



## Wildland-Urban Interface and Statewide Wildfire Risk Mapping Rulemaking Advisory Committees (RACs) No. 1 and 2 Draft Process Topics for September 16, 2021 Joint Meeting

### A) Three Major Discussions:

- 1) Review Updated Workplan
- 2) Homework Assignment
- 3) Schedule/Meeting Pace

### B) Refreshing the Frame for Context:

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:

- (a) A definition of “wildland-urban interface.”
- (b) Criteria by which the [forestland-urban] wildland-urban interface [shall] must be identified and classified.

(2) The criteria [shall]:

- (a) Must recognize differences across the state in fire hazard, fire risk and structural characteristics within the [forestland-urban] wildland-urban interface.
- (b) May not exclude a category of land from inclusion in the wildland-urban interface.

### C) ODF Responses to RAC 1 Phase Two Homework for Context

RAC Comment	ODF Response
What is the difference between defining terms in the definition and criteria development? Are these one in the same or will the definitions be broad and refined with criteria? Are they concurrent?	Terms such as “wildland fuels” will identify something specific. The criteria are how the terms describe an area, for example, of how to identify the WUI, 1 structure/40 acre with >50% wildland/vegetative fuels. The formulation would be the criteria.
How will the definition of the WUI will influence mapping and resource allocation for mitigation?	There are several references in the full bill of mitigation being directed to be in and around the WUI. However, the allocation is outside of the scope of this committee.
A good grounding in current WUI research and how other states/jurisdictions actually interpret and apply their WUI definition would be important.	Planning on having Dr. Fisher present on her research pertaining to the WUI and home loss characteristics.
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	Section 32(2)(b) does not allow for exclusion of any types of land from consideration.

<p>like to refine the definitions or criteria to meet that goal.</p>	
<p>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 these things would be part of the WUI under the current definition.</p> <p>What are the next steps to further refine/narrow the WUI definition to ensure these features are not included?</p> <p>If continuing the 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>	<p>Fences, irrigation ditches, and trails would not meet the requirement of a “structure” as proposed.</p> <p>The next steps are to define additional key terms that, in combination with the criteria developed, will facilitate drawing of lines identifying the WUI.</p> <p>Each topic is identified in the work plan.</p>
<p>How do we incorporate consideration of future development into establishing criteria that defines the WUI?</p>	<p>The statewide map of wildfire risk will project beyond the WUI boundaries. This will for communities to plan according to the risk. Each update to the statewide risk map, as well as the WUI boundary adjustment, will further allow for community planning.</p>
<p>What best practices exist in Oregon for land use related protection? Where are they being successful? How were they developed?</p>	<p>The Oregon land use planning program is widely recognized for its pioneering efforts to preserve the principle of local responsibility for land use decisions while simultaneously defining a broader public interest at the state level.</p> <p>One aspect of this land use program is Urban Growth Boundaries. The intent of UGBs is not to limit growth but to manage its location.</p> <p>An example of this is Oregon's rate of farmland loss. Between 1978 and 1992, California lost 11.5% of its farm</p>

	acreage; Idaho lost 8.4%; Washington, 6%; and Oregon, 2.5%.  These best practices and programs were developed though extensive public engagement.
What are the benefits of protecting people, property, and the environment from the impacts of wildfires for current and future generations?	The benefits include providing for a safe and resilient community, protection of property, life, and assets, as well as providing for homes for future Oregonians.

## D) Updated Workplan Discussion Questions to Frame RAC Recommendations

### RAC 1

1. Should the Department define “vegetative fuels” as “any land or clearing that, during any time of the year, contains enough growth, slash or plant growth to constitute, a fire hazard, regardless of how the land is zoned or taxed.”
2. Should the Department define “wildland fuels” as “woodland, brushland, or timberland?”
3. Should the Department of Forestry define “geographic area” as “An area of land that can be considered as a unit for the purposes of some geographical classification?”
4. Should “structures” be defined as “a permanently sited building on a tax lot that is used as a home, residence, or sleeping place by one or more people who maintain a household in the structure?”
5. Should the Department of Forestry define “other human development” as “fundamental facilities, communication, energy and transportation that supports a populated area?”
6. Additionally, should the department consider future growth, including planned undeveloped urban growth boundaries as within the WUI boundary?
7. Should the Department of Forestry utilize census blocks as a basis to determine WUI mapping?
  - a. Should ODF adopt the national standard of 1 structure per 40-acre block?
8. Should the Department recommend rules consistent with regional and federal guidelines as follows:
  - a. “Meets” (interface) 1 structure/40 acre with >50% wildland/vegetative fuels;
  - b. “Intermingles” (Intermix) 1 structure/40 acre with a 2.4 km buffer into the community from and area with >75% wildland/vegetative fuels

### RAC2

9. Should OSU update the wildfire risk map within 12 months after any updates to the Quantitative Wildfire Risk Assessment?

- a. Would a longer/shorter interval be more ideal?
10. Should wildfire risk be calculated as a combined value of how often wildfires occur and intensity of such wildfires?
    - a. If not, which one?
  11. How should wildfire risk classes be set?
    - a. Should the 5 wildfire risk classes be a static value risk spectrum?
    - b. Should the 5 risk classes be an assigned proportion of the overall risk spectrum?
  12. Should annual vegetation fuel loading be measured when “fire season” occurs?
  13. Should interim disturbances (large wildfires) be taking into account?
    - a. If so, at what scale? Greater than 50,000 acres?
  14. Measure 56 requires certain property owner noticing requirements. Should the Department noticing for high and extreme classifications be issued by written letter to meet the noticing requirements? (ODF will provide more specificity on this topic.)

#### E) General Discussion Flow

1. Raise the question
2. ODF and/or OSU recommendation(s)
3. Basis for recommendation
4. What recommendation does NOT mean/include
5. RAC clarifying questions
6. Member discussion
7. Preliminary and/or final polling, as needed
8. If consensus, document
9. If no consensus, document
10. Opportunity for RAC member comments to accompany ODF Staff Report to Board

#### F) Updated Workplan if Move to Two, Longer RAC Meeting/Month

Date	Topic	Meeting Theme(s)	Agenda Questions
9/16/2021	Joint RAC Meeting	Process: Updated Workplan and Meeting Pace  Substantive Discussion: RAC 2 Issues	9. Should OSU update the wildfire risk map within 12 months after any updates to the Quantitative Wildfire Risk Assessment? <ol style="list-style-type: none"> <li>a. Would a longer/shorter interval be more ideal?</li> </ol> 10. Should wildfire risk be calculated as a combined value of how often wildfires occur and intensity of such wildfires? <ol style="list-style-type: none"> <li>a. If not, which one?</li> </ol>
9/23/2021	WUI	Definitions - Wildland/Vegetative Fuels	1. Should the Department define “vegetative fuels” as “any land or clearing that, during any time of the year, contains enough growth, slash or plant growth to constitute, a fire

			<p>hazard, regardless of how the land is zoned or taxed.”</p> <p>2. Should the Department define “wildland fuels” as “woodland, brushland, or timberland”?</p>
10/14/2021	Statewide Risk Map	Wildfire Risk class establishment	<p>11. How should wildfire risk classes be set</p> <ol style="list-style-type: none"> <li>Should the 5 wildfire risk classes be a static value risk spectrum?</li> <li>Should the 5 risk classes be an assigned proportion of the overall risk spectrum?</li> </ol> <p>12. Should annual vegetation fuel loading be measured when “fire season” occurs?</p> <p>13. Should interim disturbances (large wildfires) be taking into account?</p> <ol style="list-style-type: none"> <li>If so, at what scale? Greater than 50,000 acres?</li> </ol>
10/28/2021	WUI	Definitions - Structures, Other Human Development	<p>3. Should the Department of Forestry define “geographic area” as “An area of land that can be considered as a unit for the purposes of some geographical classification”?</p> <p>4. Should “structures” be defined as “a permanently sited building on a tax lot that is used as a home, residence, or sleeping place by one or more people who maintain a household in the structure”?</p> <p>5. Should the Department of Forestry define “other human development” as “fundamental facilities, communication, energy and transportation that supports a populated area”?</p> <p>6. Additionally, should the department consider future growth, including planned undeveloped urban growth boundaries as within the WUI boundary?</p>
11/18/2021	Joint?		
12/9/2021	WUI	Presentation of WUI Risk to homes, criteria development	<p>7. Should the Department of Forestry utilize census blocks as a basis to determine WUI mapping?</p> <ol style="list-style-type: none"> <li>Should ODF adopt the national standard of 1 structure per 40-acre block?</li> </ol> <p>8. Should the Department recommend rules consistent with regional and federal guidelines as follows:</p>

			<ul style="list-style-type: none"> <li>a. "Meets" (interface) 1 structure/40 acre with &gt;50% wildland/vegetative fuels;</li> <li>b. "Intermingles" (Intermix) 1 structure/40 acre with a 2.4 km buffer into the community from and area with &gt;75% wildland/vegetative fuels</li> </ul>
12/23/2021	Statewide Risk Map	Notification and appeal process	<p>14. Measure 56 requires certain property owner noticing requirements. Should the Department noticing for high and extreme classifications be issued by written letter to meet the noticing requirements?</p> <p>*Appeal questions still being researched at this time.</p>
1/13/2022	Joint	Compilation of full rule drafts	
1/27/2022	Joint	Overview of full rule, discussion of staff recommended fiscal impact analysis	
2/10/2021	Joint	Present final rules, BOF staff report, rule filing forms, and fiscal impact analysis	

**G) RAC Homework for next Meeting**

- 1) Please review the following list to determine if any key questions are missing. If yes, please list them.
- 2) Please provide your PRELIMINARY comments\* on the following specific questions.  
Tentative Questions From Above List:
  1. Should the Department define "vegetative fuels" as "any land or clearing that, during any time of the year, contains enough growth, slash or plant growth to constitute, a fire hazard, regardless of how the land is zoned or taxed."
  2. Should the Department define "wildland fuels" as "woodland, brushland, or timberland"?

**H) Schedule/Meeting Pace Discussion and Polling**

Current Meeting	ODF-Proposed Changes	RAC Polls (1-2-3)
Four RAC meetings/month (Two RAC 1 and Two RAC 2)	Two RAC meetings per month (Likely one RAC 1 and one RAC 2 with some joint meetings)	1) Are you OK with meeting longer on the 2 <sup>nd</sup> and 4 <sup>th</sup> Thursdays of each month? (If yes, we'll move to times. If no, we'll dive into each element.

		2) Are you OK meeting twice a month (longer meetings) versus 4/month (shorter meetings)?
Every week	2 <sup>nd</sup> and 4 <sup>th</sup> weeks	3) Are you OK with the second and fourth weeks of the month?
RAC 1: TUE / RAC 2: THR	Thursday	4) Do Thursdays work for you?
10:00 AM to Noon	Two Options: A) 9 to 1 with breaks, or B) 10 to 3 with hour lunch?	5.A) Can you do 9 to 1?
		5.B) Can you do 10 to 3?

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