

the way the public was notified. I think this hearing should be postponed and the notice be properly mailed to all property owners at the mailing address on their tax statements.

A concerned Lane County property owner;

I don't have a fax machine, so can you please print this out and add it to the public comments. Thanks

Don't just search. Find. Check out the new MSN Search!
<http://search.msn.click-url.com/go/onm00200636ave/direct/01/>

SAGE Bill

From: MORRISON Anna M
Sent: Thursday, January 26, 2006 3:13 PM
To: SAGE Bill; MORRISON Anna M; TOWERY Jeffrey R; HOWE Kent
Subject: RE:

works for me

-----Original Message-----

From: "SAGE Bill" <Bill.SAGE@co.lane.or.us>
Sent: 1/26/06 2:53:04 PM
To: "MORRISON Anna M" <Anna.Morrison@CO.Lane.OR.US>, "TOWERY Jeffrey R" <Jeffrey.Towery@co.lane.or.us>, "HOWE Kent" <Kent.HOWE@co.lane.or.us>
Subject: FW:

Anna, Jeff and Kent:

I received an e-mail from Mr. Biggs earlier today and am forwarding to you my response which was sent to him this afternoon.

Bill

-----Original Message-----

From: SAGE Bill
Sent: Thursday, January 26, 2006 1:42 PM
To: 'Buck Biggs'
Subject: RE:

Buck,

Thank you for your comments. They have been placed in the written record.

Please send me a copy of the mailing label on your notice if you still have it. If not, please provide the address the mailing was delivered to and your regular mailing address.

The Ballot Measure 56 notice mailing list was compiled by Lane Council of Governments from the "legal owner" listing on Assessment & Taxation tax records. The notice was then mailed with the educational materials "Living With Fire" in conjunction with the Lane

County Fire Defense Board's fire safety outreach program as a method of informing the 33,814 rural property owners about wildfire behavior and actions that property owners can take to protect their families, property and the surrounding resources from the treat of a wildfire. Our joint intent was to provide information about wildfires and

notice of your opportunity to comment on the proposed fire safety standards Lane County is considering to implement for new residential development in the rural area.

Please feel free to call me if you want to discuss the code provisions or the notice mailing.

Bill
541 682-3772

-----Original Message-----

From: Buck Biggs [mailto:obbuck@hotmail.com]
Sent: Thursday, January 26, 2006 12:22 PM
To: SAGE Bill
Subject:

01/26/2006

Lane County Land Management Division

Mr. Sage

I'm writing you today concerning the proposed Lane Code 16.266. I found the required notice hidden inside a brochure entitled "Living With Fire". This brochure was addressed to "resident" and had no mention of the enclosed notice. It was also sent to my rural mailbox, which is not my regular mailing address. In my opinion this violates the provisions of measure 56. This notice should have been sent on its own and addressed to the owner of the property as an official notice. Many owners rent their property and may never see this notice. Many others, like some friends of mine, simply tossed the brochure away with other junk mail that was addressed to resident. I am not particularly opposed to the new law itself but am very displeased with the way the public was notified. I think this hearing should be postponed and the notice be properly mailed to all property owners at the mailing address on their tax statements.

A concerned Lane County property owner;

I don't have a fax machine, so can you please print this out and add it to the public comments. Thanks

Don't just search. Find. Check out the new MSN Search!

<http://search.msn.click-url.com/go/onm00200636ave/direct/01/>

SAGE BILL

From: SAGE Bill
Sent: Friday, January 27, 2006 11:02 AM
To: CUELLAR Roxie (SMTP)
Subject: Lane Code 16.266 Wildland-Urban Interface Combining Zone

Roxie,

I met with Mike Evans, Harry Taylor, Mike Farthing, Bill Kloos and Al Johnson on the 17th and have incorporate some of their comments and concerns into the attached draft of LC 16.266.

Please take a look at the draft and call me if you have comments.

I would still like to schedule a meeting with you and representatives of the Homebuilders Association if you are willing.

Bill Sage
541 682-3772



LC 16.266 (draft)
1-25-06-1.do...

SAGE Bill

From: Sherry Rose [sherry@clipper.net]
Sent: Friday, January 27, 2006 1:19 PM
To: SAGE Bill
Subject: Wildfire Protection Plan Question

Will this include everyone outside an urban growth boundary, or only large holdings? Some of the lots in rural Lane County aren't even 130 feet in width, so those people wouldn't be able to grow any shrubs apparently. Is that correct? We are on one acre in a housing development where everyone is on about an acre. Will this new plan eventually apply to us as well?

Thanks for your help,

Sherry

SAGE Bill

From: Diane Kumfermann [dianemk@efn.org]
Sent: Saturday, January 28, 2006 8:52 AM
To: SAGE Bill
Subject: Re: Interesting responses & thank you

Thank you, Mr. Sage. Interesting responses. I've printed your email and my husband and I will, no doubt, talk about it this weekend.

I'm sure I'll have more questions as we continue to attend to our property.

Thanks again.

Diane Kumfermann

— Original Message —

From: SAGE Bill
To: [Diane Kumfermann](#)
Sent: Friday, January 27, 2006 10:42 AM
Subject: RE: Lane Code 16.266 & "retrofit"

Diane,

Without knowing the specific site and zoning designation for your property, I can only give you a generic answer to the questions you have posed.

1) How does code 16.266 apply to our situation?

Lane County did not have fire safety standards for driveways and fuel breaks in 1978-79. The first standards were applied in the Impacted Forest Land Zone (F2) in 1984 and upgraded in 1990. Since 1984, new "forest" dwelling interspersed

The proposed fire safety standards are intended to apply to all new residential development including new dwellings and accessory structures such as garages, work shops, guest houses, etc. It would also apply to an addition to an existing dwelling if the square footage of the addition was equal to or exceeded 50% of the square footage of the existing dwelling. If your home was 2,000 square feet and the addition was planned for 1000 square feet on the east side, the fuel break requirements would apply on the eastern side or exposure of the addition. If you proposed to replace 50% or more of the roofing material of the dwelling in a calendar year, the roofing materials would have to comply with the fire resistant requirement. The normal 30-year composition shingles would meet this requirement. Wood shakes or wood shingles would not qualify.

The LC 16.266 standards are not retroactive. They can not be required for existing structures. If you elected to replace your dwelling with a new dwelling, then the standards would apply to the new dwelling.

2) If it doesn't particularly apply (other than providing some good ideas for protecting one's home), what code does apply?

The only existing County fire safety standards are in Lane Code 16.210 and 16.211 and limited to the Nonimpacted Forest Land (F1) and Impacted Forest Land (F2).

The Oregon Department of Forestry is in the initial phase of conducting inspections of rural properties in the upper reach of Highway 58 (Oakridge to Lowell.Dexter) to educate existing home owners of the level of risk the

existing fuel loads pose to dwellings. They will be looking at 2,200 sites in that subarea during the current fiscal year and making recommendations to the property owners. This activity is not part of the Lane County fire safety standards being proposed in LC 16.266. It is a responsibility mandated to the Oregon Department of Forestry by Senate Bill 360 in 1997. Due to lack of State funding, it has been slow to implement.

3) "Tree farms" to the north/northeast and east and the neighbor's slash piles. Should these piles remain? Are they of any particular concern?

Commercial thinning and harvest of trees in the resource base are regulated by the Forest Practices Act and implemented through the Oregon Department of Forestry. A property owner is required to file a "notification" with the ODF district office prior to logging and it includes a plan for what will be harvested and how the slash will be disposed of afterwards. If you are on the west side of the County you can contact the Veneta ODF office on Territorial Road and discuss the threat posed by the slash piles that apparently were left three years or so ago. If you are on the east side of the County, contact the ODF office in Springfield at 3150 Main Street. ODF will check the site and contact the owner/operator about finishing the disposal of the slash on the site.

Again, call or e-mail if you have additional questions or comments.

Bill
541 682-3772

-----Original Message-----

From: Diane Kumfermann [mailto:dianemk@efn.org]
Sent: Friday, January 27, 2006 8:26 AM
To: SAGE Bill
Subject: Re: Lane Code 16.266 & "retrofit"

Thank you for your response, Mr. Sage.

For us, the first question that comes to mind is: our house was built in 1978-79 atop a hill at the end of a 1/2 mile long fairly steep switchback driveway/road. We have a two circle turnaround at the terminus of the driveway (at our house). Although we put a lot of work into maintaining this little road, it does not really accommodate trucks of any sort over 18'.

Questions:

- 1) How does code 16.266 apply to our situation?
- 2) If it doesn't particularly apply (other than providing some good ideas for protecting one's home), what code does apply?
- 3) Our neighbors to the north/northeast and east have "tree farms" of 100 acres/50 acres, respectively. The 100 acre parcel was logged for the three years prior to last year. There are numerous, large slag piles left from this logging. Our house abutts the 100 acre parcel and is situated about 30-50' feet from our shared property line. Although we've been cleaning up the remaining forested area both on our (and their) property of deadwood, underbrush, etc. for the last 4 years, I can't see us hauling away their slag piles. Should these piles remain? Are they of any particular concern?

Thank you.

Diane Kumfermann

----- Original Message -----

From: SAGE Bill
To: Diane Kumfermann
Sent: Thursday, January 26, 2006 2:46 PM
Subject: RE: Copy of Lane Code 16.266

Diane,

Either option will work -- send an e-mail or call to set an appointment to meet. I look forward to your comments.

Bill
541 682-3772

-----Original Message-----

From: Diane Kumfermann [mailto:dianemk@efn.org]
Sent: Thursday, January 26, 2006 2:37 PM
To: SAGE Bill
Subject: Re: Copy of Lane Code 16.266

Thank you for sending this, Bill.

Obviously, there is much to consider.

After I've given the code a thoroughgoing reading, any chance for a meeting to answer questions? -- or -- would you rather I emailed questions?

Thanks again.

Diane Kumfermann

----- Original Message -----

From: SAGE Bill
To: Diane Kumfermann
Sent: Monday, January 23, 2006 8:16 AM
Subject: RE: Copy of Lane Code 16.266

Sorry for the confusion.
Here's the copy above.
Bill.

-----Original Message-----

From: Diane Kumfermann [mailto:dianemk@efn.org]
Sent: Saturday, January 21, 2006 7:32 AM
To: SAGE Bill
Subject: Re: Copy of Lane Code 16.266

Bill,

Thanks for the email response.

My Outlook shows that there wasn't an attachment. Could you please resend 16.266?

Or you could just mail a copy to:

Diane Kumfermann
30727 Koinonia Road
Eugene, OR 97405

Thank you.

Diane

----- Original Message -----

From: SAGE Bill
To: Diane Kumfermann
Sent: Thursday, January 19, 2006 9:13 AM
Subject: RE: Copy of Lane Code 16.266

Ms. Kumfermann,

I am attaching a copy of the proposed Lane Code 16.266. Please feel free to call me if you have comments or questions on the draft. We are checking to insure the draft is available on the website.

Bill
541 682-3772

-----Original Message-----

From: Diane Kumfermann [mailto:dianemk@efn.org]
Sent: Thursday, January 19, 2006 9:11 AM
To: SAGE Bill
Subject: Copy of Lane Code 16.266

Hello Mr. Sage,

Could I please get a copy of the above-referenced code?

I accessed the Lane County website, but was unable to get a copy of the the code there.

You can email attach a copy or send to:

Diane Kumfermann
30727 Koinonia Road
Eugene, OR 97405

Thank you.

Diane

SAGE Bill

From: MKMackey1@aol.com
Sent: Saturday, January 28, 2006 9:39 AM
To: SAGE Bill
Subject: New Buffer Zone Protections

Dear Mr. Sage:

As a garden writer for Sunset magazine, as well as other national publications, and as a gardener who lives in the county, I feel that the county's landscaping changes are draconian, at best. I will not be able to attend the meeting, but please pass along my thoughts to whoever needs to hear them.

1. A "well maintained park like setting" requires water. In my part of the woods, most neighboring wells bring in an average of three gallons a minute—nowhere near enough to maintain a park like perimeter for 75 feet from the house.

2. Keeping plants to only two feet high around a house shows amazing ignorance of fire-resistant plants. Why don't the powers-that-be work with the Oregon Nursery Association to come up with reasonable lists that include shrubs and small trees that meet these fire resistant requirements? Every time I write about a garden from the Eugene area for in Sunset magazine (See the cover article of the September 2005 issue), it is free publicity for our community. And that translates to dollars spent here in Lane County. I can tell you that there will be no gardens to write about in the county if everything is under two feet or pruned up very high.

3. But **most importantly**, this whole fire protection idea is based on the premise that our homes in the county CAN be saved. For years, as a member of the Spencer Butte Neighborhood Association, firefighters I have heard speak at our meetings say that they will NOT protect our houses in the case of a forest fire. They don't have (a.) the manpower, (b.) the equipment or (c.) the water resources. Now, somehow magically, that has changed? Yes, firefighters come to put out single house fires, but should a fire run, we have always been told to get out and don't look back. My neighbors live with just that assumption, and the high cost of our homeowners insurance reflects it.

Which leads to me wonder, perhaps cynically, just who is behind this move to save us from ourselves? If we traced it back far enough, is the impulse for this in some way connected to FEMA?

Thank you,
Mary-Kate Mackey

SAGE Bill

From: SAGE Bill
Sent: Monday, January 30, 2006 8:32 AM
To: 'localgroup'
Subject: RE: Just my wee opinion . . .



LC 16.266 (draft)
1-25-06-1.do...

Mr. Parker,

I am attaching the current draft of the proposed fire safety standards for your review. The standards are proposed to apply to new residential development including new residences and additions to existing residences that are 50% or greater than the existing residence on property that they own or control through easements. The standards are not retroactive and do not require removal of fuel loads around existing dwellings or accessory structures.

Please call me if you have additional questions.

Bill
541 682-3772

-----Original Message-----

From: localgroup [mailto:localgroup@earthlink.net]
Sent: Friday, January 27, 2006 2:26 PM
To: SAGE Bill
Subject: Just my wee opinion . . .

Dear Mr. Sage:

A 130-foot firebreak perimeter? Pardon my saying so, but this is, to put it mildly, not rational.

If you put a pencil to it, you are talking about clearing 50,000 acres, at least, in Lane County alone.

God knows what it will cost, aesthetic considerations aside. Has anyone done a cost-benefit analysis of this loopy idea?

Somebody needs a long vacation.

Sincerely,
Wally Parker

SAGE Bill

From: localgroup [localgroup@earthlink.net]
Sent: Monday, January 30, 2006 8:46 AM
To: SAGE Bill
Subject: Re: Just my wee opinion . . .

Thanks, Bill. I'll plow through this and let you know what I think.

Regards,
Wally P

On Jan 30, 2006, at 8:31 AM, SAGE Bill wrote:

> Mr. Parker,
>
> I am attaching the current draft of the proposed fire safety standards
> for your review. The standards are proposed to apply to new
> residential
> development including new residences and additions to existing
> residences that are 50% or greater than the existing residence on
> property that they own or control through easements. The standards are
> not retroactive and do not require removal of fuel loads around
> existing
> dwellings or accessory structures.
>
> Please call me if you have additional questions.
>
> Bill
> 541 682-3772

>
>
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> Sent: Friday, January 27, 2006 2:26 PM
> To: SAGE Bill
> Subject: Just my wee opinion . . .

>
>
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> put it mildly, not rational.
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> done a cost-benefit analysis of this loopy idea?
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> Somebody needs a long vacation.
>
> Sincerely,
> Wally Parker
>
> <LC 16.266 (draft) 1-25-06-1.doc>

SAGE Bill

From: SAGE Bill
Sent: Monday, January 30, 2006 8:45 AM
To: 'Bill Johnson'
Subject: RE: Buffer code

Mr. Johnson,

Thank you for your inquiry.

The exemptions for sensitive habitat are found in subsection (6)(c):

(c) Exceptions to the Defensible Space and Secondary Fuel Break Standards.

(i) Class I Stream Riparian Regulations

(A) Only the minimal removal or alteration of vegetation with the Riparian Setback Area is allowed to establish a Defensible Space. The removal shall not exceed the limitations of LC 16.253(2)(a) and (b).

(B) Secondary Fuel Breaks are not required in the Riparian Setback Area.

The "defensible space" is the inner circle around a new dwelling that for approximately eighty percent of new rural dwellings would be a 30-foot radius. The secondary fuel break is not required within the riparian setback area.

The removal standards apply to new residential development and do not apply retroactively to existing dwellings or accessory structures.

Please call me if you have additional questions.

Bill
541 682-3772

-----Original Message-----

From: Bill Johnson [mailto:woodsman2g@yahoo.com]
Sent: Monday, January 30, 2006 8:30 AM
To: SAGE Bill
Subject: Buffer code

Please send me the portion of the code that deals with riparian zones along creeks. I have about 1000 ft of creek frontage on Camp Creek and do not wish to cut trees in that zone just for easier access to fight a fire. Thank you. Kirt Johnson

Bring words and photos together (easily) with
PhotoMail - it's free and works with Yahoo! Mail.

SAGE BILL

From: SAGE Bill
Sent: Monday, January 30, 2006 9:24 AM
To: 'Sherry Rose'
Subject: RE: Wildfire Protection Plan Question



LC 16.266 (draft)
1-25-06-1.do...

Ms. Rose,

The above attachment is a copy of the current draft of the proposed fire safety standards. All new residential development outside of the urban growth boundaries of the eleven incorporated communities (cities) in Lane County would be subject to the proposed standards.

Application of the fuel breaks on small parcels are addressed in subsection (6) (a):

(6) Defensible Space and Secondary Fuel Breaks.

(a) Defensible Space.

Property owners are required to create and maintain a defensible space for all dwellings, manufactured dwellings, residential units, accessory structures, and additions of 50% or more of floor area to dwellings and accessory structures on land that is owned or controlled by the property owner within the Wildland-Urban Interface. The applicable defensible space shall be determined by either method set forth in 16.266 (6) (a) (i) or 16.266(6) (a) (ii).

and also in subsection (6) (b):

b) Secondary Fuel Break. Where the surrounding landscape of the subject lot or parcel or contiguous lots or parcels are owned or under the control of the property owner, a 100-foot secondary fuel break surrounding the defensible space shall be required.

Under the language in the above two subsections, only land that the property owner owns or has an easement from an adjacent neighbor to establish fuel breaks, are subject to the requirement for defensible space and secondary fuel break.

The regulations provide for spaced trees and shrubbery within the defensible space and the secondary fuel break.

The fire safety standards are not retroactive and would only apply to new residential development after the standards were adopted.

Please call me if you have additional questions.

Bill
541 682-3772

-----Original Message-----

From: Sherry Rose [mailto:sherry@clipper.net]
Sent: Friday, January 27, 2006 1:19 PM
To: SAGE Bill
Subject: Wildfire Protection Plan Question

Will this include everyone outside an urban growth boundary, or only large holdings? Some of the lots in rural Lane County aren't even 130 feet in width, so those people wouldn't be able to grow any shrubs apparently. Is that correct? We are on one acre in a housing development where everyone is on about an acre. Will this new plan eventually apply to us as well?

Thanks for your help,

Sherry

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(a) Defensible Space.

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541 682-3772

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Thanks for your help,

Sherry

REC'D JAN 30 2006

To: Lane County Planning Commission, Bill Sage,

From: Yvonne Hall

Proposed Wildland Urban Interface Combining Zone.

I am opposed to any creation of such a zone because the requirements that go along with them are invasive and restrictive. It will result in added expenses for landowners. The proposed zoning does not mention how these standards and requirements are going to be enforced and how that part will be financed. Higher taxes anyone? We dont need this. The paper/propaganda "living with fire" shows California wildfires. We do not have the same terrain here. It is too wet here. When was the last time we had "santa ana" winds here? This is a matter between the homeowner and their insurance companies, Not the county. If You want to clear some bushes out, start in Washington D C !

Sincerely,



Yvonne Hall

YVONNE HALL
89543 DEMMING RD.
ELMIRA, OR 97437-9608

SAGE Bill

From: Roxie Cuellar at HBA Lane County [roxie@hbalanecounty.org]
Sent: Monday, January 30, 2006 12:12 PM
To: SAGE Bill
Subject: RE: Lane Code 16.266 Wildland-Urban Interface Combining Zone

I will look at it today. I ended up having an exec / board meeting that day and couldn't make the meeting. I am sorry I missed it. Roxie

From: SAGE Bill [mailto:Bill.SAGE@co.lane.or.us]
Sent: Friday, January 27, 2006 11:02 AM
To: CUELLAR Roxie (SMTP)
Subject: Lane Code 16.266 Wildland-Urban Interface Combining Zone

Roxie,

I met with Mike Evans, Harry Taylor, Mike Farthing, Bill Kloos and Al Johnson on the 17th and have incorporate some of their comments and concerns into the attached draft of LC 16.266.

Please take a look at the draft and call me if you have comments.

I would still like to schedule a meeting with you and representatives of the Homebuilders Association if you are willing.

Bill Sage
541 682-3772

<<LC 16.266 (draft) 1-25-06-1.doc>>

SAGE Bill

From: SAGE Bill
Sent: Monday, January 30, 2006 12:18 PM
To: 'Walter Morgan/ Cindy Heller'
Subject: RE: Landscaping code

Walter,

I am mailing you a copy of the notice (hard copy only) and also e-mailing the attached updated draft of the proposed fire safety standards.

Please call or e-mail me if you have questions or comments.

Bill
541 682-3772

-----Original Message-----

From: Walter Morgan/ Cindy Heller [mailto:morganheller@earthlink.net]
Sent: Monday, January 30, 2006 11:19 AM
To: SAGE Bill
Subject: Landscaping code

I noted the article "In the buffer zone" with great trepidation as I am in the zone (1.5 NE of Fern Ridge Lake). I have downloaded the draft "Wildland-Urban interface..." and intend to study it.

I noted that the article referred to a recent mailing to 33,813 homeowners about this effort. I do not recall getting the mailing. Could you see that I get a copy to review. You may e-mail it to me or snail mail at the address below.

Thank You;

Walter Morgan
25431 Lawrence Road
Junction City, OR
97448
541 935 4209 (voice or fax)

SAGE Bill

From: SAGE Bill
Sent: Monday, January 30, 2006 1:02 PM
To: SEGEL Lauri (SMTP)
Subject: RE: Wildland Urban Interface Combining Zone Proposal



LC 16.266 (draft)
1-25-06-1.do...



Excel permit
process.xls (39 K...

Lauri,

Here are copies of the two Excel permit process guidelines and the current draft of the proposed LC 16.266 fire safety standards.

Bill

-----Original Message-----

From: Lauri Segel [mailto:lauri@friends.org]
Sent: Monday, January 30, 2006 12:53 PM
To: SAGE Bill
Subject: Wildland Urban Interface Combining Zone Proposal

Bill:

Can you please make me a copy of the Wildland-Urban Interface Combining Zone proposal scheduled to go before the PC for a public hearing on February 7? I would be able to come by and pick it up today or tomorrow.

Thank you for your help.

Lauri Segel
1000 Friends of Oregon
Lane County Advocate
1192 Lawrence
Eugene OR 97401

phone: 541-431-7059
fax: 541-431-7078

Become an Oregon donor: <http://www.friends.org/support/>

SAGE Bill

From: SAGE Bill
Sent: Monday, January 30, 2006 1:02 PM
To: SEGEL Lauri (SMTP)
Subject: RE: Wildland Urban Interface Combining Zone Proposal



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Sent: Monday, January 30, 2006 12:53 PM
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Lauri Segel
1000 Friends of Oregon
Lane County Advocate
1192 Lawrence
Eugene OR 97401

phone: 541-431-7059
fax: 541-431-7078

Become an Oregon donor: <http://www.friends.org/support/>

SAGE Bill

From: SAGE Bill
Sent: Monday, January 30, 2006 2:46 PM
To: MILLER Keir C
Subject: FW: Wildland Urban Interface Combining Zone Proposal

Keir,
Please send directions to the Lane County website for the CWPP to Lauri Segel.
Thanks, Bill

-----Original Message-----
From: Lauri Segel [mailto:lauri@friends.org]
Sent: Monday, January 30, 2006 2:39 PM
To: SAGE Bill
Subject: RE: Wildland Urban Interface Combining Zone Proposal

Bill, do you happen to have an electronic version of the Lane County
Community Wildfire Protection Plan (July 2005) that you can forward to me?

Lauri Segel
1000 Friends of Oregon
Lane County Advocate
1192 Lawrence
Eugene OR 97401

phone: 541-431-7059
fax: 541-431-7078

● come an Oregon donor: <http://www.friends.org/support/>

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Zone
proposal scheduled to go before the PC for a public hearing on February

● would be able to come by and pick it up today or tomorrow.

Thank you for your help.

Lauri Segel
1000 Friends of Oregon
Lane County Advocate
92 Lawrence
gene OR 97401

phone: 541-431-7059
fax: 541-431-7078

Become an Oregon donor: <http://www.friends.org/support/>

SAGE Bill

From: WAGENBLAST Greg [GWAGENBLAST@ODF.STATE.OR.US]
Sent: Monday, January 30, 2006 6:05 PM
To: SAGE Bill
Subject: We need to talk !!! Lane code

Hi Bill,

We need to talk - I seem to be receiving some comments from people (due to past contacts with them) with concerns about the lane code that was mailed out in the flyers from the prevention coop...

Some how we need to get you in touch with Coburg Fire and Don Harkins (Country View Estates Homeowners Association). There seems to be a group of upset citizens about the new code. Is there a way to bring you together with some of them and fire departments to discuss the concerns ? I think if we could bring people to the table and discuss what the code says, what you picture (maybe have a drawing of the clearing zones etc...), and other items of their concerns we might be able to save some problems at the public meeting on the 7th. I know Don H. has reviewed SB360 and is drawing some differences between Lane code and SB360... maybe we can bring people together and discuss if there are differences and what they are... why... and if there are some suggestions before they go into the public meeting.

gw

SAGE Bill

From: Don Harkins [dharkins@pcinw.com]
Sent: Monday, January 30, 2006 11:43 PM
To: SAGE Bill
Cc: 'coburgfire@nu-world.com'; JUDD Bill (SMTP); 'Jim Lockard'
Subject: RE: Proposed 16.266

Hello Mr. Sage:

This proposed change to the LC is certainly causing a stir. I have spoken with Greg Wagenblast (Eastern Lane ODF) at length and understand that the Senate Bill 360 is the driving force. I also am aware that the Lane County Fire Defense Board did NOT support the LC16.266 at their last meeting. Chad Minter, the Lane County Chief and I would like to discuss the driving force behind this proposed change in the Lane Code. I am certain that someone will suggest at the public meeting that the decision be delayed until the Fire Defense Board weighs in on this proposed LC change and makes suggestions that everyone can live with.

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If you look at the CWPP, my name is one of the those that drafted the CWPP. At no time during that meeting did we (Chad and I) think that the CWPP would become ordinance. It was intended for community awareness and education.

I will be at the Coburg Fire Station on Tuesday from 10am to noon if you would be able to call and chat with Chad and I about this. (686-1573) If unable, could you tell me of a time when you could talk? Thank you in advance for your time.

Also, the last update I received from you was dated 1/23, but I see that the 1/12 version is still on the Planning website. What will be discussed at the Planning meeting, the 1/12 or 1/23 version or something after? Is there another later version out there? Can you put Chad Minter and I on the list as new versions are available?

Chad doesn't seem to be one of the Fire Chiefs that is getting regular email updates.

Thanks!

Don Harkins
dharkins@pcinw.com

cc: Chad Minter, Coburg Fire Chief, (coburgfire@nu-world.com)
cc: Jim Lockard, Coburg Fire District Board Member,
cc: Bill Judd, Coburg Fire District Board Member,

-----Original Message-----

From: SAGE Bill [SMTP:Bill.SAGE@co.lane.or.us]
Sent: Wednesday, January 25, 2006 3:45 PM
To: Don Harkins
Subject: RE: Proposed 16.266

Don,

Here are the revisions being considered resulting from comments during the past two weeks.

Bill

-----Original Message-----

From: Don Harkins [mailto:dharkins@pcinw.com]
Sent: Wednesday, January 25, 2006 11:05 AM
To: SAGE Bill
Subject: RE: Proposed 16.266

I understand that there is a more recent draft available. Can you send me this new draft?

Thank you.

-Don Harkins

-----Original Message-----

From: SAGE Bill [SMTP:Bill.SAGE@co.lane.or.us]
Sent: Thursday, January 19, 2006 9:10 AM
To: Don Harkins
Cc: TOWERY Jeffrey R; PW Admin; coburgfire@nu-world.com
Subject: RE: Proposed 16.266

Dear Mr. Hawkins,

The packet your received that included the "Living with Fire" and the notice of the Lane County Planning Commission public hearing on February

7th, served two purposes. The first to provide information on the behavior of wildfires and actions citizens can take to mitigate the potential impact of a wildfire on lives and property and the second

to inform you an approximately 34,000 other property owners of the proposed

fire safety standards being considered for implementation in the rural

areas of Lane County. By rural, we mean outside the urban growth boundaries of the eleven incorporated cities in Lane County. That mailing was the result of two action items adopted as elements in the Lane County Community Fire Protection Plan (CWPP in July 2005. The CWPP

includes 21 actions to increase awareness and assist communities and citizens to prepare for a wildfire. The CWPP was drafted by a steering

committee that included representatives from Lane County Land Management

Division, Sheriff's Emergency Management Division, Lane County Fire Defense Board representing the fire protection districts, Oregon Fire Marshal Office, Oregon Department of Forestry, US Forest Service,

BLM, and the Oregon Natural Hazards Workgroup.

I am attaching the current draft of the Lane Code 16.266. The draft is

a blending of the fire safety standards of the International Urban-Wildland Interface Code (2003), Oregon Specialty Codes, Oregon Department of Forestry, and Fire Marshal's guidelines and regulations.

The drafting and the implementation of LC 16.266 is proposed as a collaborative effort between Lane County building inspectors and the fire protection districts. The fit between the two groups will be apparent when you read the attached draft.

Lane County has been coordinating with the fire protection districts.

LMD planning staff has met with the Lane County Fire Defense Board (LCFDB) on two occasions which included representatives from 12-15 individual districts and have held additional review meetings with a subcommittee of that group in crafting the standards in the proposed code. As the writing of the code progressed, E-mail copies of the drafts have been distributed to the individual fire districts on several occasions by the Oregon Fire Marshal and LMD Planning. The LCFDB and FPDs have been very important contributors to the drafts over the course of the project.

The premise behind the proposed fire protection standards is to insure that fuel breaks are implemented around new residential development and that new access driveways and roads are constructed to minimum standards that will allow fire protection district crews to safely get to structural fires and assist resource fire protection crews in defending against a wildfire in the vicinity of residential development. The LC 16.266 standards are intended to protect life property and resources. With property rights, there is also a need for balance with responsibilities to neighbors, communities and the resource base.

The proposed implementation and enforcement of the standards are integrated with the building permit and required building inspection schedules for construction of residential structures. The application of the fire safety standards is designed to function within the existing review, sign-off and field inspection processes for building permits.

Please feel free to call me if you have additional concerns or questions.

Bill

-----Original Message-----

From: Don Harkins [mailto:dharkins@pcinw.com]
Sent: Wednesday, January 18, 2006 11:16 PM
To: SAGE Bill
Cc: TOWERY Jeffrey R; PW Admin; 'coburgfire@nu-world.com'
Subject: Proposed 16.266

To: Bill Sage
CC: Jeff Towery, Planning Director
Ollie Snowden, Public Works Director
Chad Minter, Lane County Fire Chief (Coburg Fire District)

Dear Mr. Sage:

I received the notice of the proposed Lane Code amendment for the Wildland-Urban Interface Zone today in the mail. I was disappointed that the letter referred to the Lane County web site, Public Works Dept., Land Management Division area, but this proposed amendment was not there! A search of the Lane County web site provided ZERO results for both "16.266" and "Wildland-Urban Interface."

I also spoke with my local Fire Chief for Coburg, Chad Minter -- who serves the Coburg Fire District and all of Lane County as the Lane County Chief. While he said that an early draft was discussed a month or so ago at the South Willamette Fire Training Association (SWFTA) meeting, he was unaware of this letter I received today.

Please email me the proposed change. I suggest that if it is on the Lane County web site, that maybe it can be made more obvious since I did not find it where the letter directed me to look.

I am disappointed that Lane County Planning isn't apparently working with the local Fire Chiefs on establishing the zoning rules for fire protection! The "Living with Fire" information in the mail was great, but it says the recommendations "are not requirements nor do they take precedence over local ordinances. Contact your local fire service office." Will my local Fire Chief be responsible for enforcement of these new standards in 16.266? Who is behind these changes, the local fire districts or Lane County Planning? If the local fire districts, then why doesn't the Lane County Chief have the final proposal of this new zoning ordinance and know how it affects the residents in Lane County or his fire district?

Please also send me the current fire protection ordinances. Can you tell me what the enforcement practices are for Lane County with the current ordinances and what will change with enforcement with these new proposed ordinances?

Thank you for your response.

Don Harkins
91000 Ridgeview Rd.
Eugene, OR 97408
dharkins@pcinw.com

<< File: LC 16.266 (draft) 1-12-06B.doc >>
<< File: LC 16.266 (draft) 1-25-06-1.doc >>

SAGE Bill

From: localgroup [localgroup@earthlink.net]
Sent: Tuesday, January 31, 2006 7:16 AM
To: SAGE Bill
Subject: 16.266 (WUI-RCP) DRAFT

Hi Bill --

Well, this doesn't look much at all like I thought it would from the RG story. In fact, I compliment you on how well it's written, especially the earlier parts. I didn't find any typos!

I will have a couple of comments in re the driveway design part, which I think is a little overdrawn, and I have some questions about such things as spruce trees, which can't really be cut this way, and small clumps of trees, which I think should have a right to exist, and small trees generally, which I think we don't really want to get rid of (for the same reason we don't want to encourage monoculture, and also on aesthetic grounds). I also question the noise pollution potential from too-strenuous removal of undergrowth. But I will try to come up with specifics in a few days and will send them along.

You know, it's very difficult to write any kind of one-size-fits-all legislation, and people's yards are frequently very personal to them. A lot of whether any rules are successful depends on the kind of enforcement that goes on in fact. And you can't really legislate that. This means that a particular building inspector or a particular enforcement officer can make life a living hell for citizens, and practically anyone you talk to in Lane County (or maybe anywhere) has met one of these characters. They aren't as bad as cops who prey on hapless girls, but they create the same kind of animus and really, in the end they cause the same distortions of the law's intent and hence of the public interest. This is a management problem, I know, but in the present case I would suggest perhaps you consider a reasonably simple and direct initial appeal process beyond saying that the BO shall "have authority to grant modifications". I know from experience that incredible modifications of other sections of the code are sometimes granted and harmless or trivial modifications are sometimes denied; this again subverts the law's intent and the public good. Maybe a book of exceptions could be compiled, detailing case by case what has been allowed and what hasn't (I'm dreaming). I reckon it'd be an eye-opener.

Sincerely,
Wally Parker

SAGE Bill

From: Erik [viking@pacwest.net]
Sent: Tuesday, January 31, 2006 6:14 AM
To: SAGE Bill
Subject: Question lane code 16.266?

I live at 75910 shortridge hill rd Cottage Grove, OR. How will lane code 16.266 affect me?
Thanks
Erik Engen

SAGE Bill

From: GaryWiren@aol.com
Sent: Tuesday, January 31, 2006 5:53 AM
To: SAGE Bill
Subject: Country View

Bill, I am a property owner in Country View Estates, owning the only lot on which there is no home. I attended the Univ. of Oregon and lived in Eugene from 1962-72. Currently I live in Florida, but our dream was to build in Eugene at Country View on retirement. I was most disturbed to hear that the County is now considering implementing restrictions that exceed those in force by the State. It causes us to wonder about our building decision. I hope that a reasonable approach to the issue of fire protection will be the result of your deliberations.
Gary Wiren, PhD

SAGE BILL

From: SAGE Bill
Sent: Tuesday, January 31, 2006 8:07 AM
To: 'Don Harkins'; 'WAGENBLAST Greg'
Cc: 'coburgfire@nu-world.com'; JUDD Bill (SMTP); 'Jim Lockard'
Subject: RE: Proposed 16.266

Don,
I can meet you at the Coburg fire station at 10:30 a.m. if that works for you.
Let me know if it doesn't. If I don't hear from you I will see you at the station.
Bill

-----Original Message-----

From: Don Harkins [mailto:dharkins@pcinw.com]
Sent: Monday, January 30, 2006 11:43 PM
To: SAGE Bill
Cc: 'coburgfire@nu-world.com'; JUDD Bill (SMTP); 'Jim Lockard'
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Ollie Snowden, Public Works Director
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91000 Ridgeview Rd.
Eugene, OR 97408
dharkins@pcinw.com

<< File: LC 16.266 (draft) 1-12-06B.doc >>
<< File: LC 16.266 (draft) 1-25-06-1.doc >>

SAGE BILL

From: SAGE Bill
Sent: Tuesday, January 31, 2006 9:55 AM
To: 'Erik'
Subject: RE: Question lane code 16.266?

Erik,

Your property is developed with a dwelling built around 1910 and a garage. The fuel breaks and road or driveway standards do not apply retroactively to existing structures. If you were to build a new dwelling on the property or an additional accessory structure such as a shop, the fuel break standards would apply to the new structure. The road and driveway standards would not apply unless you removed the 1910 dwelling and built a new dwelling in a different location on the property.

Call me if you need further clarification.

Bill
541 682-3772

-----Original Message-----

From: Erik [mailto:viking@pacwest.net]
Sent: Tuesday, January 31, 2006 6:14 AM
To: SAGE Bill
Subject: Question lane code 16.266?

I live at 75910 shortridge hill rd Cottage Grove, OR. How will lane code 16.266 affect me?
Thanks
Erik Engen

SAGE Bill

From: Ron Cramer [Ron@cramergiles.com]
Sent: Tuesday, January 31, 2006 10:19 AM
To: SAGE Bill
Subject: Fire protection/sb

Bill, I spoke with you last week about the new proposed rules. I have learned a lot about this and my conclusion is I think the county rules need to mirror the State if you must have rules at all.. These rules are going to impact wetlands (from construction of driveway turn outs and turn arounds. at least.) and wild life corridors. Then if we impact wetlands we have to get the DSL, DEQ and Corp of engineers and others involved.. To give you an example of what this costs the homeowner, I am close to submitting my plans to county to build my house, shop and Barn and between all these government agencies, wetland consultants , buying wetlands to replace the ¼ acre of wetlands that I am impacting is going to cost me about 50k. This is absolutely ridiculous having all the government agencies involved. So any one who has to go thru this process is faced with the above.

There is no doubt that the fire districts who support this are doing it for the revenue from inspections. Charging development fees and inspection fees has been the game plan of government to bypass the inability to generate tax revenue and I think the community is frankly getting sick of it.

Folks who live in the forest and in the country accept the premis that they are further from the fire department, the hospital, the police and don't need to have the government dictating how they have to protect themselves.

SAGE Bill

From: Walter Morgan/ Cindy Heller [morganheller@earthlink.net]
Sent: Tuesday, January 31, 2006 9:38 PM
To: SAGE Bill
Subject: Draft Lane Code 16.266

Thank you for your prompt reply to my last e-mail.

Please consider the following as my input for the public hearing February 7. I will also enclose the material as a Microsoft word document for your ease of use. If there is any question or comment please contact me via e-mail or phone (541 935 4209). If there is any suggestion you may have to make my input more effective please contact me.

Walter Morgan
25431 Lawrence Road
Junction City, Or
97448
(541 935 4209) (voice or fax)

I am writing this to express my great trepidation over Draft Lane Code 16.266.

I first became aware of this proposed code from the article in the Register Guard on January 27, 2006. My home at 25431 Lawrence Road (1.6 miles North West of Fern Ridge) is well within the boundaries shown on the Hot Spots from the article. I am 75 years old, retired and have owned my home since 1988. At first I thought I was in an OK position since I did own the property, but as I read on I became more concerned. It could soon become retroactive to include me and if I ever sold my property the onerous requirements would have to be met. It really hit me when the civil penalty of \$100 to \$1000 a day was stated. My retirement income comes to just over half what the minimum fine would be per month.

I cannot evaluate accurately all of the potential impacts as the WUI's are not defined completely yet. However, as I read the requirements I noted the following:

I would have to remove three rhododendrons from the yard and three more from the edge of the grass area. I would have to remove the tulip tree shaped like a bush. I admire the beautiful blooms this tree produces each spring.

I would have to remove the seedless grape vines from the south end of my house and forgo the pleasure of the great grapes each fall.

I would have to remove the landscape bark from the edge of my house and replace it with rock.

I would not be able to store a day or two supply of wood on the porch. I use the wood to heat the house when the weather is very cold as the cost of electric heat uses a significant part of my pension.

I would not be able to store the wood in the lean-to behind my shop since it is only 84 feet from my house.

The house is on a cut/fill.

The fill area to the west of the house is covered with junipers (and when not maintained, blackberries) and fir.

The slope would have to be cleared and replaced with grass. Never mind that you would have a very difficult time running a mower up and down the area.

The cut area to the east of the house is covered with volunteer trees. These trees are mostly Douglas fir with a smattering of others. As they are mostly around 8 foot tall they would have to be removed resulting in a higher probability of mudslide and or erosion.

That is one hell of a lot of work for a 75-year-old man and I certainly could not afford to hire it done. It would destroy a lot of what I consider a great environment. However, it doesn't stop there. Because of the Secondary Fuel Break requirements I must consider the following:

I would have to essentially destroy my orchard. It consists of 42 fruit trees planted on 15-foot centers. They would not live if I cut off all the limbs to eight feet high. They also could not meet the requirement for 15 feet

between crowns.

I would have to do extensive work on the area east of the house. It is covered with second growth Douglas fir and a few other trees. I note there is no region with 15-foot crown space in the whole 1.53 acres. It is uncultivated underfoot and has tree droppings from many years of growth. I enjoy this area a great deal. I have a path that I walk for exercise and enjoyment. I note that I now pay taxes for fire patrol west and fire patrol emergency on this segment of my property.

Further, the Road and Driveway Standards imply that:

I would have to remove at least six Douglas fir trees that restrict the drive to about 18 feet. I never worried about fire truck access as when I was a voluntary fire fighter we had brought our largest rigs up to the house landing on a couple of occasions.

I also note that I would have to put up no parking signs at my turnaround near the house. This is ludicrous, there are seldom cars in the parking area and if there were they would be attended closely by their drivers.

I understand the objective of the requirements as part of my training as a firefighter was in wildlife fire control. However, the extent of the requirements is extremely onerous. I selected Oregon and specifically the home I own for the rural/woodland environment. If the requirements were implemented it would make the property more like a park (the words used in the draft) and not what I enjoy.

Not only does the requirements force a tremendous amount of restructure on my environment it also impacts the environment of the wildlife and others. Although I am sure you have heard all the environmental arguments, I would like to draw your attention to my case. We have a considerable amount of wild life living in the area. We have numerous birds, raccoon, squirrel, possum, deer and occasionally fox and cougar. This wildlife depends on the existing structure for their home and for their food. For example, they nest or burrow in the floor of the land and devour the insects growing in the dropped material. All these would suffer from the measures that would be required. On the broad view, the removal of the trees as required by the measure would reduce the effectiveness of the oxygen, carbon dioxide process in the area. Tree removal will also affect water runoff and drainage with negative consequences since my residence is located approximately mid-slope on the property.

I wonder how this code would be considered in the view of Measure 37. It certainly would reduce the worth of my property to me and would reduce the salability of it to anyone considering purchase. Any law passed for the good of the public, should be paid for by the public.

Section Two

Correspondence in the record between January 31, 2005 and February 7, 2006.

This packet of materials was provided to the Lane County Planning Commission (LCPC) at the public hearing on February 7, 2006.

DATE: February 7, 2006
TO: Lane County Planning Commission
FROM: Bill Sage

RE: Written correspondence from interested parties received during the time period of February 1st through February 7th , prior to the LCPC public hearing.

The packet also includes written responses (e-mails) from staff to questions or requests for information included in the packet.

SAGE Bill

From: Bill Parsons [BTPARSONS@msn.com]
Sent: Wednesday, February 01, 2006 8:59 AM
To: SAGE Bill
Subject: Re: fire protection standards

Dear Bill,

Thank you for sending me the information about the proposed land code change. I had a chance to read thru it several times last night and this morning and I cannot support this change. If I live within a fire protection district then that district should make "recommendations" as to what they would like to see in regards to fire fuels on or around my house. I maybe mistaken but I believe there is already a nuisance vegetation ordinance in the county. I feel that there are enough regulations concerning what I can and can't do with my property and I will not support this one. I do however support these changes as they apply to Forest lands with special use permits. If I can be of any assistance please feel free to contact me at home 942-7535 or e-mail me at btparsons@msn.com . Thank you for your time and patience.

Bill Parsons

— Original Message —

From: SAGE Bill
To: btparsons@msn.com
Sent: Tuesday, January 31, 2006 2:42 PM
Subject: fire protection standards

Bill,

Here's a copy of the draft of Lane Code 16.266 Wildland-Urban Interface Combining Zone.

Please read through it and call me or e-mail any comments or questions you have.

Thanks for your interest and suggestions.

Bill

<<LC 16.266 (draft) 1-25-06-1.doc>>

SAGE Bill

From: SAGE Bill
Sent: Wednesday, February 01, 2006 8:49 AM
To: 'nwilliam@uoregon.edu'
Subject: Fire protection standards (draft)

Nick,

I appreciate your comments and insights. You can submit written testimony by post or e-mail and you also have the option of testifying at the Planning Commission public hearing on the 7th of February at 7:00 PM in the County Public Service Building on 8th avenue between Oak and Pearl.

Please give me a call if you have additional questions.

Bill



LC 16.266 (draft)
1-25-06-1.do...

SAGE Bill

From: SAGE Bill
Sent: Wednesday, February 01, 2006 9:33 AM
To: 'jbaxter17@cs.com'
Subject: (Draft) Lane Code 16.266

John,

I have sent your request for the risk assessment maps on to Keir Miller who has coordinated the GIS work for this project.

Please take a look at the most recent draft of the fire protection standards and the spread sheet depicting the permit review process and the field inspection process.

Call me when you have comments or recommendations.

Thanks,

Bill



Excel permit
process.xls (39 K...



LC 16.266 (draft)
1-25-06-1.do...

SAGE Bill

From: SAGE Bill
Sent: Wednesday, February 01, 2006 9:36 AM
To: MILLER Keir C
Subject: Risk assessment maps

Keir,

Please contact John Baxter of the Lane Rural Fire and Rescue
541 688-1775
jbaxter17@cs.com

He is interested in getting a set of the maps to review with the RLFR Board.

Thanks,

Bill

SAGE Bill

From: SAGE Bill
Sent: Wednesday, February 01, 2006 11:36 AM
To: 'maeve@uoregon.edu'
Subject: Feb 1 draft - LCX 16.266



LC 16.266 (draft)
1-25-06-1.do...



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Dick,

Here's the draft that is being loaded on the website as of Feb 1, 2006.

Thanks for your comments.

Bill