



State of Oregon Advancing Wildfire Protection

*Implementation and Advancement of
Senate Bill 762 (2021 Regular Session)*

Office of Governor Kate Brown





State of Oregon
Wildfire Programs Director - Report 7 | January 2023

Advancing Wildfire Protection in Oregon

Contents

Executive Summary	3
Introduction	4
Duties of the Wildfire Programs Director	6
Roles of the Wildfire Programs Advisory Council	6
Senate Bill 762 Implementation Status	7
Implementation Obstacles and Opportunities	14
Catalog of Future Possibilities	22
Appendix I	25
Appendix II	26
Appendix III	32

Implementation Agencies

Department of Consumer and Business Services	(DCBS)
Department of Environmental Quality.....	(DEQ)
Oregon Department of Human Services	(ODHS)
Department of Land Conservation and Development.....	(DLCD)
Higher Education Coordinating Commission.....	(HECC)
Office of Oregon State Fire Marshal.....	(OSFM)
Oregon Department of Forestry	(ODF)
Oregon Emergency Management	(OEM)
Oregon Health Authority	(OHA)
Oregon State University.....	(OSU)
Public Utility Commission	(PUC)
Wildfire Programs Advisory Council.....	(WPAC)

Executive Summary

This implementation status report is produced by the Wildfire Programs Director every two months for the governor, the presiding officers of the Oregon legislature, and the chairs of relevant legislative committees. January's report begins the second year of Oregon's Wildfire Programs, which includes the Wildfire Programs Director's position, the Wildfire Programs Advisory Council (WPAC), and the 11 implementation Agencies.

Of interest, the WPAC has completed their annual report writing responsibilities by adding their land use addendum to the first annual Council report, which is now incorporated into one document on the Council website: [Wildfire Programs Advisory Council](#). The Council's annual report is an important tandem document to this report and includes a wide range of recommendations to advance fire protection in Oregon.

The most significant adjustment to this month's Director's report is the "catalog of future possibilities" section. This section has been re-structured to offer a more comprehensive and detailed list of wildfire policy considerations, as Oregon enters the 2023 Legislative Session. This catalog has been informed by the Wildfire Programs Advisory Council annual report, interim legislative day hearings, ongoing legislative engagement with the wildfire programs, agency legislative concepts and over a year's worth of

wildfire program implementation experience engaging with Oregonians. Cataloging concepts to improve wildfire protections in Oregon is a requirement of the Wildfire Programs Director. This catalog represents the policy considerations the Director is currently tracking and it is likely that many other wildfire related concepts will surface during the 2023 Legislative Session.

In summary, the catalog of future possibilities section of this report includes considerations on: emergency wildfire funding, federal lands suppression activity, prescribed fire liability, landscape resiliency funding structure, wildfire homeowner insurance, community risk reduction program advancements - including the establishment of a home hardening program, improvements to the next statewide wildfire risk map, creating the Oregon youth works advisory board, expanding eligibility and operations of public clean air spaces to non-profits, approval of accessory dwellings units, and wildfire programs advisory council appointments.

As reinforced with the above catalog and the recommendations in the WPAC's report, this month's Director's report focuses on readying for the full 2023 session, as deliberations begin to seek continuous improvements necessary to advance wildfire protections in Oregon.





Introduction

Oregon is no stranger to wildland fires. But in the past decade, as our summers have grown longer, hotter, and drier, our landscapes and communities have become increasingly susceptible to wildfire. Severe and expanding drought continues to plague the state, as rivers and reservoirs run low because of insufficient snowpack and the lack of rainfall. In 2020, Oregon experienced its most devastating fire season in many years, when more than 2,000 fires burned 1.2 million acres. Nine lives were lost in the Labor Day wildfire events, along with more than 5,000 homes and commercial structures. Fires burned in Clackamas County outside the Portland metro area, causing the area to have some of the world's worst air quality for several days, and throughout the state.

Through all this, it has become increasingly clear that Oregon is fighting fires of a new age—made more intense by the impacts of climate change. While recovery and rebuilding remain a priority—especially in communities that are excluded from traditional recovery methods, and those that have been disproportionately

impacted by wildfire devastation—advancement in fire protection, with a modern approach, must also be a focus.

Recognizing this need, Governor Brown created the Council on Wildfire Response in early 2019. The Council was tasked with compiling comprehensive recommendations and a cohesive strategy to deal with the increasing difficulties posed by wildfires and smoke, tailored specifically to the challenges faced in Oregon. The Council put forward a comprehensive report with 37 recommendations among three key strategies, which are based on the National Cohesive Strategy on Wildfire: creating fire-adapted communities, increasing wildfire response preparedness, and making Oregon's landscapes healthier, stronger, and more resilient. Most of the Council's recommendations were codified in [Senate Bill \(SB\) 762](#), through the dedicated leadership of the legislature during the 2021 regular session. Investments in SB 762 total \$195 million and are allocated across programs consistent with the National Cohesive Wildfire Strategy, see [Appendix I](#).

Two key provisions to administering SB 762 were to appoint a Wildfire Programs Director and to establish the Wildfire Programs Advisory Council. The [Governor appointed Doug Grafe](#) as Director, and the [Council](#) has been established by the legislature with a broad cross-section of members, representing different interests and geographic areas of the state.

One of the responsibilities of the Director is to provide bi-monthly reports to the Governor, the presiding officers of the Oregon Legislature, and the chairs of relevant legislative committees. The purpose of this report is to summarize progress on the implementation of SB 762, note obstacles and opportunities, and catalog possibilities for future improvements to further reduce wildfire risk in Oregon.

Overall, implementation over the biennium is progressing well. The Implementation Status section of this report offers:

- Key due dates for SB 762 deliverables
- The agency or organization responsible for each deliverable
- Links to further details

The Obstacles and Opportunities section, along with the [Catalog of Future Possibilities](#) section, offers an assessment of ongoing implementation opportunities to advance fire protection in Oregon, efficiently and commensurate with the reality of wildfire risk. These sections will be updated in each bi-monthly report.



Duties of the Wildfire Programs Director

- Oversee implementation of SB 762
- Coordinate activities of 11 implementation agencies
- Ensure compliance with deadlines
- Monitor and assess the equity of any financial impacts of implementation activities on local jurisdictions
- Supervise council staff and develop director reports every two months
- Explore current and future opportunities to reduce wildfire risk



Roles of the Wildfire Programs Advisory Council

- Advise and assist the wildfire programs director
- Monitor SB 762 implementation and evaluate agency reports
- Advise on changes necessary to dramatically reduce wildfire risk and ensure regional defensible space, building codes, and land use applications are appropriate
- Strengthen intergovernmental and multiparty collaboration including government, stakeholders, and the public
- Assess how Oregon's wildfire risk map may inform building codes and land use laws, rules, and decisions in a regionally appropriate manner
- Assess the application of defensible space requirements to vineyards, crops, and other cultivated vegetation
- Review the findings and recommendations in the DLCD's October 2022 report, and make additional recommendations to land use planning, local comprehensive plans, and zoning codes to minimize wildfire risk
- Report every October to the Governor and appropriate committees or interim committees of the Oregon Legislative Assembly



Senate Bill 762 Implementation Status

2021

- Rulemaking requirement
- Reporting requirement
- Other implementation requirements

Date	Responsible Party	Required Action	Implementation Status
Sept. 1	Oregon Legislature	Wildfire Programs Advisory Council members must be appointed	(Completed)
Oct. 27	Board of Forestry (BOF) & ODF	Adopt by rule Wildland Urban Interface (WUI) definition	(Completed) ODF : Board of Forestry meetings : Board & committees : State of Oregon Initiated Aug. 24, 2021 and completed Oct. 20, 2021
Nov. 1	WPAC	Council must begin meeting regularly	(Complete and Ongoing) 2023 schedule is established: January 20, April 14, July 14, October 13 Wildfire Programs Advisory Council
Nov. 30	BOF & ODF	Initiate rulemaking to clarify a person may conduct a prescribed fire that burns across land ownership boundaries if the person obtains and complies with a permit and obtains consent from all landowners, and establish a Certified Burn Manager Program	(Completed) ODF : Board of Forestry meetings : Board & committees : State of Oregon Initiated July 21, 2021 and final language will be presented at the November 16 2022, BOF meeting.

Date	Responsible Party	Required Action	Implementation Status
Dec. 1	BOF & ODF	Consult with the Oregon Prescribed Fire Council concerning best practices for a Certified Burn Manager Program, and report to the legislature on when the department expects to launch the program	<p>(Complete and Ongoing)</p> <p>ODF: Prescribed fire : Fire : State of Oregon Rules Advisory Committee (RAC) includes Oregon Prescribed Fire Council. ODF has hired a Prescribed Fire Coordinator to build out this program.</p>
Dec. 31	Investor-Owned Utilities (IOUs) & PUC	Must submit first risk-based wildfire protection plan to the PUC.	<p>(Completed)</p> <p>On Nov. 30, 2021 the PUC adopted temporary rules governing risk-based wildfire protection plans required to be filed by the IOUs.</p> <p>https://apps.puc.state.or.us/orders/2021ords/21-440.pdf.</p> <p>To view all risk-based utility wildfire mitigation plans, visit the following link, the reports are located in the right column: https://www.oregon.gov/puc/safety/Pages/Wildfire-Mitigation.aspx</p>
Dec. 31	ODF	Report to wildfire legislative committees/Director/Council on WUI, risk classes, and mapping rulemaking progress	<p>(Completed)</p> <p>Report to the legislature on December 21, 2021: https://www.oregon.gov/odf/aboutodf/pages/legislative-reports.aspx.</p>
Dec. 31	OEM	Update its statewide emergency plan to prepare for and respond to wildfire emergencies	<p>(Complete and Ongoing)</p> <p>OEM, ODF and OSFM collaborated to update the Statewide Emergency Plan. https://www.oregon.gov/oem/Documents/2021_OR_EOP_ESF_04_Firefighting.pdf</p>

Date	Responsible Party	Required Action	Implementation Status
Jan. 15	ODF	Provide interim report on wildfire risk reduction project selection to natural resources legislative committees/Director/Council/Governor	(Completed) https://www.oregon.gov/odf/aboutodf/pages/legislative-reports.aspx
Feb. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(Completed) https://www.oregon.gov/osp/programs/sfm/Pages/Wildfire-Initiatives.aspx
June 30	Consumer-Owned Utilities (COUs)	Submit first risk-based wildfire mitigation plan to the utility governing body	(Completed) 37 COUs have submitted their first risk-based wildfire mitigation plans and all are being tracked by the PUC.
June 30	ODF & OSU	Must finish all Section 7 mapping requirements	(In Progress and Delayed) The state's wildfire risk map was completed on time and the appeals process was initiated. However, both processes were paused for a number of reasons detailed in this report.
Aug. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(Completed) https://www.oregon.gov/osp/programs/sfm/Pages/Wildfire-Initiatives.aspx
Sept. 1	DCBS	Complete interactive mapping tool	(In Progress but Delayed by Map) DCBS and OSU have established an inter-agency agreement but must wait for the final version of the state's wildfire risk map to complete this effort.
October	WPAC	First annual report to Governor/relevant legislative committees	(Completed) WPAC established three work groups who met weekly to draft their report. WPAC finalized their first report at the October 14 Council meeting and filed it along with the November 2022 Director's Report 6.

Date	Responsible Party	Required Action	Implementation Status
Oct. 1	DCBS	Adopt R327 (wildfire hazard mitigation building code standards) for new dwellings and dwelling accessory structures, and amend R327 to include standards for additions to existing dwellings and dwelling accessory structures and for replacement of certain existing exterior materials	<p>(In Progress but Delayed by Map)</p> <p>DCBS has completed a rule making process through the Residential and Manufactured Structures Board. Although code language was completed by October 1, official adoption of the code will need to wait for completion of final version of the statewide wildfire risk map.</p> <p>https://www.oregon.gov/bcd/codes-stand/Pages/wildfire-hazard-mitigation.aspx</p>
Oct. 1	DLCD	Report on needed updates to the statewide land use planning program and local comp plans and zoning codes to wildfire legislative committees/Director/Council	<p>(Completed)</p> <p>DLCD hired a SB 762 implementation planner. This position coordinated a series of community listening sessions and facilitated DLCD's wildfire adapted communities stakeholder group to advise on DLCD's report: oregon.gov/lcd/nh/pages/wildfire-adapted-communities.aspx</p>
Nov. 30	ODF	Complete rulemaking to clarify a person may conduct a prescribed fire that burns across land ownership boundaries if the person obtains and complies with a permit and obtains consult from landowners	<p>(Completed)</p> <p>ODF : Prescribed fire : Fire : State of Oregon. The Board of Forestry adopted prescribed fire rules on November 16. ODF is currently accepting applications for the Certified Burn Manager Advisory Committee through January 31, 2023.</p>
Dec. 31	OSFM	Establish minimum defensible space requirements	<p>(In Progress but Delayed by Map)</p> <p>Oregon Defensible Space Code Development Committee was established on February 23. Although code language has been completed, official adoption of the code will need to wait for completion of final version of the statewide wildfire risk map.</p> <p>oregon.gov/osp/programs/sfm/pages/oregon-defensible-space-code.aspx</p>

Date	Responsible Party	Required Action	Implementation Status
Feb. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(On Track)
June 30	ODF	Complete wildfire risk reduction projects	(In Progress and On Track) \$25 million in ODF grants have been selected by diverse review committees and are currently being allocated to treat over 150,000 acres. Ongoing grant administration is necessary to support grantee implementation efforts.
June 30	ODHS	Report to appropriate legislative committees/Director/Council on the status of the Clean Air Space Grant Program	(In Progress and On Track) With the passage of SB 1536 (2021), ODHS broadened grant applications to include Tribal Nations and public schools. Requests have been received for HVAC improvements, HVAC installations, or portable air scrubbers. Grants will be deployed starting January 2023. ODHS purchased and deployed 463 air scrubbers throughout the state during the 2022 fire season. Details about the program are available at oregon.gov/dhs/EmergencyManagement/Pages/index.aspx
July 15	ODF	Final report on wildfire risk reduction program to natural resources legislative committees/Director/Council/Governor	(On Track)
Aug. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(On Track)
October	WPAC	Annual report to Governor/relevant legislative committees	(On Track)

2024

- Rulemaking requirement
- Reporting requirement
- Other implementation requirements

Date	Responsible Party	Required Action	Implementation Status
Feb. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(On Track)
Aug. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(On Track)
October	WPAC	Annual report to Governor/relevant legislative committees	(On Track)
Oct. 1 (at the latest)	DCBS	Must update R327 to ensure the code incorporates the standards and to make any necessary adjustments to the applicability of the standards and permitting requirements in the code	(On Track)

2025

- Rulemaking requirement
- Reporting requirement
- Other implementation requirements

Date	Responsible Party	Required Action	Implementation Status
Feb. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(On Track)
Aug. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(On Track)
October	WPAC	Annual report to Governor/relevant legislative committees	(On Track)

Date	Responsible Party	Required Action	Implementation Status
Jan. 1	Counties	Required to ensure that all lands within the county that are outside of forest protection districts and susceptible to wildfire have baseline level or higher of wildfire protection	(On Track) ODF & OSFM plan to start organizing this effort during the 2022/23 winter
Feb. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(On Track)
Aug. 1 (approx.)	OSFM	Biannual report to wildfire legislative committees/Director/Council on defensible space	(On Track)
October	WPAC	Annual report to Governor/relevant legislative committees	(On Track)

Note: OSFM biannual defensible space reporting requirement and WPAC reporting requirements do not sunset.

Key implementation efforts without specific deadlines in SB 762 include:

OHA – RESIDENTIAL SMOKE FILTRATION GRANT PROGRAM

- OHA will consult with ODHS for their June 2023 report to the legislature regarding the public clean air space grant program.
- 5,000 residential air filtration units have been distributed by OHA and Community Care Organizations (CCOs) during the 2022 fire season. Another 5000 residential air filtration units are planned for distribution in 2023. Targeted distribution is planned among persons vulnerable to the health effects of wildfire smoke and who reside in areas susceptible to wildfire smoke.

DEQ – COMMUNITY WILDFIRE RESPONSE PLANS AND SMOKE MONITORING INFRASTRUCTURE

- \$1.5 million in grants have been awarded to 21 organizations including Tribes, counties, cities, private entities, and collaborative groups to create options for alternatives to open burning or investing in emission reduction tools such as air curtain incinerators, integrating smoke notifications into existing emergency alert systems, and developing community response plans. DEQ supported the ongoing staffing and implementation of Community Response Plans (CRPs) for Bend, Willowa, Ashland, Oakridge, and Lakeview. DEQ supported the development of 4 new, county-wide Community Response Plans (Jackson, Union, Klamath, Wasco/Hood River). Each community implementing a previously developed CRP received \$75,000 in grant funds and each community developing a new CRP received \$40,000 in grant funds.
- Smoke Monitor Infrastructure: DEQ added five particulate monitors to the network for the 2022 fire season. DEQ has proposed additional locations and to gauge community interest and input on those locations will conduct a public survey and opportunity for comment in January 2023.

HECC – OREGON CONSERVATION CORPS ADVISORY COMMITTEE

- Members were appointed by the Governor in December and quickly got to work with HECC to advertise and appropriate \$10 million in grants to reduce community fire risks and promote youth workforce development by reducing hazardous fuels. 13 Projects are currently funded with 411 youth engaged in this work.
- HECC and the Oregon Community Foundation have partnered to enable private donations to be matched by the state’s \$1 million general fund appropriation for this purpose. To-date, HECC has received \$9,000 in private donations.



Implementation Obstacles and Opportunities

As SB 762 implementation continues to take place, it's important to note ongoing opportunities to advance fire protection in Oregon, as well as to be transparent about obstacles and barriers to progress. This section of the bi-monthly report will evolve over time, informed by coordination meetings scheduled quarterly with the 11 agencies tasked with SB 762 implementation responsibilities. Additionally, the quarterly scheduled Wildfire Programs Advisory Council (WPAC) meetings will be critical to help assess implementation progress, obstacles, and opportunities. The WPAC, by law, is not a decision-making body, but instead is established to provide advice, assistance, perspective, ideas, and recommendations to the Wildfire Programs Director. Given the complexity of policies and programs that SB 762 advances, the Wildfire Programs Director will lean heavily on the advice of the WPAC. The following are observations on obstacles and opportunities to ensure successful implementation. This section of the report is formatted consistent with the section-by-section summary of SB 762 in [Appendix II](#), for ease of reference.

Senate Bill 762 - Advancing Wildfire Protection in Oregon

Section-By-Section Bill – Implementation Obstacles and Opportunities, March 2022 – Director Report 2

ELECTRIC SYSTEM PLANS (Sections 1-6)

Obstacles/awareness items:

- Public Safety Power Shutoffs (PSPS) are a wildfire prevention measure where utilities de-energize power during severe weather events. The PUC has adopted rules to guide the implementation of PSPS's. PSPS are a part of utilities' risk-based wildfire protection plans.
- On September 9-10, 2022, Oregon experienced a significant wind event that initiated the State's first widespread PSPS in western Oregon since the passage of SB 762. The event was highly successful given the care taken by Oregon utilities to implement the new laws, their proactive engagement during the event and their attention to detail prior to re-energizing the lines. This event was a resounding success with many examples of wildfires averted by implementing the PSPS.

Opportunities:

- Leveraging and incorporating existing utility infrastructure investments including wildfire detection cameras and weather stations, into the statewide wildfire readiness system.

STATEWIDE MAP OF WILDFIRE RISK (Sections 7 & 31-34)

Obstacles/awareness items:

- Defining the Wildland Urban Interface (WUI) and the identification of high and extreme risk classes, at the property level, represented one of the more controversial and polarizing issues with SB 762. The impetus for intense scrutiny on these topics largely relates to the downstream regulations, defensible space and hardening of homes, that will apply on high and extreme risk parcels within the WUI. Additionally, significant concern was related to increasing homeowner's insurance rates and potential downstream influences on land use decisions.
- ODF and OSU made the map public on July 1 2022 deadline and initiated the appeals process as directed in law. Following significant public outcry related to the map, as noted above, the map and appeals process was paused by ODF on August 4.

Opportunities:

- The pause in the map release, has provided time to address several critical issues:
 1. Homeowner's Insurance - the insurance commissioner has effectively decoupled the concern that insurer's were utilizing the map to inform underwriting decisions at this time, however several concerns remain. Overall wildfire risk is on the rise in Oregon and there continues to be adjustments in Oregon's insurance market that reflects increased risk. Leveraging the home survivability measures, defensible space and hardening of homes, that Oregon will be implementing to ensure insurance availability and mitigate rate increases will be critically important. Oregon's Insurance Commissioner is developing a potential legislative solution to address this issue and coordination with the insurance industry on this topic is ongoing.

2. Having the completed defensible space code and hardening of homes building code language will be helpful during the next iteration of the map. The map dictates where these codes will be implemented and without knowing what these codes actually required, Oregonians expressed great concern of the unknown. Additionally, implementing defensible space programs across the state will help engage communities as citizens increase their home survivability during wildfire; three programs currently ongoing include:
 - OSFM has announced \$18 million in grant opportunities to establish defensible space across Oregon's communities with the greatest exposure to wildfire.
 - ODF has deployed \$5 million and HECC has deployed \$10 million to establish defensible space and fuels treatments, also around our communities with the greatest exposure to wildfire.
 - Oregonians have submitted a total of \$63.4 million in federal grant requests to protect our communities from wildfire through the newly formed IJJA Community Wildfire Defense Grant Program.
3. Greater collaboration with the public and local governments in the development and delivery of the map is essential to the success of the next map version. A strong communication strategy is essential to understanding why we have created a map, how the map was created, what it means to be classified in various risk classes and what the map will be used for.
4. Local review of a draft version of the map is necessary to improve accuracy and offer greater acceptance of a final mapping product.
5. Legislative considerations to improve the next map delivery are detailed in the [Catalog of Future Possibilities](#) section of this report.

DEFENSIBLE SPACE (Sections 8-10)

Obstacles/awareness items:

- Assessing the application of defensible space requirements to agricultural lands, including vineyards, crops, and other cultivated vegetation, was brought to the July 8 WPAC meeting for deliberation. This task of the WPAC is consistent with SB 762 - Section 36 (2) (f) and the WPAC provided sound counsel to inform the defensible space code, which is ready for adoption with the completion of the map.

Opportunities:

- Defensible space standards are a proven measure to increase home survivability during wildfires, while providing for the safety of first responders. This will be a new program for Oregon to develop and implement. Growing this program to optimal performance, in partnership with local jurisdictions, will be a critical step in advancing fire protection in Oregon.
- As noted in the section above, \$33 million in state dollars through OSFM, ODF and HECC are being applied to mitigating wildfire risk around our most vulnerable communities. Oregon has submitted a total of \$63.4 million in federal grant requests for this same purpose. Oregonians understand the need to protect our communities and are taking action.

LAND USE (Section 11)

Obstacles/awareness items:

- Reviewing the DLCD report and making additional recommendations is an important function of the WPAC. The possibility of applying land use restrictions due to wildfire risk assessments was a point of concern during SB 762 development. DLCD's report is complete and the WPAC has written an addendum to their report to review DLCD's recommendations.

Opportunities:

- The legislature has both the DLCD report, which includes a range of recommendations across multiple land-use topics, and the WPAC assessment of DLCD's report as it deliberates during the 2023 full legislative session.

BUILDING CODES (Section 12)

Obstacles/awareness items:

- An unintended consequence related to locally adopted building code standards has surfaced. A few communities including Medford, Grants Pass, and Ashland have adopted local fire resistant building code standards under the local adoption path provided in R327 of the Oregon Residential Specialty Code. Generally, local government is preempted from adopting construction standards. Given the WUI along with high and extreme risk classification in the statewide risk map, are unlikely to take in all parcels currently regulated by existing local building codes based on their local mapping, early indicators suggest the state will be removing existing fire resistant code requirements in some parcels within these three communities when it implements fire hardening code standards based on the statewide wildfire risk map. This issue re-surfaces the deliberation between local or state-wide regulation of fire resistant building codes.

Opportunities:

- The advancement of wildfire hazard mitigation building codes standards have proven to mitigate wildfire impacts to structures. This will be a new program for Oregon to develop and implement. Growing this program to optimal performance, in partnership with local jurisdictions, will be a critical step in advancing fire protection in Oregon.

HEALTH SYSTEMS FOR SMOKE (Sections 13-15)

Obstacles/awareness items:

- New programs and grants have been developed through these sections to protect public health from the negative effects of smoke. Early indicators suggest that the interest in deploying residential air filtration systems managed by OHA, is greatly outweighing available funding. Given the high cost of establishing HVAC systems in public spaces, the current funding through ODHS will be inadequate to equitably provide cleaner air systems in shelters throughout the state. The requirement that ODHS grant funding only be provided to public entities is a limiting factor, particularly in rural Oregon where nonprofit and faith-based organizations typically take a leading role in providing shelter. ODHS' support to cleaner air spaces is limited to only providing equipment. Flexibility is needed to also support local jurisdictions to establish and operate cleaner air locations, similar to the way ODHS can support cooling and warming shelters.

Opportunities:

- This critical investment in infrastructure and response planning to protect public health will position the state to make greater strides toward reducing catastrophic fire risk through advancements in the application of prescribed fire.
- Expanding smoke monitoring equipment and the number of community smoke response plans with DEQ, will help the state's ability to prepare communities for the additional smoke impacts expected from catastrophic wildfires in Oregon's future.

EMERGENCY RESPONSE & DISASTER RECOVERY (Sections 16-17)

Obstacles/awareness items:

- The updates to the statewide emergency plan in this section are complete. The statewide coordination requirements to advance emergency response will take a concerted effort throughout the biennium with all emergency response partners.

Opportunities:

- Expanded coordination and training across emergency response organizations will be critical to effective wildfire response. Developing productive mutually beneficial relationships between state and local governments, Tribes, and other interested parties such as non-profits will be critical to success.

WILDFIRE RISK REDUCTION PROGRAM (Sections 18-20)

Obstacles/awareness items:

- This section reflects a long-term vision. It will take time beyond this biennium to reach the pace and scale of landscape restoration necessary to have meaningful impacts on catastrophic wildfire risk reduction, as recognized in the requirement for a 20-year strategic plan. There are currently over two million acres of federal lands restoration projects ready for implementation in Oregon. Several barriers exist to implementing these projects and future projects. SB 762 and the Infrastructure Investments and Jobs Act aims to mitigate those challenges through efforts such as workforce development, advancement of prescribed burning, and interagency collaboration. A State and Federal inter-agency strategic leadership group has been formed, and meets monthly, to maximize investments in landscape resiliency projects across all lands in Oregon. Agency participation includes: ODF, Oregon Department of Fish and Wildlife, Oregon Water Enhancement Board, U.S. Forest Service, Natural Resource Conservation Service, Bureau of Land Management, and Bureau of Indian Affairs.

Opportunities:

- Leveraging federal funding from the Infrastructure Investment and Jobs Act will help to significantly increase the pace and scale of landscape resiliency in Oregon.
- The volume of grant applications for resilient landscape work across the state clearly indicates a great interest in this work. ODF has selected its \$25 million in grant projects leveraging their partnerships across an all-lands approach. The Infrastructure Investments and Jobs Act, proposes significant funding for landscape resiliency nationally, and Oregon is positioned well with federal partnerships in shared stewardship and good neighbor authorities to attract infrastructure dollars to augment SB 762's investment. On April 18, the USFS announced \$11.7 million of resilient landscape projects were funded in Oregon through the Collaborative Forest Landscape Restoration Program. \$61 million dollars in investments in Central Oregon through 2026 has been identified in USDA's November 22 Wildfire Crisis update - page 12: [Confronting the Wildfire Crisis \(usda.gov\)](#). These projects represent early federal investments and Oregon is positioned well to seek further investments. For example, the Rouge Forest Partners has a \$150 million forward looking proposal for southwest Oregon to reduce the catastrophic nature of wildfire in this region.

OREGON CONSERVATION CORPS (Sections 21-23)

Obstacles/awareness items:

- The newly formed Oregon Conservation Corps Advisory Committee manages the Oregon Conservation Corps Program. This Committee is actively seeking and source private donations to support the Oregon Conservation Corps Program. SB 762 appropriates \$1 million to match private donations for this program, but it is uncertain whether this match will be fully utilized this biennium.

Opportunities:

- A successful workforce development program that develops youth to be employable within natural resources professions should gain the interest of many private natural resource companies and organizations. Creating private/public partnerships will aid in the success of this program.

SMALL FORESTLAND GRANT PROGRAM (Section 24)

Obstacles/awareness items:

- Implementation is proceeding well without any challenges. Grant administration and community support is now ODF's focus, given all funds for this program have been allocated.

Opportunities:

- This grant program is part of the overall Wildfire Risk Reduction Program strategy of restoring landscape resiliency through the reduction of hazardous fuels across all land ownerships. Consistent with sections 18-20, leveraging federal funding from the Infrastructure Investment and Jobs Act will help to significantly increase the pace and scale of landscape resiliency.

PRESCRIBED FIRE (Sections 25-27)

Obstacles/awareness items:

- This program establishment is aspirational with several challenging obstacles to successful implementation, including an adequately trained workforce to conduct prescribed burns, attractive liability and insurance coverages, and a limited burn window outside the expanding peak of fire season where burns can be conducted safely and effectively.

Opportunities:

- Establishing this program will take Oregon down the much-needed path of advancing prescribed fire use to mitigate the risk of catastrophic wildfire. Leveraging federal funding from the Infrastructure Investment and Jobs Act will help advance the use of prescribed fire on private, public, and Tribal lands.
- Public acceptance of prescribed fire must grow in order for this program to be effective at the scale necessary to dramatically reduce catastrophic wildfire.

FEDERAL PARTNERSHIPS (Section 27a)

Obstacles/awareness items:

- All aspects of Oregon's approach to advancing wildfire protection will require healthy relationships and support from Federal partners.

Opportunities:

- Leveraging federal funding from the Infrastructure Investment and Jobs Act and Inflation Reduction Act is critical to advancing community wildfire defense, landscape resiliency and the reduction of hazardous fuels on federal lands, along with all other lands in Oregon.

PROTECTED AREAS (Sections 28-29)

Obstacles/awareness items:

- The implementation date of January 1, 2026 for this section is a recognition that this effort is complex, will take time, and will require leadership persistence and coordination across state agencies and local governments over the next several biennia to fully implement.

Opportunities:

- Strengthening the coordination between state and county emergency response organizations, by setting a baseline standard of protection will advance fire protection in Oregon. SB 590 (2021) is a complementary policy to SB 762 that will advance fire protection to north central Oregon's wheat growing region.

WILDFIRE RESPONSE CAPACITY (Section 30)

Obstacles/awareness items:

- The 2022 fire season was, generally speaking, less intense than we have experienced in the recent past. SB 762 investments in preparedness and prevention, supported this outcome. Additional access to suppression resources such as fire fighting aircraft and engines, along with increased response personnel in ODF and local fire departments made available through OSFM grants have increased Oregon's wildfire response capacity and helped keep fires small. Less than 10% of the acres burned in Oregon during the 2022 fire season were on State protected lands.
- A Statewide Detection Camera Interoperability Committee has been created and is fully operational given SB 762 funding. The vision of this committee is to develop the most integrated, and inter-organizational wildfire detection system in the United States that provides immediate statewide access for the most efficient and effective emergency response, thereby ensuring the quality of life and protection of resources in Oregon.

Opportunities:

- SB 762 investments in both OSFM and ODF's wildfire response capacity has advanced wildfire protection in Oregon. Investments in fire protection through federal funds from the Infrastructure Investment and Jobs Act will amplify the state's investments, collectively raising Oregon's state of readiness to address wildfire.

WILDLAND URBAN INTERFACE (WUI) FIRE PROTECTION (Sections 31-34)

See Section 7 above

STATE WILDFIRE PROGRAMS DIRECTOR (Section 35)

Obstacles/awareness items:

- Monitoring and assessing any financial impacts of the activities on local jurisdictions and the equity of those financial impacts among jurisdictions will be a challenge. The Wildfire Programs Director will seek advice from the WPAC on where to focus attention and how to meet this expectation of the position.

Opportunities:

- The Catalog of Future Possibilities section of this report identifies future opportunities to advance fire protection in Oregon and as been adjusted in this report as a policy issue scan in support of the 2023 full legislative session.

WILDFIRE PROGRAMS ADVISORY COUNCIL (Sections 36-39)

Obstacles/awareness items:

- All 19 members of the WPAC have been actively engaged and their dedication to advancing wildfire protection in Oregon is clear. The WPAC established three high functioning working groups to write their first annual report. This report can be a valuable resource as Oregon deliberates on how to advance fire protection commensurate with our rising risk of catastrophic wildfire.

Opportunities:

- The Wildfire Programs Director will continue to rely heavily on the council's advice, perspectives, and recommendations to advance fire protection in Oregon. The diversity of council perspectives and the honest discussions at council meetings will be of great value to the director in the execution of their duties.
- The WPAC can play an important role in developing productive mutually beneficial relationships between state and local governments, Tribes, and other local/regional stakeholders.

CONFORMING AMENDMENTS (Sections 40-43)

NA

APPROPRIATIONS (Sections 44-64)

NA

CAPTIONS (Section 65)

NA

EMERGENCY CLAUSE (Section 66)

NA

Catalog of Future Possibilities

The cataloging of future possibilities for policy improvements to advance fire protection in Oregon has been informed by the Wildfire Programs Advisory Council, interim Legislative day hearings, ongoing legislative engagement with the wildfire programs, Agency legislative concepts and over a year's worth of wildfire program implementation experience engaging with Oregonians. Cataloging concepts to improve wildfire protections in Oregon is a requirement of the Wildfire Programs Director and can serve as a policy issue scan as the State enters the 2023 Legislative Session. These possible improvements are organized under the three tenants of the National Cohesive Wildfire Strategy: Readiness and Response, Landscape Resiliency and Fire Adapted Communities.

**Denotes that the item is not currently associated with a draft bill.*

Readiness and Response

1. **Emergency Wildfire Funding:** Two Agency legislative concepts from ODF and OSFM, seek to address the State's emergency wildfire funding challenge. Oregon is averaging over \$100 million annually in emergency wildfire suppression costs between ODF and OSFM, over the past 5 years. These legislative concepts propose proactively budgeting for these costs, by establishing funds distinct from operational budgets so agencies are not re-purposing operational appropriations to carry debt until Federal Emergency Management Administration reimbursements are received by the State. At this time, ODF is carrying approximately \$65 million of debt until these federal revenues are received. OSFM is transitioning to its own agency and without the financial cover of their parent agency, Oregon State Police, OSFM will risk the same financial solvency issues ODF has been experiencing since the dramatic increase in catastrophic wildfire over the past 10 years.
2. **Federal Lands Suppression Activity:** As Oregon continues to experience large and long duration wildfires burning across the landscape on federal lands, it is anticipated that the legislature will continue to hear deliberations on how ODF should engage with federal partners to influence suppression activities on federal lands. The 2022 Cedar Creek fire is the latest example of a large, long duration wildfire on federal lands that burned east of Oakridge and caused evacuations during September's east wind event.

Landscape Resiliency

1. **Prescribed Fire Liability Program:** During the 2021 session the legislature passed HB 2571 – directing the DCBS to conduct a study on the affordability and accessibility of insurance for those performing prescribed fires and examine the liability standard used for insurance. A report to the legislature was filed by DCBS by July 1, 2022, as required by law. The report produced a series of considerations for deliberation, and policy considerations are expected to emerge on this topic, including the creation of a Prescribed Fire Liability Pilot Program and Prescribed Fire Claims Fund.
- * 2. **Landscape Resiliency Fund:** This current biennium's general fund investment in landscape resiliency to reduce the catastrophic nature of wildfire is \$20 million appropriated to ODF. To attract additional federal dollars for this purpose, open pathways for philanthropic investments, and allow funds to be deployed across biennium, establishing a landscape resiliency fund like the Community Risk Reduction Fund under OSFM, may be prudent.

Fire Adapted Communities

- * 1. **Wildfire Homeowner Insurance:** Oregon's Insurance Commissioner is developing a potential legislative solution that includes three elements: (a) enhancements to insurer disclosures so that consumers know exactly why their policy might not be getting renewed or why their rate is going up; (b) a requirement that insurers take account, in both underwriting and rating, of efforts homeowners and their community are taking to mitigate wildfire risk, such as defensible space, home hardening, and community-based mitigation activities (like Firewise); and (c) additional flexibility in extending rebuild and property replacement timelines if a homeowner experiences delays outside their control. In parallel, Oregon's Insurance Commissioner is working with the State's existing FAIR Plan to consider additional coverage options, such as increase limits and replacement cost coverage.
- 2. **Community Risk Reduction Program Advancements, including the establishment of a Home Hardening Program:** Maximizing the effort to develop OSFM's Community Risk Reduction Program includes: (a) Aligning existing authorities and programs across multiple agencies and local organizations that work to reduce community wildfire risk, (b) Establishing advanced public outreach and customer service-oriented website that helps Oregonians navigate the various defensible space, home hardening and Firewise programs that can empower and support local efforts to reduce the impacts of wildfire to Oregon's communities, and (c) Establishing a Home Hardening Program that expands existing wildfire recovery efforts on rebuilding homes to: proactively supporting home hardening efforts before the wildfire strikes, including manufactured homes and triplexes.
- * 3. **Improvements to the next Statewide Wildfire Risk Map:** These adjustments are suggested to support a more effective delivery and understanding of the next map re-vision. These adjustments are not intended to change the primary purpose and legislative intent of the map to: (a) Ensure the most vulnerable locations threatened by wildfire are prioritized for fire adaptation and mitigation investments, so limited resources can be most prudently deployed to protect lives and homes, and (b) Identify where new defensible space standards and home hardening building codes will apply.
 - A) Renaming the map to better represent its true function as a "Wildfire Hazard" map and renaming the classification categories to "low, medium, and high hazard zones". This decouples the unintended expectation that implementing the community defense measures (hardening of homes and defensible space) would adjust one's classification. These defense measures do increase home survivability and reduce wildfire risk to one's property, but they do-not influence a property's exposure to the wildfire hazard that exists based on where one lives in relation to landscape-scale climate, weather, topography, and vegetation. The "high hazard zone" classification would take in the existing high and extreme risk classifications, which are redundant and add complexity by creating more classification mapping boundaries than necessary.
 - B) Adjust the mapping due dates. Align with the newly expressed timeline by ODF to establish a draft map in early March 2023 to engage more broadly with Oregonians, and to produce a final map in October 2023.
 - C) Require notification letters by ODF to high hazard zone classifications within the WUI only. This allows for a much clearer notification process, as opposed to the two types of regulatory and informational letters required under existing law to those inside and outside the WUI.
 - D) Seek efficiency and effectiveness in the appeals process. Exercise the existing Administrative Procedures Act (APA) which establishes a comprehensive pattern for the judicial review of administrative decisions. The APA applies broadly to any final order of an agency, which a WUI or hazard zone classification could be named explicitly as orders of the agency. Leveraging the existing APA could allow for an efficient administrative appeal processes for both the appellant and the agency, by avoiding the redundant appeal process through ODF which currently exists in law.
 - E) Update equity language. Legislative intent in building the socially and economically vulnerable community mapping layer, is in part to direct limited resources to those in most need. However, it is not explicit in law that the mapping layer will be used for this purpose.

4. **Creating the Oregon Youth Works Advisory Board:** The Higher Education Coordinating Commission is introducing a legislative concept that creates administrative efficiencies by consolidating the existing Oregon Youth Corps Advisory Board and the recently created under SB 762 - Oregon Conservation Corps Advisory Committee, by creating a single “Oregon Youth Works Advisory Board” to align governance and implementation of youth workforce development programs for which the Commission is responsible.
- * 5. **Expanding eligibility and operations of public clean air spaces to non-profits:** The requirement that funding only be provided to public entities is a limiting factor, particularly in rural Oregon where nonprofit and faith-based organizations typically take a leading role in providing shelter. Additionally, ODHS’ support to cleaner air spaces is limited to only providing equipment. Flexibility is needed to also support local jurisdictions/organizations to establish and operate cleaner air systems, similar to the way ODHS can support cooling and warming shelters.
- * 6. **Approval of Accessory Dwellings Units:** SB 391 (2021) Requires an approved wildfire risk map to approve construction of rural ADUs. Given the map is not planned for completion until the fall of 2023, legislative action would need to be taken if desired to address this issue sooner.
- * 7. **Wildfire Programs Advisory Council Appointments:** Several appointment transitions have occurred since the inception of the Council. A few administrative efficiency adjustments could be made to avoid long durations between appointments and gain alignment with other like Council/Committee appointment processes already established in law.

In Closing:

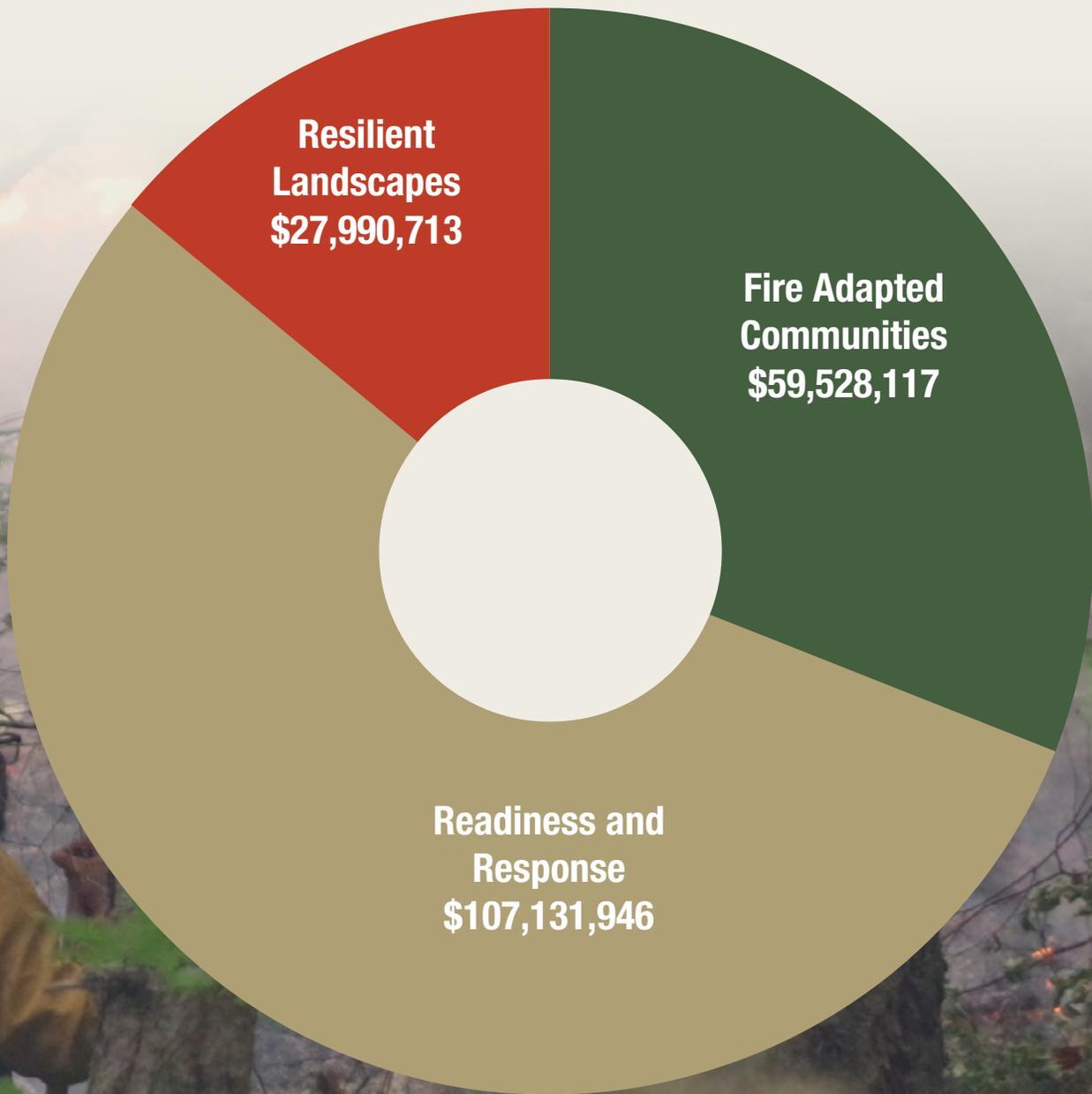
This wildfire policy issue scan is not comprehensive and would fully expect many other wildfire related concepts to be surfaced during the 2023 Legislative Session.



Appendix I

SB 762 Investment Distribution (\$195 Million)

National Cohesive Wildfire Strategy - Tenants



Appendix II

Section by Section Summary

Senate Bill 762-Enrolled: Wildfire Omnibus Bill

ELECTRIC SYSTEM PLANS (Sections 1-6)

- Requires the Public Utility Commission (PUC) to periodically convene workshops for electric utilities and system operators to share information related to wildfire best practices, to adopt risk reduction standards by rule, and to evaluate and approve Public Utility plans that meet specified requirements.
- Requires public utilities to create, and operate in compliance with, a PUC-approved wildfire protection plan. First plan must be submitted by December 31, 2021.
- Requires consumer-owned utilities to create, and operate in compliance with, a governing body-approved wildfire mitigation plan. First plan must be submitted by June 30, 2022.

STATEWIDE MAP OF WILDFIRE RISK (Section 7)

- Requires ODF to oversee, and OSU to execute, the development and maintenance of a comprehensive statewide map of wildfire risk that includes wildland urban interface boundaries and wildfire risk classes by **June 30, 2022**.
- Requires that ODF, in consultation with OSU, establish five statewide wildfire risk classes of extreme, high, moderate, low, and no risk.
- Requires the Oregon Board of Forestry (Board) to adopt rules that provide opportunities for public input and appeal on assignment of properties to wildfire risk classes.
- Requires OSU to collaborate with ODF, OSFM, other state agencies, local governments, Tribes, other public bodies, and other information sources to create the map.
- Requires that the map be made publicly accessible and requires OSU to provide technical assistance to state and local governments and to landowners to use the

map and associated Oregon Wildfire Risk Explorer platform.

- Requires the final map be used to inform policy actions and programs as detailed in the Act.

DEFENSIBLE SPACE (Sections 8-10)

- Defines ‘defensible space’ as a natural or human-made area in which material capable of supporting the spread of fire has been treated, cleared, or modified to slow the rate and intensity of advancing wildfire and allow space for fire suppression operations to occur.
- Requires OSFM to establish minimum defensible space requirements for wildfire risk reduction on lands located within the wildland urban interface (WUI) on the statewide map by **December 31, 2022**.
- Requires OSFM to establish defensible space requirements that are consistent with the International Wildland-Urban Interface Code and to consult with the Oregon Fire Code Advisory Board in establishing Oregon-specific requirements. Allows local governments to adopt more stringent defensible space requirements.
- Authorizes either OSFM or a local government to administer and enforce the minimum defensible space requirements, and allows OSFM to provide financial, administrative, technical, or other assistance to local governments for administration and enforcement.
- Directs OSFM to administer a community risk reduction program that emphasizes wildfire risk education and prevention methods, defensible space enforcement, response planning, and community preparedness for wildfire. Establishes the Community Risk Reduction Fund to carry out the program.

LAND USE (Section 11)

- Requires DLCD to identify needed updates to the statewide land use planning program, local comprehensive plans, and zoning codes to incorporate the wildfire risk map and to minimize wildfire risk by **October 1, 2022**.

BUILDING CODES (Section 12)

- Requires DCBS to adopt R327 wildfire hazard mitigation building code standards for new dwellings and dwelling accessory structures in extreme and high wildfire risk classes by **October 1, 2022**, to be operative no earlier than **April 1, 2023**.
- Requires DCBS to amend section R327 to include standards for additions to existing dwellings and dwelling accessory structures and for replacement of certain existing exterior materials by **October 1, 2022**, to be operative no earlier than **April 1, 2023**.
- Requires DCBS in collaboration with OSU to develop and maintain a free, publicly accessible interactive mapping tool that displays R327 wildfire hazard mitigation standards at the property level and is designed to support future inclusion of snow load, seismic, and wind building code standards. This tool must be established no more than 60 days following the completion of the wildfire risk map, identified in section seven, or no later than **August 31, 2022**.



HEALTH SYSTEMS FOR SMOKE (Sections 13-15)

- Requires DEQ to establish a program to support communities in detecting, preparing for, communicating, or mitigating the environmental and public health impacts of wildfire smoke.
- Requires DEQ to monitor, interpret, and communicate air quality data.
- Requires ODHS, in consultation and coordination with OHA, to establish and implement a local government clean air shelter grant program. Establishes ODHS as the lead state agency for clean air shelter operations and shall report on grant program development by **June 30, 2023**.
- Requires OHA to establish a smoke filtration system grant program to increase the availability of residential smoke filtration systems among persons vulnerable to the health effects of smoke who reside in areas susceptible to wildfire smoke.

EMERGENCY RESPONSE & DISASTER RECOVERY (Sections 16-17)

- Adds 'wildfire' to state definition of 'emergency.'
- Requires OEM to update its statewide emergency plan to prepare for or respond to wildfire emergencies on an area-wide or statewide basis, including wildfire risk mitigation efforts and evacuations, by **December 31, 2021**.
- Requires OEM to coordinate with cities, counties, and other specified entities to ensure local efforts align with the statewide plan, and to provide training and community education.

WILDFIRE RISK REDUCTION PROGRAM (Sections 18-20)

- Requires ODF to design and implement a treatment program to reduce wildfire risk on public or private forestlands and rangelands, and in communities near homes and critical infrastructure, through restoration of landscape resiliency and reduction of hazardous fuels.
- Requires ODF to consult and cooperate with OSU Extension, state and federal agencies, counties, cities, other units of local government, Tribes, public and private forestland and rangeland owners, forest collaboratives, and other relevant community organizations to select projects for treatment.
- Establishes criteria for project selection and design.
- Prohibits commercial thinning on specified protected lands.
- Requires ODF to develop a 20-year strategic plan that prioritizes restoration actions and geographies.
- Requires ODF to report regarding the status of the program development and implementation by **January 15, 2022**, and again upon completion of projects by **June 30, 2023**.

OREGON CONSERVATION CORPS (Sections 21-23)

- Establishes the Oregon Conservation Corps Program to reduce wildfire risk to communities and critical infrastructure, to help create fire-adapted communities, and to engage youth and young adults in workforce training.
- Establishes the Oregon Conservation Corps Advisory Committee within the HECC to administer the program grant process and to engage private sector funding.
- Establishes grant process requirements and priorities.
- Establishes the Oregon Conservation Corps Fund to be used primarily for program grants.

SMALL FORESTLAND GRANT PROGRAM (Section 24)

- Directs ODF to establish a small forestland grant program for the purpose of providing grants, on a competitive basis, to support small forestland owners of one to 160 acres west of the Cascades, and one to 640 acres east of the Cascades, in reducing wildfire risk through the restoration of landscape resiliency and reduction of hazardous fuels on their property. Requires ODF to set criteria for assessing grant applications and awarding grants.

PRESCRIBED FIRE (Sections 25-27)

- Requires ODF to establish by rule a Certified Burn Manager Program. Requires ODF to consult with the Oregon Prescribed Fire Council concerning best practices for conducting the program, initiate rulemaking to establish the program, and provide a progress report to the Legislative Assembly by **December 1, 2021**.
- Allows a person to conduct a prescribed fire that burns across land ownership boundaries if the person obtains a permit, complies with its conditions, and obtains consent from relevant landowners. Requires related ODF rulemaking to be initiated by November 30, 2021 and completed by November 30, 2022.

FEDERAL PARTNERSHIPS (Section 27a)

- Requires ODF to cooperate with federal agencies to increase the effectiveness of federal forest management programs, agreements, and activities.

PROTECTED AREAS (Sections 28-29)

- Requires the State Forester in collaboration with OSFM, state agencies, and local governments, to adopt rules establishing baseline levels of wildfire protection, that reflect regional conditions, for lands outside of forest protection districts that are susceptible to wildfire.
- Authorizes the State Forester to provide financial assistance to counties to assist landowners with forming or modifying wildfire protection jurisdictions to ensure adequate protection, and to develop wildfire protection facilities, equipment, training, and other resources.

- Requires counties to ensure all applicable lands within the county have baseline level or higher wildfire protection by **January 1, 2026**.

WILDFIRE RESPONSE CAPACITY (Section 30)

- Requires ODF to establish and maintain an expanded system of automated smoke detection cameras and associated staff.
- Requires ODF to consult and coordinate with OSFM, other state and federal agencies, local fire defense board chiefs, and private stakeholders, to determine the adequacy of state, federal, and private wildfire response capacity, and adequacy of available mutual aid to provide wildfire response on WUI lands.
- Requires OSFM and ODF to increase their wildfire readiness and response capacities.

WILDLAND URBAN INTERFACE (WUI) FIRE PROTECTION (Sections 31-34)

- Requires the Board of Forestry to establish a definition of ‘wildland urban interface’ (WUI) and criteria by which the WUI shall be identified and classified.
- Repeals and harmonizes existing statutes to ensure consistency with new processes for WUI designation.

STATE WILDFIRE PROGRAMS DIRECTOR (Section 35)

- Establishes a Governor-appointed State Wildfire Programs Director to oversee implementation of this Act, including ensuring program coordination and compliance with deadlines, assessing financial impacts, supervising staffing of the Wildfire Programs Advisory Council, reporting regularly to the Governor and legislature, and exploring opportunities to further reduce wildfire risk in Oregon.

WILDFIRE PROGRAMS ADVISORY COUNCIL (Sections 36-39)

- Establishes a Wildfire Programs Advisory Council to advise and assist the Director by closely monitoring implementation of this Act, providing advice on potential changes to activities to meet goals, strengthening intergovernmental and multiparty collaboration, developing strategies to enhance collaboration among governmental bodies and the public, assessing ways the statewide map could inform development of building codes and land use laws, rules, and decisions in a regionally appropriate manner, assessing application of defensible space requirements to vineyards, crops, and other cultivated vegetation, and reviewing DLCD findings and recommendation related to land use and the minimization of wildfire risk.
- Requires the President of the Senate and Speaker of the House to jointly appoint 19 members to the Council from a specified list of representative entities and requires the presiding officers consult in good faith with legislative minority leaders. Specifies terms of service and other formative parameters.
- Requires DCBS, DLCD, OSFM, ODF, and the OSU Extension Service to cooperatively staff the Council. Requires Council to submit annual reports beginning **October 2022**.

CONFORMING AMENDMENTS (Sections 40-43)

- Provides conforming amendments.

APPROPRIATIONS (Sections 44-64)

- Provides for General Fund appropriations and increases in expenditure limits to fund duties and programs required by the Act.

CAPTIONS (Section 65)

- States purpose of captions.

EMERGENCY CLAUSE (Section 66)

- Declares emergency, effective on passage.

SB 762-A: Implementation Timeline Continued

 Action deadline  Report due to Legislature, Director, Council

RESILIENT LANDSCAPES

2021						2022						2023												
July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
WILDFIRE RISK REDUCTION PROGRAM: ODF to implement fuel reduction projects to restore landscape resiliency across public and private lands. Develop a 20-year plan.																								
 Jan 15: ODF progress report												 June 30: Complete projects & July 15: Final Report												
WILDFIRE WORKFORCE CORPS: HECC to set up Advisory Committee and grants program for fuel treatments and wildfire risk reduction in home ignition zones.																								
												 June 30: Biennial report												
SMALL WOODLAND GRANT PROGRAM: ODF grant program to reduce wildfire risk by restoring landscape resiliency																								
FACILITATING EASIER ACCESS TO PRESCRIBED FIRE: Establish Prescribed Burn Manager Program to mitigate wildfire risk																								
 Dec 1: Board of Forestry report & initiate rulemaking												 Nov 30: Complete rulemaking												

RESPONSE

2021						2022						2023												
July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
ENHANCED WILDFIRE READINESS & RESPONSE CAPACITY: ODF and OSFM fire suppression, coordination, and response (personnel, equipment, training, etc.)																								
BASELINE FIRE PROTECTION LEVELS: Rulemaking to establish baseline protection levels for all lands susceptible to wildfire (jurisdiction formation, facilities, equipment, training, etc.)																								
																						 Jan 2026: Baseline levels fully reestablished 		

OVERSIGHT

2021						2022						2023												
July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
STATE WILDFIRE PROGRAMS DIRECTOR: Implementation oversight of this 2021 Act and investigate opportunities for further risk reduction																								
						 Bimonthly report																		
WILDFIRE PROGRAMS ADVISORY COUNCIL: Advise and assist the Director by closely monitoring implementation and recommending changes to further reduce risk																								
												 Oct: Annual Council report												

Appendix III

Wildfire Programs Advisory Council

Term Appointment - Begins September 1, 2021

Term Appointments as per: SB 762 Section 36 (4), (7) & Section 38

- (a) 3-year term: Member representing County Government
Commissioner Mark Bennett (Baker)
- (b) 4-year term: Member who is a land use planning director for a wildland-urban interface county
Joshua Shaklee (Douglas County)
- (c) 3-year term: Member representing City Government
Jim McCauley (League of Oregon Cities)
- (d) 4-year term: Member who is a land use planning director for a wildland-urban interface city
Bradley Clark (Grants Pass)
- (e) 3-year term: Member who represents fire chiefs with wildland-urban interface firefighting experience
Nick Browne (Clackamas/Canby)
- (f) 4-year term: Member who represents fire marshals with wildland-urban interface firefighting experience
Chase Browning (Medford)
- (g) 3-year term: Member who represents firefighters with wildland-urban interface firefighting experience
Ian Yocum (Dayton)
- (h) 4-year term: Member who represents rural residential property owners whose property is wholly or partially within the wildland-urban interface
Dave Hunnicutt (Hillsboro)
- (i) 3-year term: Member who represents farmers whose land is wholly or partially within the wildland-urban interface
Samantha Bayer (Eagle Point)
- (j) 4-year term: Member who represents ranchers whose land is wholly or partially within the wildland-urban interface
John O’Keeffe (Adel)
- (k) 3-year term: Member who represents forestland owners whose property is wholly or partially within the wildland-urban interface
Vacant
- (l) 4-year term: Member who represents federally recognized Indian Tribes with land wholly or partially within the wildland-urban interface
Steve Rondeau (Klamath Tribe)
- (m) 3-year term: Member who represents a utility company
Allen Berreth (Portland)
- (n) 4-year term: Member who represents environmental interests
Susan Jane Brown (John Day)
- (o) 3-year term: Member who represents forest resiliency interests
Terry Fairbanks (Jackson)
- (p) 4-year term: Member who represents state or regional land use planning organizations
Mary Kyle McCurdy (Portland)
- (q) 3-year term: Member who represents land and housing development interests or real estate industry interests
Karna Gustafson (Bend)
- (r) 4-year term: Member who represents public health professionals
Sarah Worthington (Bend)
- (s) 3-year term: Member who represents the environmental justice community
Alessandra de la Torre (Phoenix)

Thank you

The Wildfire Programs Director's Report is made possible by the dogged leadership of Oregonians across the state, the Legislature, and the Governor's office, working together to address the rising risk of catastrophic wildfire in Oregon.

“We cannot solve our problems with the same thinking we used when we created them.”

Albert Einstein

The passage of SB 762 represents new thinking by Oregonians to address our wildfire challenges. Many thanks to the community leaders and champions who have made this possible.



Governor Kate Brown
Wildfire Program

900 Court St NE, Suite 254
Salem, Oregon 97301