

## Legislative Fiscal Office

Oregon State Capitol  
900 Court Street NE, H-178  
Salem, OR 97301  
503-986-1828



## Joint Committee on Ways and Means

Sen. Betsy Johnson, Senate Co-Chair  
Sen. Elizabeth Steiner Hayward, Senate Co-Chair  
Rep. Dan Rayfield, House Co-Chair

Sen. Fred Girod, Senate Co-Vice Chair  
Rep. David Gomberg, House Co-Vice Chair  
Rep. Greg Smith, House Co-Vice Chair

Laurie Byerly, Interim Legislative Fiscal Officer  
Amanda Beitel, Deputy Legislative Fiscal Officer (Budget)  
Paul Siebert, Deputy Legislative Fiscal Officer (Audit/IT)

**To:** Capital Construction Subcommittee

**From:** Matt Stayner and Kim To, Legislative Fiscal Office

**Date:** June 21, 2021

**Subject:** SB 762 – Relating to wildfire  
Work Session Recommendations

SB 762 takes several actions to promote wildfire risk reduction, response, and recovery. As amended with the -A12 amendments, the measure provides directives for the following eleven state agencies and the Oregon State University:

1. The Oregon Department of Forestry (ODF) is directed to:
  - Oversee the development and maintenance of a comprehensive statewide map of wildfire risk that displays the wildfire risk classes and populates the Oregon Wildfire Risk Explorer. The development and maintenance of the map will be done by Oregon State University via agreement with the Department of Forestry
  - Design and implement programs to reduce wildfire risk through the restoration of landscape resiliency and the reduction of hazardous fuel on public or private forestlands and rangelands and in communities near homes and critical infrastructure.
  - Develop a 20-year strategic plan that prioritizes restoration actions and geographies for wildfire risk reduction
  - Establish and maintain an expanded system of automated smoke detection cameras
  - Increase the department's wildfire readiness and response capacity including fire response personnel, aviation assets, and administrative support personnel
  - Establish a small forestland grant program to provide competitive grants to support small woodland owners in reducing wildfire risk
  - Establish a Certified Burn Manager Program
  - Adopt Rules, in collaboration with the State Fire Marshal and local governments regarding baseline levels of wildfire protection for lands outside of forest protection districts
  - Provide financial assistance to counties to assist landowners, individuals, and businesses with forming jurisdictions to provide wildfire protection.

2. The Public Utility Commission (PUC) is required to facilitate public utilities to adopt best practices regarding wildfires. PUC is required to evaluate a public utility's wildfire protection plan and plan updates through a public process.
3. For the State Fire Marshal, the bill:
  - Defines the term "defensible space" and requires the State Fire Marshal to establish minimal defensible space for certain lands in the wildland-urban interface and allows for the enforcement of those requirements by local governments.
  - Requires the State Fire Marshal to establish a community risk reduction program that emphasizes education and methods of prevention regarding wildfire risk, enforcement of defensible space, and community preparedness for wildfires.
  - Establishes the Community Risk Reduction Fund for to fund activities related to the development and administration of the defensible space requirements, including the provision of financial assistance to local governments.
  - Requires the State Fire Marshal to increase the office's wildfire readiness and response capacity through additional fire prevention, response, and administrative personnel
4. The Department of Land Conservation and Development is required to identify updates to the statewide land use planning program and local comprehensive plans and zoning codes that are needed to incorporate wildfire risk maps.
5. The Department of Consumer and Business Services is required, by October 1, 2022, to adopt wildfire hazard mitigation building code standards and to develop and maintain an interactive mapping tool that displays, at the property level, wildfire hazard mitigation standards covered in the Oregon Residential Specialty Code.
6. The Department of Environmental Quality is required to implement programs to support local communities in monitoring air quality conditions and mitigate environmental and public health impacts of wildfire smoke.
7. The Oregon Health Authority (OHA) shall:
  - In consultation with the Department of Human Services, to establish and implement a grant program that allows local governments to establish emergency clean air shelters and to equip public buildings with smoke filtration systems to allow the buildings to serve as cleaner air spaces during wildfire smoke or other poor air quality events.
  - Establish a grant program to increase availability of residential smoke filtration devices, and periodically report on the use and effectiveness of the devices.
8. The Department of Human Services is designated as the lead state agency for clean air shelter operations, coordinating with OHA on operation and grant funding for shelters.
9. The Office of Emergency Management is required to update its statewide emergency plan as necessary to prepare for or respond to wildfire emergencies on an area-wide or statewide basis.
10. Oregon State University is directed to collaborate with ODF on the statewide map of wildfire risk and outreach efforts.
11. The Oregon Conservation Corps Program is established by the measure and an advisory committee is established at the Higher Education Coordinating Commission (HECC) to manage the program. The program is intended to provide programs of job training, skill development and forest-related or rangeland-related career path training.

12. The Governor is directed to appoint a State Wildfire Programs Director to serve at the pleasure of the Governor and a Wildfire Programs Advisory Council is established to advise and assist the State Wildfire Programs Director

The statewide fiscal impact of this measure as amended with the -A12 amendments is \$195,206, 828 Total Funds, 183 positions (147.07 FTE).

The -A12 amendment provides the following funding for the 2021-23 biennium:

- \$54,076,832 General Fund and \$12,982,007 Other Funds expenditure limitation to the State Forestry Department.
- \$3,322,828 General Fund to DEQ.
- \$5,187,411 General Fund to the Oregon Department of Human Services.
- \$11,643,668 General Fund to the Higher Education Coordinating Commission (HECC) for establishment of the Oregon Wildfire Workforce Advisory Committee to manage the Oregon Wildfire Workforce Corps Program and associated grant program. The bill also appropriates \$1,138,040 General Fund to HECC to distribute to Oregon State University for collaboration efforts with ODF on the wildfire risk map.
- 497,541 General Fund to the Office of the Governor for a State Wildfire Program Director and to provide support to the Wildfire Programs Advisory Council.
- \$4,768,812 General Fund, \$15,955 Other Funds expenditure limitation, and \$42,554 Federal Funds expenditure limitation for the Oregon Health Authority to implement the grant program allowing local governments to establish clean air shelters and equip public buildings with smoke filtration systems.
- \$700,003 General Fund to the Oregon Military Department for the Office of Emergency Management to update its statewide emergency plan to prepare and respond to wildfire emergencies.
- \$100,506,889 General Fund to the Oregon State Police, Oregon State Fire Marshal, to increase wildfire readiness capacity. \$25 million of the appropriated funds are for deposit in the Community Risk Reduction Fund.
- \$324,286 of increased Other Funds expenditure limitation for the Public Utilities Commission to convene workshops to assist public utilities develop, and operate in compliance with, a risk-based wildlife protection plan.

**Recommended Changes**

The Legislative Fiscal Office recommends adoption of the -A12 amendment.

**Final Subcommittee Action**

LFO recommends that SB 762, as amended by the -A12 amendment, be moved to the Ways and Means Full Committee.

**Carriers**

Full Committee: \_\_\_\_\_

House Floor: \_\_\_\_\_

Senate Floor: \_\_\_\_\_