

FISCAL IMPACT OF PROPOSED LEGISLATION81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

Measure: SB 762 - A

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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 Date: April 12, 2021

Measure Description:

Appropriates \$150,000,000 General Fund to various agencies. Provides statewide comprehensive strategies to promote wildfire risk reduction, response and recovery.

Government Unit(s) Affected:

Public Utility Commission (PUC), Oregon Department of Forestry (ODF), Oregon State Police (OSP), Department of Land Conservation and Development (DLCD), Department of Environmental Quality (DEQ), Oregon Military Department (OMD), Oregon Health Authority (OHA), Oregon Business Development Department (OBDD), Oregon Watershed Enhancement Board (OWEB), Oregon Department of Fish and Wildlife (ODFW), Department of Human Services (DHS), Department of Consumer and Business Services (DCBS), Higher Education Coordinating Commission (HECC), Cities, Counties, Special Districts

Summary of Fiscal Impact:

Quantifiable costs related to the measure will require budgetary action. In addition, certain elements of the fiscal impact are indeterminate, at this time - See analysis.

Summary of Fiscal Impact:

STATEWIDE	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	35,239,495	36,879,696
Services and Supplies	70,803,833	72,491,696
Special Payments	1,246,386	1,106,332
Capital Outlay	3,411,108	0
Total General Fund Impact	\$110,700,822	\$110,477,724
Other Funds		
Personal Services	280,272	284,486
Services and Supplies	59,731	57,740
Total Other Funds Impact	\$340,003	\$342,226
Federal Funds		
Personal Services	33,713	44,951
Services and Supplies	8,206	10,012
Total Federal Funds Impact	\$41,919	\$54,963
TOTAL FUNDS		
Personal Services	35,553,480	37,209,133
Services and Supplies	70,871,770	72,559,448
Special Payments	1,246,386	1,106,332
Capital Outlay	3,411,108	0
TOTAL FUNDS IMPACT	\$111,082,744	\$110,874,913
Positions	235	207
FTE	189.54	164.92

Analysis:

The measure appropriates a total of \$150,000,000 General Fund to the Public Utility Commission (PUC), the Oregon Department of Forestry (ODF), the Oregon State University (OSU), the State Fire Marshal, the Department of Land Conservation and Development (DLCD), the Department of Consumer and Business Services (DCBS), the Department of Environmental Quality (DEQ), the Oregon Health Authority (OHA), the Office of Emergency Management, the Oregon Higher Education Coordinating Commission (HECC), Business Development Department (OBDD). The measure provides statewide comprehensive directions to promote wildfire risk reduction, response and recovery, including the development of a comprehensive statewide map of wildfire risk as well as the establishment and implementation of program activities related to defensible space, building codes, land use, and community emergency preparedness

Public Utility Commission (PUC)

	2021-23 Biennium	2023-25 Biennium
Other Funds		
Personal Services	267,630	267,630
Services and Supplies	56,656	53,985
Total Other Funds	\$324,286	\$321,615
Positions	1	1
FTE	1.00	1.00

PUC estimates the fiscal impact of this measure to be \$324,286 Other Funds, 1 position, 1.00 FTE for the 2021-23 biennium; and \$321,615 Other Funds, 1 position, 1.00 FTE for the 2023-25 biennium. This estimate reflects the personal services and related services and supplies for one Utility and Energy Analyst 3 position to carry out the work required by the measure.

The measure directs PUC to periodically convene workshops to help: (1) public utilities that provide electricity; (2) municipal electric utilities; (3) people’s utility districts that sell electricity; (4) electric cooperatives; and (5) operators of electrical transmission and distribution systems to develop and share information for the identification, adoption and carrying out of best practices regarding wildfires, including, but not limited to, risk-based wildfire protection and risk-based wildfire mitigation procedures and standards.

The measure requires a public utility that provides electricity to have, and operate in compliance with, a risk-based wildfire protection plan filed with the PUC and has been evaluated by PUC. A public utility that provides electricity must regularly update a risk-based wildfire protection plan a schedule determined by PUC. PUC, in consultation with the Oregon Department of Forestry (ODF) and local emergency services agencies, must evaluate a public utility’s wildfire protection plan and plan updates through a public process. Not more than 180 days after receiving a wildfire protection plan or plan update from a public utility, PUC must approve or approve with conditions the plan or update.

All reasonable operating costs incurred by, and prudent investments made by, a public utility to develop, implement or operate a wildfire protection plan under this section are recoverable in the rates of the public utility from all customers. PUC is required to establish an automatic adjustment clause or another method to allow timely recovery of the costs.

Oregon Department of Forestry (ODF)

	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	22,509,164	23,477,058
Services and Supplies	52,719,136	54,986,059
Capital Outlay	3,096,108	
Total General Fund	\$78,324,408	\$78,463,117
Positions	174	147
FTE	132.67	104.92

ODF estimates the fiscal impact of this measure to be \$78,324,408 General Fund, 174 positions, 132.67 FTE for the 2021-23 biennium; and \$78,463,117 General Fund, 147 positions, 104.92 FTE for the 2023-25 biennium. This estimate includes \$3,096,108 in fleet costs and reflects a mix of limited duration and permanent positions, as well as reclassification of existing positions to do the work required by the measure for the following programs:

Electric System Plans:

- 1 Natural Resource Specialist 3 position to serve as the Prevention Specialist providing support to PUC for rulemaking, coordination with and providing technical assistance to the utilities, and review of Wildfire plans.

Statewide Map of Wildfire Risk: The measure directs the State Board of Forestry to establish by rule criteria by which ODF must develop and maintain a comprehensive statewide map of wildfire risk using the most current wildfire assessments. The measure specifies the elements of the map. In the development and maintenance of this map, ODF must collaborate with Oregon State University and other state agencies, the State Fire Marshal, local governments, and federally recognized Indian tribes in Oregon. ODF must make this map accessible to the public in electronic form. ODF must provide technical assistance to representatives of state and local government that use this map. By December 31, 2021, ODF must report to an interim committee of the Legislature regarding the progress of this map. ODF must complete this map by June 30, 2022.

- 1 Information Systems Specialist 5 position to serve as the GIS Specialist to coordinate and complete the technical edits to the map.
- 1 Principal Executive Manager D position to spearhead rulemaking coordination, rule development, stakeholder engagement.
- 1 Administrative Specialist 1 position to provide support for the team working on the statewide map of wildfire risk.

Protected Areas: The measure directs the State Forester, in collaboration with the State Fire Marshall, state agencies, and local governments, adopt rules establishing baseline levels of wildfire protection for lands that are outside of forest protection districts and susceptible to wildfire. The measure authorizes the State Forester to provide financial assistance to counties to assist landowners, individuals and businesses with forming jurisdictions to provide wildfire protection.

Small Woodland Grant Program: ODF is required to establish a small woodland grant program to provide competitive grants to support small woodland owners in reducing wildfire risk through the restoration of landscape resiliency and the reduction of hazardous fuels on the owners' small woodlands.

Wildland-Urban Interface Fire Protection: The measure requires the classes of wildland-urban interface established by the State Board of Forestry to be integrated into the comprehensive statewide map.

Wildfire Programs Advisory Council: The measure requires DCBS, DLCDC, OSFM, and ODF to each provide 0.15 of the time of a full-time equivalent employee to: cooperatively staff the Council; attend council meetings as informational resources; assist with drafting reports at the request of the Council; and support the work of the State Wildfire Programs Director.

Reduction of Wildfire Risk: The measure requires ODF to design and implement a program 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. When developing project selection criteria, ODF must consult and cooperate with state and federal agencies, counties, cities and other units of local government, federally recognized Indian tribes, public and private forestland and rangeland owners, forest collaboratives and other relevant community organizations. In collaboration with the Oregon State University Extension Service and other entities, ODF is directed to identify strategic landscapes that are ready for treatment. ODF must complete this work by June 30, 2023. ODF must report its progress to an interim committee of the Legislature by January 15, 2022. ODF reports that according to the Governor’s Council on Wildfire Response, there are 5.6 million acres in need of restoration and fuels reduction. The cost to cover all these acres has been estimated at \$4 billion over 20 years (a cost of \$400 million per biennium). In order to accomplish the level of work laid out in the measure, ODF would need to increase the staffing capacity to administer and develop the program, oversee the contracts and agreements, and conduct the various aspects of the on the groundwork, including conducting projects and participation in prescribe fire activities.

- 1 Principal Executive Manager D position to oversee all the forest restoration efforts would help to give clear direction and ensure an adequate span of control across the program
- 1 limited duration Operations and Policy Analyst 4 position to develop the program including any rule revisions that may be encountered and coordinate with the lead for the Federal Forest Restoration (FFR) and Good Neighbor Authority (GNA) Program to leverage state funding with federal funds and actions.
- 1 Principal Executive Manager D to manage the Planning and Analysis Unit to assess, analyze, and plan restoration and resiliency work.
- 1 Operations and Policy Analyst 4 to serve as the Fire and Climate Change Analyst to provide expertise in climate change and fire interactions and resiliency project prioritization.
- 1 limited duration Operations and Policy Analyst 3 to coordinate with all the other program staff to ensure that the resiliency work is being done in an equitable manner and bring the diversity, equity, and inclusion point of view into the design of the program and resiliency projects to ensure that impacted communities are being prioritized.
- Reclassification of 2 Natural Resource Specialist 2 positions to Forest Manager 1 positions
- Reclassification of 1 Natural Resource Specialist 2 to a Natural Resource Specialist 3 positions to provide regional oversight and management.
- 3 limited duration Operations and Policy Analyst 2 positions to build collaborative coordination.
- 3 (2 LD and 1 permanent) Natural Resource Specialist 3 positions to plan, prioritize and execute field projects.
- 8 Natural Resource Specialist 2 to execute field projects.
- 8 Natural Resource Specialist 1 positions that would conduct contract administration and compliance as well as work on the ground layout and planning work.
- 2 Administrative Specialist 2 positions, 5 Fiscal Analyst 2 positions, 5 PSC2 positions to ensure appropriate financial oversight of these funds. These positions would develop and implement contract solicitation, tracking.
- 12 Seasonal Natural Resource Specialist 1 positions and 48 Forest Management Technicians positions to form 12 seasonal forest restoration crews that would be utilized for 10 months per biennium, on the shoulder of fire seasons. To build capacity for internal fuel reductions and forest resiliency work, each crew would be made up of one Crew Lead (Natural Resource Specialist 1) and four Forest Management Technicians. These fire qualified crews would not only conduct restoration projects but would also participate in prescribed fire work to enhance their experience and that within the department.

In addition, as part of the Reduction of Wildfire Risk Program, ODF anticipates using contractors, including the Oregon Wildfire Workforce Corps.

Prescribed Fire: The measure requires ODF to adopt rules to clarify that a person may conduct a prescribe fire that burns across land ownership boundaries if the person obtains a permit. By December 1, 2021, the State

Board of Forestry must consult with the Oregon Prescribed Fire Council concerning best practices for conducting the Certified Burn Manager program.

- 1 Natural Resource Specialist 4 position to manage prescribed fire rule development, program implementation, program oversight, and coordination with OSU and other partners.

Wildfire Response Capacity: ODF is directed to: (1) consult and coordinate with federal agencies, private stakeholders and other state agencies to determine the adequacy of state, federal and private wildfire response capacity; (2) seek to leverage state moneys to obtain an increase in federal wildfire resources available to Oregon for effective initial response purposes; (3) consult with the office of the State Fire Marshal and with local fire defense board chiefs to assess the adequacy of available mutual aid to provide wildfire response on wildland-urban interface lands and to identify means for providing additional resources from the state or other entities to enhance wildfire response capacity on wildland-urban interface lands; and (4) identify workforce development needs associated with wildfire risk mitigation and wildfire response and develop funding proposals for meeting those needs on a sustained basis. The measure allows ODF to enter into cooperative agreements or contracts with a local or private entity for the purpose of assisting the entity to organize for purposes of wildfire risk mitigation or wildfire response. The positions needed to meet the intent of this legislation were included in the January 2021 Emergency Board funding allocation to ODF with an additional 9 FTE wildland fire fighters [27 Wildland Fire Suppression Specialist (WFSS) positions]. The complete Aviation program for ODF will include a biennial budget authorization of \$20 million dollars. This adds one large next generation tanker, one heavy helicopter and two single engine airtankers to the existing fleet. Existing in ODF's budget through the Oregon Forestland Protection Fund is \$6 million dollars allocated towards the aviation program leaving a total fiscal request of GF at \$14 million for the biennium, to be placed into a special purpose appropriation.

To enter into cooperative agreements or contracts with a local or private entity for the purpose of assisting the entity to organize for purposes of wildfire risk mitigation or wildfire response, including facilitating wildfire training and the acquisition of firefighting equipment for the entity and assisting with payment for liability insurance and other administrative expenses of the entity associated with wildfire risk mitigation or wildfire response, ODF would be required to seek approval from the Department of Administrative Services (DAS) Risk Management Division, per ORS 278.405 regarding intended obligations of the state's insurance fund and subsequent administrative rulemaking, policy changes, and insurance programs required to facilitate contracts with local or private entities for purpose of the bill's intent. Upon approval to obligate the state's insurance fund, ODF would then establish a new contracting option at the department to facilitate agreements with the local and private entities, further establish a new financial program capable of facilitating financial assistance, lease or loan to these local and private entities for purpose of equipment acquisition, administrative expenses, training, and organization, and then establish a workforce development component that incorporates local and private entities into Forestry's established wildfire training and certification processes. Additional appropriations would be necessary to fund and facilitate this new program option for local and private entities as well as clarity around funding for subsequent biennia. The following positions would be needed to implement the program:

(Limited Duration – 2 years)

- 0.25 FTE Operations and Policy Analyst 3 position to conduct consultations with Department of Administrative Services (DAS) Risk Management Division and spearhead subsequent administrative rulemaking, policy changes, and insurance programs to facilitate obligations of the state's insurance fund to local and private entities.
- 1.00 FTE Procurement Contract Specialist 2 position to establish a new contracting option at the department, including development of new contract templates, program overview materials, integration with existing and emerging procurement systems and processes, reviewing terms and conditions, defining liabilities, coordination with DAS Risk Management and DOJ, reviewing certificates of insurance, defining terms for financial assistance or loan, and coordination with internal accounting technician.
- 1.00 FTE Accounting Technician 3 position to establish a new financial program at the department capable of facilitating financial assistance, lease, or loan to local or private entities for purpose of equipment acquisition, administrative expenses, training, and organization, including integration with existing and emerging financial systems and processes and defining policy and procedures.

- 1.00 FTE Operations and Policy Analyst 3 position to establish a new workforce development program at the department focused on local or private entities wildfire training and certification processes, included defined policy and procedures.
- 1.00 FTE Operations and Policy Analyst 4 position to provide capacity for legislative coordination and management of complex, agency-wide projects, that are a part of this legislation. Duties to include tracking performance and progress, coordinating on required deliverables, analyzing policy and budgetary impacts, and managing external reporting.

(Permanent)

- 1.00 FTE Procurement Contract Specialist 3 to manage the development, review and facilitation of fire protection agreements with federal and state entities, development of wildland firefighting resource agreements, and development of training agreement with interagency partners.
- 0.50 FTE Procurement Contract Specialist 2 to maintain new contracting option at the department, including ongoing integration with existing and emerging procurement systems and processes, reviewing terms and conditions, liabilities, certificates of insurance, terms for financial assistance or loan, and coordination with internal accounting technician.
- 0.50 FTE Accounting Technician 3 to maintain new financial program at the department capable of facilitating financial assistance, lease, or loan to local or private entities for purpose of equipment acquisition, administrative expenses, training, and organization, including integration with existing and emerging financial systems and processes.
- 0.50 FTE Operations and Policy Analyst 3 to maintain workforce development program at the department focused on local or private entities wildfire training and certification processes, including integration within existing and emerging systems.
- 1.00 FTE Human Resources Analyst 3 for added capacity for human resources policy development and review, and collective bargaining agreement and statewide policy implementation support.
- 1.00 FTE Information Systems Specialist 4 for increased service and support for the department's growing information technology infrastructure in the Special Projects and Innovation program.
- 1.00 FTE Principle Executive Manager D to establish a new Budget Manager position to oversee the agency biennial budget development and execution, and to coordinate the agency wide position management program.
- 1.00 FTE Accounting Tech 3 for added capacity to in Human Resources Program, Payroll Unit for increase in staffing to process agency payroll.
- 1.00 FTE Accounting Tech 3 for added capacity in the Financial Services Program, Accounts Payable unit to process additional financial transactions.
- 1.00 FTE Public Affairs Specialist 3 for added capacity and appropriate classification for managing the external-facing components of special projects requiring complex communications, engagement, education, outreach, and rulemaking planning.
- 1.00 FTE Public Affairs Specialist 1 for added capacity for executing planned communication efforts, to include media engagement, community outreach, content development, meeting notification, etc. as detailed in Sections 7,18,20,25 and 30 of this legislation.

Oregon State Police (OSP) - Oregon State Fire Marshal (OSFM)

	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	8,152,544	8,536,063
Services and Supplies	16,579,500	16,440,500
Capital Outlay	315,000	
Total General Fund	\$25,047,044	\$24,976,563
Positions	37	37
FTE	35.56	37.00

OSP estimates the fiscal impact of this measure to be \$25,047,044 General Fund, 37 positions, 35.56 FTE for the 2021-23 biennium; and \$24,976,563 General Fund, 37 positions, 37.00 FTE for the 2023-25 biennium. The January 8, 2021 Emergency Board authorized the establishment and funded 25 (5.21 FTE) of these 37 positions as limited duration for the 2019-21 biennium. OSFM has been working diligently to fill the positions and is committed to completing the hiring process by May 1, 2021. OSP would need these 25 positions as permanent positions plus an addition 12 permanent positions to do the work required by the measure. Of the 25 positions:

- 14 positions will focus on addressing fire response coordination, safety response capacity, fire leadership, support for the Incident Management Teams, and fire prevention strategies.
- 11 positions will implement the Fire Adapted Communities and Community Preparedness goals identified in the November 2019 Governor’s Council on Wildfire Response report. These positions will prepare communities for fire by identifying, defining, and prioritizing the risk to Oregon communities and utilizes an integrated and strategic investment of resources to reduce the fire occurrence and impact. Targeted efforts include improving structural resiliency to wildfire, enhancing defensible space for homes and surrounding structures, ensuring adequate access and egress in the event of wildfire events and overall improvement of structural fire prevention efforts through community risk reduction efforts.

In addition to the 25 positions, the fiscal impact estimated includes 12 new positions:

- 8 Deputy State Fire Marshals (DSFMs) and 1 Supervising Deputy State Fire (SDSFM) - With adoption of the new wildland-urban interface defensible space standards, DSFMs will see a significant increase in inspections for compliance. The additional eight field DSFMs and SDSFM will be able to meet both current statutory mandates and future inspection and defensible space enforcement workloads without shortfalls in service delivery.
- 1 Operations Policy Analyst 2 to provide the framework for the Community Risk Reduction Program with an emphasis on wildfire risk in Oregon Communities. The Community Risk Reduction process ensures local risks are identified and prioritized, followed by the integrated and strategic investment of resources (emergency response and prevention) to reduce their occurrence and impact. This position will support the efforts of the agency’s prevention operations by researching and giving objective information to management on which to base policy and operational decisions to most effectively reduce risk in Oregon communities by providing the framework for the Community Risk Assessment. This assessment is a participatory process for assessing hazards, vulnerabilities, risks, ability to cope, preparing coping strategies and finally preparing a risk reduction options implementation plan by the local community.
- 1 Operations and Policy Analyst 2 to develop a comprehensive defensible space inspection program, develop new training requirements and standards for both internal and external stakeholders, and an overall need for program policy development.
- 1 Policy Analyst 3 position to serve as OSFM’s Agency Operations Center (AOC) Coordinator to oversee the work to mobilize the Oregon Fire Mutual Aid System to incidents impacting lives and structures in Oregon and neighboring states. The AOC Coordinator would be dedicated to ensuring the AOC is run effectively and has documented procedures and policies in place to assist OSFM staff in meeting the mission of safe and effective mobilization of fire service resources. During mobilizations, the AOC Coordinator will assist staff in making operational decisions and serve as a single point of contact regarding dispatching and tracking fire service personnel and equipment. The AOC Coordinator will be responsible for the products and documentation produced by staff in the AOC.

Services and Supplies includes \$5,000,000 General Fund for fire response planning, coordination, prepositioning, and funding for local fire agencies; \$10,000,000 to implement defensible space, community risk reduction, planning, preparedness, prevention, and education across the entire state, as well as 1,200,000 for administrative costs to support the new positions, programs, and requirements outlined in the measure.

The measure establishes the Community Risk Reduction Fund separate from the General Fund. Moneys in the Fund are continuously appropriated to the State Fire Marshal to carry out community risk reduction and the local government financial assistance.

The measure requires the State Fire Marshal to establish minimum defensible space requirements for wildfire risk reduction on lands in areas identified on the statewide map of wildfire risk as within the wildland-urban interface. In establishing the requirements, the State Fire Marshal must consult with the Oregon Fire Code Advisory Board and select standards from the framework set forth in the International Wildland-Urban Interface Code published by the International Code Council. Subject to additional local requirements, the requirements must apply statewide for all lands of the type identified in the map. The State Fire Marshal must periodically reexamine the standards set forth in the International Wildland-Urban Interface Code and update the State Fire Marshal’s standards to reflect current best practices.

The measure authorizes the State Fire Marshal to administer and enforce the minimum defensible space requirements that are applicable to the lands within the jurisdiction of a local government. A local government may adopt and enforce local requirements for defensible space on lands that are greater than the minimum defensible space requirements established by the State Fire Marshal. The measure directs the State Fire Marshal and local government to coordinate any inspection and enforcement efforts. If a local government administers and enforces minimum defensible space requirements established by the State Fire Marshal within the jurisdiction of the local government, the local government must periodically report to the State Fire Marshal.

State Fire Marshal is required to administer a community risk reduction program that emphasizes education and methods of prevention with respect to wildfire risk, defensible space enforcement, response planning and community preparedness for wildfires. The State Fire Marshal may provide financial, administrative, technical or other assistance to a local government to facilitate the administration and enforcement of minimum defensible space requirements within the jurisdiction of the local government.

Annually, the State Fire Marshall must report to the Legislature on the status of the State Fire Marshal and local government activities for establishing minimum defensible space requirements for wildfire risk reduction on lands in areas identified on the statewide map of wildfire risk as within the wildland-urban interface

Department of Land Conservation and Development (DLCD)

	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	227,941	
Services and Supplies	154,749	
Total General Fund	\$382,690	\$0
Positions	1	0
FTE	1.00	0.00

DLCD estimates the fiscal impact of this measure to be \$382,690 General Fund, 1 position, and 1.00 FTE for the 2021-23 biennium. The estimate includes \$60,000 for professional facilitation, \$25,000 for outreach and engagement; \$15,00 for equity engagement; \$30,000 for research; and \$10,000 for Department of Justice expenses; as well as professional services and related services and supplies for one Planner 4 position to identify updates to the statewide land use planning program and local comprehensive plans and zoning codes that are needed in order to incorporate wildfire risk maps and minimize wildfire risk, including the appropriate levels of state and local resources necessary for effective implementation. The measure specifies that updates may

include provisions regarding sufficient defensible space, building codes, safe evacuation and development considerations in areas of high wildfire risk, allowing for regional differences. The measure allows DLCD to consult with the State Fire Marshal, ODF, the Department of Consumer and Business Services (DLCD), and local governments. DLCD must complete these updates by October 1, 2022. DLCD must report to an interim committee of the Legislature by October 1, 2022. The report must include recommendations concerning the updates.

The agency’s requested budget includes a policy option package to fund this work.

Department of Environmental Quality (DEQ)

	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	1,131,519	1,363,283
Services and Supplies	691,309	585,793
Special Payments	750,000	750,000
Total General Fund	\$2,572,828	\$2,699,076
Positions	7	7
FTE	5.81	7.00

DEQ estimates the fiscal impact of this measure to be \$2,572,828 General Fund, 7 positions, 5.81 FTE for the 2021-23 biennium; and \$2,699,076 General Fund, 7 positions, 7 FTE for the 2023-25 biennium. The estimates includes \$750,000 for grants and interagency agreements to support the smoke mitigation plan development and implementation; \$30,000 for IT system upgrades and support for compiling of community data; \$140,000 for meteorological equipment and ceilometers to improve forecasting; as well as personal services and related services and supplies for the following positions to carry out the requirements of the measure:

- 2 Natural Resource Specialist 4 positions (0.83 FTE each) to partner with state and local agencies and communities on interpretation and communication of air quality data, with a focus on preparing communities for smoke events and issuing public health communications
- 1 Policy Analyst 2 position (0.83 FTE) to manage Grant Program Administration including working with local communities through intergovernmental agreements, grants, contracts or cooperative agreements to develop and implement community response plans to enhance the communities’ readiness and mitigation capacity for smoke.
- 1 Natural Resource Specialist 2 position (0.83 FTE) to build, deploy and maintain an expanded smoke monitoring network.
- 1 Natural Resource Specialist 3 position (0.83 FTE) to provide technical support to communities interested in setting up their own monitoring equipment for localized assessment of smoke impacts in their neighborhoods.
- 1 Natural Resource Specialist 3 position (0.83 FTE) to compile community data, conduct minimal quality control, and ensure the data is available to the public.
- 1 Natural Resource Specialist 4 position (0.83 FTE) to conduct smoke forecasting across the state to inform prescribed burn calls and to predict wildland fire smoke intrusion events.

The measure requires DEQ to develop and implement:

- A program for supporting local communities, in detecting, preparing for, communicating or mitigating the environmental and public health impacts of wildfire smoke.
- A program for supporting local communities through intergovernmental agreements, grants, contracts or cooperative agreements to develop and implement community response plans to enhance the communities’ readiness and mitigation capacity for smoke.
- A program to support communities across this state in monitoring, interpreting and communicating data related to ambient air quality conditions.

Oregon Health Authority (OHA)

	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	434,821	579,762
Services and Supplies	91,572	111,777
Total General Fund	\$526,393	\$691,539
Other Funds		
Personal Services	12,642	16,856
Services and Supplies	3,075	3,755
Total Other Funds	\$15,717	\$20,611
Federal Funds		
Personal Services	33,713	44,951
Services and Supplies	8,206	10,012
Total Federal Funds	\$41,919	\$54,963
TOTAL FUNDS		
Personal Services	481,176	641,569
Services and Supplies	102,853	125,544
TOTAL FUNDS	\$584,029	\$767,113
Positions	3	3
FTE	2.25	3.00

OHA estimates the fiscal impact of this measure to be \$584,029 Total Funds [\$526,393 General Fund + \$15,717 Other Funds + \$41,919 Federal Funds], 3 positions, 2.25 FTE for the 2021-23 biennium; \$767,113 Total Funds [\$691,539 General Fund + \$20,611 Other Funds + \$54,963 Federal Funds], 3 positions, 3.00 FTE for the 2023-25 biennium. This estimate reflects the personal services and related services and supplies for the following three positions within the Health Systems Divisions to work with existing staff to do the work required by the measure:

- 1 Research Analyst 4 position to work directly with Medicaid information to determine the need of the individual requesting a grant and will be working with additional data to determine the other conditions that qualify the grant request.
- 1 Operations and Policy Analyst 3 position to work with the other agencies outlined in the measure. This position will work directly with DHS, OBDD in writing rule and policy for both the clean air shelter grant program and the smoke filtration system grants.
- 1 Fiscal Analyst 2 position to process the approved grant requests, work with the Office of Contracts and Procurement and Budget, and report on grants established under both programs.

The measure directs OHA, in consultation with OBDD, DHS, and local government to establish and implement a clean air shelter grant program. OHA must require grant recipients to provide access to clean air shelters at no charge. The measure designates DHS as the lead state agency for clean air shelter operations. DHS is directed to: (1) coordinate with OHA in setting priorities for awarding grants; (2) consult and collaborate with OHA to align practices for voluntary evacuation and emergency sheltering operations; and (3) provide support to local agencies that take lead roles in operating and planning clean air shelters in the local agencies' jurisdiction. The measure requires OHA to establish a program to increase the availability of smoke filtration systems among persons vulnerable to the health effects of wildfire smoke who reside in areas susceptible to wildfire smoke. The measure authorizes OHA to issue grants for the installation of smoke filtration systems, the installation of replacement filters and housing interventions that facilitate effective smoke filtration systems, such as weather proofing, in residential buildings, commercial buildings or buildings open to the public in areas susceptible to wildfire smoke. OHA is directed to give grant priority to installations in residential buildings occupied by persons who qualify for the Oregon Health Plan or Medicaid and are vulnerable to the health effects of wildfire smoke.

OHA is required to report periodically to a committee of the Legislature on the use of clean air shelters, smoke filtration systems and the effectiveness of these programs.

Oregon Military Department (OMD)

	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	1,896,583	1,896,583
Services and Supplies	180,000	180,000
Total General Fund	\$2,076,583	\$2,076,583
Positions	8	8
FTE	8.00	8.00

OMD estimates the fiscal impact of this measure to be \$2,076.583 General Fund, 8 positions, and 8.00 FTE per biennium. This estimate reflects the personal services and related services and supplies for the following positions to carry out the requirements of the measure:

- 1 Principal Executive Manager E position to oversee Wildfire Response and Preparedness program.
- 1 Operations and Policy Analyst 4 position to coordinate the public private partnerships.
- 5 Policy Analyst 3 positions to serve as Response and Preparedness Regional Coordinators.
- 1 Principal Executive Manager D position to manage the five Response and Preparedness Regional Coordinators to work with cities, counties, adult foster homes, health care and residential facilities, and the Oregon Health Authority to establish local or private procedures to prepare for emergencies related to wildfire.

The measure requires the Office of Emergency Management (OEM) to update its statewide emergency plan as necessary to prepare for or respond to wildfire emergencies on an area-wide or statewide basis. The plan must include wildfire risk mitigation efforts and evacuation planning. OEM must coordinate with cities, counties, adult foster homes, health care facilities and residential facilities and OHA to establish local or private procedures to prepare for emergencies related to wildfire and ensure that local efforts to prevent, respond to or recover from an emergency caused by wildfire are conducted in a manner consistent with the plan developed by OEM. The coordinated activities may include providing training, carrying out exercises and promoting community education. OEM must conduct this update by December 31, 2021,

Higher Education Coordinating Commission (HECC)

	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	420,149	560,203
Services and Supplies	83,465	83,465
Special Payments	496,386	356,332
Total General Fund	\$1,000,000	\$1,000,000
Positions	3	3
FTE	2.25	3.00

HECC estimates the fiscal impact of this measure to be \$1,000,000 General Fund, 3 positions, 2.25 FTE for the 2021-23 biennium; and \$1,000,000 General Fund, 3 positions, 3.00 FTE for the 2023-25 biennium. This estimate includes funds to award grants to proposals that protect at-risk communities and infrastructure within the wildland-urban interface. The fiscal estimate also includes the personal services and related services and supplies costs for the following positions to carry out the work required by the measure:

- 1 Operations and Policy Analyst 4 position to create and staff Oregon Wildfire Workforce Advisory Committee.
- 1 Program Analyst 2 to assist with grant administration.
- 1 Administrative Specialist 2 to assist with Committee scheduling and logistics.

The measure establishes the Oregon Wildfire Workforce Corps Fund. Moneys in the Fund are continuously appropriated to HECC to be used by the Oregon Wildfire Workforce Advisory Committee for administrative expenses and for the Oregon Wildfire Workforce Corps Program.

The measure establishes the Oregon Wildfire Workforce Corps Program to reduce the risk wildfire poses to communities and critical infrastructure. The measure establishes the Oregon Wildfire Workforce Advisory Committee within HECC to manage the Oregon Wildfire Workforce Corps Program. The Oregon Wildfire Workforce Advisory Committee is responsible for administering a grant process that provides funding to support the work conducted by the Oregon Wildfire Workforce Corps Program. The Committee is required to consult with ODF to ensure that the grant process awards funds to proposals that protect at-risk communities and infrastructure within the wildland-urban interface. The Committee is required to submit a report biennially to a committee of the Legislature regarding the expenditure of moneys deposited in the Oregon Wildfire Workforce Corps Fund.

Oregon State University (OSU)

	2021-23 Biennium	2023-25 Biennium
General Fund		
Services and Supplies	200,000	0
Total General Fund	\$200,000	\$0

OSU estimates the fiscal impact of collaborating with ODF with the statewide map of wildfire risk and outreach efforts to be \$200,000 General Fund for the 2021-23 biennium.

Office of the Governor

	2021-23 Biennium	2023-25 Biennium
General Fund		
Personal Services	466,774	466,744
Services and Supplies	104,102	104,102
Total General Fund	\$570,876	\$570,846
Positions	1	1
FTE	1.00	1.00

The Office of the Governor estimates the fiscal impact of this measure to be \$570,876 General Fund, 1 position, 1.00 FTE per biennium. This estimate reflects the personal services and related services and supplies costs for one Principal Executive Manager H position to serve as the State Wildfire Programs Director. The estimate also includes costs to support the Wildfire Programs Advisory Council. The measure directs the Governor to appoint a State Wildfire Programs Director to serve at the pleasure of the Governor. The measure specifies the duties of the Director which includes supervising staffing of the Wildfire Programs Advisory Council. The measure establishes the 18-member Wildfire Programs Advisory Council to advise and assist the State Wildfire Programs Director. DCBS, DLCD, ODF, and the Office of the State Fire Marshal must each provide 0.15 of the time of a full-time equivalent employee to: (a) cooperatively staff the Council; (2) attend Council meetings as informational resources; (3) assist with drafting reports at the request of the Council; and (4) support the work of the State Wildfire Programs Director. Each December, the Council must submit a report to the Governor and appropriate committees of the Legislature on the progress of implementing program activities related to defensible space, building codes, land use, and community emergency preparedness. The first report must be submitted in December 2022. By January 15, 2023, the Council must submit the first report to a committee of the Legislature with recommendations related to needed updates to the statewide land use planning program and local comprehensive plans and zoning codes to incorporate wildfire risk maps and minimize wildfire risk to people, public and private property, businesses, infrastructure and natural resources.

Department of Consumer and Business Services (DCBS)

Passage of this measure is anticipated to have a minimal fiscal impact on DCBS. The agency anticipates using existing staff and resources to:

- Provide the equivalent of .15 full time position (FTE) to staff the Wildfire Programs Advisory Council.
- Attend council meetings as an informational resource.
- Assist with drafting required annual reports.
- Support State Wildfire Programs Director.
- Adopt wildfire hazard mitigation building code standards for new construction for high wildfire risk classes on the statewide map of wildfire risk. The measure requires DCBS to incorporate these standards into any updates to the Oregon residential specialty code.
- Submit, by December 31, 2022, a report to a committee of the Legislature providing information on the number and general location of dwellings that have been built to the R327 standards since the standards were implemented in 2019, along with any other relevant information.

Oregon Watershed Enhancement Board (OWEB), Oregon Department of Fish and Wildlife (ODFW), Department of Human Services (DHS), Oregon Business Development Department (OBDD)

Passage of this measure is anticipated to have a minimal fiscal impact on OWEB, ODFW, DHS, and OBDD.

Local Government

The fiscal impact of this measure on local government is indeterminate depending on the updates to zoning maps and development plans that will need to be made in response to the comprehensive statewide map of wildfire risk. The measure requires counties to ensure, by January 1, 2026, that all lands within the county that are outside of forest protection districts and susceptible to wildfire within the county have baseline level or higher wildfire protection.

Local governments may experience a fiscal impact depending on whether they receive financial, administrative, technical or other assistance to facilitate the administration and enforcement of minimum defensible space requirements within their jurisdiction, but any such potential impact is indeterminate at this time. The State Fire Marshal is required to administer a community risk reduction program that emphasizes education and methods of prevention with respect to wildfire risk, defensible space enforcement, response planning and community preparedness for wildfires. The State Fire Marshal may provide financial, administrative, technical or other assistance to a local government to facilitate the administration and enforcement of minimum defensible space requirements within the jurisdiction of the local government.

The measure warrants a subsequent referral to the Joint Committee on Ways and Means to coordinate and reconcile the fiscal impact of this measure with agencies' policy option packages for similar work as well as for consideration of General Fund impact and position authority.

In addition, because of the complexity of measure and the limited time available to produce this fiscal impact statement, the fiscal impact may be adjusted when the measure is considered in the Joint Committee on Ways and Means.