



**ODF Wildland-Urban Interface and Statewide Wildfire Risk Mapping
Rulemaking Advisory Committee (RAC)
January 13, 2022 Meeting Summary**

I. Agenda

Time	Agenda Item
8:45 – 9:00 a.m. (15 mins)	<i>Pre-Meeting: Project Team Joins Early</i>
9:00 – 9:10 a.m. (10 mins)	Welcome, Agenda & Materials <ul style="list-style-type: none"> • Welcome and Updates from ODF • Agenda Review
9:10 – 9:15 a.m. (5 mins)	Schedule & Key Dates
9:15 – 9:20 a.m. (5 mins)	RAC Flowchart (PP) Update
9:20 – 9:25 a.m. (5 mins)	Fiscal Impact Plan
9:25 – 12:45 a.m. (200 mins) 11:00 – 11:15 a.m. <i>Stretch Break</i>	Review Draft OAR Agency Doc. Language <ul style="list-style-type: none"> • Overview of feedback received and ODF responses • Review language section by section • Homework feedback plan
12:45 – 12:55 p.m. (10 mins)	Public Comment
12:55 – 1:00 p.m. (5 mins)	Process Check-in, if Needed Next Steps <i>Confirm action items, discuss follow-up, and share topics for next meeting.</i>
1:00 p.m.	Adjourn

II. Relevant Links

1. Oct. 14th, 2021 Official Meeting Record: See, <https://www.oregon.gov/odf/board/Pages/rac.aspx>
2. ODF RAC Website: <https://www.oregon.gov/odf/board/Pages/rac.aspx>
3. Oregon Explorer Natural Resources Digital Library: <https://oregonexplorer.info/topics/wildfire-risk?ptopic=62>
4. Oregon Explorer Statewide Map: https://tools.oregonexplorer.info/OE_HtmlViewer/index.html?viewer=wildfireplanning



III. RAC Discussion Protocol on ODF Recommendations

(Modified During 10-14-21 RAC Meeting)

1. State Question
2. ODF and/or OSU Recommendation(s)
3. Use: a) OAR, b) Implementation, or c) Both
4. Basis for Recommendation (e.g., the reasoning behind it.)
5. What the Recommendation Does NOT Mean
6. RAC Clarifying Questions
7. Member Discussion with Q&A
8. Preliminary and/or Final Polling
9. Document Result:
 - a) Consensus or No Consensus
 - b) Revisit Next Meeting or Later in Process
10. Reminder: Either Way, Opportunity for RAC Member Comments to Accompany ODF Staff Report to Board

IV. Participant Attendance List

Organization	RAC Member	Attended	RAC Alternate	Attended
1000 Friends	Mary Kyle McCurdy	X		
Associated Oregon Loggers	Amanda Astor		Rex Storm	
Association of Oregon Counties	Mallorie Roberts	X	Drenda Howatt	X
Association of Oregon County Planning Directors	Holly Kerns	X	Lindsey Eicher or Jill Rolfe	
Cow Creek Band of Umpqua Tribe of Indians	Jason Robison		Tim Vrendenburg	
Department of Land Use & Conservation	Jon Jinings	X	Sadie Carney	X
Hood River County Planning Commission	Leti Moretti			
Jackson County Fire	Robert (Bob) Horton			
League of Oregon Cities	Jim McCauley	X		
Office of the State Fire Marshal	Travis Medema	X	Chad Hawkins	X
Oregon Farm Bureau	Lauren Smith	X	Mary Anne Cooper	
Oregon Fire Chiefs Association	Nicole Palmateer Hazelbaker			
Oregon Fire Marshall's Association	Shawn Olson	X	Tanner Fairrington or Ryan Kragero	X



Oregon Forest Industries Council	Kyle Williams	X	Mike Eliason	X
Oregon Home Builders	Mark Long		Karna Gustafson	
Oregon Property Owner's Association	Dave Hunnicut	X	Samantha Bayer	
Oregon Small Woodlands Association	Roger Beyer	X		
Oregon State University	Chris Dunn	X		
Oregon State University	Erica Fischer	X		
Sisters Fire	Roger Johnson	X	Garrett Mosher	X
Special Districts Association	Michele Bradley	X	Jason Jantzi	
Sustainable Northwest	Dylan Kruse	X		
Tualatin Valley Fire	Les Hallman	X		
Western Environmental Law Center	Pam Hardy	X	Marlee Goska	X
The Nature Conservancy	Amelia Porterfield	X	Kerry Metlen	X
Oregon State University – Institute of Natural Resources	Megan Creutzburg	X		

Non-Voting Information Sources

ODF	Tim Holschbach	Jenna Trentadue
ODF	Derek Gasperini	Adam Meyer
ODF	Tom Fields	Levi Hopkins
USFS	Ian Rickert	
BLM	Richard Parrish	

Visitors

Jim Kelly—Chair, Board of Forestry
Amber Cross, OSFM
Boone Zimmerlee
Brooke Brownlee
Clara Butler
Ian Rickert, RO
Kyle Abraham, ODF
Myrica Muir McCune
Susan Millhauser, DLCD
Ted Zuk

Facilitator

Sam Imperati, ICMresolutions



VI. One Text Discussion Draft 1-13-22 RAC Comments/Suggested Edits

Please see section VII, below, for additional comments.

DIVISION 44

Wildland-Urban Interface and Statewide Wildfire Risk Mapping

<p>ODF 1-11-22</p>	<p>629-044-1000 <u>Purpose</u> (1) The purpose of OAR 629-044-1000 to 629-044-1040 is to implement the provisions of Chapter 592, Oregon Laws 2021, Section 7, 31-34. (2) The purpose of OAR 629-044-1010 to 629-044-1015 is to establish criteria by which the wildland-urban interface shall be identified and classified pursuant to ORS 477.027 (3) The purpose of OAR 629-044-1020 to 629-044-1025 is to set forth the criteria by which a statewide wildfire risk map must be developed and maintained pursuant to Chapter 592, Oregon Laws 2021, Section 7. (4) The purpose of OAR 629-044-1030 is to set forth the process for notification to property owners pursuant to Chapter 592, Oregon Laws 2021, Section 7. (5) The purpose of OAR 629-044-1035 is to set forth the process of integrating public input into the statewide wildfire risk map pursuant to Chapter 592, Oregon Laws 2021, Section 7. (6) The purpose of OAR 629-044-1040 is to set forth the process of how a property owner or local government may appeal the assignment of wildfire risk pursuant to Chapter 592, Oregon Laws 2021, Section 7.</p>
<p>RAC 1-13-2022</p>	<p>629-044-1000 <u>Purpose</u> (1) The purpose of OAR 629-044-1000 to 629-044-1040 is to implement the provisions of Chapter 592, Oregon Laws 2021, Section 7, 31-34. (2) The purpose of OAR 629-044-1010 to 629-044-1015 is to establish criteria by which the wildland-urban interface shall be identified and classified pursuant to ORS 477.027 (3) The purpose of OAR 629-044-1020 to 629-044-1025 is to set forth the criteria by which a statewide wildfire risk map must be developed and maintained pursuant to Chapter 592, Oregon Laws 2021, Section 7. (4) The purpose of OAR 629-044-1030 is to set forth the process for notification to property owners pursuant to Chapter 592, Oregon Laws 2021, Section 7. (5) The purpose of OAR 629-044-1035 is to set forth the process of integrating public input into the statewide wildfire risk map pursuant to Chapter 592, Oregon Laws 2021, Section 7.</p>



	(6) The purpose of OAR 629-044-1040 is to set forth the process of how a property owner or local government may appeal the assignment of wildfire risk pursuant to Chapter 592, Oregon Laws 2021, Section 7.
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ODF 1-11-22	<p>629-044-1005</p> <p><u>Definitions</u></p> <p>(1) The definitions set forth in ORS 477.001, shall apply .</p> <p>(2) The following words and phrases, when used in OAR 629-044-1000 to 629-044-1040, shall mean the following:</p>
RAC 1-13-22	<p>629-044-1005</p> <p><u>Definitions</u></p> <p>(1) The definitions set forth in ORS 477.001, shall apply .</p> <p>(2) The following words and phrases, when used in OAR 629-044-1000 to 629-044-1040, shall mean the following:</p>
ODF 1-11-22	(a) "Geographical area" means an area of land with similar characteristics that can be considered as a "unit" for the purposes of classification of the wildland-urban interface.
RAC 1-13-22	(a) "Geographical area" means an area of land with similar characteristics that can be considered as a "unit" for the purposes of classification of the wildland-urban interface.
ODF 1-11-22	(b) "Hazard rating" means a numerical value meant to illustrate wildfire risk to structures, based on specific factors or conditions including weather, climate, topography, and vegetation.
RAC 1-13-22	(b) "Hazard rating" means a numerical value meant to illustrate wildfire risk to structures, based on specific factors or conditions including weather, climate, topography, and vegetation.
ODF 1-11-22	(c) "Other human development" means essential facilities, special occupancy structures, or hazardous facilities as defined in ORS 455.447 that support community functions, public communication, energy or transportation.
RAC 1-13-22	(c) "Other human development" means essential facilities, special occupancy structures, or hazardous facilities as defined in ORS 455.447 that support community functions, public communication, energy or transportation.
ODF 1-11-22	(d) "Structure" means any building that is at least 400 square feet that required a land use decision, a building permit, or both, regardless of whether a land use decision or a building permit was obtained.
RAC 1-13-22	(d) "Structure" means any building that is at least 400 square feet that required a land use decision, a building permit, or both, regardless of whether a land use decision or a building permit was obtained. [HTJ*O1][GO2][HTJ*O3]



ODF 1-11-22	(e) “Vegetative fuels” means plants that constitute a wildfire hazard.
RAC 1-13-22	(e) “Vegetative fuels” means plants that constitute a wildfire hazard.
ODF 1-11-22	(f) “Wildfire Risk” means the likelihood of wildfire occurrence determined by scientifically modeled wildfire frequency and wildfire intensity.
RAC 1-13-22	(f) “Wildfire Risk” means the likelihood of wildfire occurrence determined by scientifically modeled wildfire frequency and wildfire intensity.
ODF 1-11-22	(g) “Wildland fuels” means natural or native vegetation that occurs in an area where development is essentially non-existent. Wildland fuels may include grasslands, brushlands, rangelands, woodlands, timberlands, or wilderness. Wildland fuels are a type of vegetative fuels.
RAC 1-13-22	(g) “Wildland fuels” means natural or native vegetation that occurs in an area where development is essentially non-existent. Wildland fuels may include grasslands, brushlands, rangelands, woodlands, timberlands, or wilderness. Wildland fuels are a type of vegetative fuels. <small>[HTJ*04][HTJ*05]</small>
ODF 1-11-22	(h) “Wildland-Urban Interface” means a geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels. **Additional definitions: (i) “Unincorporated community” has the meaning provided in OAR Chapter 660, Division 22. (j) “Urban growth boundary” has the meaning provided in OAR Chapter 660, Division 15.
RAC 1-13-22	(h) “Wildland-Urban Interface” means a geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels. **Additional definitions: (i) “Unincorporated community” has the meaning provided in OAR Chapter 660, Division 22. (j) “Urban growth boundary” has the meaning provided in OAR Chapter 660, Division 15.
ODF 1-11-22	629-044-1010 <u>Wildland-Urban Interface Identification Criteria</u> (1) The WUI is a geographic area with a minimum of one structure or other human development per 40 acres and:
RAC 1-13-22	<small>629-044-1010[HTJ*06][GO7][HTJ*08]</small> <u>Wildland-Urban Interface Identification Criteria</u> (1) The WUI is a geographic area with a minimum of one structure or other human development per 40 acres and:



ODF 1-11-22	(a) A minimum of 50% coverage of wildland or vegetative fuels; or
RAC 1-13-22	(a) A minimum of 50% coverage of wildland or vegetative fuels; or
ODF 1-11-22	(b) A 1.5 mile buffer from the edge of an area greater than 1 square mile of wildland or vegetative fuels into a community with a minimum of 75% cover of wildland or vegetative fuels; or
RAC 1-13-22	(b) A 1.5-mile buffer from the edge of an area greater than 1 square mile of wildland or vegetative fuels into a community with a minimum of 75% cover of wildland or vegetative fuels; or ^[HTJ*09]
ODF 1-11-22	(2) A planned development, within the urban growth boundary or unincorporated communities, that is not identified in (a) or (b) but that is approved for development that shall meet the criteria in (a) or (b).
RAC 1-13-22	(2) A planned development, within the urban growth boundary or unincorporated communities, that is not identified in (a) or (b) but that is approved for development that shall meet the criteria in (a) or (b). ^[HTJ*010]
ODF 1-11-22	(3) WUI also includes occluded geographic areas with a minimum of one structure or other human development per 40-acres within 1.5 miles of an area greater than 1 square mile but less than 2 square miles with a minimum of 75% cover of wildland or vegetative fuels.
RAC 1-13-22	(3) WUI also includes occluded geographic areas with a minimum of one structure or other human development per 40-acres within 1.5 miles of an area greater than 1 square mile but less than 2 square miles with a minimum of 75% cover of wildland or vegetative fuels. ^[HTJ*011]
ODF 1-11-22	(4) If more than 50% of a tax lot is within the Wildland-Urban Interface boundary, then the entire tax lot shall be considered Wildland-Urban Interface, regardless of the locations of the structures or other human development on the property.
RAC 1-13-22	(4) If more than 50% of a tax lot is within the Wildland-Urban Interface boundary, then the entire tax lot shall be considered Wildland-Urban Interface, regardless of the locations of the structures or other human development on the property. ^[HTJ*012] ^[GO13] ^[HTJ*014]
ODF 1-11-22	(5) Each tax lot in the State of Oregon shall be assigned a wildfire risk classification in accordance with 629-044-1020.
RAC 1-13-22	(5) Each tax lot in the State of Oregon shall be assigned a wildfire risk classification in accordance with 629-044-1020. ^[HTJ*015]
ODF 1-11-22	629-044-1015 <u>Periodic Wildland-Urban Interface Lands Identification and Classification</u> Tax lots identified as Wildland-Urban Interface shall be reviewed in conjunction with updates to the statewide wildfire risk map in accordance with OAR 629-044-1025(3).



<p>RAC 1-13-22</p>	<p>629-044-1015 <u>Periodic Wildland-Urban Interface Lands Identification and Classification</u> Tax lots identified as Wildland-Urban Interface shall be reviewed in conjunction with updates to the statewide wildfire risk map in accordance with OAR 629-044-1025(3).^[HTJ*O16]</p>
<p>ODF 1-11-22</p>	<p>629-044-1020 <u>Wildfire Risk Classification and Wildfire Hazard Rating</u> (1) Wildfire risk classifications are defined by a range of wildfire hazard values that illustrate likely wildfire behavior. Each wildfire hazard value range is identified as a wildfire risk class as follows:</p>
<p>RAC 1-13-22</p>	<p>629-044-1020 <u>Wildfire Risk Classification and Wildfire Hazard Rating</u> (1) Wildfire risk classifications are defined by a range of wildfire hazard values that illustrate likely wildfire behavior. Each wildfire hazard value range is identified as a wildfire risk class as follows:</p>
<p>ODF 1-11-22</p>	<p>(a) No Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as non-burnable areas.</p>
<p>RAC 1-13-22</p>	<p>(a) No Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as non-burnable areas.</p>
<p>ODF 1-11-22</p>	<p>(b) Low Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as having the capacity to generate a wildfire which produces a flame length of less than 4 feet, a wildfire that exhibits little to no spotting, torching, or crowning.</p>
<p>RAC 1-13-22</p>	<p>(b) Low Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as having the capacity to generate a wildfire which produces a flame length of less than 4 feet, a wildfire that exhibits little to no spotting, torching, or crowning.</p>
<p>ODF 1-11-22</p>	<p>(c) Moderate Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as having the capacity to generate a wildfire which produces a flame length of 4 to 6 feet, and that occasionally exhibits spotting, torching, or crowning.</p>
<p>RAC 1-13-22</p>	<p>(c) Moderate Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as having the capacity to generate a wildfire which produces a flame length of 4 to 6 feet, and that occasionally exhibits spotting, torching, or crowning.</p>
<p>ODF 1-11-22</p>	<p>(d) High Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as having the capacity to generate a wildfire which produces a flame length of 6 to 8 feet, and frequently exhibits spotting, torching, or crowning.</p>
<p>RAC 1-13-22</p>	<p>(d) High Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as having the capacity to generate a wildfire which produces a flame length of 6 to 8 feet, and frequently exhibits spotting, torching, or crowning.</p>



ODF 1-11-22	(e) Extreme Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as having the capacity to generate a wildfire which produces a flame length of over 8 feet, and exhibits frequent spotting, torching, or crowning.
RAC 1-13-22	(e) Extreme Wildfire Risk. A wildfire hazard value xx to xx. Typically characterized as having the capacity to generate a wildfire which produces a flame length of over 8 feet, and exhibits frequent spotting, torching, or crowning.
ODF 1-11-22	(2) It is recognized that natural vegetation is highly variable and that the fuel models used in subsection (1) of this rule may not always accurately reflect expected wildfire behavior, due to variations in local species and vegetation conditions. Therefore, consistent with peer reviewed methods, modifications may be made to the hazard rating as necessary to ensure accuracy.
RAC 1-13-22	(2) It is recognized that natural vegetation is highly variable and that the fuel models used in subsection (1) of this rule may not always accurately reflect expected wildfire behavior, due to variations in local species and vegetation conditions. Therefore, consistent with peer reviewed methods, modifications may be made to the hazard rating as necessary to ensure accuracy.
ODF 1-11-22	(3) Each wildfire risk class assignment shall be based on the average wildfire hazard rating of each tax lot.
RAC 1-13-22	(3) Each wildfire risk class assignment shall be based on the average wildfire hazard rating of each tax lot.
ODF 1-11-22	<p>629-044-1025 <u>Statewide Wildfire Risk Map</u> (1) Oregon State University shall develop and maintain the Statewide Wildfire Risk Map in a publicly accessible format. The map shall be developed:</p>
RAC 1-13-22	<p>629-044-1025 <u>Statewide Wildfire Risk Map</u> (1) Oregon State University shall develop and maintain the Statewide Wildfire Risk Map in a publicly accessible format. The map shall be developed:</p>
ODF 1-11-22	(a) Using current, peer reviewed data sets when calculating wildfire risk;
RAC 1-13-22	(a) Using current, peer reviewed data sets when calculating wildfire risk;
ODF 1-11-22	(b) calculating wildfire risk as a combined hazard rating value incorporating how often wildfires occur and wildfire burn intensity; and
RAC 1-13-22	(b) calculating wildfire risk as a combined hazard rating value incorporating how often wildfires occur and wildfire burn intensity; and
ODF 1-11-22	(c) Utilize fuel loading measured at the time of year when large wildfires generally occur.
RAC 1-13-22	(c) Utilize fuel loading measured at the time of year when large wildfires generally occur.



<p>ODF 1-11-22</p>	<p>*move to OAR 629-044-1020(4) for organizational purposes*</p> <p>(4) Each wildfire risk class shall consist of a wildfire hazard value range. The wildfire hazard value ranges that correlate to a given wildfire risk class shall be determined using a statistically objective methodology.</p>
<p>RAC 1-13-22</p>	<p>*move to OAR 629-044-1020(4) for organizational purposes*</p> <p>(4) Each wildfire risk class shall consist of a wildfire hazard value range. The wildfire hazard value ranges that correlate to a given wildfire risk class shall be determined using a statistically objective methodology.</p>
<p>ODF 1-11-22</p>	<p>(3) The map and other publicly available web-based tools shall be updated in consultation with Oregon State University, within 12 months after updates to the most current wildfire risk assessment are available.</p>
<p>RAC 1-13-22</p>	<p>(3) The map and other publicly available web-based tools shall be updated in consultation with Oregon State University, within 12 months after updates to the most current wildfire risk assessment are available.</p>
<p>ODF 1-11-22</p>	<p>629-044-1030 <u>Notification</u> (1) The State Forester shall provide written notice to property owners whose property is classified as high or extreme wildfire risk. The notice shall include: (a) The wildfire risk class assignment; (b) where a map of the property can be found in the publicly accessible mapping portal, including the average wildfire hazard value of the property; (c) resources available to address wildfire risk; (d) information regarding what the wildfire risk assignment means for the property owner; and (e) information about how a property owner may appeal the assignment of wildfire risk class, including the specific elements that may be appealed.</p>
<p>RAC 1-13-22</p>	<p>629-044-1030_{[HTJ*O17][GO18][HTJ*O19]} <u>Notification</u> (1) The State Forester shall provide written notice to property owners whose property is classified as high or extreme wildfire risk. The notice shall include: (a) The wildfire risk class assignment; (b) where a map of the property can be found in the publicly accessible mapping portal, including the average wildfire hazard value of the property; (c) resources available to address wildfire risk; (d) information regarding what the wildfire risk assignment means for the property owner; and</p>



	(e) information about how a property owner may appeal the assignment of wildfire risk class, including the specific elements that may be appealed.
ODF 1-11-22	629-044-1035 Public Input (1) Locally developed wildfire plans may be integrated into the wildfire risk mapping portal if the local jurisdiction chooses:
RAC 1-13-22	629-044-1035 ^[HTJ*O20] Public Input Locally developed wildfire plans may be integrated into the wildfire risk mapping portal if the local jurisdiction chooses:
ODF 1-11-22	(a) Community Wildfire Protection Plans developed under the Healthy Forests Restoration Act; or
RAC 1-13-22	(a) Community Wildfire Protection Plans developed under the Healthy Forests Restoration Act; or
ODF 1-11-22	(b) Natural Hazard Mitigation Plans developed under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.; or (c) Firewise USA Action Plans developed under the Firewise USA Program administered by the National Fire Protection Association.
RAC 1-13-22	(b) Natural Hazard Mitigation Plans developed under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.; or (c) Firewise USA Action Plans developed under the Firewise USA Program administered by the National Fire Protection Association.
ODF 1-11-22	(2) Prior to the effective date of updates to the Statewide Wildfire Risk Map, the Department shall hold at least one public meeting.
RAC 1-13-22	(2) Prior to the effective date of updates to the Statewide Wildfire Risk Map, the Department shall hold at least one public meeting. ^[HTJ*O21] _[GO22]
ODF 1-11-22	(a) The Department shall publish a notice of the time and place in accordance with public meeting laws.
RAC 1-13-22	(a) The Department shall publish a notice of the time and place in accordance with public meeting laws.
ODF 1-11-22	(b) The Department, in consultation with Oregon State University, shall present anticipated changes to the Wildland-Urban Interface boundary and Wildfire Risk Classification assignments at a county scale.
RAC 1-13-22	(b) The Department, in consultation with Oregon State University, shall present anticipated changes to the Wildland-Urban Interface boundary and Wildfire Risk Classification assignments at a county scale.



ODF 1-11-22	(c) The meeting shall allocate time to receive input from any interested persons relating to the proposed wildfire risk class assignments.[HTJ*O23]
RAC 1-13-22	(c) The meeting shall allocate time to receive input from any interested persons relating to the proposed wildfire risk class assignments.
ODF 1-11-22	(3) Following the public meeting the Department, in consultation with Oregon State University, may make changes in the proposed wildfire risk classification assignments, hold additional hearings, and thereafter shall make final wildfire risk class assignments.
RAC 1-13-22	(3) Following the public meeting the Department, in consultation with Oregon State University, may make changes in the proposed wildfire risk classification assignments, hold additional hearings, and thereafter shall make final wildfire risk class assignments.[HTJ*O24]
ODF 1-11-22	<p>629-044-1040</p> <p>Appeals</p> <p>(1) Any request of a landowner or local government who objects to a wildfire risk class assignment may contest that decision by filing an appeal with the State Forester that is:</p> <p>(a) in writing; and</p> <p>(b) received within 30 days after either:</p> <p>(i) Completion or update of the wildfire risk classification map, or</p> <p>(ii) delivery of the notice of classification to landowners whose property is in the extreme or high wildfire risk classes.</p>
RAC 1-13-22	<p>629-044-1040 [HTJ*O25][GO26][GO27][HTJ*O28]</p> <p>Appeals</p> <p>(1) Any request of a landowner or local government who objects to a wildfire risk class assignment may contest that decision by filing an appeal with the State Forester that is:</p> <p>(a) in writing; and</p> <p>(b) received within 30 days after either:</p> <p>(i) Completion or update of the wildfire risk classification map, or</p> <p>(ii) delivery of the notice of classification to landowners whose property is in the extreme or high wildfire risk classes.</p>
ODF 1-11-22	<p>(2) In the written appeal in section (1) of this rule, the landowner must specifically state:</p> <p>(a) the objections to the wildfire risk class assignment;</p> <p>(b) the remedy sought; and</p> <p>(c) any pertinent facts that may justify a change in the assignment, in accordance with Chapter 592, Oregon Laws 2021, Section 7.</p>
RAC 1-13-22	<p>(2) In the written appeal in section (1) of this rule, the landowner must specifically state:</p> <p>(a) the objections to the wildfire risk class assignment;</p>



	<p>(b) the remedy sought; and [HTJ*029]</p> <p>(c) any pertinent facts that may justify a change in the assignment, in accordance with Chapter 592, Oregon Laws 2021, Section 7.</p>
ODF 1-11-22	<p>(3) Upon receipt of a written appeal of wildfire risk class assignment, the forester shall:</p> <p>(a) Contact the landowner or local government to schedule a time and place that the forester, Oregon State University, and landowner may further review the matter, if the landowner or local government so desires; and</p> <p>(b) In the event the matter is not satisfactorily resolved, in the judgment of the owner or local government, through the informal review in subsection (a) of this section, the forester shall: [HTJ*030]</p> <p>(A) Review whether the wildfire risk assignment and map were developed and maintained according to these rules and the most current wildfire assessment.</p> <p>(B) Review for any error in the data that was used to determine the wildfire risk class assignment;</p> <p>(C) Review any pertinent facts that may justify a change in the assignment; and</p> <p>(D) Prepare a report describing the issue and reaching a final decision of the matter, and provide the report to the appellant.</p> <p>**629-044-1040(5) ** The Department shall provide information to the public describing changes to the map based on approved appeals. The information shall be posted on the Department’s public website.</p>
RAC 1-13-22	<p>(3) Upon receipt of a written appeal of wildfire risk class assignment, the forester shall:</p> <p>(a) Contact the landowner or local government to schedule a time and place that the forester, Oregon State University, and landowner may further review the matter, if the landowner or local government so desires; and</p> <p>(b) In the event the matter is not satisfactorily resolved, in the judgment of the owner or local government, through the informal review in subsection (a) of this section, the forester shall:</p> <p>(A) Review whether the wildfire risk assignment and map were developed and maintained according to these rules and the most current wildfire assessment.</p> <p>(B) Review for any error in the data that was used to determine the wildfire risk class assignment;</p> <p>(C) Review any pertinent facts that may justify a change in the assignment; and</p> <p>(D) Prepare a report describing the issue and reaching a final decision of the matter, and provide the report to the appellant.</p> <p>**629-044-1040(5) ** The Department shall provide information to the public describing changes to the map based on approved appeals. The information shall be posted on the Department’s public website.</p>
ODF 1-11-22	<p>(4) A final decision of the matter issued under section (3) of this rule shall be a final order, and subject to appeal as prescribed by ORS 183.484.</p>



RAC 1-13-22	(4) A final decision of the matter issued under section (3) of this rule shall be a final order, and subject to appeal as prescribed by ORS 183.484. [HTJ*031]
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- Need OAR for “socially vulnerable communities,” add requirement to OSU required section

VII. Meeting Chat

09:03:07 From **RAC-OFMA-Shawn.Olson** :

All, I have two meetings this morning for the first 15 minutes. I'll be bouncing back and forth. Shawn

09:14:30 From **RAC - Megan Creutzburg, Inst for Natural Resources** :

Chris, I think it would be helpful to title each page of this flow chart more descriptively, so this one could be titled something like "Defining the boundary of the Wildland Urban Interface"

09:16:19 From **RAC ALT Kerry Metlen | The Nature Conservancy** :

It looks like the definitions in the flow chart will also need to be updated to reflect refinements to definitions that are coming forward now.

09:17:16 From **RAC - Chris Dunn, Oregon State University** :

Megan, thanks for the suggestion.

09:18:41 From **RAC - Chris Dunn, Oregon State University** :

Kerry, this will be continuously updated. Right now the definitions we are using are proposed as nothing has been finalized. As each component changes we'll keep updating it. The intent is to reflect what the RAC has come up with, which does and should change, so we will continue to do the same.

09:24:42 From **RAC ALT - Sadie Carney (she/her), DLCD** :

Represent, Jon Jinings!

09:30:39 From **RAC - Megan Creutzburg, Inst for Natural Resources** :

I appreciate ODF clarifying risk vs hazard in the rule language

09:53:21 From **RAC - Amelia Porterfield - TNC** :

Here's the language: Include a layer that geospatially displays the locations of socially and economically vulnerable communities.

09:54:16 From **RAC Mary Kyle McCurdy 1KF (she/her)** :

Agree- we need to define it and then ensure the direction is continued where relevant in the rules



09:55:02 From RAC ALT - Sadie Carney (she/her), DLCD :

SB 762 Enrolled: Section 7(7)(d)

09:55:24 From RAC ALT - Sadie Carney (she/her), DLCD :

To locate Amelia's language above

10:03:51 From Holly Kerns, AOCPD- RAC :

I have a 3 for the definition of structure, which will drive a 3 for 629-044-1010
Wildland-Urban Interface Identification Criteria

(1) The WUI is a geographic area with a minimum of one structure or other human development per 40 acres and:

10:05:54 From RAC-Lauren Smith, OFB :

I agree with Holly on this

10:07:08 From RAC - Dave Hunnicutt - OPOA :

Accessory structures too Holly - pole barns, garages etc.

10:07:14 From RAC - Jim McCauley, LOC :

yes to Holly

10:07:46 From RAC Mallorie Roberts, AOC :

AOC agrees with Holly as well

10:08:01 From Kyle Williams RAC (OFIC) :

Plus 1 to both Holly and Amelia!

10:10:25 From Holly Kerns, AOCPD- RAC :

I am a 3 on the 1010 section as well

10:10:46 From RAC-Roger Beyer-OSWA :

I am a 3 on 1 in 40

10:13:07 From RAC-Roger Beyer-OSWA :

the distance is too far on this and the 1 in 40

10:13:36 From Kyle Williams RAC (OFIC) :

3 on 1 per 40



10:14:02 From RAC - Dave Hunnicutt - OPOA :

Agree with Lauren and Roger - I'm a 3 on any 1-40 density standard

10:15:16 From RAC - Jim McCauley, LOC :

LOC - 1/40

10:15:33 From RAC-Roger Beyer-OSWA :

Concerned with the verbiage here

10:15:40 From RAC - Amelia Porterfield - TNC :

A little late to the party but I join SNW as a 3 on (4) about 50% of tax lot etc...

10:18:13 From RAC - Jon Jinings, DLCD :

DLCD would like to discuss the No Wildfire Risk language at some point.

10:21:39 From RAC - Jon Jinings, DLCD :

DLCD also agrees that notice should go to both addresses. We would also like to see notice go to all properties included in the WUI.

10:22:03 From RAC - Chris Dunn, Oregon State University :

Out of curiosity, can we vote π ?

10:23:43 From Holly Kerns, AOC PD- RAC :

I agree with DLCD and others that notice should go to both addresses

10:24:05 From RAC - Jim McCauley, LOC :

makes sense

10:24:08 From RAC - Amelia Porterfield - TNC :

Agreed with Lauren, Mary Kyle & Dave

10:24:21 From RAC - Jon Jinings, DLCD :

We would like to discuss the outreach and meetings. Also, is there a difference between meeting and hearing?

10:24:56 From RAC: Dylan Kruse, SNW :

SNW will tag on to that

10:25:35 From RAC-Roger Beyer-OSWA :



Concerned about sub 2

10:26:08 From RAC - Jon Jinings, DLCD :

We think the appeals section merits additional conversation.

10:26:41 From RAC - Dave Hunnicutt - OPOA :

Nothing for me - keep forgetting to lower my hand!

10:27:28 From RAC - Jon Jinings, DLCD :

@Dave - I've struggled with that too!

10:50:34 From RAC ALT - Sadie Carney (she/her), DLCD :

"Unburnable" is a very problematic term.

10:51:23 From RAC - Pam Hardy, WELC :

especially given recent structure to structure fires in places like Boulder & S. Oregon

10:56:23 From RAC - Megan Creutzburg, Inst for Natural Resources :

This gets to the fundamental concept that the wildfire risk assessment is an assessment of landscape-level wildland fire risk and not structural fire risk. There needs to be some strong messaging around this.

10:57:27 From RAC - Amelia Porterfield - TNC :

can we please start with an explanation of what buildings require a permit or land use decision, or not?

11:01:36 From RAC - Michele Bradley, SDAO :

Apologies for joining late - Thursdays are hard with standing meetings for me.

11:10:27 From RAC - Amelia Porterfield - TNC :

We think occupancy is also a key factor. Could add "intended for supporting or sheltering any human occupancy" into the definition

11:15:30 From RAC - Pam Hardy, WELC :

What if we added a sentence at the end specifically excluding agricultural lands?

11:16:42 From RAC ALT - Sadie Carney (she/her), DLCD :

The legislation does not allow for that - correct? Section 33 (2)(b)

11:17:01 From RAC ALT - Sadie Carney (she/her), DLCD :



May not exclude a category of land from inclusion in the wildland-urban interface.

11:18:49 From RAC Mary Kyle McCurdy 1KF (she/her) :

"Ag land" is undefined and potentially too broad.

11:18:57 From Holly Kerns, AOC PD- RAC :

I'm curious on how we will determine what areas count as "where development is essentially non-existent?" Removing natural or native vegetation seems to create new problems, too... don't see an easy fix right now.

11:19:40 From RAC - Pam Hardy, WELC :

MKM makes a good point ... definition would have to be refined.

11:21:24 From RAC_Roger Beyer_OSWA :

Agree with Dave,

11:22:45 From RAC-OFMA-Shawn.Olson :

Sorry for the delay. Oregon Structural Specialty Code definition of an occupiable space is: "A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes". This definition would include single family dwellings. OFMA Recommends placing Occupiable Space to the structures definition. Shawn

11:24:03 From RAC - Jim McCauley, LOC :

agree with concerns offered by Holly and Dave.

11:24:36 From RAC ALT - Sadie Carney (she/her), DLCD :

Section 7 (7)(c) : consistent with national standards.

11:26:14 From RAC-Lauren Smith, OFB :

not consistent-considering

11:26:20 From RAC ALT - Sadie Carney (she/her), DLCD :

indeed

11:26:32 From RAC - Amelia Porterfield - TNC :

+1 to Dylan's comments

11:27:00 From RAC-OFMA-Shawn.Olson :



Agreed. Dylan's comments

11:28:57 From **Derek Gasperini—ODF** :

Section 7(7)(c) "Include the boundaries of the wildland-urban interface, as defined in ORS 477.015, consistent with national standards."

11:30:44 From **RAC - Amelia Porterfield - TNC** :

Great points Roger.

11:34:36 From **RAC-OFMA-Shawn.Olson** :

I agree with Erica. Consistency is key for a successful program and implementation for the end users.

11:39:43 From **RAC ALT - Sadie Carney (she/her), DLCD** :

"Planned Development" has definition in local communities in Oregon. Incl: Portland, McMinnville, Phoenix, Grants Pass

11:40:05 From **RAC ALT - Sadie Carney (she/her), DLCD** :

From Portland Code: "Planned developments provide a master planning mechanism for allowing additional housing types and uses, the transfer of density and floor area, and increased height and floor area on large sites in Commercial/Mixed Use zones. The resulting development is intended to configure the site and development to visually integrate both the natural and built features of the site and the surrounding area."

11:40:35 From **RAC ALT - Sadie Carney (she/her), DLCD** :

I don't think this is what ODF is intending with that wording, but it could make local application difficult.

11:55:58 From **Holly Kerns, AOCPD- RAC** :

I read (4) the same way Jon does

11:58:00 From **RAC Mary Kyle McCurdy 1KF (she/her)** :

I don't know what the right answer is for this purpose, but I agree with Dave's description of the possible complications of using tax lot. But maybe that is easier for mapping purposes?

12:01:10 From **Holly Kerns, AOCPD- RAC** :

I agree fully and heartily with Mary Kyle's point on notices going to both the property address and the owner address. It won't catch every single person who may be a renter using a PO Box, but it's a big step in the right direction. Thank you Mary Kyle!

12:01:38 From **RAC Mary Kyle McCurdy 1KF (she/her)** :

Thanks, Holly!



12:01:53 From RAC - Jon Jinings, DLCD :

We agree as well.

12:03:29 From Kyle Williams RAC (OFIC) :

Do we need to specify a time certain period of giving the notice prior to the action? AOL offered "notice shall be provided at least 30 days prior to effective date"

12:04:54 From RAC - Jim McCauley, LOC :

additional details should be helpful for any landowner, renter, etc....

12:05:05 From RAC-Lauren Smith, OFB :

information simply to say: "Properties in high and extreme risk area must meet requirements for defensible space established by Oregon State Fire Marshal" and maybe a link to where they can get that information from OSFM

12:06:28 From RAC-Roger Johnson Sisters Fire :

I support notifying the resident and property owner as well.

12:10:22 From RAC-OFMA-Shawn.Olson :

OFMA supports this as well. The importance of notifying property owner and resident is important for education and compliance.

12:10:25 From RAC ALT - Sadie Carney (she/her), DLCD :

Also - assuming that eventually the assignment of risk and map development plays into the land use recommendations or action for Wildfire Adapted Communities - Land Use Planning Goal 1 requires that Oregonians must be involved in all phases of the land use planning process.

12:11:10 From RAC - Megan Creutzburg, Inst for Natural Resources :

Thanks for the clarification Tim, I was also slightly concerned about what Amelia asked from INR's perspective :)

12:11:24 From RAC ALT - Sadie Carney (she/her), DLCD :

<https://www.oregon.gov/lcd/OP/Documents/goal01.pdf> - first paragraph

12:11:28 From RAC - Jim McCauley, LOC :

helpful to have this added to the system and the other plan reference

12:11:57 From Holly Kerns, AOCPD- RAC :



Pam made a great point earlier about community notification helping spread the word. Thanks Tim for the information about notice also going to community partners... does that mean fire districts, or others? I don't want to pile on the notice burden to ODF's work, but I'd like to further explore Pam's idea about utilizing community notice opportunities.

12:12:21 From RAC - Megan Creutzburg, Inst for Natural Resources :

How about "accessible from"

12:12:33 From RAC - Megan Creutzburg, Inst for Natural Resources :

Rather than "integrated into"

12:12:41 From RAC - Amelia Porterfield - TNC :

or "displayed"

12:14:49 From RAC - Amelia Porterfield - TNC :

+1 to Mary Kyle's comments

12:15:10 From Holly Kerns, AOCPD- RAC :

Agree with Mary Kyle's comments

12:15:51 From RAC Mary Kyle McCurdy 1KF (she/her) :

Agree with Lauren on need for geographic diversity of hearings.

12:16:20 From RAC - Amelia Porterfield - TNC :

Agreed Lauren. How people hear the message matters

12:16:25 From Holly Kerns, AOCPD- RAC :

And... sort of joking.... please don't hold one single Eastern Oregon meeting in Bend (Bend is in Central Oregon anyway)

12:17:50 From RAC - Megan Creutzburg, Inst for Natural Resources :

Oh come on Holly, Bend is only a 6 hour drive each way for you!! :)

12:18:09 From RAC-Roger Johnson Sisters Fire :

I agree with Lauren and Mary Kyle.

12:19:03 From RAC - Pam Hardy, WELC :



I agree that it is important to have the meetings in the community. I participate in a lot of regional meetings, and my observation is that a lot of folks - especially those in vulnerable populations - don't have computers that allow them to participate virtually.

12:24:29 From RAC - Dave Hunnicutt - OPOA :

Thanks Sam

12:30:46 From RAC Mary Kyle McCurdy 1KF (she/her) :

Can you define "delivery"? Is it when ODF puts the notice in the mail, or when the property owner receives it (which will be harder to determine)?

12:48:08 From RAC - Jon Jinings, DLCD :

I like the analogy of a pre-app meeting.

12:58:46 From RAC - Jon Jinings, DLCD :

Thanks, Everyone! We accomplished a lot today.