

**WUI SUBCOMMITTEE RECOMMENDATIONS
TO FSC FOR INCLUSION ON STATEWIDE HEARINGS OPTIONS LIST
Approved by the Fire Suppression Committee
March 28, 2008**

	Proposal	Policy Description	Comments in favor	Considerations
1.	No new legislation	<p>The statutory tools and programs already exist to assist homeowners, local governments, and fire agencies to handle growth and development in the WUI.</p>	<ul style="list-style-type: none"> ▶ No new regulation; WUI landowners should not be punished by more regulation when it's unmanaged land adjacent to the WUI that's the problem. ▶ No need to amend local regulations. ▶ Allow mitigation efforts to be community-driven rather than mandated by state. ▶ Allow the market and private industry to work to solve any problems. 	<ul style="list-style-type: none"> ▶ There may be difficulty in implementing laws. ▶ Funding for mitigation programs may not be available or consistent. ▶ Opportunity to influence development before growth continues may be lost. ▶ Indications are that fire suppression is more expensive in the WUI; implementing new laws may ultimately reduce costs to the state.
2.	Allow local regulation/enforcement of mitigation measures in the WUI	<p>Authorize a local government to regulate and enforce fire mitigation measures such as vegetation management, use of fire resistant building materials.</p> <p>It would be discretionary for local governments.</p> <p>If a local government chooses to implement this authority, it would be required to designate the area where these regulations would be in effect.</p> <p>There would be no protest provision, but an appeals process and possible variance opportunity.</p> <p>Provide incentives for local governments to "opt in".</p>	<ul style="list-style-type: none"> ▶ Precedent exists for stand-alone land use regulation. ▶ Development in the WUI may be a bigger problem in some counties than in others; retains local control. ▶ Local governments need better tools to regulate development in the WUI and reduce fire suppression costs there; those in place are too limited and difficult to implement. 	<ul style="list-style-type: none"> ▶ Creates more regulation. ▶ Allowing it to be discretionary would result in inconsistencies across the state. ▶ Local governments already have all the tools they need; they just need to use them. ▶ Don't punish a landowner in the WUI with more regulation when it's poorly managed land adjacent to the WUI that is causing the problems.

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3.	Insurance incentives	<p>Require insurers to provide incentives for vegetation management and/or building standards and require regular inspections.</p> <p>Would somehow need to define which property owners this would apply to -- possibly those in a certain protection class.</p>	<ul style="list-style-type: none"> ▶ Some insurers are providing incentives, some are not. This would provide consistency and a means to mitigate fire danger. 	<ul style="list-style-type: none"> ▶ Interfering with the market and with insurers' ability to establish rates and incentives as they consider appropriate.
4.	Grant funding for local prevention and mitigation programs	<p>Appropriate money to DNRC from the general fund to use for a grant program. Local governments could apply for funding programs to:</p> <ol style="list-style-type: none"> 1) help planning offices delineate the WUI; 2) target WUI homeowners with mitigation efforts; 3) establish and maintain prevention programs. 	<ul style="list-style-type: none"> ▶ Recognizes importance of prevention and mitigation education. ▶ Does not impose new regulations; is voluntary. 	<ul style="list-style-type: none"> ▶ Funding may not be ongoing and is dependent on status of general fund.
5.	Firewise certification for new subdivisions.	<p>Require Firewise certification or certification that a development meets the DNRC SB 51 best practices standards prior to subdivision final plat approval if proposed subdivision is in a WUI area as designated by the county.</p>	<ul style="list-style-type: none"> ▶ Firewise is recognized nationwide as an effective mitigation program. ▶ Would achieve some degree of uniformity and recognition of fire hazards for new developments. 	<ul style="list-style-type: none"> ▶ Once final plat is signed, there is no ongoing enforcement authority. ▶ If Firewise is not used, some other entity would have to inspect the proposed subdivision to ensure that it complies with best practices.
6.	Tax incentives for forest property owners	<p>Offer tax incentives for forested property owners who manage their lands for reduced wildfire hazards, using the Montana Tree Farm System database or Forest Stewardship Program.</p> <p>Owner must have a forest management plan recognized and approved through one of those programs.</p>	<ul style="list-style-type: none"> ▶ Rewarding, rather than punishing, landowners who are maintaining their property. 	<ul style="list-style-type: none"> ▶ Would create need for a certification program and a need for resources at Department of Revenue. ▶ Property tax incentive would impact local governments; consider income tax incentive.

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7.	State adoption and enforcement of International Wildland Urban Interface Code (IWUIC)	Require Department of Labor and Industry to customize the IWUIC to Montana, adopt it, and enforce it in WUI areas designated by the county.	<ul style="list-style-type: none"> ▶ Statutorily recognize building codes for WUI. ▶ One code to be consistently applied across the state. 	<ul style="list-style-type: none"> ▶ Burden on county to designate WUI. ▶ Consistent application may not be a benefit when counties are so varied in growth, topography.
8.	Other			