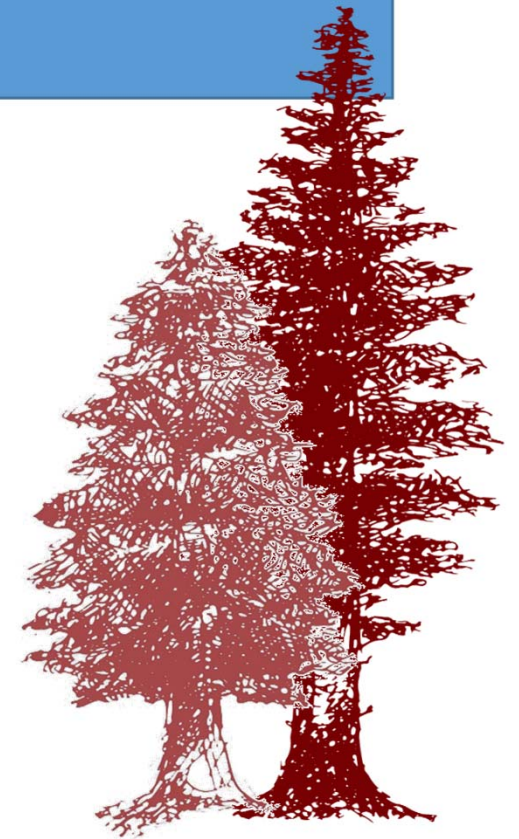




# Fiscal Impact for WUI Definition



Jenna Trentadue-ODF-National Fire Plan Coordinator

ODF asks the RAC to consider the fiscal impact of its proposed rules (outlined in ORS Chapter 183 and OAR 137-001-0018) including:

- whether the rules will have a significant adverse fiscal impact, and if so, what the extent of that impact will be, and,
- whether the rules will have a significant adverse fiscal impact on small businesses likely to be affected by the rules, and if so, how ODF can mitigate the cost of compliance.



# OAR 137- 001-0018

- **Limitation of Economic Effect on**
- **Small Businesses**
- (1) Before the adoption of a permanent rule, the agency will determine whether the economic effect upon small business is significantly adverse, based upon:
  - (a) The economic effect analysis under ORS 183.335(2)(b)(E);
  - (b) The statement of cost of compliance effect on small businesses described in ORS 183.336;
  - (c) Recommendations from any advisory committee appointed under ORS 183.333(1) or from any fiscal impact advisory committee, if any, appointed under ORS 183.333(5); and
  - (d) Comments made in response to its rulemaking notice.
- (2) If the agency determines there is a significant adverse effect on a small business or small businesses, it shall modify the rule to reduce the rule's adverse economic impact on those businesses to the extent consistent with the public health and safety purposes of the rule, as provided in ORS 183.540.



# ORS 183.335

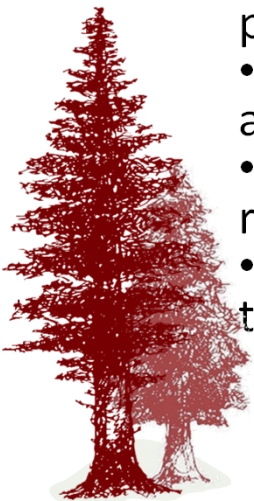
- (E) A statement of fiscal impact identifying state agencies, units of local government and the public that may be economically affected by the adoption, amendment or repeal of the rule and an estimate of that economic impact on state agencies, units of local government and the public. In considering 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.



# ORS 183.336



- Cost of compliance effect on small businesses. (1) The statement of cost of compliance effect on small businesses required by ORS 183.335 (2)(b)(E) must include:
  - (a) An estimate of the number of small businesses subject to the proposed rule and identification of the types of businesses and industries with small businesses subject to the proposed rule;
  - (b) A brief description of the projected reporting, recordkeeping and other administrative activities required for compliance with the proposed rule, including costs of professional services;
  - (c) An identification of equipment, supplies, labor and increased administration required for compliance with the proposed rule; and
  - (d) A description of the manner in which the agency proposing the rule involved small businesses in the development of the rule.
- (2) An agency shall utilize available information in complying with the requirements of this section.



## FIS for WUI Definition

- This rule is necessary to meet the statutory obligations of ORS 477.015, amended during the 2021 legislative session, directing the State Board of Forestry to define "wildland-urban interface" within 100 days of passage.



- Since the boundaries and criteria of the WUI are not yet defined ODF recommends the below FIS:

- This definition is a new administrative rule. The term is not connected to any current statute or rule.

- In its present state, the impact is indeterminate. Additional fiscal and economic impact analysis will be necessary as the definition is utilized in future rulemaking. Future rulemaking will identify the applicable area that this definition applies to.



- An additional Fiscal Impact Statement will be conducted on the next part of RAC 1's work including definitions of the words and criteria for the WUI Boundary.



Questions?

