

**Wildfire Programs Advisory Council
September 26, 2022**

Public Comments received as of September 23 at 2pm

09/16/2022

Doug Grafe, Wildfire Programs Director

Jacque Carlisle, Policy Assistant to Doug Grafe

RE: SB762:

I am a homeowner of rural land in Josephine County. Our parcel was recently designated as an "Extreme" wildfire risk, per the 2022 wildfire risk map that was pulled back for further clarification. The 2022 wildfire risk map is based on hypothetical situations, false models and erroneous probabilities orchestrated and designed by Climate Change Globalists for political purposes.

The 2018 wildfire risk map assessed our property as a combination of good to moderate classifications, with the more wooded portion (which represents a smaller portion of our parcel) in the light orange zone. Two years ago we were assessed with a small portion of our parcel in a wetland area due to a seasonal creek. Now the most recent map has our entire parcel in the extreme zone. Which is it? There is absolutely no possibility that our parcel could change so much in a period of 4 years. The 2022 risk map is manufactured to support a political agenda without question.

We absolutely object and do not consent to this falsely fabricated and fraudulent theorizing of our land parcel. Upon first examination of this new so called risk map, it was very apparent that it was politically motivated in part due to where the "new extreme" zones are not, such as, Ashland. Jeff Golden, the producer and conspirator of this bill just so happens to be a resident of Ashland, along with Pam Marsh, another Ashland resident pushing this illegal, unconstitutional and politically motivated bill.

The intent of this bill is to control the residents of rural land, is based on prosecutorial actions, creates unnecessary and unwarranted hardship on the homeowner's and the financial burdens will be extensive. The intent of this bill is punitive and seeks to force homeowners to do the bidding of the very lawmakers that are paid to serve the people. Additionally, even with full compliance, per ODF, it is very unlikely that the assessed risk zone will change. There is no service to the people in this bill. The Oregon Senate, the Oregon State Representatives, and the Governor of Oregon do not represent the best interests of Oregonians. This bill demands impossible standards which will result in a loss of affordable homeowners' insurance along with a myriad of other expenses. The adverse ramifications of this bill will be far and wide.

In our opinion, SB762 was created illegally via an illegitimate emergency act, signed by a Dictator Governor. This bill goes far beyond government overreach, with a long range intent to take over Oregonian homeowners' land.

92-93% of wildfires occur within the federal and BLM lands, which we the homeowner's have no control of. With the enactment of this bill and potential enforcement of this bill, the end result will still be, that 92-93%, (likely a greater percentage) of the wildfires will still occur within the federal and BLM lands. Yet this bill does next to nothing to solve the true problem of the wildfires we have been experiencing in Oregon. We all know that there has been increasing evidence of arson, possibly being orchestrated as a precursor to justify the false need for this horrendous bill. If our so-called Senators, Representatives or Governor gave a damn about the people they serve, this would be organized as an educational process that offers resources and assistance for the homeowner's, perhaps even offering incentives for compliance. There are much kinder and humanitarian ways to help reduce and/or eliminate unnecessary wildfires.

Robert & Sheryl VerVynck

Josephine County

September 13, 2022

Wildfire Programs Advisory Council
c/o: Doug Grafe, Programs Director
2600 State Street
Salem, OR 97310
doug.c.grafe@oregon.gov

Re: Property Specific Mapping Concern in Jefferson County

Mr. Grafe and Council Members,

I am writing to you over a concern that we have with the Wildfire Risk Classification that was placed on property that we own in Jefferson County. That property is located at 9504 Columbia Drive, Madras, Oregon. It was originally classified as "High" risk on the Oregon Wildfire Risk Explorer mapping system. Here are a few specifics about the property and the surrounding area:

- To the north it is bounded by the Deschutes River. In this stretch, the river is between 200' and 300' wide. Just northwest of the house the river widens out to almost 500'. The home sits in the northwest corner of the property near the riverbank. Vegetation is relatively sparse, but the river does keep things green.
- The adjacency of the river will allow for water pumping if it is ever needed for fire suppression.
- The property is bounded to the south by irrigated farmland.
- There are multiple stream corridors to the east and west of the property that work their way down to the river.
- There are two maintained access points in/out of the property, one to the west that runs along the river and one to the southeast. Both are equipped to enable fire access.
- Both structures on the property (house and shed) have metal roofs.
- The 11 acres surrounding the house have water rights and landscape irrigation is present around the house.
- Properties that are immediately adjacent to the south and southeast were all identified as "Moderate" risk classification. Our property, adjacent to the river, was not.

The home on this property was constructed in 1971. In 51 years, the home and existing outbuildings have not seen any fire damage. We went back through Google Earth aerial photos between 1994 and 2021 and saw no evidence of historic fire damage to any part of the property.

We are very concerned about the lack of ground truthing that informed the original risk classification overlay for our property. Also, there appears to be a lack of consistency with the application of the "Moderate" risk classification, it is very confusing as to why our property has been classified as "High" and not "Moderate" when other nearby properties with the same or lesser circumstances were. With the evidence provided herein and with a specific look at our property, we are hopeful that the updated mapping will reflect a lesser classification.

It is difficult to grasp that overnight our property is going to be subjected to an entirely new set of rules and regulations without anyone ever setting foot on them. It appears that some blanket assumptions were utilized to create some general criteria, but there wasn't really any room left to incorporate property owner input or adjustments made to improve circumstances. To call something "High" risk that has seen no direct fire damage in 50+ years seems like a stretch. These classifications will unquestionably create a perception, valid or not, that will have long term negative impact on a lot of rural property owners. We obviously need a better system, but that system cannot be rigid, it needs to be flexible, and to the best of our ability it needs to be accurate. When we find inaccuracies, we need to have the tools in place to make reasonable and simple adjustments.

Prior to writing this letter, I had several conversations with rural property owners like myself. What was clear is that everyone was very concerned that this was happening too quickly, they didn't trust the outcome to be fair, and they were greatly concerned about the impact to their ownership. Please take those concerns into account when making your recommendations.

Sincerely,



Mark Crandall
Rural Property Owner

September 16, 2022

Wildfire Programs Advisory Council
c/o: Doug Grafe, Programs Director
2600 State Street
Salem, OR 97310
doug.c.grafe@oregon.gov

Re: Property Specific Mapping Concern in Crook County

Mr. Grafe and Council Members,

I am writing to you to inquire about and possibly shed light on what may be a mapping error and/or inconsistency with the Wildland Urban Interface (WUI) overlay affecting our property in Prineville, Oregon. The specific properties are tax lots 1920000001900, 1920000002301 and 2020000000201, in Crook County.

These specific properties and all those surrounding were classified as "Moderate" risk on the original mapping. The question that we have arises from a small portion of these three parcels, along the westerly edge, that has been identified as Oregon Wildland Urban Interface (WUI). It is unclear as to why this isolated patch of WUI overlay exists at this location. There is no WUI overlay nearby. As shown it is a small island of WUI overlay in a very rural area.

If this was in fact not a mapping error, it would be helpful to better understand how we might affect the property in a manner that removes the WUI overlay. It may be the presence of trees near habitable structures, but that isn't altogether clear. If that is the case, we would like the opportunity to do some tree thinning to ultimately remove the WUI overlay. We are hopeful that your recommendations and the resulting regulations will allow for map amendments tied to site improvements and/or tree thinning that reduces the potential WUI and risk factor designations.

Thank you for your consideration.

Sincerely,



Mark Crandall
Rural Property Owner



TO – Wildfire Programs Advisory Council & State Board of Forestry

FROM – Oregon REALTORS®

SUBJECT – Comments on the Second Iteration of the Oregon Wildfire Risk Explorer Map

Chair Bennett and members of the Wildfire Programs Advisory Council,

Thank you for the opportunity to provide comment on the Oregon Wildfire Risk Explorer Map. Oregon REALTORS® recognizes the importance of state action to reduce the risk associated with the more frequent and more severe wildfires Oregon has experienced in recent years. However, the Oregon Wildfire Risk Explorer Map and the risk classifications that it denotes will have impacts on property values and real estate transactions, making it essential that the maps are as accurate as possible.

After the publication of the original iteration of the risk map, some members of Oregon REALTORS® began reporting to us that real estate transactions were being impacted. One member mentioned that she had a transaction fall through while on a Zoom call to learn about the map. Another member told us that she had a large transaction between seven sellers and one buyer fall through shortly after the maps release. Both members believe the transactions fell through, at least in part, due to changes to the insurability of the properties after the map's publication.

Oregon REALTORS® believes there are several ways in which the map could be improved to ensure that only accurate and fair risk classifications are applied to Oregon properties.

Data for Determining Risk Classifications Must be Accurate

First, while ariel imagery such as LiDAR can be an effective tool to provide estimates of vegetative cover, **it is critical that an on-the-ground team of evaluators is able to confirm the accuracy of risk classifications**, because it is evident that ariel imagery data alone is insufficient to ensure fair and accurate classifications of a property's risk. For example, in the original iteration of the map, a portion of the Columbia River near Astoria was given a risk classification (see Figure 1; page 2). In another example, an irrigated field was classified as extreme risk (see Figure 2; page 2). And in a third example, half of a duplex was classified as moderate risk while the other half was classified as extreme risk (see Figure 3 and Figure 4; page 3).

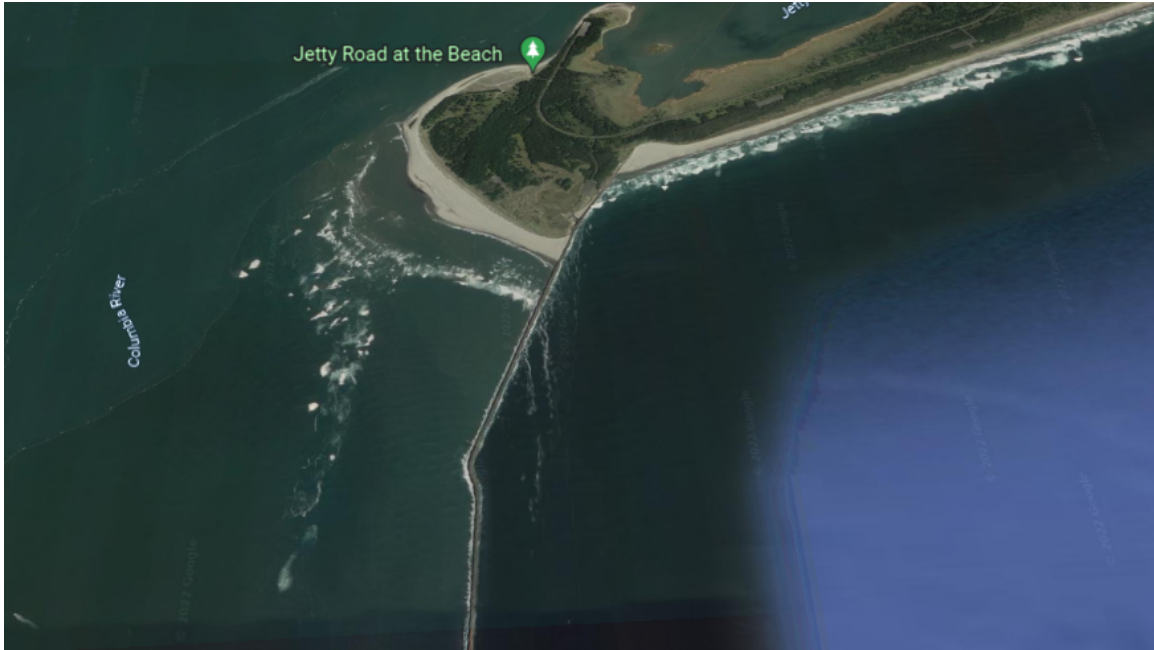


Figure 1 – Columbia River at the northwestern-most corner of OR given a risk classification



Figure 2 – Irrigated field classified as extreme risk



Figures 3 & 4 – Duplex; half classified as extreme risk / half classified as moderate risk

While there is always some margin of error in the collection and analysis of such data, it is critical that properties which could experience negative impacts to their value or feasibility to sell due to their risk classification be evaluated on-site by qualified individuals to determine if serious errors such as these may exist. While the above are clearly extreme examples, they do indicate that the aerial imagery data alone is not reliable enough to be the primary verifier of a property’s risk classification. Without an on-the-ground evaluation, there will likely be many appeals for properties that were misclassified due to aerial imagery data errors.

After raising concerns about the accuracy of the map and its potential for use by insurance companies to inform insurance underwriting and rates, we have been told that insurance companies only use their own risk maps, as their maps are more detailed than the map developed by the Department of Forestry and Oregon State University. However, **if the maps used by insurance companies to determine risk are in fact more accurate, it begs the question of why a new map was determined to be necessary in the first place.**

Appeals Timeline Should be Started When the Risk Classifications are Demonstrated as Accurate; WUI Designation Should be Appealable

Second, **the period during which a property owner is eligible to appeal their risk classification should not start until after such on-the-ground evaluations have been completed.** Not only is this fairer to the property owners, but it would likely reduce the overall number of appeals submitted, as only those with strong cases for appeal would be willing to go through the process after an on-the-ground evaluation has been completed.

Furthermore, **property owners should also be able to appeal their wildland-urban interface (WUI) designation, and this appeal process must not be cost prohibitive.** This is especially important for properties that were designated within non-contiguous portions of the WUI and properties that are only partially within the WUI, such as the property circled in Figure 5 (page



4). Again, because of the scale of the ariel imagery data, it is possible that the corner of this property should not actually be classified as within the WUI. Further, as only a small portion of the circled property in Figure 5 overlaps with the WUI, it is reasonable to assume that a structure on this property is likely outside the WUI, even if the WUI does overlap with the corner of the property. This is an important detail, because while requiring certain risk mitigation actions makes sense for a structure that is both within the WUI and classified as high or extreme risk, such required mitigation actions are not necessarily sensible if the structure is only within the WUI or only classified as high or extreme risk.

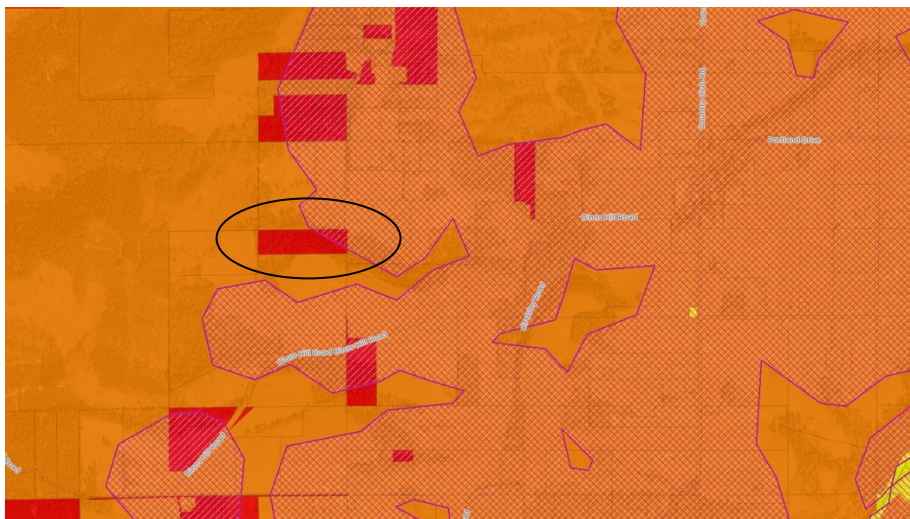


Figure 5 – Partial WUI property (example circled in black)

Fire Service Response Times Should Inform Risk Classifications

Third, **local fire service response times should be a factor that is considered when determining a property’s risk classification.** While the response time of a local fire service does not directly impact the risk of a wildfire igniting on a property, it does have a significant impact on whether a structure on that property is damaged or destroyed by a wildfire. Further, local fire service response times can have a significant impact on whether a wildfire spreads between properties. WUI designations are a part of this mapping process because being within the WUI increases the likelihood of a wildfire spreading to a property. Similarly, factors that mitigate the risk of spread, such as local fire service response times, should also be considered.

Risk Classifications Must be Dynamic

Finally, **property owners who have implemented the risk mitigation efforts required of them by law should be able to lower their property’s risk classification.** Since the purpose of these regulations is to mitigate risk, a property should inherently be at a lower risk once these mitigation efforts have been implemented.



With potentially limited capacity for enforcement of compliance with these regulations, the best way to ensure property owner compliance is to offer them an incentive – which in this case would be a reduction of their property’s risk classification. Without such an incentive, property owners may not implement the regulations if they determine their risk of being penalized for noncompliance to be low.

Conclusion

The state cannot allow entire swaths of its population to be negatively impacted by these efforts to mitigate risk, whether that is by the reduction of value to the properties they have invested in or by burdening them with the cost of regulatory compliance, especially when we can see through the state’s mapping that it is our most socially vulnerable populations that will bear the brunt of these costs. A property is very likely to be a person’s or family’s largest financial asset, and any unfair or artificial property devaluation would only further exacerbate the economic inequalities that we see today.

We want to reiterate that this map is important. Informing property owners of their wildfire risk is important. But it is just as important, if not more so, to ensure that the map is accurate and fair. This accuracy and fairness can be accomplished if the maps are known to be accurate through on-the-ground evaluations, if the appeals process is fair and not cost prohibitive to appellants, if local fire service response times are factored into the risk classifications, and if there is a risk classification reduction incentive for compliance with adopted regulations.

Thank you for your time and consideration of our suggestions.

Sincerely,

Oregon REALTORS®