

**SB 1536 STAFF MEASURE SUMMARY**

**Senate Committee On Wildfire Reduction and Recovery**

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**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 2/3, 2/5

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**WHAT THE MEASURE DOES:**

Requires **electric companies** to create, and operate in compliance with, a **risk-based wildfire protection plan** acknowledged by the Public Utility Commission (PUC). Specifies minimum required contents for a plan. Requires submission of the initial plan to the PUC no later than December 31, 2020, and subsequent submission every three years. Requires the PUC to review electric company plans in consultation with the Oregon Department of Forestry (ODF) and local emergency services, and to adopt rules for the submission, review, acknowledgement, or disapproval of these plans. Allows electric companies to recover reasonable and prudent expenditures incurred to develop, implement, or operate a wildfire protection plan, or to mitigate the risk, severity, or extent of wildfires through rates charged by the company. Requires the PUC to establish processes and mechanisms to ensure timely cost recovery and to address specified situations. Requires **consumer-owned utilities (COUs)** to create, and operate in compliance with, a **risk-based wildfire mitigation plan** approved by the governing body of the utility. Requires submission of the initial plan to the governing body no later than December 31, 2021, and subsequent submission every three years. Requires COUs to submit an approved plan copy to the PUC and Oregon Department of Energy. Requires each COU to conduct a wildfire risk assessment of utility facilities, and to review and revise the assessment on a schedule dictated by the governing body of the utility. Requires each COU to construct, maintain, and operate electrical lines and equipment in manner designed to reduce likelihood of wildfire, including vegetation removal that meets or exceeds National Electrical Safety Code standards. Requires the PUC to periodically convene workshops for electric companies, COUs, and electrical distribution system operators to develop and share information related to wildfire. Requires the **Department of Land Conservation and Development (DLCD)** to oversee and coordinate the development and maintenance of a **comprehensive statewide map of wildfire risk** that is sufficiently detailed to allow assessment of wildfire risk at the property-ownership level. Requires DLCD to collaborate with specified entities for map development and maintenance, and to make the map accessible to the public in electronic form, free of charge. Requires DLCD to establish minimum standards for city and county wildfire risk reduction planning and zoning, and to provide along with ODF and the Oregon State Fire Marshal (OSFM) technical assistance and resources to cities and counties to implement and maintain wildfire risk planning and zoning, and to develop wildfire risk mitigation standards. Requires the Insurance Commissioner to order insurers to identify and provide incentives for policyholders to undertake wildfire risk reduction measures. Requires OSFM to establish minimum defensible space requirements. Requires local government to administer and enforce applicable OSFM **defensible space** requirements. Allows local government to adopt local defensible space requirements in excess of OSFM requirements. Requires local government to periodically report to the OSFM regarding compliance with defensible space requirements. Requires OSFM to maintain map of defensible space requirements and compliance. Requires OSFM to administer and enforce program to provide assistance to local governments for administration and enforcement of defensible space requirements. Establishes Wildfire Defensible Space Fund. Establishes creation of defensible space on lands of certain under-served populations as priority use of financial assistance. Requires DLCD to establish a program to assist counties and cities to adopt local building code provisions and local wildfire safety requirements that exceed state requirements. Creates the Local Wildfire Response Fund. Requires **Oregon Health Authority (OHA)** to establish standards for residential **smoke filtration systems**. Requires OHA to establish

program to increase availability of systems among vulnerable persons residing in areas susceptible to wildfire smoke. Authorizes OHA to issue grants to increase availability of systems. Creates the Wildfire Smoke Abatement Fund. Establishes task force to identify barriers to installation of smoke filtration systems in areas susceptible to wildfire smoke. Requires task force report no later than September 15, 2021. Sunsets the task force on December 31, 2021. Requires ODF to establish a program for **reducing fuel load on forestlands**. Establishes the Forestland Treatment Fund. Requires the State Forester to establish baseline level of wildfire protection for lands susceptible to wildfire. Requires a county to assist landowners and jurisdictions to form, expand, or change boundaries of jurisdiction that provides wildfire protection. Requires a county to assist jurisdiction in developing adequate wildfire protection **facilities, equipment, training**, and other resources. Requires that a county ensure lands susceptible to wildfire are provided with **wildfire protection** meeting or exceeding baseline level no later than January 1, 2025. Requires ODF to contract for the services of a private consultant to evaluate and make recommendations on **costs and economic aspects** of wildfire protection and suppression. Requires the consultant to report to the Governor and legislative committee no later than September 15, 2022. Allows the Governor to authorize **joint state-federal partnerships** to direct wildfire strategy based on recommendations of Governor's Council on Wildfire Response. Authorizes the Governor to assign duties to the **Governor's Council on Wildfire Response** to assist in the implementation of this Act. Declares emergency, effective on passage.

*REVENUE: May have revenue impact, but no statement yet issued.*

*FISCAL: May have fiscal impact, but no statement yet issued.*

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Oregon Governor Kate Brown created the Governor's Council on Wildfire Response by executive order in January of 2019. The Council was tasked with reviewing Oregon's current model for wildfire prevention, preparedness, and response, and analyzing whether the current model is sustainable given increasing wildfire risks. The Council met regularly for nine months and formed three active subcommittees that focused on mitigation, fire suppression, and adaptation and recovery. The product of the Council's extensive work was a final report that concluded that some or all of the current models are not sufficient to ensure Oregon is prepared for increasingly severe wildfire seasons. The report proposed 37 recommendations, many of which are included in Senate Bill 1536.