

SUBCOMMITTEE RECOMMENDATION

SB 762 Relating to wildfire

To: Ways and Means Full Committee
From: Capital Construction Subcommittee
Carrier: Senator Golden

SB 762 takes several actions to promote wildfire risk reduction, response, and recovery.

The measure addresses the potential risks of fire from electrical utilities by requiring utilities to operate with a risk-based wildfire protection plan filed with the Public Utility Commission. The Commission is required to facilitate a process for public utilities to adopt best practices regarding wildfires and to evaluate a public utility's wildfire protection plan and plan updates through a public process.

A statewide map of wildfire risk that displays the five wildfire risk classes at the property-ownership level is to be developed and maintained by Oregon State University via agreement with the Department of Forestry, which is to oversee the development and maintenance of the map.

Defensible space is defined for the purposes of the bill, and the State Fire Marshal is required to establish minimal defensible space for certain lands in the wildland-urban interface. The measure allows for the enforcement of those requirements by local governments. The State Fire Marshal is required to establish a community risk reduction program and a mechanism is established for the provision of financial assistance to local governments.

The Department of Land Conservation and Development is required to identify updates to the statewide land use planning program, local comprehensive plans, and zoning codes that are needed to incorporate wildfire risk maps and minimize wildfire risk in those plans and codes.

The Department of Consumer and Business Services is required 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.

To address the health impacts of wildfire smoke, 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. The Oregon Health Authority, in consultation with the Department of Human Services, is required 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. The measure also requires the Oregon Health Authority to establish a grant program to increase availability of residential smoke filtration devices, and periodically report on the use and effectiveness of the devices. The Department of Human Services is designated as the lead state agency for clean air shelter operations, coordinating with the Oregon Health Authority on operation and grant funding for shelters.

Reduction of wildfire risk is addressed by requiring the Department of Forestry to design and implement programs for the restoration of landscape resiliency and the reduction of hazardous fuels on public or private forestlands and rangelands and in communities near homes and critical infrastructure. The Department is required to develop a 20-year strategic plan that prioritizes restoration actions and geographies for wildfire risk reduction. The measure also establishes a small forestland grant program at the Department to provide competitive grants to support small woodland owners in reducing wildfire risk and establishes a Certified Burn Manager Program for prescribed fires.

The Department of Forestry is directed to 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 and to provide financial assistance to counties to assist landowners, individuals, and businesses with forming jurisdictions to provide wildfire protection. 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.

Wildfire response capacity is addressed in the measure by requiring the Department of Forestry to establish and maintain an expanded system of automated smoke detection cameras. Both the Department of Forestry and the State Fire Marshal are directed to increase the wildfire readiness and response capacity of the agencies including fire prevention and response personnel, aviation assets, and administrative support personnel.

The measure defines the term “wildland-urban interface” and requires the Board of Forestry to establish five classifications for the term based on fire hazard, fire risk, and structural characteristics within the wildland-urban interface by rule.

The governor is directed by the measure 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 Oregon Conservation Corps Program is established by the measure and an advisory committee is established at the Higher Education Coordinating Commission to manage the program. The program is intended to provide job training, skill development, and forest-related or rangeland-related career path training.

Appropriation language is included in the recommended amendment to fund the activities of the agencies as required by the bill.

The Capital Construction Subcommittee recommends SB 762 be amended by the –A12 amendment and be reported out do pass, as amended.