Oregon’s Wildfire Risk-Hazard Mapping Experience Debacle

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Exercise

In the next few minutes, read the homeowner notification letter and then answer the following question at:
Mandated by the legislation:

- You have 60-days to appeal your risk classification

- Home hardening building codes are not available until October (3 months later)

- Defensible space codes are not available until January, 2022 (6 months later)
Action Alert - New Wildfire Rules Will Apply to Nearly Every Oregon Property

overly broad definition of WUI is helpful, as it subjects more property to regulation by OSEF, DCBS and DLCD (more on that below) while at the same time providing more opportunity and money from the state for grants and “studies”. Follow the money and power and you’ll figure out what these folks want.

In fact, the supporters of SB 762 have made their intent clear. Until OPOA and the Oregon Farm Bureau were able to cobble together a bare majority of legislators to reject the proposal, SB 762 contained a definition of WUI that was so broad it would have required ODF to map a single ranch house on a 10,000 acre ranch as “urban” and include it on the maps. Fortunately, the legislature removed that definition from the bill, preventing it from being locked into statute forever.

The jury is still out on whether ODF will map the WUI based on science and logic and whether they’ll accept maps that capture areas where there is truly an interface between urban development and wildland fuels without going overboard by including rural areas with no urban pressure. ODF has formed a Rule Advisory Committee (RAC) to guide the agency, and OPOA is a member of the RAC. We’re doing our best to keep the agency focused on science and common sense.

Why are the WUI definition and ODF maps important? Because once the maps are created, the other three agencies (OSEF, DCBS, DLCD) prepare rules for some or all of the mapped areas. SB 762 requires OSEF to draft “defensible space” rules for structures on properties within the WUI that are labeled as extreme risk or high risk.

The Oregon Board of Forestry wants to declare ranches like this as “urban” area.

The potential impact of the OSEF defensible space regulations to property owners is significant and worrisome. Farmers may find themselves being forced to remove crops near a barn, a rural resident may be forced to significantly alter their landscaped yard, a property owner may be prohibited from building a home on their property, and a small woodlot owner may be required to remove (and not replant) a stand of timber near a structure. These rules apply to new and existing development — there is no grandfather clause for existing structures.

Given the potential impact to property owners, the size and location of the WUI is critical, as well as a correct mapping of the extreme and high risk wildfire areas. This risk is heightened based upon the role of DCBS under SB 762.

The new OSEF “defensible space” regulations may apply to backyard landscaping like this.

DCBS is the agency in charge of the state’s residential and commercial building codes. Unlike other states, Oregon has a statewide building code for both homes and non-residential structures. SB 762 requires DCBS to create new amendments to the residential building code for dwellings and accessory structures for high and extreme wildfire risk properties in the WUI. The new building code standards are intended to “harmonize” homes by using materials and construction techniques that make the structure safer for human occupants during a wildfire event.

This new DCBS rules will apply to both new construction and also to exterior remodeling of existing dwellings and accessory structures. During the hearings on SB 762, experts indicated that the new construction requirements could add as much as $100,000 to the cost of a new home or the remodeling of an existing structure. Given that the high and extreme wildfire risk areas will apply in both urban and rural areas, the DCBS rules could have significant impacts on housing prices, which are already at historic highs.

Finally, SB 762 directs DLCD to review the existing land use laws and recommend needed changes to the 2023 Oregon legislature. Fortunately, the bill does not require DLCD to make changes, only to report to the legislature. But the definition of WUI and the wildfire risk classifications are likely to play a significant role in what changes the agency recommends to the legislature, and will probably lead to a contentious bill in the 2023 session that tries to further erode property rights in Oregon. Having a reasonable definition of WUI and science based risk classifications will better ensure any new restrictions are limited, if they are proposed.

SB 762 is a broad bill with multiple impact points for property owners. OPOA will continue to update you as the agencies undertake their work, and will remain active in opposing proposals that are overbroad and unnecessary.
Oregon's new wildfire risk map sends some homeowners' insurance rates skyrocketing

The state issued a map that shows which homes are considered high or extreme risk for wildfires — but opponents say the map is causing a lot of problems.
“As drafted, these arbitrary maps do not seriously deal with the problem in our forests," House Republican Leader Vikki Breese-Iverson said in a statement condemning the map as too overreaching. "We need to stop reclassifying land and passing more burdensome regulations that continue to drive up costs on Oregonians and instead deal with the real problem – forest management ... these maps leave most of the burden on private landowners."

Oregon House Republicans faulted the legislation and noted in a statement that "flaws in the map include designating irrigated lands under center pivots as extreme risk."
“Wildfire Risk Map”
Senate Bill 762
Public Meeting

NON GOVERNMENT MEETING
FB Group (Private Property vs Government & Wildfires)
Fairgrounds Evergreen Pavilion
1451 Fairgrounds Road
Grants Pass OR.
August 18th 7-9 pm

Your Private Property at Risk!
from wildfire so much as Government Overread
Intrusion
*Insurance Rate Hikes
*Maybe complete loss of Insurance Policies
*Government Dictates what YOU must do at your cost

all the governments hoops & rules to comply and Your ri
doesn’t change!
Come Join us for an evening of information
Help us develop action plans

end up Fight back against this Government

****For more information call
Sometimes, we don’t see the right picture.
How did we get here?
Dr. Christopher Dunn, Assistant Professor in Wildfire Risk Management

Chris’s research focuses on wildfire risk management science, through the lens of our fire management service, including assessment, mitigation, response and performance of actions.

Dr. Erica Fischer, Assistant Professor in Civil and Construction Engineering

Erica’s research revolves around innovative approaches to improve the resilience and robustness of structural systems affected by natural and man-made hazards.

Dr. Mindy S. Crandall, Assistant Professor of Forest Policy

Mindy’s research is focused on the intersection between people and forests in rural places in the US. In particular, the role of forestry and the forest products industry in regional economies.

Andy McEvoy’s, Wildfire Risk Scientist

Andy’s work and applied research focuses on wildfire risk management and analytics, including the development of wildfire risk assessments, optimal allocation of limited resources, and outcome indicators assessing the effectiveness of ongoing mitigation actions.

Caitlyn Reilley studies the intersection of human communities and wildfire. In particular, her research explores the relationship between socioeconomic factors of communities and human caused wildfire ignitions and whether socially vulnerable communities experience disproportionate amounts of wildfire.
Mapping Wildfire Hazard and Risk

- **Burn Probability**: The average annual likelihood that a specific location will experience wildfire.
- **Fire Intensity**: The amount of energy produced by a fire, usually reported as “flame length”.
- **Susceptibility**: An estimate of the potential impact to structures when they are affected by fires of various intensities.

Wildfire Risk
Burn probability

Fire intensity

Annual Burn Probability

Average Fire Intensity (Flame length)
WUI Distribution in Oregon

Only areas in orange or red were subject to additional requirements under Senate Bill 762

WUI Definition: The geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels

Is there a structure\(^1\) or other human development\(^2\)?

Is the property approved for development, within the urban growth boundary or unincorporated communities, and meets the criteria for intermix or interface community?

Not in WUI

Yes

Is there at least one structure or other human development per 40 acres?

No

Intermix Community:
Is there at least 50% vegetative\(^3\) or wildland fuels\(^4\)?

No

Yes

Interface Community:
Is the structure or other human development within 2.4 km (1.5 miles) of an area greater than 5 km\(^2\) (1.9 mi\(^2\)) with a minimum of 75% vegetative\(^3\) or wildland fuels\(^4\)?

No

Occluded Community:
Is the structure or other human development within 2.4 km (1.5 miles) of an area greater than 2.6 km\(^2\) (1.0 mi\(^2\)) but less than 5 km\(^2\) (1.9 mi\(^2\)) with a minimum of 75% wildland or vegetative?

Yes

In WUI

No
By the numbers

Only 4.4% of Oregon was within the Wildland-Urban Interface

- An estimated 23% (by area) is within high or extreme risk

Approximately 120,000 tax lots (of ~1.8 million) were at high or extreme risk and within the WUI

- Only 8.8% of Oregon tax lots
- Estimated 80,000 tax lots currently have structures present
Issue #1: The expectation that parcel-level risk classifications should be the same amongst neighbors.

Issue #2: The expectation that the map would reflect actions taken at the home with respects to home hardening and defensible space,

Issue #3: The expectation that hazard would be lower than represented in hay and pasture lands,

Issue #4: The expectation that the map reflected no, or extremely low, wildfire hazard in and around irrigated farmland.

Wildfire Hazard Assessment

Wildfire Susceptibility Assessment

Issue #2: Homeowner Actions
Should the map integrate irrigated agriculture?

= irrigated agriculture

2022 Miller Road Fire

Distribution of Irrigated Lands
Irrigated Agriculture

At least two of past five years
Where are we going?

SB 762 Wildfire Risk Map

SB 80 Draft Wildfire Hazard Map
Questions
Are homeowners losing insurance because of this risk map?

https://firststreet.org/risk-factor/fire-factor/

Homeowners insurance and wildfires

What is the Division of Financial Regulation's role?
The Division of Financial Regulation is the state insurance regulator in Oregon. Insurance companies must file their policies and rating plans with the division before they are sold to consumers. The division also examines insurance companies to make sure they are financially solvent, they pay claims according to the terms of their contract, and comply with the Oregon insurance code.

DFR offers two assistance to consumers by investigating complaints against insurance companies. The division also conducts outreach and education statewide on preparing for wildfires. In terms of preparedness, we inform consumers about making plans, storing key documents, reviewing insurance coverages, and creating defensible space in advance of wildfire season.

More information about our services: dfr.oregon.gov/preparedness.

How will the Oregon wildfire risk map affect the insurance market in Oregon?

For years, insurance companies have used the own proprietary risk models in underwriting and pricing for wildfire risk. Whether developing these models in house or purchasing them from consultants, insurance companies purchase a variety of data to build their own risk maps. The Oregon wildfire risk map reflects risks already accounted for by private industry maps and Insurance companies rating plans. In response to a data call, insurance companies told the division they are not using, and currently have no plans to use, the state wildfire risk map in their decision-making. The map does not represent new information to the industry. The map does provide to the public wildfire risk information that was previously not readily available to the public.

Can an insurance company refuse to cover wildfires in its policy?

No, the Oregon insurance code requires every homeowners insurance policy to include wildfire coverage.

Will my insurance company drop my homeowners coverage because of the Oregon wildfire risk map?

DFR meets regularly with the insurance industry, and companies have reported in a data call that they are not using and have no plans to use the state wildfire risk map for underwriting and rating decisions. The Oregon wildfire risk map will likely not affect an insurer's underwriting decision. That being said, the threat of wildfires continues to increase across the state, and any particular company may decide a piece of property is too risky to cover. DFR closely monitors insurance rates across the state and will continue to coordinate with the industry to maintain a stable insurance market in Oregon.

The good news is Oregon has a robust market with nearly 150 companies actively selling business in the state. Consumers can shop around to find the right coverage for them. If consumers cannot find coverage in the standard market, they can obtain coverage through the FAIR plan.

What is the Oregon FAIR plan?

The FAIR plan serves as the insurer of last resort if a property owner cannot find insurance coverage in the standard market. The FAIR plan offers a basic policy that covers property coverage only at actual cash value. DFR is developing a legislative concept on enhancements for the FAIR plan to provide greater consumer protection.

Who can I contact if I have questions?

DFR offers free help to consumers with insurance questions. Call 888-877-4854 (toll-free) or visit our website: dfr.oregon.gov.