towers, irrigation infrastructure, and roads are clearly captured within the proposed definition of WUI as written, not to mention sparse rural development. We do not believe this is the intent at all, which underscores the reason that definition needs to start strong and be clear. If the definition is left unclear, we really have not defined anything at all.

As written, the ODF proposed definition of WUI is descriptive, but not definitive, which is inconsistent with the how the wildfire legislation has set up the term to be used. A vague definition that does not provide clarity for the reader as to what is or is not included in the WUI does not advance wildfire policy in Oregon; on the contrary, it sets an unstable foundation from which to build. As a basis for establishing defensible space application (Section 8 of SB 762), building code standards (Section 12 of SB 762), prioritization of funding for Oregon Conservation Corps Projects (Section 18 and 22 of SB 762), mutual aid decision making (Section 30a of SB 762), the basis for building criteria for classifying risk categories (Section 33 of SB 762), and qualifying membership on the State Wildfire Programs Advisory Council (Section 36 of SB 762), we see exceptional value in being clear as to what a WUI is.

Local governments would like to suggest a definition that provides more clarity as to what a WUI is. We would like to propose defining WUI as: ***"A wildland urban interface is that geographical area where a concentration of structures in an urban or suburban setting meets or intermingles with wildland vegetative fuels."***

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

Mary Anne Cooper, Oregon Farm Bureau

Dave Hunnicut, Oregon Property Owners Association

Roger Beyer, Oregon Small Woodlands Association

Mark Long, Oregon Homebuilders Association

Amanda Astor, Association of Oregon Loggers

### Feedback on WUI Definition and Fiscal Impact Analysis

Thank you for the opportunity to provide feedback on the definition of Wildland Urban Interface (WUI) under SB 762 and the fiscal impact of the proposed rule. We appreciate the challenges in the conversation and agree that the WUI definition is critical to achieving the goals of SB 762. We all have a shared goal of increasing Oregon's fire resiliency and ensuring that we can protect our communities and our citizens from Oregon's growing wildfire risk. While we may differ in how to best achieve this goal, we want to reiterate that we are approaching these conversations with the goal of best facilitating the shared desire of everyone who supported SB 762 to protect our communities and our citizens. With that in mind, we encourage the Department to continue to work on refining the definition of the WUI to better tie it to the goals of the bill to and keep in mind the citizens that will need to understand these rules.

### Wildland Urban Interface Definition Feedback:

We are disappointed that the Oregon Department of Forestry has indicated an intent to move forward with a definition of WUI that is overly broad and creates a risk of confusion and overregulation in our rural communities. As you are aware, the definition of the WUI was the final subject of contention in SB 762. The legislature didn't have the votes to pass the bill with the broad definition of WUI that you are proposing, so a compromise was reached to push the issue to rulemaking. This compromise was essential to the bill's passage and to obtaining bipartisan support, including support from several of our groups.

Instead of undertaking this analysis, the agency indicated an intent at our last rules advisory committee meeting to move forward with the exact same overly broad definition the legislature rejected that would define the WUI as *"the geographic area in which structures or other human development meets or intermingles with wildland or vegetative fuels."* Given that the plain meaning of structures and other human development could include features outside of occupied buildings such as fences, trails, county roads, irrigation, and drainage infrastructure, and potentially even cropland, and would definitely include single homes on hundreds of acres, this definition would effectively include nearly all of rural Oregon and is contrary to the stated intent of legislators, who assured our organizations that the WUI would not be applied so broadly. It would also be contrary to the plain language of the term "wildland urban interface"—which plainly means the area where wildland areas interface (i.e., meet) urban areas.

While we understand that the definition comes from the International WUI Code, that body is made up solely of governmental entities, and the definition was not made with statewide regulatory systems in mind. Given that Oregon has a statewide regulatory system, it is essential that it is narrowly crafted and thoughtfully developed to align with existing Oregon law and policy. It is also worth noting that during the RAC meeting on this issue, all the members representing landowners and three local government representatives voted against this definition and the positive votes were from NGO's, enforcement agencies, and other government representatives who would not be negatively affected by a broad definition. However, some government entities, such as the fire service, expressed an interest in working toward consensus. A broad definition would only have overly negative impacts on property

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

owners, it also fails to focus investments and other work mandated by SB 762, A broad definition simply is not in the best interest of the Department or Oregonians.

The definition proposed by ODF is not only contrary to their previous statutory charge, but it is also contrary to the definition used as recently as 2020 in the “Communities at Risk” report by ODF to the legislature, which focused on clustered or concentrated development at the urban interface.

The two primary reasons the agency has proposed appear to be an allegiance to the International WUI Code, and a false understanding that other states approach their regulation in this manner. As noted above, the International WUI Code was not developed with a diversity of stakeholders – as is the requirement for ODF rulemaking – and was developed for use and modification at the local level. Similarly, other states have not adopted the international WUI code for purposes of their regulatory program. The states that adopt the international WUI code definition into state regulations generally do not have a statewide regulatory system flowing from that definition, and the states who have a statewide wildfire program do not base their regulation solely on the International WUI definition.

If Oregon adopts this approach, we would be unique in having a statewide regulatory program flowing from this very broad WUI definition designed for local implementation and modification. This approach is contrary to the legislative directive to “consider” a definition based on national standards. Simply put, there is no state (or federal) program which would declare nearly the entirety of the state’s rural areas as “urban” or within the “interface” between urban and wildland.

We appreciate the assurances from the agency that this broad definition would be narrowed through the future adoption of criteria, and that the intent is that regulatory programs would only attach to high and extreme risk hazard designations (though the statute allows broader application). However, we cannot support an overly broad definition of WUI that is unworkable under Oregon’s system, with the promise that it *may* be narrowed in the future through the application of criteria. This is particularly true given that there does not appear to be consensus within the agency and the committee about what is intended to fall under the WUI definition and how much the definition will be modified through the application of criteria to make it workable.

We strongly urge you to reconsider the overly broad WUI definition and instead adopt a definition that focuses on the areas where a concentration of dwellings meet undeveloped wildland vegetation. This is the “donut hole” approach which staff has supported in the past, and best meets the goals of the legislation to regulate those areas at highest risk We have proposed several definitions based on current Oregon law, the 2020 report, and federal standards. We encourage you to consider these approaches and the previous work of the department.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

### OFIC (Kyle Williams) WUI definition position:

We are challenged with adoption of the international code definition at this point in the discussion because of the undetermined and potentially broad meaning behind the words. My understanding based on the discussion in the workgroup is that timelines necessitate a reverse process wherein we adopt the statement “That geographical area where structures and other human development meets or intermingles with wildland vegetative fuels” and then define what each of the words mean in the next step. Please understand this is akin to a “trust me, it will all work itself out”. That is not a position we feel comfortable being in. I do however understand and would like to believe that is the intent. The primary concern is that downstream rule making/enforcement could utilize the very broad statement without adhering to the underlying and yet to be determined criteria. Not knowing exactly how the mechanics of the downstream processes will work creates a situation where we need to see something closer to the result in the upfront definition. IF adoption of the full international definition becomes the will of the board, rather than many of the more narrowed options that have been offered and discussed, it is critical to have an affirmative statement such as “as defined by criteria” or something to that effect attached to the definition.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

### Sustainable Northwest WUI Definition Preference

Sustainable Northwest's preferred WUI definition is the International WUI Code definition, with no changes: "That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels."

**IMPORTANT NOTE:** In the definition that has been presented to the RAC, an 'or' has been omitted between 'wildland' and 'vegetative fuels'. The actual International WUI Code definition includes this 'or' which is a critical component of the definition and its meaning.

Reasons to select this definition as written:

- ☐ Scientifically sound and comprehensive (includes both interface and intermix).
- ☐ Include structures, rather than just dwellings.
- ☐ International WUI Code is nationally recognized and used in application. Nearly every western state, and many more, have already adopted it.
- ☐ Recognized by the Council of Western State Foresters, federal agencies, and other government and professional bodies.
- ☐ Having a nationally recognized definition is important to ensure Oregon is eligible to secure federal funds for programs related to the WUI.
- ☐ We need consistency and clarity in the definition, not an Oregon specific definition that is not recognized broadly by scientists, fire managers, and government bodies. Customized issues can and should be addressed in the criteria process to account for unique circumstances and features.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

### The Nature Conservancy's WUI Definition Position

The Nature Conservancy supports the adoption of the International WUI Code definition of the Wildland Urban Interface as written: *"The geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels."*

The following comments summarize several reasons for the state to adopt this definition in its entirety:

- ② The International WUI Code definition meets the charge of SB 762 to consider "national best practices", as this definition is widely utilized by varying types of jurisdictions across the American West, is recognized by scientists, land managers and the fire professionals who keep communities safe.
- ② Adopting a nationally recognized definition in its entirety avoids unintended consequences that could arise by creating a 'combo' model that merges other definitions or writing a new definition from scratch.
- ② The Intl. WUI Code definition provides sufficient direction and clarity while preserving space for the RAC to refine terms and classify the WUI in a way that authentically incorporates the nuances of Oregon's unique landscapes and communities.
- ② We appreciate that the application of the International WUI Code includes focus "to safeguard life and property from the intrusion of wildland fire and to prevent structure fires from spreading to wildland fuels". We find it meaningful that this model is grounded in creating resilient landscapes and communities to better ensure that those who live in impacted areas, and those who work to keep our communities safe from fire, remain front of mind in subsequent discussions.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

August 13, 2021

From: WELC

To: Oregon Department of Forestry

Wildland Urban Interface Rulemaking Advisory Committee

Re: WUI Definition Fiscal Impact Statement Perspectives

### Re: WUI Definition Recommendation

Western Environmental Law Center proposes that ODF adopt the International WUI definition:  
“That geographical area where structures and other human development meets or intermingles with wildland **\*or\*** vegetative fuels.”

*\* It has come to our attention that the WUI definition originally displayed by ODF was missing a word. I have added it back in above, and recommend for the reasons described below, we adopt the actual international definition. [Link to original](#)<sup>1</sup>.*

Mitigation of wildfire is an increasingly international effort. Best practices are not just shared between US states, but between countries around the world. Fire fighters are increasingly working across state, and even international boundaries as they come to the assistance of regions in the midst of extreme fire. Consistency allows these fire-fighters to be more effective in their work when they know what to expect.

Additionally, the International definition has been forged in the context of long-considered research in the light of extensive trial and error. It has been adopted by nearly every western state in the US. Because Oregon is among the regions facing some of the worst fires globally, we may soon find real opportunities for innovation and improvement upon this baseline effort. But until we have a reasoned foundation on which to propose improvements, we should stand on the shoulders of others, not re-invent the wheel. Adopting the international definition will improve our ability to participate robustly in, and benefit from, the international effort to learn to better live with fire in the era of climate change.

Thank you for the opportunity to comment. Please feel free to contact me if you have any further questions or clarifications.

Best Regards,  
- Pam Hardy

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<sup>1</sup> <https://codes.iccsafe.org/content/IWUIC2018/chapter-2-definitions>



## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

### OSU

Oregon State University's position on the definition of the WUI would be using the International WUI code definition. The reasoning behind this is the wording of "structures and other human development meets or intermingles with wildland vegetative fuels" the phrasing of "intermingles" is missing from the poll top answers combined and therefore can eliminate certain types of landscapes.

**August 17, 2021**

**To: ODF and Sam, Imperati, ICM Resolutions**

**From: Les Hallman**

**RE: WUI Definition**

Tualatin Valley Fire & Rescue (TVF&R) is the largest Rural Fire Protection District in Oregon. We provide services within four counties and eleven cities, protecting over 530,000 residents. Our 390-square-mile service area includes urban, suburban, and rural communities with a large area of wildland urban interface (WUI).

As the RAC member representing TVF&R, I support the ODF staff's recommendation to the Oregon Board of Forestry to adopt the International WUI Definition: "That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels". It follows well established best practices in our nation by many state and federal agencies that are charged with defining and protecting WUI areas similar to those found in Oregon. I believe it also meets the Legislative intent of SB 762.

Thank you for allowing our input in this important process.

Les Hallman  
Assistant Chief, TVF&R

**August 17, 2021**

**From: Roger Johnson**

**To: ODF**

**Re: Support for the International WUI Code definition of WUI**

**Fire Chief**

**Sisters-Camp Sherman Rural Fire Protection District**

As the Fire Chief of the Sisters-Camp Sherman Fire District and the Deschutes County Fire Defense Board Chief I am in full support of the International WUI Code definition of the Wildland Urban Interface. While the definition is broad, and will require further clarification, it is the "gold standard" within the United States. The majority of western states use the International WUI Code in their regulatory standards. Oregon also has a long history of utilizing the International Code Council family of codes for other important life safety issues including; the International Building Code and International Fire Code.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

I recognize that some stakeholders have concerns about the broad nature of the International WUI Code definition. It is my understanding that there will be ample opportunity in the coming months to clarify the meaning of some of these terms to ensure it is appropriate for Oregon. I am confident that given the diverse stakeholder group convened to perform this important work, we will end up with clarity on these important issues.

Roger Johnson  
Fire Chief  
Sisters-Camp Sherman Rural Fire Protection District

**August 17, 2021**  
**To: ODF**  
**From Michele Bradley**  
**Special Districts (SDAO)**

FIS –

Special Districts signed on to the feedback sent from Oregon Farm Bureau, OPHA, OSWA, OHBA, and Association of Oregon Loggers, but we weren't noted on the input letter.

We would like to ensure that the Fiscal Impact from structures (as to be defined, but we would like to have included, such as underground infrastructure [water, wastewater, stormwater piping], pump stations, electric poles, trails, and fencing. SDAO is working on what the impact might be regarding any changes to the WUI and how it would impact our member rates for insurance.

**Date: August 17, 2021**  
**TO: ODF**  
**From: Nicole Hazelbaker**

### **Re: WUI Definition. SB 762 Rule Advisory Committee 1**

Oregon Fire Chiefs Association supports the recommendations of Oregon Department of Forestry staff:

- Use of the International Wildland-Urban Interface definition (IWUI)
- “That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.”
- This definition meets the intent of SB 762 following a national best practice and is used in other wildfire risk regions of the United States.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

**August 17, 2021**

**To: ODF**

**From: Robert Horton, Fire Chief**

**Jackson County Fire District 3**

**Re: SB 762 Rules Advisory Committee #1: WUI**

Jackson County Fire District 3 supports use of the International Wildland-Urban Interface definition (IWUI)

“That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.”

This definition meets the intent of SB 762 following a national best practice and is used on other wildfire prone regions of the United States.

We support that this definition is a solid foundation by which the criteria can be developed.

## Section Two: Fiscal Impact Statement Comments

August 12, 2021

To: Tim Holschbach, ODF and Sam Imperati, ICM Resolutions

From: Mary Kyle McCurdy, 1000 Friends of Oregon

Re: SB 762 Rules Advisory Committee #1: WUI

### Homework following RAC 3<sup>rd</sup> meeting – Fiscal Impact Statement

After the RAC discussion, particularly in our third meeting, 1000 Friends of Oregon recommends finding that there will be no fiscal impact associated with defining the wildland urban interface (WUI). At this stage, only the WUI definition is being adopted. It carries with it no regulatory or investment impacts. Those actions and their positive and/or negative fiscal impact on a variety of interests will flow from later definitions and other decisions whose outcome we do not know and therefore that we should not speculate about.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

**August 13, 2021**

**TO:** Sam Imperati, ICM Resolutions  
Tim Holschbach, Oregon Department of Forestry  
**FROM:** Jon Jinings, Community Services Specialist  
Sadie Carney, Policy Analyst & Communications Manager  
**SUBJECT:** DLCD Recommendations for RAC 1 Goal Statement and Wildland-Urban Interface definition

Greetings,

Please see below for the department's position on the Wildland-Urban Interface Definition and Fiscal Impact Statement Issues.

Feel free to contact me with any questions. The department looks forward to discussing these items at the next RAC meeting scheduled for August 17, 2021.

### **Concise explanation of your organization's position on the Fiscal Impact Statement issues.**

DLCD understands that a Fiscal Impact Statement is a legal requirement of the administrative rule making process. However, we do not believe it is necessary to spend an excess amount of the RAC's time on this issue because the definition, in of itself, does not establish or propose any regulatory arrangement.

**August 17, 2021**

**TO: ODF**  
**FROM: Jon Jinings, Community Services Specialist**  
Sadie Carney, Policy Analyst & Communications Manager  
**SUBJECT: DLCD Comments on Wildland-Urban Interface definition**

Greetings,

We would like to thank the Oregon Department of Forestry staff, members of the Rules Advisory Committee, and all interested parties for their hard work on this matter. The department eagerly anticipates the next step in this process, which will necessarily require much more hard work: discussing the subsequent rulemaking regarding how this definition should apply. We look forward to seeing everyone again soon.

### DLCD Comments on the proposed Fiscal Impact Statement (FIS)

DLCD supports the Oregon Department of Forestry (ODF) position that a Fiscal Impact is indeterminable in this instance.

DLCD supports this position because the proposed WUI definition has no direct impact and therefore cannot create any identifiable fiscal impact. Furthermore, ODF acknowledges the rule establishing the criteria for application of this definition could create such impacts, which will necessarily be reviewed and considered at that stage in the rulemaking.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

### ODF SB 762 RAC 1 Meeting Three

**Participant: Leti Moretti**

**Representing: Latinx, Rural Health Center, Hood River County Planning Commission**

**Alternate: Jay Lyman, Hood River County Planning Commissioner**

### Meeting 3 Homework

Concise explanation of your organization's position on the Fiscal Impact Statement issues.

I'm new to this work and I'm commenting as I'm learning more information on these subjects.

My concerns around fiscal impact come up when I think about:

- ☐ Easements and road dimensions for our firetrucks and other help to access and to evacuate people when there is a fire.
- ☐ Materials to build homes
- ☐ Density for housing (we have a terrible housing shortage and need to build homes that are affordable to the people who work in Hood River)

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

**Lauren Smith, Association of Oregon Counties**

**Holly Kerns, Association of Oregon County Planning Directors**

**Jim McCauley, League of Oregon Cities**

**Feedback on WUI Definition and Fiscal Impact Analysis**

Association of Oregon Counties, the Association of Oregon County Planning Directors and League of Oregon Cities would like to thank you for the opportunity to be a part of the rules advisory committee (RAC) and provide feedback on the definition of Wildland Urban Interface (WUI) under SB 762 and the fiscal impact of the proposed WUI definition in rule.

### **Fiscal Impact Statement Feedback**

The agency has indicated that in their assessment, the rule as drafted does not have a fiscal impact. Local governments disagree and have not been provided the opportunity provided by the Oregon Administrative Procedures Act to analyze the potential fiscal impact this definition could have at the local level and provide that information to ODF. We believe that there is a likely fiscal impact of this definition, due to the vagueness of the definition as written that fiscal would most likely be indeterminate; however, it has the potential to be significant.

Thank you for the opportunity to provide feedback, and we look forward to continuing to engage around the implementation of SB 762.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

**Mry Anne Cooper, Oregon Farm Bureau**  
**Dave Hunnicut, Oregon Property Owners Association**  
**Roger Beyer, Oregon Small Woodlands Association**  
**Mark Long, Oregon Homebuilders Association**  
**Amanda Astor, Association of Oregon Loggers**

### **Feedback on WUI Definition and Fiscal Impact Analysis**

Thank you for the opportunity to provide feedback on the definition of Wildland Urban Interface (WUI) under SB 762 and the fiscal impact of the proposed rule. We appreciate the challenges in the conversation and agree that the WUI definition is critical to achieving the goals of SB 762. We all have a shared goal of increasing Oregon's fire resiliency and ensuring that we can protect our communities and our citizens from Oregon's growing wildfire risk. While we may differ in how to best achieve this goal, we want to reiterate that we are approaching these conversations with the goal of best facilitating the shared desire of everyone who supported SB 762 to protect our communities and our citizens. With that in mind, we encourage the Department to continue to work on refining the definition of the WUI to better tie it to the goals of the bill to and keep in mind the citizens that will need to understand these rules.

### **Fiscal Impact Statement Feedback:**

The agency stated an intent in the prior rulemaking to indicate that the rule does not have a fiscal impact. We believe that there is a likely fiscal impact of this definition, though we agree that the extent of the impacts will vary tremendously depending on whether and how the definition is refined through the application of criteria.

ORS 183.335(2)(b)(E) requires that agencies prepare a "statement of fiscal impact identifying state agencies, units of local government and the public that may be economically affected by the adoption, amendment or repeal of the rule and an estimate of that economic impact on state agencies, units of local government and the public." The statute states that in "considering the economic effect of the proposed action on the public, the agency shall utilize available information to project any significant economic effect of that action on businesses which shall include a cost of compliance effect on small businesses affected." If the agency finds that the rule will have an adverse effect on small businesses, it must also establish less costly or intrusive alternatives for small businesses. ORS 183.540.

In this case, an overly broad definition of the WUI runs the risk of having substantial consequences on small businesses, particularly farmers, ranchers, small woodland owners, and other rural businesses who could be subjected to requirements for roads, fences, on farm housing, food processing facilities, and other structures due to an overly broad application of the WUI. We also agree that the rule could have a positive impact on businesses if it is refined appropriately to focus on reduction of wildfire risk at the urban/wildland nexus. The fiscal impact statement must acknowledge both potential outcomes, and the consequences of each. The fiscal impact statement must also evaluate whether ODF can adopt a narrower definition of WUI that would avoid the negative impacts of an unrestricted overly broad definition to small businesses while still achieving the goals of the legislation.

We understand this is work for programs and want to continue to help craft a definition that aligns with Oregon law and policy, and reflects Oregon's unique statewide regulatory system and will help all citizens understand that best to mitigate the impacts of wildfire



## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

At the very least, we ask that you incorporate language into the definition that aligns with your 2020 report. Thank you for the opportunity to provide feedback, and we look forward to continuing to engage around the implementation of SB 762.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

### OFIC (Kyle Williams) FIS Statement

Given that we are working off the understanding that the definition is hollow until filled in later with criteria I understand the logic leading to a finding of “no fiscal impact”. However, clearly the intent of the definition is to create future workload and regulation. Given this iron clad outcome of the work, it appears that a finding of “indeterminate” at the very least would be more appropriate than “none”.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

### **Sustainable Northwest WUI Fiscal Position**

Sustainable Northwest believes that there should be no fiscal impact associated with the definition of the WUI. The definition in and of itself establishes no practice changes, regulatory/compliance impacts, or other requirements or changes in behavior. There should therefore be no financial impacts.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

### The Nature Conservancy's WUI Definition Fiscal Position

We found helpful the clarification offered in the third meeting of RAC 1 that the committee's charge is to discuss the fiscal impact resulting from the selection of a definition only, with future discussion to come on potential fiscal impacts of subsequent refinement of terms and classification of the WUI. With that important detail in mind, we do not believe the definition itself creates any fiscal impact. The words themselves do not require subsequent action.

Therefore The Nature Conservancy's position is that there is no fiscal impact from choosing a definition for the term "Wildland Urban Interface".

We continue to believe that further fiscal discussion is better suited for later rulemaking related to SB 762, when policy decisions will be made regarding the application of the WUI may create financial impacts - positive or negative. This RAC cannot, and should not, evaluate the potential impacts of those later decisions because we do not know how they will play out, and we should not presume the outcomes of future committee discussions.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

**August 13, 2021**

**From: WELC**

**To: Oregon Department of Forestry**

**Wildland Urban Interface Rulemaking Advisory Committee**

**Re: WUI Definition Fiscal Impact Statement Perspectives**

The Western Environmental Law Center proposes the following perspective when drafting the fiscal impact statement for the definition of the Wildland Urban Interface.

The fiscal impact statement should emphasize that the fiscal impact of the definition is indeterminate. Short term effects depend upon the criteria for inclusion which have yet to be determined. Long term effects are likely to be very positive, but mostly in costs avoided. In other words, if done correctly, a good WUI definition will facilitate an implementation of effective policies that will reduce the number of lives lost and homes, businesses, and whole towns, burned in future wildfires. Additionally, good WUI practices will aid wildland fire fighters in their ability to fight *wildland* fire, and spend less time concerned about isolated, poorly protected homes and other structures. This will improve the health and longevity of the extensive forests that are dear to the hearts of Oregonians.

*Both* long- and short-term, positive and negative, impacts should be addressed in the fiscal impact statement.

Thank you for the opportunity to comment. Please feel free to contact me if you have any further questions or clarifications.

Best Regards,  
- Pam Hardy

**August 17, 2021**

**To: ODF**

**From Michele Bradley**

**Special Districts (SDAO)**

FIS –

Special Districts signed on to the feedback sent from Oregon Farm Bureau, OPHA, OSWA, OHBA, and Association of Oregon Loggers, but we weren't noted on the input letter.

We would like to ensure that the Fiscal Impact from structures (as to be defined, but we would like to have included, such as underground infrastructure [water, wastewater, stormwater piping], pump stations, electric poles, trails, and fencing. SDAO is working on what the impact might be regarding any changes to the WUI and how it would impact our member rates for insurance.

## RAC 1 Member Feedback on WUI Definition and FIS Received Through 8-17-21

**Date:** August 17, 2021  
**TO:** ODF  
**From:** Nicole Hazelbaker

### **Re: Fiscal Impact Statement. SB 762 Rule Advisory Committee 1**

Oregon Fire Chiefs Association supports the recommendations of Oregon Department of Forestry staff:

- The boundaries and criteria of the WUI are not yet defined.
- Since the boundaries and criteria are not yet defined, the fiscal impacts are indeterminate.
- Additional fiscal and economic impact analysis will be needed as the definition is used in future rulemaking.

### **Re: Fiscal Impact Statement. SB 762 Rule Advisory Committee 1**

**Oregon Fire Chiefs Association** supports the recommendations of Oregon Department of Forestry staff:

- Additional fiscal and economic impact analysis will be needed as the definition is used in future rulemaking.

**August 17, 2021**  
**To: Oregon Department of Forestry**  
**From: Roger Johnson**  
**Re: Fiscal Impact Statement**

- Additional fiscal and economic impact analysis will be needed as the definition is used in future rulemaking.

Roger Johnson  
Fire Chief  
Sisters-Camp Sherman Rural Fire Protection District

RAC 1 Phase Two Homework Results – Compiled as of 8-26-2021

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#	Organization	A) Are these the words that need to be defined?	B) Other Terms
1	DLCD	Yes	
2	1000 Friends	Yes, these are the words that need to be defined now.	However, as we define these terms and then apply them, we might find there are additional words that need definition, we should be flexible on that.
3	OSWA	Yes	
4	TNC	This is a thorough list of terms from the WUI definition to define at this stage of rulemaking.	Looking at the statute, our future conversation may also benefit from discussion about the terms “fire hazard, fire risk and structural characteristics” as the legislation requires the criteria to recognize differences in the above.  Again, leaning on the statute, I'd recommend we clarify the phrase “category of land” since the criteria may not exclude a category of land.
5	Special Districts		Nothing else jumps to mind, except maybe infrastructure, which could be within the structure definition.
6	AOC	Yes	
7	AOCPD	I think so.	If the term “Human Development” is well defined, it should take care of the word “Other” in front of it... used as “Other human development” in the definition.

RAC 1 Phase Two Homework Results – Compiled as of 8-26-2021

8	OFIC	Yes	
9	OPOA	Yes	
10	OSU	Yes	
11	WELC	<p>These are all the words that need to be defined at this time.</p>	<p>However, it seems likely to me that as we define the five classes of wildland urban interface required by § 33(3) that additional words will need clarification.</p> <p>I have concerns that some people seem to think that there is a singular set of regulations that will apply evenly to all of the WUI, and that you're in it, or you're not. SB 762 § 33(3) required five classes of WUI. These appear to be different from (but compatible with) the wildfire risk classes required by § 7 that RAC 2 is looking at. The wildland fire risk map will cover all the lands in the State, but not all lands in the State will be WUI. Further, § 7(4)(b) lists four factors to be considered: weather, climate, topography, and vegetation.</p> <p>By contrast, § 33(3) requires consideration of fire hazard, and structural characteristics. For example, the structural characteristics of the least dense class of WUI would likely include things that could conceivably be considered human development – fences, trail heads, campgrounds, water troughs – but not at a density that would likely warrant any associated regulation or preference when allocating resources. By contrast, the densest class – truly urban development levels where fire spread between structures is likely, and immediately adjacent to wildlands – would likely be the highest priority for enforcement of defensible space regulation, and for grant funding to help homeowners make the appropriate adjustments.</p> <p>As I see it, our next task is to identify the five classes of WUI and the criteria for being placed in one of them. These five classes of WUI will then be a factor in determining the larger wildfire risk that includes additional factors such as vegetation and topography.</p> <p>In the process of sorting out these five classes, I suspect we will come across additional words that need to be defined. But if we get these basics out of the way immediately, I suspect it will serve us well down the road. – NOTE: It may</p>



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			also serve us well to briefly discuss these five classes of WUI prior to defining the words in the WUI definition.
12	AOL		<p>Preamble: I am a bit unclear what the difference between defining terms in the definition and criteria development is. Are these one in the same or will the definitions be broad and refined with criteria? If we are going to do both processes, then I feel like we need to ensure that the terms are defined in the context of how they will be used and specifically related to WUI. For instance, “structure” cannot be defined as in the International WUI Code. The term there is defined as “that which is built or constructed.” By defining the term in this way, there became no focus and would be a waste of time. That being said, if the definitions are more focused and criteria is more data driven, then I am ok with defining specific terms in the WUI definition.</p> <p>Alternatively, we could start with the mapping and determine if we all feel similarly about where the lines should be drawn. We could create or definitions to match our intended outcome based on the map we develop.</p> <ul style="list-style-type: none"> <li>A. I think all of these terms would be fine to define given the above caveat, but I would then add Wildland, Urban and Interface.</li> <li>B. We should look at what was used to map the current WUI on the Oregon Explorer, then add or subtract from that ensuring these are truly urban and suburban interfaces.</li> <li>C. Unsure at this time.</li> <li>D. We need to hear from experts such as Chad Hoffman from Colorado State University and Ruddy Mell from the Pacific Northwest Research Station.</li> <li>E. More focused meetings on each of the terms listed in A. Be that in defining terms or criteria. One meeting for each term (or similar terms like Structures and Human Development). I also think we will need to have a mapping exercise to see how we are doing in criteria development before we make any firm decisions. We do not want to paint ourselves into a box that is too broad or too focused.</li> <li>F. Nothing else for now.</li> </ul>
13	OFB		Thank you for the opportunity to give feedback on the next phase of the WUI rulemaking. At this point, I do not feel like I can weigh on which terms need to be further defined until I can better understand what ODF’s plan is to further refine

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			<p>the WUI definition through the development of criteria and further defining the terms in the WUI definition. In the last phase of the rulemaking, we were repeatedly assured that the intent was not to apply defensible space requirements to fences, irrigation infrastructure, trails, and other similar infrastructure, though all of these things would be part of the WUI under the current definition. However, I am unclear what the next steps are to further refine the WUI definition to ensure these features are not included. Is that going to be done by more narrowly defining “human development” and “structures” or is that going to be done through criteria? If the latter, I have no interest in further defining terms in the WUI definition in a manner that would continue to pull in much more land than intended. As we indicated in the last phase of the rulemaking, the international WUI code definitions of all the terms in the WUI definition are incredibly broad and would continue to be very overinclusive of the areas where no one appears to intend to regulate in Oregon. If continuing to follow the international WUI code is the intent, I think we would be better off not defining those terms and rather focusing on the development of criteria to further refine the areas that actually fall within the WUI. However, if we want to define those terms to narrow the definition in on those areas the state actually seeks to regulate, that exercise seems like it might best be done concurrently with the development of criteria.</p>
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#	Organization	C) Existing tools ODF hasn't yet noted	D) Tools to be developed or data sets to be adapted
1	DLCD	<ul style="list-style-type: none"> <li>• CWPPs               <ul style="list-style-type: none"> <li>○ <a href="#">Baker County CWPP</a> – ODF likely has</li> <li>○ Wallowa County CWPP – ODF likely has (great resource)</li> <li>○ Deschutes County CWPP – ODF likely has (used collaborative process – good model)</li> </ul> </li> <li>• <a href="#">National Fire Protection Standards Codes and Standards</a></li> <li>• Statewide Planning Goals               <ul style="list-style-type: none"> <li>○ Goal 1 - Citizen Involvement</li> <li>○ Goal 2 - Land Use Planning</li> <li>○ Goal 3 - Agricultural Lands</li> <li>○ Goal 4 - Forest Lands</li> <li>○ Goal 5 - Natural Resources, Scenic and Historic Areas and Open Spaces</li> <li>○ Goal 6 - Air, Water &amp; Land Resource Quality</li> <li>○ Goal 7 - Areas Subject to Natural Hazards</li> <li>○ Goal 8 - Recreational Needs</li> <li>○ Goal 9 - Economic Development</li> <li>○ Goal 10 - Housing</li> <li>○ Goal 14 - Urbanization</li> </ul> </li> <li>• LCDC Administrative Rules               <ul style="list-style-type: none"> <li>○ OAR Chapter 660, Division 4 - Goal 2 Exceptions Process                   <ul style="list-style-type: none"> <li>▪ OAR 660-004-0040: Rural Residential Areas</li> </ul> </li> <li>○ OAR Chapter 660, Division 6 - Forest Lands                   <ul style="list-style-type: none"> <li>▪ OAR 660-006-005: Definitions</li> </ul> </li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>▪ OAR 660-006-0029: Siting Standards for Dwellings and Structures*</li> </ul> </li> <li>○ OAR Chapter 660, Division 8 - Housing</li> <li>○ OAR Chapter 660, Division 9 - Economic Development</li> <li>○ OAR Chapter 660, Division 15 - Statewide Planning Goals</li> <li>○ OAR Chapter 660, Division 22 - Unincorporated Communities           <ul style="list-style-type: none"> <li>▪ OAR 660-022-0010: Definitions</li> </ul> </li> <li>○ OAR Chapter 660, Division 23 - Goal 5 Process           <ul style="list-style-type: none"> <li>▪ OAR 660-023-0115: Sage-Grouse Rule               <ul style="list-style-type: none"> <li>• Attachment regarding Disturbance</li> </ul> </li> </ul> </li> <li>○ OAR Chapter 660, Division 24 - Urban Growth Boundaries</li> <li>○ OAR Chapter 660, Division 31 – State Agency Coordination Agreement</li> <li>○ OAR Chapter 660, Division 33 - Agricultural Lands           <ul style="list-style-type: none"> <li>▪ OAR 660-033-0020: Definitions</li> </ul> </li> <li>○ OAR Chapter 660, Division 34 – Parks Planning</li> </ul> <ul style="list-style-type: none"> <li>• Oregon Natural Hazards Mitigation Plan - <a href="https://www.oregon.gov/lcd/NH/Documents/Approved_2020_ORNHMP_00_Complete.pdf">https://www.oregon.gov/lcd/NH/Documents/Approved_2020_ORNHMP_00_Complete.pdf</a> <ul style="list-style-type: none"> <li>○ Relevant Sections = Wildfire portions of:               <ul style="list-style-type: none"> <li>▪ Chapter 2, Risk Assessment Introduction, Section 2.1.5: State-owned and -leased facilities, State Critical Facilities, and Local Critical Facilities in wildfire hazard areas and potential loss estimates</li> <li>▪ Chapter 2, Risk Assessment Introduction, Section 2.1.2, Risk Assessment Methodology (not implying at all that this is what ODF should do, in fact they shouldn't do this, but showing</li> </ul> </li> </ul> </li> </ul>	
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		<p>how we came up with some of the info in Chapter 2, Section 2.9.)</p> <ul style="list-style-type: none"> <li>▪ Chapter 2, Risk Assessment Introduction, Section 2.1.3 Social Vulnerability</li> <li>▪ Chapter 2, Risk Assessment, Section 2.9 Wildfires: <ul style="list-style-type: none"> <li>• Section 2.2.9.1: Analysis and Characterization (history, OR Forestland-Urban Interface Fire Protection Act, types, sources, historic events)</li> <li>• Section 2.2.9.2: Probability (Burn Probability and Exposure, Climate Change)</li> <li>• Section 2.2.9.3: Vulnerability (Most Vulnerable Jurisdictions, State-owned/leased Buildings and Critical Facilities and Local Critical Facilities, Historic Resources, Social Vulnerability)</li> <li>• Section 2.2.9.4: Risk</li> <li>• All of this is broken down by the mitigation planning region as well. The regions (eight of them) are shown on a map in Chapter 2, Risk Assessment Introduction, Section 2.1, Figure 2-2.</li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>• Oregon GIS Working Group <ul style="list-style-type: none"> <li>○ High resolution aerial photography</li> <li>○ Building footprints</li> <li>○ Others</li> </ul> </li> <li>• <a href="#">American Planning Association's Hazard Mitigation Policy Guide</a></li> <li>• Hazard Framework Implementation Team – Land Use Layer</li> </ul>	
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		<ul style="list-style-type: none"> <li>American Farmland Trust – classification and categorization of land cover and residential density – part of Farmland Under Threat</li> <li>ODF Tool – Forest Farms and People (report on land use change on non-federal lands)</li> <li>Oregon Explorer Tools</li> <li>Sage grouse – digital layer for southeast Oregon from INR. See OAR 660-023-0115, above.</li> <li>Oregon Partnership for Disaster Resilience -</li> <li>Headwaters Economics Presentation – link to presentation/studies</li> <li>1000 Friends Wildfire Report</li> <li>Wildfire Council Exec Summary and Full Report</li> </ul>	
2	1000 Friends	I would like to know how Oregon currently defines any of these terms; how other jurisdictions that use the international WUI definition define these terms; how other western states define these terms; and how these terms are defined in the International WUI code itself.	I don't know.
3	OSWA	GIS maps showing dwelling locations, ownerships, and parcel sizes. Info regarding fire protection would be a good guide.	
4	TNC	<p>Since we are utilizing the International WUI Code definition of the WUI, we would be well served by leaning on other related definitions within the Internal WUI Code:  <a href="https://codes.iccsafe.org/content/IWUIC2018/chapter-2-definitions">https://codes.iccsafe.org/content/IWUIC2018/chapter-2-definitions</a></p> <p>Also, this website put together in Washington to help define and explain the WUI to a layperson audience includes some definitions to consider.  <a href="https://storymaps.arcgis.com/stories/7016c437623a445997c072a05e26afbb">https://storymaps.arcgis.com/stories/7016c437623a445997c072a05e26afbb</a></p>	<p><i>The website noted above for definition purposes may also be a good tool for Oregon to replicate to help landowners, renters and other affected communities to understand the policy updates being made in Oregon.</i>  <a href="https://storymaps.arcgis.com/stories/7016c437623a445997c072a05e26afbb">https://storymaps.arcgis.com/stories/7016c437623a445997c072a05e26afbb</a></p>
5	Special Districts	No comment	No comment

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6	AOC	County GIS Maps	I do not have any that I can think of at this moment.
7	AOCPD	I'm not aware of other tools at this time.	I don't know of any at this time.
8	OFIC	ODF forest classification maps, ODF forest classification committee prep materials, County CWPP's (community wildfire protection plans), population census data.	Some way to quickly identify occupied building density is going to be key moving forward.
9	OPOA	If Counties maintain GIS maps showing dwelling locations, ownerships, and parcel sizes, that might be a useful tool. If overlays showing slopes and predominant uses (maybe the most recent aeriels?) could be used, that would add needed info as well. Finally, info regarding fire protection (i.e., what agency provides fire service, where is the closest agency facility to provide that service, predominant fuel types (both vegetative and wildland) for the area, and what alternative water sources are available) would be a good guide.	
10	OSU	International Building Code, International Residential Code, National Institute of Building Science "Mitigation Saves" Report.	
11	WELC	<p>It strikes me that many of these resources will be useful for thinking about what kinds of classes of WUI we want to make, but they do not necessarily help us define the terms.</p> <p>For defining the terms, I also recommend looking at:</p> <ul style="list-style-type: none"> <li>• The Definitions in the International WUI code Link: <a href="https://codes.iccsafe.org/content/IWUIC2018/chapter-2-definitions">https://codes.iccsafe.org/content/IWUIC2018/chapter-2-definitions</a></li> <li>• The National Wildfire Coordinating Group Glossary of Wildland Fire Link: <a href="https://www.nwcg.gov/glossary/a-z">https://www.nwcg.gov/glossary/a-z</a></li> <li>• The Merriam-Webster Dictionary Link: <a href="https://www.merriam-webster.com">https://www.merriam-webster.com</a></li> <li>• US DOI Office of Wildland Fire (good definition of fuels) Link: <a href="https://www.doi.gov/wildlandfire/fuels">https://www.doi.gov/wildlandfire/fuels</a></li> </ul>	I am not currently aware of any additional tools beyond what I've mentioned above.

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		<p>For determining what lands should be inside/outside the WUI, and thinking about how to describe the five classes, I think we should also look at the US Forest Service’s Land and Resource Management Plans (LRMPs aka “Forest Plans”) which identify places that they believe their lands are adjacent to the WUI. LRMPs have management zones, just like private land use planning zones. These should be considered. There is likely to be a similar land classification system for the BLM, but I am less familiar with it. Given that over 50% of Oregon is in federal ownership, and that the vast majority of that land is the wildland from which wildfire may come, I think it will benefit the people of Oregon to integrate our WUI management with their existing systems of wildfire management</p>	
<p>12</p>	<p>OFB</p>		<p>You also asked about the data sets that might be useful in this exercise. Again, I view the development of definitions as a policy exercise – where we should decide what we want to regulate and use that to develop a definition, but it does seem like datasets would be useful in the development of criteria, which may make sense to move concurrently with these definitions. However, I might be better able to answer these questions once we have a more in depth and clear understanding of how ODF intends to actually approach the exercise of narrowing the overly broad WUI definition through criteria or further defining the terms in the WUI definition.</p>



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#	Organization	E) Topics for Discussion	F) Agenda or Process Suggestions	G) Other Comments or Recommendations
1	DLCD		<ul style="list-style-type: none"> <li>• How do we incorporate consideration of future development into establishing criteria that defines the WUI?</li> <li>• What best practices exist in Oregon for land use related protection? Where are they being successful? How were they developed?</li> <li>• What are the benefits of protecting people, property, and the environment from the impacts of wildfires for current and future generations?               <ul style="list-style-type: none"> <li>○ Fewer lives lost</li> <li>○ Fewer homes/structures lost to wildfire</li> <li>○ Fewer lives lost fighting wildfire</li> <li>○ Protecting public infrastructure and critical facilities</li> <li>○ Less disruption to business</li> <li>○ Preservation of natural resources and areas</li> <li>○ Preservation of timber and recreation economies</li> <li>○ Lower carbon emissions slows climate change</li> <li>○ Cleaner air</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>○ All structures developed in lands protected under forest zoning are required to implement and maintain protective space standards based on an ODF bulletin and are required to be sited in a way that minimizes risks associated with wildfires. Dwellings built on lands protected under forest zoning are required to have fire retardant roofing, chimneys with spark arresters and cannot be sited on a slope exceeding 40 percent. Dwelling development also requires a demonstration that fire protection and other emergency services can be provided to the property (access supports response vehicles) and that there is sufficient water available on site for suppression.</li> <li>○ These standards are often not enforced post-construction due to lack of enforcement funding and capacity.</li> <li>○ Conditional uses in forest zones are required to provide</li> </ul>

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			<ul style="list-style-type: none"> <li>• How does wildfire in the landscape effect both public health and impact our most vulnerable populations?</li> <li>• How does this affect our Agricultural land base?</li> <li>• How does this affect our Commercial Forest activities?</li> <li>• What type of structures/development are most vulnerable?             <ul style="list-style-type: none"> <li>○ Under-insured structures</li> <li>○ Quick to burn</li> <li>○ Farmworker housing?</li> <li>○ Agricultural out-buildings</li> <li>○ Storage buildings</li> </ul> </li> <li>• What populations are most likely to be displaced? (e.g., dwellings or other assets are not able to be replaced, jobs disappearing, etc.)</li> <li>• The intersection of wildfire and drinking water resources – contamination, access, community resources</li> <li>• Opportunities to rebuild structures that are damaged or destroyed</li> <li>• Ingress/Egress opportunities – how safe or likely is successful evacuation?</li> <li>• Community displacement</li> </ul>	evidence demonstrating that they will not significantly increase the fire hazard or increase fire suppression costs or risk to fire suppression personnel.
<b>2</b>	<b>1000 Friends</b>	Focus the discussions on section 33 of SB 762; avoid	I would like to start with presentations by ODF staff or other	

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		wandering into other sections that are not the core of this RAC's work.	experts/professionals on any best practices or standards - including any recommendations that ODF and/or the State Fire Marshal staff have - for the topic(s) we are going to discuss in that meeting. That seems to be generally how it is happening, but I want to reinforce that.	
<b>3</b>	<b>OSWA</b>		Take each word in the definition individually and create a shared understanding before moving on to the next one. ODF staff preparing a definition for each phrase that is distributed in advance of each meeting, and RAC members discussing each proposed definition at the following meeting.	
<b>4</b>	<b>TNC</b>	<p>The upcoming discussion should continue to center around the charge in section 33 of SB 762, rather than veer into topics covered by other sections of the legislation which will be debated and refined in subsequent rulemaking committees and in other agencies:</p> <p>SECTION 33. ORS 477.027 is amended to read: 477.027.</p> <p>(1) By [administrative] rule, considering national best</p>		

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		<p>practices, the State Board of Forestry shall establish:</p> <ul style="list-style-type: none"> <li>(a) A definition of “wildland-urban interface.”</li> <li>(b) Criteria by which the [forestland-urban] wildland-urban interface [shall] must be identified and classified.</li> </ul> <p>(2) The criteria [shall]:</p> <ul style="list-style-type: none"> <li>(a) Must recognize differences across the state in fire hazard, fire risk and structural characteristics within the [forestland-urban] wildland-urban interface.</li> <li>(b) May not exclude a category of land from inclusion in the wildland-urban interface.</li> </ul> <p>(3) Based on the criteria [shall include not less than three nor more than], the board shall establish five classes of [forestland-urban] wildland-urban interface.</p>		
<p><b>5</b></p>	<p><b>Special Districts</b></p>			<p>Has AOC or anyone from County agencies commented on the financial impact of new mapping? After speaking with our County</p>

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				Assessor Office, they felt there would be an impact to taxes received. It's not really my fight, but thought I would ask.
6	AOC	Less process and more substance. I would prefer for the RAC to have substantive discussions about the definitions rather than just be presented with a definition.	I think it would be important to determine if the group has specific lands we all agree should not be regulated as WUI and discuss how we would like to refine the definitions or criteria to meet that goal. For example, if the RAC has the consensus goal of not regulating an urban park as WUI, how do we achieve that goal?	
7	AOCPD	None at this time beyond working to define the terms listed above.		Knowing that there is a lot of contention on this topic, I hope going forward we can find and build from areas of agreement for defining the terms listed above.
8	OFIC		Until each step of the definition is hammered out, we should avoid broadening our scope. There is some confusion when I think about the process of defining the definition vs. establishing the criteria. Are they one in the same? Are they concurrent? This will need to be clarified and if they are within scope should be adequately addressed. Also, a good grounding in current WUI research and how other states/jurisdictions actually interpret	Stepwise approach. Take each word in the definition individually and create a shared understanding before moving on to the next one. It might be helpful ahead of each meeting for ODF to provide a few existing options for each word (if there are multiple) and then spend an entire meeting working on just that word (topic). If it goes quicker than that fine. But don't overload the agenda and then rush through each topic.

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			and apply their WUI definition would be important.	
9	OPOA		We need to allocate significant time to developing the criteria required by Section 33(1)(b) of SB 762 and identifying the risk classes required by Section 33(3) of the bill.	<p>In our opinion, we spend too much meeting time on process and too little on substance. We suggest taking each phrase in order, with ODF staff preparing a definition for each phrase that is distributed in advance of each meeting, and RAC members discussing each proposed definition at the following meeting. A logical breakdown would [be] to hold a meeting for the phrase “geographical area,” a second meeting to define “structures” and “human development,” a third meeting devoted to “meets” and “intermingles,” and a fourth meeting to define “wildland fuels” and “vegetative fuels,” and a final meeting to discuss the WUI definition with each word/phrase being defined.</p> <p>We also need to reserve ample time to work on the criteria required by Section 33(1)(b) of SB 762, and the five classes of WUI required by Section 33(3) of the</p>

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				bill, which are not established by the broad definition recommended by staff or being contemplated by the BOF.
10	OSU	How the definition of the WUI will influence mapping and resource allocation for mitigation – we might not know the answer to this, but it would be a good discussion. Perhaps having presentations by people on how tsunami inundation zone definition influenced these things would help people see the bigger picture and learn from other hazards.		It seems that much of the opinions of the RAC members comes from a place where they do not want to burden the members of their organization with additional costs of mitigation. I think that having a discussion of the road map of all the information from the RACs will feed into a broader mitigation program and the resources that will be available to their members this might alleviate this a bit.
11	WELC	As mentioned above, we need to identify the five classes of WUI required by § 33(3), and the criteria for being in and out of each.	We need to hear expert opinion on best practices for WUI criteria, and perspective from all the professionals – especially fire fighters – whose work is likely to be impacted. What have other states, and even other countries done? What are the impacts of various levels of preparedness on fire fighters? For example, public lands fire fighters I have spoken with have told tales of large numbers of resources sent to protect isolated houses. That meant that many – sometimes thousands – of additional	

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			acres of wildland forest (timber) burned because all the personnel were tied up on the houses. There are likely other consequences of our decisions that most of us are unaware of. We need to invite these experts to speak up, and help us set the context early in the process.	
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