Informational Session & Public Hearing
Wildfire Risk Mapping & Wildland-Urban Interface

April 19, 9am
April 20, 2pm
April 21, 7pm

Hearing Officer
Tom Fields

Presenter
Tim Holschbach
Agenda

- Summary of rule
- Public hearing overview
- Public hearing
Wildland-Urban Interface
SB 762, Section 33

- Significantly amends Oregon Revised Statutes (ORS) 477.015 to 477.064.

- Directed the Board of Forestry to establish a definition of Wildland-Urban Interface (WUI) within 100 days.
  - Completed October 20, 2021

- Additionally, the rules must establish criteria to identify and classify the WUI.
Statewide map of Wildfire Risk
SB 762, Section 7

• Requires the Oregon Department of Forestry (ODF) to oversee the development and maintenance of a comprehensive statewide map of wildfire risk that includes wildland-urban interface boundaries and wildfire risk classes by June 30, 2022.

  – Designates Oregon Wildfire Risk Explorer as the official map.

• Requires the final map to inform policy actions and programs as detailed in Senate Bill 762.
Rules Advisory Committee Process

- The Rules Advisory Committee (RAC) met 13 times between August 5 – February 10.

- The use of objective, scientific, quantifiable data in the recommendation and decision-making process was a guiding principle.

- Initial meetings involved subject matter presentations from Oregon State University and review of concept recommendations from the Department.

- Latter meetings transitioned to administrative rule language review, integration of RAC recommendations, and review of fiscal impact statement.
Rule Section Review
OAR 629-044-1000

• Purpose

  – The purpose statements of administrative rules are to connect the rule sections to the respective authorizing statutes.

  – Each purpose statement proposed correlates to the authorizing statutes of ORS 477.027 and ORS 477.490.
Rule Section Review
OAR 629-044-1005

• Definitions
  – The definitions proposed for this rule division are to provide clarification and context that was not clear in the law.

• Certain definitions are addressed in pairs.
  – “Structures” and “other human development”
  – “Wildland fuels” and “vegetative fuels”
Rule Section Review
OAR 629-044-1011

• Wildland-Urban Interface Identification Criteria
  – Proposed rule largely based on the Federal Register’s formulations.
  – Inclusion of undeveloped lands planned to meet the criteria for inclusion once developed.

• RAC expressed concerns about over-inclusion due to the definition of structure.
  – OAR 629-044-1011(2) intended to mitigate inflated structure densities.
For each pixel, calculate structure density $d$ within a buffer $r$.

$\text{Yes}$: $d > 6.17 \text{ structures/km}^2$?

$\text{No}$: $\text{Non WUI}$

For each pixel, calculate wildland vegetation cover within a buffer $r$.

$\text{Cover > 50% ?}$

$\text{Yes}$: $\text{Intermix WUI}$

$\text{No}$: $\text{Within 2.4 km of > 5 \text{ km}^2 \text{ of vegetation?}}$

$\text{Yes}$: $\text{Interface WUI}$

Calculate if pixel is within 2.4 km of a 5 km$^2$ area of wildland vegetation.

Rule Section Review
OAR 629-044-1016

• Periodic Wildland-Urban Interface Lands Identification and Classification

  – The intent of this proposed rule is to specify an update cycle pertaining to the Wildland-Urban Interface.
Rule Section Review
OAR 629-044-1021

• Wildfire Risk Classification and Wildfire Hazard Rating
  – Establishes the five wildfire risk classes
  – Based on factors of weather, climate, topography, and vegetation

• Class breaks determined utilizing a statistically objective methodology.
Rule Section Review
OAR 629-045-1025

• Statewide Wildfire Risk Map
  – Provides direction of how Oregon State University is to develop and maintain the wildfire risk map.

• Wildfire risk calculated as a combined value of wildfire frequency and wildfire intensity.

• Inclusion of a layer that displays socially and economically vulnerable communities.

• Establishes a 12-month update period when a new wildfire risk assessment is available.
Burn Probability
Wildfire Intensity
Rule Section Review
OAR 629-044-1031

• Notifications
  – Establishes how the Department informs the public of the wildfire risk map.

• Written notices issued as required.
  – Property owners designed as high or extreme wildfire risk.

• Additional outreach being conducted by the Department through non-written means.
Rule Section Review
OAR 629-044-1036

• Locally Developed Wildfire plans
  – Provide for a connection between local jurisdiction wildfire plans, property owners, and the wildfire risk map.

• Locally developed plans do not supersede the statewide wildfire risk map.
Rule Section Review
OAR 629-044-1041

• Appeal of Wildfire Risk Assignment
  – Specifies the process of how a property owner or local government may appeal the wildfire risk class assignment.
  – 60-day appeal window

• Very specific conditions specified in law.

• Successful appeals to be posted on Department’s website.
Is there a structure\(^1\) or other human development\(^2\)?

- Yes
  - Is there at least one structure or other human development per 40 acres?
    - Yes
      - Is there at least 50% vegetative\(^3\) or wildland fuels\(^4\)?
        - Yes
          - Interface Community:
            - Is the structure or other human development within 2.4 km (1.5 miles) of an area greater than 5 km\(^2\) (1.9 mi\(^2\)) with a minimum of 75% vegetative\(^3\) or wildland fuels\(^4\)?
              - Yes
                - Occluded Community:
                  - Is the structure or other human development within 2.4 km (1.5 miles) of an area greater than 2.6 km\(^2\) (1.0 mi\(^2\)) but less than 5 km\(^2\) (1.9 mi\(^2\)) with a minimum of 75% wildland or vegetative?
                    - Yes
                      - In WUI
    - No
      - Not in WUI

- No
  - Is the property approved for development, within the urban growth boundary or unincorporated communities, and meets the criteria for intermix or interface community?
    - Yes
      - Intermix Community:
        - Is there at least 50% vegetative\(^3\) or wildland fuels\(^4\)?
          - Yes
            - In WUI
          - No
            - Not in WUI
    - No
      - Not in WUI
WUI Definition: The geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels

What risk class are you in?

- None, low, moderate
  - No state regulation
- High or extreme
  - State regulation
Next Steps

• April 19-21, 2022 – Conduct public hearings.

• June 8, 2022 – ODF submits final proposed rule with public comments to Board of Forestry for approval.

• June 20, 2022 – Submit rule to Secretary of State and Legislative Counsel for filing. Effective date June 30, 2022.
Questions?

Additional comments and questions can be email to:

sb762.rulemaking@oregon.gov