



RAC 1 Meeting Summary for August 3, 2021



Agenda

- 1) Welcome and Zoom Introductions
- 2) Agenda Review
- 3) Introduction of First-time Members
- 4) Review Charter Survey Summary and Finalize Charter
- 5) Wildland-Urban Interface Definition Exercises
- 6) Public Comment
- 7) Next Steps and Concluding Remarks

Participants (See list on page two)

Polling Issues (See below for results)

- 1) Do you support the Draft Charter?

Next Steps/Action Items:

Action Items	Who?	By When?
Topic 1: Charter		
a) Agree to Charter	RAC	During meeting
Topic 2: Meeting Activities		
a) Agree not to do the "Umbrella Question" exercise	RAC	During Meeting
Topic 3: Next Steps		
a) WUI definition exercise due date	RAC	Friday, 12:00 pm
b) Meeting 2 Evaluation due date	Facilitation team	Friday, 12:00 pm

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



RAC 1 Meeting Summary for August 3, 2021



Poll #: 1

Question: Do you support the Draft Charter?

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		0			
Office of the State Fire Marshal	Travis Medema / (Chad Hawkins)				X	
Oregon Farm Bureau	Mary Anne Cooper				X	
Oregon Fire Chiefs Association	Nicole Hazelbaker		0			
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				
Oregon State University - Extension	Chris Dunn / (Erica Fisher)	X				
Sisters Fire	Roger Johnson				X	
Special Districts Association	Michele Bradley / (Jason Jantzi)		0			
Sustainable Northwest	Dylan Kruse				X	
The Nature Conservancy	Amelia Porterfield				X	
Tualatin Valley Fire	Les Hallman	X				
Western Environmental Law Center	Pam Hardy				X	
Totals:		3	3	3	15	0
Code:		Not Here	Abstain	1	2	3



RAC 1 Meeting Summary for August 3, 2021



RESULT: Consensus

Summary of Major Reasons in Support: See Meeting Recording and Member Submissions, which are in the Meeting Chat, below.

Minority Proposal: See Meeting Recording and Member Submissions, which are in the Meeting Chat, below.

Summary of Major in Reasons in Opposition: See Meeting Recording and Member Submissions, which are in the Meeting Chat, below.

MEETING CHAT:

- 10:04:14 From Carol Trenga : Good morning, Carol Trenga with OR Health Authority
- 10:07:36 From Jason Cox - ODF : RAC members - if you have not already, please rename yourself with "RAC -" in front of your name. Thank you!
- 10:18:10 From N Palmateer Hazelbaker : Nicole Palmateer Hazelbaker is here for the Oregon Fire Chiefs Association. Thank you.
- 10:22:03 From RAC Mary Anne Cooper, Oregon Farm Bureau : Did everyone get the charter feedback opportunity? I never saw it and just checked back through my email and don't see it. I got the meeting evaluation...
- 10:22:18 From RAC Mary Anne Cooper, Oregon Farm Bureau : The low number of responses made me wonder if others didn't get it either...
- 10:25:47 From RAC - Pam Hardy : 2 - It's very good, but some good points were raised such as whether we realistically have the facilities to evaluate fiscal impact.
- 10:26:08 From RAC - Leti Moretti (she/ella) : I got the email yesterday
- 10:26:57 From RAC Roger Johnson : 2- I think the two requirements in the fiscal impact section may be difficult to address within the timeline provided.
- 10:27:05 From RAC Mary Anne Cooper, Oregon Farm Bureau : I voted 2 - I would like to see the discussion of science based modified - this is largely a policy decision, not a scientific exercise.
- 10:27:24 From RAC - Amanda Astor - AOL : 2
- 10:27:25 From RAC, Lauren Smith- AOC : I share the concerns raised by Mary Anne regarding the guiding principles
- 10:27:36 From RAC Kyle Williams (OFIC) : 2 - the guiding principles stating "must" use national standards is a bit confusing. Is there room to modify? does it have to be an existing definition? or is it simply the goal to use them as a foundational starting point.



RAC 1 Meeting Summary for August 3, 2021



10:27:46 From RAC Mary Kyle McCurdy (she/her) : My concerns about how the fiscal impact is evaluated, and the reference to ORS 477.005, and the need to fix out the RAC members, were in my charter survey answers

10:27:46 From RAC - Leti Moretti (she/ella) : I agree with concerns brought up by Mary

10:28:06 From RAC - Amelia Porterfield : 2 - reiterating my comments from the survey around the fiscal and the unrelated inclusion of suppression and forest resource preservation

10:28:18 From RAC - Tanner Fairrington : 2 - (RAC) Tanner Representing OFMA - Comment: there seemed to be concerns over the fiscal impacts. As others mentioned, considering fiscal impacts would seem require considering the connection between defining the WUI, the mapping, and further code and process decisions. Clarification on the scope of addressing fiscal impacts may be helpful.

10:28:28 From RAC - Samantha's Bayer, OPOA : OPOA also shares Mary Anne and Kyle's concerns. It is unclear if the Charter matches the language of SB 762 regarding National Principles.

10:28:53 From RAC Mary Anne Cooper, Oregon Farm Bureau : Would like to change "The use of objective, scientific, quantifiable data is the cornerstone of the recommendation and decision-making" to "The recommendation and decision-making will be made considering all relevant policy considerations and any appropriate objective, scientific, quantifiable data."

10:29:39 From Millie Audio : If you selected 1 please type a 1 in the chat

10:30:00 From RAC-Jim McCauley, LOC : Agreed

10:32:16 From RAC Mary Anne Cooper, Oregon Farm Bureau : All of those things flow from the definition of the WUI - the WUI shouldn't include things we never intend to regulate. And what we should regulate or not is unequivocally a policy choice.

10:32:56 From RAC Mary Anne Cooper, Oregon Farm Bureau : Fiscal impact statements are required by Oregon law...I don't think the agency can choose not to do one.

10:33:21 From RAC- Bob Horton, Fire Dist 3 : 1

10:33:51 From RAC - Jon Jinings, DLCD : That is my understanding as well. We always are required to prepare one for LCDC rulemaking.

10:34:08 From RAC: Dylan Kruse - Sustainable Northwest : Yes, I believe it is required for all rulemaking

10:34:55 From RAC, Lauren Smith- AOC : From the local government perspective- anything in the WUI-regardless of what level per the Risk Mapping- will have some impact on local land use planning which could have a fiscal impact

10:35:14 From RAC - Jon Jinings, DLCD : We typically address the Fiscal Impact towards the end of the process.



RAC 1 Meeting Summary for August 3, 2021



10:36:45 From RAC - Pam Hardy - Western Env Law Center : Agree with Mary Kyle - there are *so* many future decisions (building codes, defensible space rules) that will affect fiscal impact that I don't think it's realistic to evaluate fiscal impacts of the mere definition.

10:40:37 From RAC Mary Anne Cooper, Oregon Farm Bureau : We have to evaluate the fiscal impact. It's a legal requirement. I'm not totally sure why we are discussing it.

10:41:17 From RAC: Dylan Kruse - Sustainable Northwest : Agree that we need to do the fiscal

10:41:22 From RAC Mary Anne Cooper, Oregon Farm Bureau : 183.335 (E): 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. 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. For an agency specified in ORS 183.530, the statement of fiscal impact shall also include a housing cost impact statement as described in ORS 183.534;

10:44:24 From RAC Mary Kyle McCurdy (she/her) : Mt comment on the charter - that was proved to all in advocate and as I stated here - states that a fiscal impact analysis is required. But it must be focused on the WUI definition, not on the various ways it might or might not play out in later actions called out in the bill re: defensible space, etc... When those later rules are considered , that is when those impacts should be evaluated

10:44:47 From RAC-Jim McCauley, LOC : having technical issues on my end, mic is cutting in an out.

10:45:03 From RAC- Bob Horton, Fire Dist 3 : I read the edit as the four bullets also could not be used...

10:46:14 From RAC Mary Anne Cooper, Oregon Farm Bureau : I like Pam's idea!

10:47:12 From RAC Mary Anne Cooper, Oregon Farm Bureau : Members will consider policy implications in their recommendation and decision making?

10:47:30 From RAC - Samantha's Bayer, OPOA : Yes, I like that language from Mary Anne.

10:47:30 From Carol Trenga OR Health Authority : Rather than "could" I suggest language like "will include and are not limited to..."

10:48:04 From RAC - Tanner Fairrington : I agree with Pam and Carol's suggestions

10:50:00 From RAC - Amelia Porterfield : Mary Kyle's distinction is important on the fiscal - it should remain related to the WUI definition but not extend to all potential subsequent policy decisions. I'd also hope we could consider positive fiscal impacts. There could be financial benefit for living in an area that's better protected from fire. That could definitely be a selling point and enhance value.

10:53:08 From RAC - Lindsey Eichner (Alternate) : I support these changes, but with Carol's recommendation to use 'will' rather than 'could'



RAC 1 Meeting Summary for August 3, 2021



- 10:53:45 From Michele Tesdal : Thank you Samantha Bayer. Landowners need to be considered.
- 10:53:55 From Carol Trenga OR Health Authority : Re: the last comment about social vulnerability--there is quantifiable data that is used to identify vulnerable populations, for example, income, access to health insurance. It is an important part of characterizing populations. See, for example, CDC's social vulnerability index, which includes mapping.
- 10:55:29 From RAC Mary Anne Cooper, Oregon Farm Bureau : I believe the bill allows regulation across all risk classes, so the definition is very critical.
- 10:59:14 From RAC Mary Anne Cooper, Oregon Farm Bureau : That's a good question, Tanner, and one that agency direction on would be useful as we all clearly do not have agreement.
- 11:01:04 From RAC - Erica Fischer : I agree with Amelia's comments - thank you! I think I am not clear from a policy standpoint if we strategically decide to not include areas in a WUI definition or in a high risk because of impacts to land owners, what are the implications when wildfires do impact those areas?
Socially vulnerable groups have a long history of not having risk communicated properly to them through mapping with flooding and hurricane risk. I do hope that we learn from these previous disasters to not repeat these mistakes for wildfires.
- 11:03:12 From RAC - Pam Hardy - Western Env Law Center : I like what Sam is saying! This language does not put a thumb on the scale on either side - except the side of a realistic look at facts. Let's move on.
- 11:04:22 From RAC Mary Kyle McCurdy (she/her) : Erica and Tanner make excellent points about the importance of a straightforward definition of the WUI. The many implications are for later decision-making on issues of defensible space, wildfire smoke interventions, communication networks, wildfire risk map, etc...
- 11:08:31 From Carol Trenga OR Health Authority : I agree with Bob that "could" is problematic.
- 11:09:04 From RAC Mary Kyle McCurdy (she/her) : I agree with Bob
- 11:09:07 From RAC - Pam Hardy - Western Env Law Center : I agree with Bob.
- 11:09:53 From RAC: Dylan Kruse - Sustainable Northwest : Agree
- 11:09:57 From RAC - Erica Fischer : That revision sounds great!
- 11:09:58 From RAC - Amelia Porterfield : agreed - this is an improvement
- 11:10:08 From RAC Roger Johnson : I support that change
- 11:10:18 From RAC - Lindsey Eichner (Alternate) : I like the changes here
- 11:10:25 From Carol Trenga OR Health Authority : I support that, thank you.
- 11:10:32 From RAC Mary Kyle McCurdy (she/her) : Better
- 11:10:45 From RAC - Amanda Astor - AOL : Agree



RAC 1 Meeting Summary for August 3, 2021



- 11:15:36 From RAC - Amelia Porterfield : could we remove the word 'adverse'?
- 11:15:44 From Carol Trenga OR Health Authority : I like Tanner's suggestion--doesn't the fiscal impact depend on how the WUI boundary is drawn?
- 11:17:16 From RAC - Pam Hardy - Western Env Law Center : The fiscal impact statement must be included, but it also sounds like we can be quite general - on both the positive & negative sides - and state that the extent to which there is ultimately an impact depends on certain future rulemaking, and (of course) what sorts of wild fires we are (aren't) hit by the future.
- 11:18:05 From Carol Trenga OR Health Authority : Thank you Lauren, that's helpful information.
- 11:18:37 From RAC - Lindsey Eichner (Alternate) : Thanks Lauren.
- 11:31:17 From RAC - Amelia Porterfield : I agree with Mary Anne that this process risks being a diversion from the task of the RAC and bringing in more issues outside the core goals of the charter.
- 11:32:08 From RAC, Lauren Smith- AOC : I agree- I would like to prioritize the short amount of time we have on the discussion of the definition of WUI
- 11:42:08 From RAC Jason Jantzi SDAO : Does anyone on the RAC or ODF know if there are other definitions of things like farms, cultivated lands, etc.?
- 11:43:00 From Richard Gibson : Don't you need to start with an understanding/definition of "wildland"?
- 11:44:40 From RAC - Jon Jinings, DLCD : We use terms similar to "farms or cultivated lands..." in some of our rules
- 11:48:18 From Michele Tesdal : Michele Tesdal
- 11:50:29 From Derrick Wheeler : Derrick Wheeler