

BHTNA Resolution to the West Linn City Council

Barrington Heights, Hidden Creek Estates and Tanner Woods Neighborhood Association (BHTNA)

November 5, 2013

Resolution

Resolution Background:

The **BHTNA** has been trying to work with the city since 2009 on the issues surrounding the trail and the industrial scale solar power plant once planned for the ODOT ROW. In fact, the **BHTNA** was relatively dormant until these issues arose, i.e., we felt that West Linn was listening reasonably well to its citizens and, thus, our dormancy as an NA. We are not, nor ever have been NIMBY in our approach. We support reasonable locations for, and safe construction and maintenance of, trails and their objectives. The hazards to the whole city of improper development of the ODOT ROW are present because ODOT did not remediate it after stripping it for I-205 fill during the highway's construction. It is unstable, a fire hazard (August 2003, 2 fires in 2 years in Camassia, etc.) and the proposed trail introduces increased human presence and associated hazards. In all our work trying to get the city and ODOT and TVFR to listen to our concerns no one has taken consistent, mature responsibility to work with us on these issues. Assertions to the contrary are just not factual—if we did not agree with Parks and Rec then we were denied involvement, removed from notifications, and otherwise denoted as NIMBY's. The ODOT ROW fire hazard to the whole city of WL is present given the types of fuel and the proven fact that embers from wildfires can travel up to 5 miles to ignite new fires. The BHTNA fears for the whole city, not just our neighborhood. Reducing these risks would meet part of the criteria for being a Firewise Communities/USA (see www.firewise.org/usa-recognition-program.aspx)

We are not comfortable with the letters from WL Police and TVFR as meeting conditions specified by the Planning Commission. TVFR has told us that they do NOT do Risk Assessments nor do they have a Fire Suppression Plan for the wild lands of the ODOT ROW, per Brian Sherard, TVFR, 10/31/13. In 3 phone conversations with WL Police Captain Lancaster in Oct. 2009 he detailed the following: the West Linn PD recorded 158 written reports of arrests, citations and police dispatches to the old I-205 rest stop by JUST the WL Police (not including Sheriff or State Police activities), 13/mo., ~4/week. The city estimated its costs at over \$60,000 for 1994 in 1995 dollars. WLPD crime stats show that 60% to 70% of all adult arrests in WL are of residents of other cities, not WL. This is because the police are prepared only to respond, not prevent, the crime likely from a secluded trail.

BHTNA Resolution to the West Linn City Council

Therefore, at the suggestion of the West Linn Planning Commission, in a special meeting held on November 5, 2013, the assembled members of the **BHTNA** have unanimously passed the following resolution:

Consistent with the findings and direction to the West Linn Parks and Recreation Department by the West Linn Planning Commission during the meeting of October 16, 2013, **BHTNA** would support the proposed trail on the north side of I-205 dependent on the planning commissions' five conditions being met by the city, ODOT, and TVFR with the active participation, input and review from the **BHTNA**, specifically including an out-of-state objective 3rd party expert to evaluate any or all plans and/or implementations of the following conditions. These five conditions are:

- 1. Fire Risk Assessment***
- 2. Fire Suppression Plan***
- 3. Risk Mitigation Plan***
- 4. Safety/Crime Prevention Plan***
- 5. Fire Safety Maintenance Plan***

*** See attached appendices defining these 5 Conditions. All are to be written plans, available to the public, and revised as conditions warrant.**

It is further resolved:

Regardless of whether a trail is built or not on the north side of I-205, the City of West Linn is the only entity who can assume the responsibility to negotiate with the Oregon Department of Transportation (ODOT) for the immediate and on-going maintenance of this property on the north side of I-205 to mitigate the risk of fire to all the residents of the City of West Linn. This is critical due to the fire load on the hillside that can send embers up to five miles! The city's' objective should be an IGA with ODOT to mitigate the significant, known, and acknowledged fire risk to all West Linn residents. BHTNA would participate and help the city.

DEFINED: Wildfire Risk Assessment (WRA) as required of the Master Trail Plan by the West Linn Planning Commission

The potential burn area emergency response risk management process begins with risk assessments evaluating the effects of the wildfire against values needing protection (life, property, ecology, etc.). An organized interdisciplinary team of subject matter experts (e.g., hydrologists, soil scientists, botanists, cultural resource specialists, engineers, etc.) use among other assessment tools hydrological modeling, fuel presence, volume, flammability listings, and soil burn severity mapping (to name a few) to assess potential flooding, soil stability, vegetation recovery, etc. after fire. Included are matrices of Severity of Fire hazards and Hazard Probability of the fuel loads on the land. Headings in the WRA include, but are not limited to: Pre-Mitigation, Mitigation or Abatement Strategy, Post-Mitigation, Hazards in Existence, Hazard Probability, Severity Codes, Risk Levels (all pre- and post-mitigation actions). Key personnel involved in the compilation of the WRA are listed, as are their areas of responsibility within the WRA to track completeness and accountability. References:

www.firewise.org

<http://www.clackamas.us/emergency/ccwpp.html> -- Clackamas Community

Wildfire Protection Plan (CCWPP)

DEFINED: Fire Suppression Plan (FSP) as required of the Master Trail Plan by the West Linn Planning Commission

As defined by the Oregon Department of Forestry, fire suppression plans detail the resources required to fight a fire on the property in question and have two portions:

- 1) A short term response to immediate need or threat, and
- 2) A long-term plan for prevention of fire.

Number 1 takes identified high-risk areas and addresses them by first reducing the fuel sources present in the area. This suppresses the likelihood of an impending fire outbreak. Number 2 coordinates all pertinent parties to provide a continuum of safety through further fuel reduction, maintenance, and supervision.

Firefighting tactics used to suppress wildfires require different techniques, equipment, and training than the more familiar structure fire fighting (source: Wikipedia, OR Dept. of Forestry). As a result, effective fire suppression as applies to the I-205 proposed trail and surrounding hillside must include:

- A) Education for trail users, adjacent residents, and the City,
- B) Engineering: professional location of the Trail itself, and,
- C) Enforcement: supporting city codes which would include, See Appendix D
 - i) No smoking on the trail.
 - ii) No campfires.
 - iii) Parking areas at Trailheads (none expected on I-205 Trail) that are paved with little surrounding vegetation such as grass.
 - iv) Regular direct supervision of all Trail areas.

As stated in the CWPP 2012 revision, fire professionals considered the following factors to determine local communities' level of risk:

1. Need for defensible space
2. Access limitations (narrow driveways, lack of address signage, one way in/ one way out)
3. Steep slopes that can hinder access and accelerate the spread of wildfire
4. Lack of water available for wild land fire fighting
5. Heavy fuels on adjacent public lands
6. Potential ignition sources from recreationists and transients
7. Agricultural and backyard burning
8. Lack of community outreach/awareness
9. Communication issues

Clearly, in the I-205 Trail's proposed location, at least seven of these criteria are present.

DEFINED: Risk Mitigation Plan (RMP) as required of the Master Trail Plan by the West Linn Planning Commission – this must be executed as well as planned.

A plan, and execution of the plan, for wildfire Risk Mitigation would include a prioritization process that would identify and implement a variety of strategies to prevent wildfire risks at a particular location, beginning with those risk factors that generate the greatest loss or impact and have the greatest probability of occurrence. Wildfire risks with lower impact and lower probability of occurrence are then ranked in descending order. Strategies to prevent these risks are treated accordingly. For the accepted, standard methodology for risk Mitigation techniques, plan implementations, and vocabulary, refer to ISO 31000¹.

The Wildfire Risk Mitigation plan would address wildfire risk factors, that is, those factors known to initiate and spread wildland fires. For the portion of the master trail system on lands adjacent to the Barrington Heights Neighborhood, these risk factors would include weather, topography, vegetative fuel load, land mitigation responsibility, wildland-suburban interface characteristics, public accessibility and others.

The Wildfire Risk Mitigation methodology would analyze the following elements, more or less, in the following order:

1. Identify, characterize threats.
2. Assess the vulnerability of critical assets to specific threats.
3. Determine the risk (i.e. the expected likelihood and consequences of specific types of attacks on specific assets).
4. Identify ways to reduce those risks.
5. Prioritize risk reduction measures based on a strategy.

The Risk Mitigation plan process would involve the systematic documentation that—

1. Establishes a Risk Mitigation context for all stakeholders.
2. Identifies all potential risk factors.
3. Assesses the potential magnitude and probability of each risk factor (this can be expressed as a composite index).
4. Determines Risk Mitigation options for each risk factors (potential risk treatments may include methods of risk avoidance, hazard prevention, and risk reduction).
5. Select appropriate controls or countermeasures to measure and manage each risk. Risk mitigation needs to be approved by all stakeholder groups.
6. Implements the mitigation plan and identifies stakeholder responsibility and accountability for implementation measures.
7. Contains provisions for review and evaluation of mitigation success and for the updating of the plan as necessary.

Example wildfire Risk Mitigation plan: **Mitigation Strategies for Reducing Wildland Fire Risks**, San Diego County Wildland Fire Task Force, Findings and Recommendations Report to the Board of Supervisors, August 13, 2003

¹. International Standards Organization (ISO) 31000:2009. Risk Mitigation – Principles and Guidelines

DEFINED: Public Safety/Crime Prevention Plan (PS/CPP) as required of the Master Trail Plan by the West Linn Planning Commission

Public safety is best defined as the condition of a place, at the times when people in that place are justified in feeling free of threat to their persons or property.

- A public safety plan should include the resources, policies and practices necessary to deliver the prevention of and protection from events that could endanger the safety of the general public from significant danger, injury/harm or damage such as crimes or disasters, natural or man-made.
- As one example, PCC Department of Public Safety promotes a safe and secure campus (parks, trails) through delivery of a personal and property crime prevention services, enforcement, security, crime prevention services, public safety communications, disaster preparedness, emergency services and public assistance.
- Recommend that the city use reverse 911 notifications to residents that may be at risk if there were a fire or other incident.
- The rest area on the same ODOT property was closed by ODOT due to the high numbers of criminal acts. Neither the WL city police, state police or county sheriff had the resources to prevent or effectively patrol. The acceptable crime prevention plan will include comparative data; pre- and post-trail.
- The RAND Corporation study on Crime and Violence Prevention www.rand.org/Topics should be a road map used in the development of a valid crime prevention plan.

DEFINED: Fire Safety Maintenance Plan (FSMP) as required of the Master Trail Plan by the West Linn Planning Commission

An FSMP would simply entail maintaining the results of the implementation of the Risk Mitigation Plan. This will likely require, in part, at least annual and comprehensive, i.e., the whole hillside and flat land from I-205 to the rear property lines of bordering homes, clearing of the most dangerous fuels on the hillside.

As stated in the CWPP 2012 revision, fire professionals considered the following factors to determine the local communities at risk. These should be considered in the context of the results of a Risk Mitigation Plan and its associated Maintenance Plan:

1. Need for defensible space
2. Access limitations (narrow driveways, lack of address signage, one way in/one way out)
3. Steep slopes that can hinder access and accelerate the spread of wildfire
4. Lack of water available for wild land fire fighting
5. Heavy fuels on adjacent public lands
6. Potential ignition sources from recreationists and transients
7. Agricultural and backyard burning
8. Lack of community outreach/awareness
9. Communication issues

Clearly, in the I-205 proposed Trail location, at least six of these criteria have been met.