



December 18, 2023

Attn: Washington State Building Code Council
c/o Dustin Curb

RE: Washington State Building Code Council Wildland Urban Interface Amendments

To whom it may concern,

The Washington Association of Fire Marshals (WSAFM) is a nonprofit, professional volunteer association of State, county, city and town officials in Washington State engaged in the development, enforcement and administration of Fire Codes and ordinances. Our members are Fire Marshals, inspectors, plans examiners, engineers, and others interested in providing safe buildings for our communities. WSAFM is the leader in enforcing the Fire Code in the State as well as enforcing part of all of other life safety codes in the State, such as the Wildland Urban Interface Code (WUI).

Legislation was passed in 2018 to adopt key elements of the model WUI code, but with a reduction in scope to focus on construction provisions to protect life and property within our State in RCW 19.27.560. The legislation did provide a provision that allows local jurisdictions to adopt the full WUI Code. As part of that adoption, The Washington State Department of Natural Resources (DNR) was tasked to come up with a map of WUI areas in the State, which they did produce. The map generated considerable complaints and criticism as it was seen as being too broad and lacking in detail for smaller properties. Soon after the legislation was passed, the State Building Code Council (SBCC) established a WUI Technical Advisory Group (TAG) to consider proposals to amend the State requirements. The WUI TAG met three times in June of 2022, which was an inadequate amount of time to properly develop code language that would benefit the State. The TAG also did not include a number of stakeholders that had interest in the outcome of the TAG. One of our members was the lone dissenting vote by the TAG to move the language to approval by the SBCC.

As part of the 2021 code adoption work performed by the SBCC, the SBCC decided to adopt the full WUI code in Washington State. During testimony at the November 17th, 2023 SBCC meeting, most of the testimony was citizens expressing concerns for the amount of clear space required around structures built in the WUI. There was also testimony by experts stating that fire science does not support defensible space. Although WSAFM does support fire science, we also consider actual experience. Experience has shown time after time that defensible space is one of the most significant methods to reduce fire loss. Fire loss includes not only structures, but citizens and first responders as well. This was

very evident with the two concurrent WUI fires that occurred in Spokane County this last summer. As it happens, the City of Spokane Building Official bought a home in the middle of the area that became the Gray Fire. His residence was on property that was thinned and provided with trimmed branches and constructed with limited combustible materials. From across I-90, it looked like his house was a loss due to the flames and smoke around it. When the smoke cleared, his house survived. The neighbors that did not have a defensible space lost their homes.

Some jurisdictions (Yakima County, City of Spokane) have adopted the model WUI Code and are actively enforcing it. The City of Spokane has embraced the DNR map as their starting point that is based on an acceptable consideration by DNR about what areas can be considered as WUI. Procedures have been developed for reviewing the construction site and verifying that WUI requirements do indeed apply. The results have not required clear-cutting, but have required established forest management practices.

WSAFM does not support the removal of amendments to Chapter 3 and return to the model code, which has the effect of removing authority of the DNR map and requires local jurisdictions to approve their own maps. We also do not agree with exceptions to defensible space requirements for buildings that have fire resistive construction, existing buildings, remodels/additions, and if the fire code official chooses to exempt them due to a conforming water supply. Defensible space is one, if not the top, tool used to minimize the loss and extent of wildfire destruction.

Further, RCW 19.27.031, includes the following statement:

The codes enumerated in this section shall be adopted by the council as provided in RCW 19.27.074. The council shall solicit input from first responders to ensure that firefighter safety issues are addressed during the code adoption process.

Thank you for your time and consideration of our concerns. We urge you to not approve the sweeping exemptions to defensible space in the interest of fire and life safety. We also urge you not to jettison the DNR map until a better process for determining WUI areas has been provided to local jurisdictions.

We agree that the current code needs improvements and clarifications. We ask SBCC to sponsor additional work and meetings in the WUI TAG to get this right. Until those additional meetings, we encourage SBCC to either retain the TAG's work or RCW 19.27.560. We urge you not to support the hastily amended version of the WUI code that jettisoned defensible space and the map.

Sincerely,



Tom Maloney, President
Washington State Association of Fire Marshals