



**OUTTHINK  
WILDFIRE**  
WILDFIRE ACTION POLICIES



**The Honorable Jeff Golden  
Chair, Senate Committee on Natural  
Resources  
& Wildfire Recovery  
Oregon Senate  
900 Court St. NE  
Salem, Oregon 97301**

**The Honorable Dallas Heard  
Vice-Chair, Senate Committee on  
Natural Resources  
& Wildfire Recovery  
Oregon Senate  
900 Court St. NE  
Salem, Oregon 97301**

March 12, 2021

Dear Chair Golden and Vice-Chair Heard:

In the wake of Oregon's horrific 2020 wildfire season, the National Fire Protection Association (NFPA) is highly encouraged to see your committee take up SB 287, a bill that could put the state on the path of lowering wildfire risk for residents. As the U.S. grapples with increasingly destructive wildfires, NFPA has launched *Outthink Wildfire*, an initiative to encourage all levels of government to embrace policies in five key areas to stem the loss of life, homes, and communities. These areas are: (1) retrofitting all homes and businesses for ignition resistance; (2) using the latest codes and standards, as well as sound land use practices, to create more resilient communities; (3) equipping fire departments with the tools, training, and resources needed to protect their communities; (4) increasing resources for land management actions that lower risk; and (5) educating the public on their role in wildfire risk reduction. Governor Brown's bill, SB 287, touches on each of these needs, and NFPA is broadly supportive of its approach. However, we would offer several recommendations to improve the bill and help Oregon succeed in its risk reduction goals.

NFPA applauds SB 287's directive to develop and maintain comprehensive, statewide, property-ownership-level wildfire risk maps. The Governor's Council on Wildfire Response (GCWR) 2019 report repeatedly stressed the need for this information to guide land use planning and land management prioritization across the state. This foundational step will enable the most targeted risk reduction actions.

NFPA is also highly supportive of SB 287's provision on defensible space. Creating buffer zones around homes, clear of shrubs, overgrown trees, and other flammable materials, is an effective means to prevent the spread of wildfire from wildland fuel to the home. Following the recommendations of the GCWR, SB 287 not only directs the State Fire Marshal (SFM) to develop and promulgate these rules, but it also includes language for enforcement, monitoring, and technical assistance to disadvantaged communities. These provisions are needed to give effect to the defensible space rules and save homes in the wildland urban interface. However, as noted in the GCWR, entrusting the SFM with enforcement responsibilities will necessitate extra resources for that office. NFPA therefore strongly encourages the Oregon Legislature to ensure adequate resources are available to the SFM for these activities.

The current language of SB 287's Section 9 directs the SFM to rely on the defensible space standards found within the ICC WUI code. We would note that there are other codes and standards that also address defensible space, namely Chapter 17 of the NFPA 1 *Fire Code* and Chapter 6 of NFPA 1144. The SFM should be encouraged

to evaluate any and all WUI codes and standards for their applicability to Oregon. In fact, NFPA would strongly encourage the SFM be directed to consider the concept of the [home ignition zone](#) (HIZ) in the development of defensible space standards for the state. The HIZ was developed by U.S. Forest Service scientists studying how homes are destroyed in wildfire events. Key findings support the benefits of a non-combustible zone in the area from zero to five feet from the home. Last year, the state of California passed legislation, AB 3074, requiring the promulgation of regulations for “more intense” fuel reduction efforts within 30-feet of a structure and an “ember-resistant zone” within 5-feet of a structure. SB 287 should direct the SFM to examine California’s efforts and determine their applicability to Oregon.

Additionally, while SB 287 does partially address GCWR recommendations related to land use planning, it leaves out any specific provisions on building codes. The bill’s land use planning language does promote a strong, participatory process for the state to develop and implement land use planning goals as envisioned by the GCWR. NFPA offers its support for this important first step. Disappointingly though, SB 287 does not address building codes for wildfire safety. NFPA recommends statewide use and enforcement of wildfire building safety standards, like those found in NFPA 1144. Constructing new homes and other buildings with ignition resistant materials and other safety features will reduce the need for retrofitting in the future. In the absence of statewide code provisions, NFPA would urge the legislature to act upon the GCWR’s recommendations to create an interagency group to work on building code issues and direct the Department of Land Conservation and Development to educate and guide local jurisdictions toward building codes for wildfire safety.

The third policy need identified by NFPA is around providing resources for local fire departments to help them protect their communities. While we do not have Oregon specific statistics, NFPA’s national 2016 survey, [Fourth Needs Assessment of the U.S. Fire Service](#), paints a troubling picture for local fire departments faced with increased fire in WUI areas. Eighty-eight percent of U.S. fire departments—some 23,000 departments—provide wildland and/or WUI firefighting services, but 63 percent of those have not formally trained all of their personnel involved in wildland firefighting on these skills. Only 32 percent have all of their responders equipped with appropriate personal protection equipment (PPE), and 26 percent do not have any of the necessary PPE at all. Only 27 percent of departments have a health and fitness program. For the years 2011 to 2015, wildfires caused an average of [1,330 fireground injuries](#) to local fire department personnel each year, with over one quarter of those severe enough to result in lost time from work.

Fire departments themselves acknowledge how quickly their capacity to respond to wildfires would likely be overwhelmed. Sixty-four percent of U.S. fire departments reported they could manage structure protection for a maximum of two to five structures during a single wildfire incident. More than half, 52 percent, reported they could manage, at a maximum, responding to a wildfire event of just 1 to 10 acres.

Recognizing these numbers are national, and not state specific, they do illustrate how citizen expectations that firefighters can successfully protect all lives and property in the community during a wildfire event may be misguided. SB 287 has provisions that will help Oregon’s local fire departments meet the challenge—assessments of the adequacy of mutual aid and creating new authorities for the SFD to support local entities in acquiring training and equipment. However, NFPA would again encourage the legislature to review the recommendations provided by the GWCR regarding defining and assessing baseline-levels of protection for all jurisdictions within the state.

The GCWR identified a number of land management needs to help restore Oregon’s forest and rangelands and reduce the wildfire risk they pose—including the ambitious recommendation to quickly reach a steady state of 300,000 acres per year of treatment activity in the state. While SB 287 does not identify a specific path toward that goal, or address many of the GWCR’s recommendations, it does direct the State Forestry Department to carry out its fuel reduction treatment activities according to the prioritization scheme in the Pacific NW

Quantitative WF Risk Assessment and to coordinate with federal counterparts and private and non-governmental landowners. Oregon's overall task of restoring and treating 5.6 million acres in the state cannot happen without significant coordination, support, and action from those other landholders and stakeholders. It also cannot happen without consistent performance measures and metrics, which NFPA is pleased to see in SB 287. Overall though, we would encourage the legislature to tackle some of the other needs, both funding and programmatic, identified in the GCWR, including those related to building project pipelines and capacity.

Finally, NFPA applauds SB 287's Task Force on Wildfire Education Coordination. Developing strategies to improve coordination and performance of state public wildfire education endeavors will help build public support for the actions needed to reduce wildfire risk. Through maintaining ignition resistant property, heeding evacuation orders from emergency officials, and being safe on fire prone landscapes, the public's participation in lowering risk is crucial.

Thank you for taking on this critical issue. SB 287 will put Oregon on the path toward lowering wildfire risk. With the changes discussed above, NFPA would urge its passage. Please feel free to reach out to me or NFPA Regional Operations Director Ray Bizal if we can be of assistance. He can be reached at [rbizal@nfpa.org](mailto:rbizal@nfpa.org).

Sincerely,



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