
Chair Browning thanked the council members for the work done in the work groups so far. He asked Mary Kyle McCurdy and Dave Hunnicutt, chairs of the WUI work group to give an update on the groups work so far. So far relevant agencies have been presenting to the work group. Members of the workgroup have volunteered to draft different sections of the workgroup's report.

Work group 2: Wildland Urban Interface

Building Codes

Mary Kyle McCurdy presented to the council on the workgroups discussions relating to wildfire building codes. Member McCurdy identified two primary questions that the workgroup had for the council to consider: 1. Whether there should be funding to assist building owners that cannot afford to meet updated building codes requirements, and 2. What should happen in jurisdictions that have already adopted R327 locally?

On the first question, the workgroup did not have a consensus one whether or not that funding should be recommended, but if it were recommended, the workgroup did have a consensus that the funding should be prioritized based on the risk associated with the location of the building and the income of the owner. Director Grafe clarified that implementing wildfire mitigation building codes is one area of SB 762 that is not funded. The council discussed some issues surrounding implementation of wildfire mitigation building codes standards. Issues discussed included: the need for long term funding on projects like this extending beyond the biennium, what an assistance program like this may look like, extent of the council and workgroups scope in determining the details of the program versus providing a more generalized recommendation. Director Grafe noted that today's discussion may be a good venue for general discussion and reactions, and it could be continued at a future meeting validating the findings of the workgroups.

On the section question, the council discussed the issues around whether a local jurisdiction that has already adopted R327 should be grandfathered into the new building codes regime. Issues discussed by the council included: the number of jurisdictions that had adopted R327 locally, the desire among those jurisdictions to be grandfathered in, the impact on the statewide building code of certain jurisdictions using a different methodology for applying R327, the preference for local control in local jurisdictions, the issue of preemption, the desire to allow SB 762 to play out before tinkering with the mechanisms of the bill. Chair Bennet stated that this would be revisited during the Council's September meeting.

Council Decisions

During the council's discussion on building codes, the council also had a discussion on how it would handle determining consensus/decision making during these meetings. E J Davis advised the council that ultimately the council is an advisory body not a decision-making body and that including multiple perspectives in any recommendation that comes out of the council is within the council's mandate. Documenting the full scope of perspectives is preferable to forcing consensus where it doesn't exist. The council discussed pros and cons of a few different approaches but settled on a gradient system with four options: full support, support with reservations, do not support, neutral.

Defensible Space

Dave Hunnicutt presented to the council on the WUI workgroup's discussions on defensible space. He also listed the topic areas that the workgroup has yet to bring to the council: insurance, mapping, and land use. Member Hunnicutt clarified that defensible space is the area surrounding a building, not the entire field in cases of agricultural property. The council discussed the risk impact of maintained and or irrigated vegetation surrounding a building and, in the areas, not immediately surrounding a building, such as a farmer's field. Member Nick Browne clarified that generally irrigated and maintained vegetation is not considered vegetative fuel. Chad Hawkins, OSFM, clarified that "maintained" in this context is defined in the defensible space codes. There was also discussion on the intersection of this area of discussion by the WUI workgroup and the best management process

focus group run by OSFM.

The council utilized the decision system decided on earlier in the meeting to address the workgroups proposal that cultivated vegetation that is irrigated and maintained or maintained throughout the year would not be included in the category of wildfire fuels. The council approved unanimously.

The council discussed the workgroups concerns over one time funding and potentially exploring FEMA funding options to supplement the funding included in SB 762. Director Grafe requested that the council hold off on determining a recommendation until he can look into this further.

Dave Hunnicutt introduced the issue of local control on defensible space standards to the council and stated that while SB 762 allows for some local control on the issue, there isn't much guidance in the bill. The workgroup has not yet discussed this issue, but he did want to flag it for discussion by the council. The council confirmed that local jurisdictions did have the authority to go above but not below the OSFM defensible space standards. This could include using stricter standards in high and extreme risk areas or extending the standards beyond the high and extreme risk areas. The council discussed how the process would work if a local jurisdiction chose to go this route. Chair Bennett stated that this topic would be revisited in September as part of the Council's report.

Work Group 3: advancing fire protection

Allen Berreth gave a general status update for the work of work group 3. The work group has been meeting weekly and receiving presentations from relevant agencies. Some themes of the discussions so far include what does it look like maintaining these programs long term, securing resources for programs in the future, what metrics should the programs use to measure success, how can the programs measure the reductions in risk.

Susan Jane Brown updated the council on the workgroup's work relating to resiliency. So far it has mostly been taking in information. The group will move towards making recommendations in August. Member Brown noted that some of the work being done by ODF is complicated by difficulty on the staffing side.

Jim McCauley talked about the groups work relating to the small forest land-owner grant program. He stated that the work has largely been informed by ODF so far. Discussed issues with a potential funding gap for the program. Also posed the question of whether land that should be treated would potentially be missed because of the small acreage requirement.

Work Group 1: Editorial and Alignment

EJ Davis presented on behalf of the workgroup. She stated that the goal of the workgroup was to facilitate the work of the other two workgroups and to make sure it becomes a cohesive whole. The group will provide feedback to the other two workgroups on their work so far. Working to keep everything in the approved format and to highlight areas of consensus and also varying viewpoints.

Chair Bennett brought up some items that were still outstanding. The report out of DLCD is due in October as well as the council's report. Director Grafe stated that because the council is required to assess the DLCD report it may be necessary to have an addendum to the council's report that comes out later addressing the DLCD report. There was some discussion of workgroup two reporting back to the council after it meets with DLCD on July 22, but the DLCD report would not be final by then. Work group 2 is going to take the lead on addressing the DLCD report and the council as a whole will be having an additional meeting in September (September 26th) to finalize the council's report.

1300

Public Comment

All

The meeting was opened for public comment and no public comment was received. Future requests for public comment can be sent to Jacque.Carlisle@oregon.gov.

1315

Fire Protection Financing

Director Grafe

Director Grafe shared a document tracking SB 762 appropriations ([link to document](#)). The gap between what is initially invested in SB 762 and what is carried forward is about \$150 million. Of course, the new governor will have a say in her budget as well. The council discussed the durability of funding for various programs created and/or funded under SB 762.

Director Grafe talked about the challenges presented by the increased cost of addressing wildfires in the state. The ten-year average for large fire costs to OSFM and ODF is a total of \$85 million combined. The agencies are not budgeted for these costs and the five-year average has been closer to \$110 million. OSFM and ODF have prepared concepts for the next legislative session addressing this shortfall and relieving the burden on the emergency board, agencies loans, and agency operational budgets. Chair Bennett stated that there may be a need in the future for a meeting specifically on addressing these finance concerns.

1330

WUI Mapping and Communication Strategies

All

Mike Shaw from ODF talked to the council about the publishing of the Wildfire Risk Map and the communication strategies surrounding the map. The map was published on June 30, and it has generated a lot of public interest. ODF as well as downstream agencies have been fielding questions from property owners. Next, all landowners in high and extreme risk zones will receive notification from ODF. These letters start the clock on appeals. Tim Holschback confirmed that the risk classification was appealable, but not the WUI, but that information in the appeals would be used to assess the integrity of the WUI designation. Council Member Hunnicutt voiced some concern that not allowing appeals of WUI designation may create a legal problem and suggested talking with DOJ.

Chris Dunn from Oregon State University presented a virtual tour of OSU's web-based resources about the map and its development ([link](#)). Dr. Dunn reviewed the process that went into developing the risk map. First, they started with the wildland urban interface definition. Then they progressed through three stages of mapping: mapping structure density, mapping proximity to combustible vegetation, and assessing risk to structures. Dr. Dunn reviewed the methodology for each of these phases.

The council had several questions for Dr. Dunn. Chair Bennet asked about agricultural properties where a structure is surrounded by largely or entirely irrigated land; Dr. Dunn explained that it would be hard to tell without looking at a specific property, but that irrigation was not the only factor on burn probability. Mary Kyle McCurdy asked about single ownership of large resort style properties and if this could mask a property that should be identified as a WUI; Dr. Dunn agreed that it could. Joshua Shaklee asked about land that had recently burned being in moderate risk class; Dr. Dunn confirmed that the recent burn may have lowered the risk class but that in the future the risk class would like rise as fuels returned. Dave Hunnicutt asked about whole towns being included in the WUI; Dr. Dunn said that a mile and a half boundary extended from concentrations of vegetative fuels and that this could include entire towns.

High level overview from OSFM and DCBS

Claire McGrew talked about OSFM's strategies on communicating what defensible space is and why it is important. The agency is developing tentative plans for in-person meetings around Oregon. The agency is maintaining documentation that will reflect progress and implementation changes as well as information about impacts and grant opportunities.

Alana Cox presented an update on Building Codes Division's SB 762 implementation. She emphasized that building codes changes are not retroactive and will not require any immediate action on existing buildings. Once the new codes are mandatory and they will apply to new construction and to remodels and additions to existing buildings. BCD is partnering with contractors and local jurisdictions to help with communications as we get closer to the new codes being effective.

Alex Cheng from the division of financial regulation talked about the impacts on the insurance market. He said that the feedback from the insurance industry is that there should not be much of an impact and that this type of data is already being taken into account when insurance companies set rates.

1600

Wrap Up

Chair Bennett

Director Grafe closed by saying that the first iteration of the map and early stages of SB 762 implementation is a big lift but that it is important in advancing fire protection in Oregon.