



Locally Grown
and
GROWING STRONG

Senate Committee on Natural Resources and Wildfire Recovery

Oregon Farm Bureau Testimony on SB 248 -1 & SB 287

March 15, 2021

Chair Golden, and members of the Committee,

Thank you for the opportunity to provide testimony on SB 248 -1 and SB 287. By way of background, the Oregon Farm Bureau (OFB) is the state's largest agricultural trade association, representing nearly 7,000 farm and ranch families across the state, many of whom are active contributors to rural fire protection districts and rangeland fire protection associations. As longtime stewards of the land, Oregon's farmers and ranchers know firsthand the devastating impacts wildfire can have on rural communities and the importance of proper land management to prevent fire from spreading on public and private lands. As such, OFB greatly appreciates the efforts undertaken by the Governor's Council on Wildfire Response and the legislature's continued commitment to addressing wildfire mitigation and recovery in a meaningful way.

While we agree in principle with many of the proposed avenues both of these bills take, there are concepts within SB 248 -1 and 287 that need further discussion, such as the land use, defensible space, and building codes sections. Moreover, there are highly important and practical solutions missing in these bills that are needed to adequately address wildfire mitigation, especially in terms of fuel reduction.

With that said, OFB would like to reiterate our desire to work with the legislature to solve this important issue and our commitment to being a partner in this conversation. Whether it is through their careers, volunteer efforts, or responsibilities as rural landowners, Oregon's farmers and ranchers frequently interact with fire on the landscape and recognize the need for thoughtful, effective, and regionally tailored solutions to wildfire mitigation, suppression, and preparedness. With this in mind, OFB offers the following comments on SB 248 -1 and SB 287:

Risk-Mapping & Land Use: As strong supporters of the land use system, OFB understands that our comprehensive land use planning system can be a vital tool in creating wildfire adapted communities. However, the land use, defensible space, and building code provisions of these bills need further discussion. First, addressing wildfire is a unique and highly complicated issue; a one-

size-fits-all approach will not adequately protect our communities and will not be workable for our local governments to implement. Any solution needs to be regionally tailored to meet the varied geographic needs of Oregon's diverse counties, existing protections must be taken into consideration, and there must be public involvement in any policy or regulatory decisions made using the map or involving our land use system. Therefore, we support the Land Use and Wildfire Policy Committee in SB 287, and would like to see this stakeholder group added to SB 248.

Defensible Space: As a general principle, OFB recognizes the need for managing properties in a way that reduces the risk of fire to one's neighbors and communities. However, defensible space provisions are complicated, and if not done with immense care, can cause considerable unintended consequences. For example, SB 248 -1 and SB 287 states that the defensible space standards adopted by OSFM must be consistent with International Wildland-Urban Interface Code standards. However, the 2021 IWUIC uses definitions that do not consider the varied types of vegetation that exists in rural Oregon, including commercial agricultural commodities. In fact, the Code defines "Fuel" in a number of ways all incorporating the term "vegetation" but subsequently provides no definition of "vegetation", thus possibly including irrigated or commercial agricultural and timber products that pose far less of a threat than unmanaged brush.¹ OFB is strongly opposed to any defensible space requirements that will result in the conversation of agricultural commodities.

Moreover, SB 248 -1 and SB 287 states that "The State Fire Marshal may establish different minimum defensible space requirements for homes and infrastructure on different types of land. [...] minimum defensible space requirement [...] for a type of land shall apply statewide for all lands of that type that are in areas identified as susceptible to wildfire." It is unclear how OSFM will define "types of land" and whether that will intersect with our land use planning system. Oregon has thousands of acres of land zoned for Exclusive Farm Use. However, EFU land in the Willamette Valley looks substantially different than EFU zoned land in Eastern Oregon, and how one fights fire on these lands will vary substantially by the geographic region. OFB is concerned that having defensible space standards that apply statewide based upon "land type" will actually hinder Oregon's approach to successful wildfire mitigation and response, as will not adequately consider geographic and environmental differences.

Treatment of Lands: While wildfire is natural on the landscape, there are effective measures the state could take to reduce wildfire danger. OFB supports the state encouraging the active treatment and management of land in Oregon. Therefore, we are not opposed to any treatment sections of either bill. However, we believe the treatment projects contemplated in the bills fail to acknowledge highly economical and effective methods of fuel load reduction, which can be a key tool in wildfire prevention. For example, the state should support and incentivize fuel reduction methods outside of just prescribed burning, such as mechanical thinning or grazing by livestock. Utilizing effective technologies and equipment, as well as the skills of small forest

¹ [2021 International Wildland-Urban Interface Code - CHAPTER 2 \(iccsafe.org\)](https://www.iccsafe.org/)

businesses and Oregon's ranchers, is a cost effective and proven approach to wildfire fuel reduction. Thus, OFB would like to see the resiliency goal section of SB 248 -1 and SB 287 amended to expressly include these key fuel reduction methods.

Joint Partnerships: A majority of lands east of the Cascades is under the jurisdictional control of the federal government. When fires happen on federal land, there are often inadequate or no efforts to fight fire. Despite starting and growing stronger on federal lands, the burden of stopping those fires and mitigating their effects fall upon state and local fire protection districts across the state. Oregon should be able to mobilize suppression equipment and personnel to control fires that are burning within the borders of this state, even if the fire is located on federal lands.

Again, OFB is very appreciative of the Governor's and this Committee's commitment to addressing wildfire response in Oregon. Unfortunately, we do not believe that many sections of these bills are ready to move forward need further conversation. We must be ready for this upcoming fire season, but more importantly we must be thoughtful and correct in how we address protecting Oregon from wildfire.

Thank you for the opportunity to provide comment. Please do not hesitate to contact us with any questions or concerns.

Samantha Bayer
Policy Counsel
Oregon Farm Bureau
samantha@oregonfb.org