

# Yamhill County Forest Classification Committee Preliminary Draft Forest Process Summary and Results

Prepared by the Oregon Department of Forestry

1/21/2018

## Introduction

The Yamhill County Forest Classification Committee was authorized by Yamhill Board of Commissioners by Board Order **11-687** on October 27, 2011. The committee consists of a representative appointed by the State Forester, a representative appointed by the Oregon State Fire Marshall, a representative appointed by the Oregon State University Extension Service, and three landowners in Yamhill County appointed by the Yamhill County Commission.

The committee works with the Oregon Department of Forestry classifying lands in Yamhill County for the purposes of fire protection. ODF provides fire protection of public and private lands classified as forestland within the protection district boundaries. Forestland is defined in ORS 477.001 as “any woodland, brushland, timberland, grazing land or clearing that, during any time of the year, contains enough forest growth, slashing or vegetation to constitute, in the judgment of the forester, a fire hazard, regardless of how the land is zoned or taxed.”

Lands classified as forestland are assessed fees for fire protection services. Fees vary based on costs of fire protection. In the South end of Yamhill County in the West Oregon Forest Protective Association the fee is 1.16 \$/acre, and in the North end, \$1.26 \$/acre. There is a minimum assessment of \$18.75 per tax lot, and improved lots have a surcharge of \$47.50. The General Fund of Oregon also contributes to fire protection costs.

Beginning in January 2016 and over the course of 11 day long meetings and tours, the Yamhill County Forest Classification Committee reviewed the entire county. Based on this review and the guiding statutes, lands were classified as either forestland or non-forestland. A preliminary map was completed on March 7, 2017.

## Public Outreach

Since this time, the map has been available for public review. The department has solicited feedback on this preliminary classification for the purpose of reviewing the work and improving the product. To solicit this review ODF and the committee took the following actions:

- Mailed letters to all landowners identifying tax lots that could see new or increased fire patrol assessments based on the preliminary classification.
- Hosted five public meetings (two in McMinnville, one in Sheridan, one in Yamhill, and one in Carlton.)
- Publicized the preliminary map on the Yamhill County and ODF websites
- Met with the Yamhill Valley News-Register to provide information for publication.
- Provided information to the Yamhill County Small Woodlands Association
- Provided information to the Friends of Yamhill County
- Spoke with landowners on the phone and in person to answer questions.

58 Yamhill County residents attended public meetings. Meeting minutes are available at <http://www.co.yamhill.or.us/content/forestland-classification-review-committee>. The Department also received phone calls, emails, and letters.

## Themes from public outreach:

The public meetings, phone calls, letters, and other contacts provided the following themes and summaries for committee consideration.

Theme	Summary of Conversation
Seeking to understand the letter regarding their property	Landowners received the letter and wanted more information. ODF staff provided discussion on their specific questions. Once provided, they were satisfied and no additional follow-up was needed.
Definition of forestland and how it has little to do with trees and more to do with fire hazard.	The definition comes from a fire hazard perspective and can be misleading. It is not really about growing trees.
Grazing vs. timber rates needed for Yamhill County	Other parts of the state have a grazing rate that is half that of the timber rate. Yamhill County has lands that are unsuitable for timber growth, and better fit a definition of grazing lands. These lands should not be charged the timber rates.
How the committee used contiguous to forestland during classification.	For agricultural valleys less than a mile wide, these were considered contiguous to forestland. A fire that starts in these agricultural lands is within 2,500 feet of forestland. It can be a risk to contiguous landowners and also these landowners benefit from stopping fires burning towards their lands. There is a history of fire starts in these areas and the rural fire departments and ODF regularly respond to and suppress these fires.
Role of ODF vs. role of rural fire department	Rural fire departments provide structural fire suppression, emergency medical response, and brush fire suppression. ODF provides prevention and suppression for wildland fires, for both brush fires and for fires that escape initial attack and spread across the landscape. Using a statewide complete and coordinated system, ODF uses fire teams and other resources to manage fires of all sizes and complexities.
Why there is a surcharge on improved lots	The legislature recognized the added complexity and costs of fighting fire in the rural interface and added a surcharge on improved lots to cover these costs.
Rural neighborhood – should not be considered forestland	Landowners suggest that rural neighborhoods do not need ODF prevention and suppression and request that ODF Review this preliminary classification. Areas are noted for review with the committee.
Most of tax lot is not classified as forestland	Several landowners identified their tax lots as within Sheridan or Willamina. Upon review with them, it was determined that only a tiny sliver is classified due to differences in tax lot lines, city lines, and the preliminary classification map. It is anticipated that these should be removed from the preliminary classification map.
Concern over having to pay more taxes	Landowners pay rural fire protection fees, many other taxes, and don't want any increase in taxes.

	Homes are insured and suppression of wildland fires (either coming from their property or moving to their property) is not needed. The fire protection statutes and rules do not provide for this option of not having fire protection.
Paying on multiple lots – do they all have to pay the minimum?	In cases where none or only one lot has an improvement, the lots are contiguous, and acres are less than 20, they may be able to be combined for purposes of the assessment. Individual cases will need specific review. ODF will help these landowners with this.
Did everyone get a letter? Did timber companies, and do timber companies pay this?	Letters went out to tax lot owners of record that would see an increase or new assessment, including tax lots owned by timber companies if they were not already paying.
Did not get a letter	For those tax lots that did not get a letter, either they were not included in the preliminary classification, or they are already paying for fire suppression.
How payment changes to the rural fire department when a property starts paying fire protection to ODF.	For properties that have a house, the rural fire department continues to collect on the value of the house and 5 acres, ODF assesses based on the acres classified as forestland. For properties without a house, the property likely is not charged rural fire protection and will pay the forestland assessment.
Don't have any trees – either vineyard, home, ag	The definition speaks to fire hazard, not to tree cover. Historically, fires are started by rural landowners burning debris, agricultural operations, lightning, human activities, etc, and most of these fire start causes are unrelated to tree cover.
No longer the property owner	The Yamhill County database is under continual improvement and updating in an attempt to keep up with property transactions. The new owner will be responsible for fire assessments.

## Reviews Requested:

Based on public review of the preliminary draft, the following areas were requested for review by the committee:

- The Pheasant Hill Road and neighborhood
- Orchard View Area
- Mountain Meadow Lane, McMinnville
- North Baker Creek neighborhood
- Willamina Creek Road
- Latham Road to Highway 18
- Pike Road in the Tupper Road area.
- Cottonwood Street in Gaston
- West edge of Willamina around the log yards.

## Committee Review

August 29, 2017 the committee met and visited each of the locations requested for review. Adjustments were made in the Orchard View, Latham Road, Cottonwood Street, and west edge of Willamina areas, other areas were determined to meet the forestland definition and were unchanged.

## Public Hearing.

A public hearing was held on November 29, 2018 attended by seven members of the public. One person testified. The testimony requested that ODF expand their protection into the Amity Hills/Eola Hills area of the county. No other written or oral testimony was received.

## Finalization of the Classification Process.

The committee met January 11, 2018 and considered the public comments. After reviewing the hearings officer report the committee approved the draft classification as final.

1,380 tax lots were added to the land base considered forestland.  
60 acres were dropped from the land base considered forestland.  
990 other tax lots had a change in acreage considered forestland.

## Next Steps

1. File the final Yamhill Forest Classification determinations with Yamhill County.
  - a. Work with Yamhill County to provide data that fits the county information systems.
2. Notify affected landowners that they will be assessed fire protection on subsequent tax bills.

## Appeal Opportunities

Landowners have two avenues for appeal. The classification as forestland can be appealed through the Yamhill County Circuit Court within 30 days of the filing with the county.

The forestland assessment can be appealed through the Oregon Board of Forestry.