

Brief to Senator Sara Gelsler

4/12/2021

Request: ORS 478.00 amendment to explicitly allow Oregon Rural Fire Protection District's to participate in evacuation route development. The proposed amendment language is: "The District may acquire real property and easements for the purpose of fire evacuation routes and construct and maintain such evacuation routes."

Issue: A Rural Fire Protection District refusal to contribute funds to a cost-share emergency evacuation egress project based on legal advice stating that "the ORS (478.00) does not give fire districts the powers to spend money in this way"

Situation: The Oak Creek Valley Community of 380 households is located northwest of Corvallis and situated in an 8,000 acre forested basin with one public ingress/egress. The community has identified the urgent need for safe escape options in the event of a large wildfire event. The community has been working on wildfire planning since 2018 and has engaged all 10 neighborhoods, large landowners and stakeholders in this process.

The number one concern of all community members, based on a series of neighborhood meetings in 2019, is evacuation. Currently, one primitive evacuation route is in place but it is long, runs through forest, and only serves a small portion of the community. That evacuation route is also shared with another community.

Based on the 2020 Oak Creek Valley Evacuation Route Plan, the community determined one evacuation route in the center of the community provided the shortest, safest escape option. This route utilizes an existing access road on State owned OSU land and requires only 1,500 feet of improvement to make it viable. The project proposal was initially supported by OSU with a draft MOU, then introduced and taken into consideration by Benton County, Corvallis Rural Fire Protection District (CRFPD) and Benton Community Foundation as a cost-share project. Following deliberations over several months the CRFPD withdrew stating their inability to legally contribute funds to this type of project – citing ORS 478. Their withdrawal has created a set back and potentially jeopardized the project.

Benton County has expressed their support, but has not made a financial commitment to date. They have however, dedicated staff time and engineering support for this project and placed it on their Capital Improvement Project list for consideration in the 2021-2023 biennium budget, which is being deliberated this month.

Larger Issue: The Oak Creek Valley is one of 40 Limited Access Neighborhoods in Benton County. All of these neighborhoods are in need of a risk assessment and some will require evacuation route options. It is clear that similar situations are compounded across the State and that Oak Creek Valley is representative of a much larger issue. As the danger of large scale wildfire and the need for safe evacuation grows each year, funding options are needed to address these needs.

While many rural towns and counties are struggling to maintain their operations and infrastructure given the challenges of the pandemic, the opportunity to share costs on fire-related projects and improve emergency response and safety would be a benefit for everyone. Providing explicit language in the ORS for Rural Fire Protection Districts to participate in potentially life-saving evacuation route development is greatly needed.

Prepared by Ann Eissinger, Oak Creek Valley Community, Corvallis OR