

DRAFT

SUMMARY

Digest: The Act makes changes related to reducing wildfire risk. The Act makes changes related to fire protection. The Act gives money as a match for certain funds. (Flesch Readability Score: 72.3).

Makes changes related to building code standards for wildfire hazard mitigation.

Makes changes to consultations that are required for a certain grant process.

Makes changes related to fire protection for lands outside of forest protection districts.

Makes certain changes related to a program to reduce wildfire risk.

Appropriates moneys out of the General Fund to the Higher Education Coordinating Commission for funding certain grant-supported projects.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1

2 Relating to wildfire; creating new provisions; amending ORS 455.612, 476.696,
3 477.161 and 477.503; repealing section 29, chapter 592, Oregon Laws 2021;
4 and declaring an emergency.

5 Whereas state agencies may respond to wildfires on any nonfederal lands
6 in this state, to the extent that doing so is consistent with the statutory
7 authority of the state agencies, and to the extent that the state agencies
8 have capacity to do so; now, therefore,

9 **Be It Enacted by the People of the State of Oregon:**

10 **SECTION 1.** ORS 455.612 is amended to read:

11 455.612. (1) For the high wildfire hazard zone in the wildland-urban
12 interface that is identified pursuant to ORS 477.490, the Department of
13 Consumer and Business Services shall adopt wildfire hazard mitigation

1 building code standards that apply to new dwellings and the accessory
2 structures of dwellings, as described in section R327 of the 2021 Oregon
3 Residential Specialty Code.

4 (2) The department shall amend section R327 of the Oregon Residential
5 Specialty Code to include standards for additions to existing dwellings and
6 accessory structures and for replacement of existing exterior elements cov-
7 ered in section R327 of the 2021 Oregon Residential Specialty Code.

8 (3) The department shall incorporate the standards described in sub-
9 sections (1) and (2) of this section into any updates to the Oregon Residential
10 Specialty Code.

11 **(4) The wildfire hazard mitigation building code standards described**
12 **in subsection (1) of this section do not apply to new dwellings and the**
13 **accessory structures of dwellings that are subject to:**

14 **(a) Wildfire hazard mitigation building code standards, as described**
15 **in section R327 of the 2021 Oregon Residential Specialty Code, that**
16 **were adopted before, and have been in effect since, July 19, 2021; and**

17 **(b) The most current version of section R327 of the Oregon Resi-**
18 **dential Specialty Code.**

19 **SECTION 2.** ORS 476.696 is amended to read:

20 476.696. (1) As used in this section[.],

21 [(a)] “eligible organization” includes Oregon-based nonprofit youth devel-
22 opment organizations, federally recognized Indian tribes in this state,
23 nonprofit associations engaged in workforce development and public entities
24 that provide programs of job training, skill development and forest-related
25 or rangeland-related career path training.

26 [(b)] “Tribe” means a federally recognized Indian tribe in Oregon.]

27 (2) The Oregon Youth Works Advisory Board created under ORS 660.320
28 shall, in collaboration with a qualified nonprofit foundation, actively seek
29 and source private donations to support the Oregon Conservation Corps
30 Program.

31 (3) The advisory board may direct the expenditure of moneys from the

1 Oregon Conservation Corps Fund for a promotional website and materials
2 to solicit private funds.

3 (4) The advisory board shall advise the Higher Education Coordinating
4 Commission on the implementation of a grant process that:

5 (a) Provides funding to support the work conducted by the Oregon Con-
6 servation Corps Program.

7 (b) Defines and uses an equity lens in awarding grants by identifying and
8 supporting populations with greater vulnerability, including communities of
9 color, indigenous communities, communities with members who have limited
10 proficiency in English and communities with lower-income members.

11 (c) Awards grants to eligible organizations.

12 (d) Ensures that grant awards support activities described in ORS 476.694
13 (1) and subsection (5) of this section.

14 (e) Establishes guidelines for prioritizing grant-supported projects to re-
15 duce community fire risks, promote youth and young adult workforce devel-
16 opment and educational experiences and reduce hazardous fuels.

17 (5) The commission shall consult with the State Forestry Department **and**
18 **the Department of the State Fire Marshal** to ensure that the grant pro-
19 cess awards funds to proposals that[:]

20 [(a)] protect at-risk communities and infrastructure within the wildland-
21 urban interface, as described in ORS 477.503.

22 [(b)] **(6) The commission shall consult with the State Forestry De-**
23 **partment to ensure that the grant process awards funds to proposals**
24 **that** meet standards for fuel treatment established by the department.

25 [(6)] **(7)** The advisory board shall biennially submit a report, on the
26 timeline described in ORS 293.640, to an appropriate committee or interim
27 committee of the Legislative Assembly, as described in ORS 192.245, and to
28 the State Wildfire Programs Director and Wildfire Programs Advisory
29 Council, regarding the expenditure of moneys deposited in the Oregon Con-
30 servation Corps Fund.

31 **SECTION 3.** ORS 477.161 is amended to read:

1 477.161. (1) [*The State Forester, in collaboration with the State Fire Mar-*
2 *shal, state agencies and local governments as defined in ORS 174.116, shall*
3 *adopt rules establishing baseline levels of wildfire protection for lands that*
4 *are outside of forest protection districts and susceptible to wildfire. When es-*
5 *tablishing the baseline levels for lands, the State Forester shall ensure that the*
6 *levels are adapted to reflect regional conditions.*] A county, in collaboration
7 with the State Forester and the State Fire Marshal, may work to ensure that
8 all lands within the county that are outside of forest protection districts,
9 **as designated by rule pursuant to ORS 477.225**, and susceptible to wildfire
10 are provided with wildfire protection services [*at the applicable baseline level*
11 *or a higher level. As used in this subsection, “forest protection districts” means*
12 *lands designated in State Forester rules as provided under ORS 477.225*] **in**
13 **accordance with the purpose and policy set forth in ORS 401.032.**

14 (2) A county, in collaboration with the State Forester and the State Fire
15 Marshal, may assist:

16 (a) Landowners, individuals and businesses with forming jurisdictions to
17 provide wildfire protection;

18 (b) Landowners, individuals, businesses and jurisdictions with obtaining
19 expansion of or other changes to boundaries or facility locations of juris-
20 dictions that provide wildfire protection;

21 (c) Jurisdictions to expand or adjust jurisdiction service boundaries to
22 ensure adequate wildfire protection for lands; and

23 (d) Jurisdictions in developing wildfire protection facilities, equipment,
24 training and other resources adequate to ensure that the jurisdiction pro-
25 vides timely and effective wildfire protection [*at the baseline level or*
26 *higher*] on lands described in subsection (1) of this section throughout the
27 jurisdiction.

28 (3) The State Forester may provide financial assistance to counties for
29 carrying out county duties under subsection (2) of this section from any
30 funds made available to the State Forester and designated for that purpose.

31 **SECTION 4. Section 29, chapter 592, Oregon Laws 2021, is repealed.**

1 **SECTION 5.** ORS 477.503 is amended to read:

2 477.503. (1)(a) The State Forestry Department shall design and implement
3 a program to reduce wildfire risk through the restoration of landscape
4 resiliency and the reduction of hazardous fuel on public or private
5 forestlands and rangelands and in communities near homes and critical
6 infrastructure.

7 (b) The department shall ensure that the program is consistent with the
8 objectives described in this section and biennially select, administer and
9 evaluate projects consistent with the objectives described in this subsection.

10 (c) When developing program and project selection criteria, the depart-
11 ment shall, to the extent practicable, consult and cooperate with state and
12 federal agencies, counties, cities and other units of local government, feder-
13 ally recognized Indian tribes in this state, public and private forestland and
14 rangeland owners, forest and rangeland collaboratives and other relevant
15 community organizations and ensure consistency with the priorities de-
16 scribed in subsection (3) of this section.

17 (2) The department shall develop a 20-year strategic plan, as described in
18 the Shared Stewardship Agreement signed on August 13, 2019, that prioritizes
19 restoration actions and geographies for wildfire risk reduction. The plan
20 must be able to be used to direct federal, state and private investments in
21 a tangible way.

22 (3) In selecting and administering projects, the department shall:

23 (a) In collaboration with the Oregon State University Extension Service
24 and other entities, identify strategic landscapes that are ready for treatment,
25 giving priority to projects within the landscapes that are:

26 (A) On lands in the four highest eNVC risk classes identified in the
27 United States Forest Service report titled “Pacific Northwest Quantitative
28 Wildfire Risk Assessment: Methods and Results” and dated April 9, 2018;

29 (B) Inclusive of federal lands with treatment projects currently approved
30 under the National Environmental Policy Act (42 U.S.C. 4321 et seq.);

31 (C) Focusing on treatments protective of human life, property, critical

1 infrastructure, watershed health and forest or rangeland habitat restoration;
2 and

3 (D) Part of a collaborative partnership with agreements across diverse
4 forestland or rangeland stakeholders that use an expansive, landscape-scale
5 approach to address underlying causes of poor wildfire resilience and ele-
6 vated risk of wildfire or that establish innovative approaches to addressing
7 the underlying causes that could be implemented on a larger scale.

8 (b) To the extent practicable, identify and support projects that are de-
9 signed to:

10 (A) Evaluate varying types of fuel treatment methods;

11 (B) Leverage the collective power of public-private partnerships and fed-
12 eral and state funding, including leverage of the coordination of funding to
13 support collaborative initiatives that address the underlying causes of ele-
14 vated forestland and rangeland wildfire risk across ownerships; and

15 (C) Optimize the receipt of federal government investments that equal or
16 exceed department investments.

17 (c) Design the projects to involve existing forest-based and range-based
18 contracting entities.

19 (d) Design the projects to complement programs and projects of the
20 Oregon Watershed Enhancement Board or other state agencies as needed.

21 (e) Design the projects to involve the Oregon Conservation Corps Pro-
22 gram established by ORS 476.694, to the maximum extent possible, for com-
23 munity protection projects located in the wildland-urban interface, subject
24 to funding available in the Oregon Conservation Corps Fund established by
25 ORS 476.698.

26 **(f) Consult with the Department of the State Fire Marshal to ensure**
27 **that projects involving the Oregon Conservation Corps Program are**
28 **consistent with objectives of the Department of the State Fire Mar-**
29 **shal.**

30 [(f)] (g) Affirmatively seek, and enhance opportunities for, collaboration
31 from stakeholders holding a wide variety of perspectives regarding forest and

1 rangeland management and opportunities for significant involvement by
2 communities in proximity to project sites.

3 [(g)] (h) Engage in monitoring of the projects to produce useful informa-
4 tion on which to base recommendations to the Legislative Assembly.

5 (4) A project under this section may not include commercial thinning on:

6 (a) Inventoried roadless areas;

7 (b) Riparian reserves identified in the Northwest Forest Plan or in federal
8 Bureau of Land Management resource management plans;

9 (c) Late successional reserves, except to the extent consistent with the
10 2011 United States Fish and Wildlife Service Revised Recovery Plan for the
11 Northern Spotted Owl (*Strix occidentalis caurina*);

12 (d) Areas protected under the federal Wild and Scenic Rivers Act (P.L.
13 90-542), national recreation areas, national monuments or areas protected
14 under ORS 390.805 to 390.925;

15 (e) Designated critical habitat for species listed as threatened or endan-
16 gered under the Endangered Species Act of 1973 (P.L. 93-205) or by the State
17 Fish and Wildlife Commission under ORS 496.172, unless commercial
18 thinning is already allowed under an existing environmental review or re-
19 cognized habitat recovery plan; or

20 (f) Federally designated areas of critical environmental concern or feder-
21 ally designated wilderness study areas.

22 (5) The **State Forestry** Department shall give public notice, and allow
23 reasonable opportunity for public input, when identifying and selecting
24 landscapes under this section.

25 **SECTION 6. In addition to and not in lieu of any other appropri-**
26 **ation, there is appropriated to the Higher Education Coordinating**
27 **Commission, for the biennium beginning July 1, 2025, out of the Gen-**
28 **eral Fund:**

29 (1) The amount of \$____, for the purpose of funding grant-
30 supported projects related to the Oregon Conservation Corps Program
31 established by ORS 476.694.

1 **(2) The amount of \$____, to match dollar-for-dollar funds secured**
2 **from sources other than state government that are dedicated for the**
3 **purpose of funding grant-supported projects related to the Oregon**
4 **Conservation Corps Program.**

5 **SECTION 7.** **This 2025 Act being necessary for the immediate pres-**
6 **ervation of the public peace, health and safety, an emergency is de-**
7 **clared to exist, and this 2025 Act takes effect on its passage.**

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