

A-Engrossed Senate Bill 82

Ordered by the Senate March 26
Including Senate Amendments dated March 26

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Natural Resources and Wildfire)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes changes related to consulting on a grant process. The Act makes changes related to a program to reduce wildfire risk. The Act gives money as a match for certain funds. (Flesch Readability Score: 75.1).

Makes changes to consultations that are required for a certain grant process.

Makes certain changes related to a program to reduce wildfire risk.

Appropriates moneys out of the General Fund to the Higher Education Coordinating Commission for funding certain grant-supported projects.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to reducing wildfire risk; creating new provisions; amending ORS 476.696, 476.698 and
3 477.503; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 476.696 is amended to read:

6 476.696. (1) As used in this section[:],

7 [(a)] "eligible organization" includes Oregon-based nonprofit youth development organizations,
8 federally recognized Indian tribes in this state, nonprofit associations engaged in workforce devel-
9 opment and public entities that provide programs of job training, skill development and forest-
10 related or rangeland-related career path training.

11 [(b)] "*Tribe*" means a federally recognized Indian tribe in Oregon.]

12 (2) The Oregon Youth Works Advisory Board created under ORS 660.320 shall, in collaboration
13 with a qualified nonprofit foundation, actively seek and source private donations to support the
14 Oregon Conservation Corps Program.

15 (3) The advisory board may direct the expenditure of moneys from the Oregon Conservation
16 Corps Fund for a promotional website and materials to solicit private funds.

17 (4) The advisory board shall advise the Higher Education Coordinating Commission on the im-
18 plementation of a grant process that:

19 (a) Provides funding to support the work conducted by the Oregon Conservation Corps Program.

20 (b) Defines and uses an equity lens in awarding grants by identifying and supporting populations
21 with greater vulnerability, including communities of color, indigenous communities, communities
22 with members who have limited proficiency in English and communities with lower-income members.

23 (c) Awards grants to eligible organizations.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (d) Ensures that grant awards support activities described in ORS 476.694 (1) and subsection (5)
2 of this section.

3 (e) Establishes guidelines for prioritizing grant-supported projects to reduce community fire
4 risks, promote youth and young adult workforce development and educational experiences and re-
5 duce hazardous fuels.

6 (5) The commission shall consult with the State Forestry Department **and the Department of**
7 **the State Fire Marshal** to ensure that the grant process awards funds to proposals that[:]

8 [(a)] protect at-risk communities and infrastructure within the wildland-urban interface, as de-
9 scribed in ORS 477.503.

10 [(b)] **(6) The commission shall consult with the State Forestry Department to ensure that**
11 **the grant process awards funds to proposals that** meet standards for fuel treatment established
12 by the department.

13 [(6)] **(7)** The advisory board shall biennially submit a report, on the timeline described in ORS
14 293.640, to an appropriate committee or interim committee of the Legislative Assembly, as described
15 in ORS 192.245, and to the State Wildfire Programs Director and Wildfire Programs Advisory
16 Council, regarding the expenditure of moneys deposited in the Oregon Conservation Corps Fund.

17 **SECTION 2.** ORS 477.503 is amended to read:

18 477.503. (1)(a) The State Forestry Department shall design and implement a program to reduce
19 wildfire risk through the restoration of landscape resiliency and the reduction of hazardous fuel on
20 public or private forestlands and rangelands and in communities near homes and critical
21 infrastructure.

22 (b) The department shall ensure that the program is consistent with the objectives described in
23 this section and biennially select, administer and evaluate projects consistent with the objectives
24 described in this subsection.

25 (c) When developing program and project selection criteria, the department shall, to the extent
26 practicable, consult and cooperate with state and federal agencies, counties, cities and other units
27 of local government, federally recognized Indian tribes in this state, public and private forestland
28 and rangeland owners, forest and rangeland collaboratives and other relevant community organiza-
29 tions and ensure consistency with the priorities described in subsection (3) of this section.

30 (2) The department shall develop a 20-year strategic plan, as described in the Shared
31 Stewardship Agreement signed on August 13, 2019, that prioritizes restoration actions and ge-
32 ographies for wildfire risk reduction. The plan must be able to be used to direct federal, state and
33 private investments in a tangible way.

34 (3) In selecting and administering projects, the department shall:

35 (a) In collaboration with the Oregon State University Extension Service and other entities,
36 identify strategic landscapes that are ready for treatment, giving priority to projects within the
37 landscapes that are:

38 (A) On lands in the four highest eNVC risk classes identified in the United States Forest Service
39 report titled "Pacific Northwest Quantitative Wildfire Risk Assessment: Methods and Results" and
40 dated April 9, 2018;

41 (B) Inclusive of federal lands with treatment projects currently approved under the National
42 Environmental Policy Act (42 U.S.C. 4321 et seq.);

43 (C) Focusing on treatments protective of human life, property, critical infrastructure, watershed
44 health and forest or rangeland habitat restoration; and

45 (D) Part of a collaborative partnership with agreements across diverse forestland or rangeland

1 stakeholders that use an expansive, landscape-scale approach to address underlying causes of poor
2 wildfire resilience and elevated risk of wildfire or that establish innovative approaches to addressing
3 the underlying causes that could be implemented on a larger scale.

4 (b) To the extent practicable, identify and support projects that are designed to:

5 (A) Evaluate varying types of fuel treatment methods;

6 (B) Leverage the collective power of public-private partnerships and federal and state funding,
7 including leverage of the coordination of funding to support collaborative initiatives that address the
8 underlying causes of elevated forestland and rangeland wildfire risk across ownerships; and

9 (C) Optimize the receipt of federal government investments that equal or exceed department
10 investments.

11 (c) Design the projects to involve existing forest-based and range-based contracting entities.

12 (d) Design the projects to complement programs and projects of the Oregon Watershed En-
13 hancement Board or other state agencies as needed.

14 (e) Design the projects to involve the Oregon Conservation Corps Program established by ORS
15 476.694, to the maximum extent possible, for community protection projects located in the
16 wildland-urban interface, subject to funding available in the Oregon Conservation Corps Fund es-
17 tablished by ORS 476.698.

18 **(f) Consult with the Department of the State Fire Marshal to ensure that projects in-**
19 **volving the Oregon Conservation Corps Program are consistent with objectives of the De-**
20 **partment of the State Fire Marshal.**

21 [(f)] (g) Affirmatively seek, and enhance opportunities for, collaboration from stakeholders
22 holding a wide variety of perspectives regarding forest and rangeland management and opportunities
23 for significant involvement by communities in proximity to project sites.

24 [(g)] (h) Engage in monitoring of the projects to produce useful information on which to base
25 recommendations to the Legislative Assembly.

26 (4) A project under this section may not include commercial thinning on:

27 (a) Inventoried roadless areas;

28 (b) Riparian reserves identified in the Northwest Forest Plan or in federal Bureau of Land
29 Management resource management plans;

30 (c) Late successional reserves, except to the extent consistent with the 2011 United States Fish
31 and Wildlife Service Revised Recovery Plan for the Northern Spotted Owl (*Strix occidentalis*
32 *caurina*);

33 (d) Areas protected under the federal Wild and Scenic Rivers Act (P.L. 90-542), national recre-
34 ation areas, national monuments or areas protected under ORS 390.805 to 390.925;

35 (e) Designated critical habitat for species listed as threatened or endangered under the Endan-
36 gered Species Act of 1973 (P.L. 93-205) or by the State Fish and Wildlife Commission under ORS
37 496.172, unless commercial thinning is already allowed under an existing environmental review or
38 recognized habitat recovery plan; or

39 (f) Federally designated areas of critical environmental concern or federally designated
40 wilderness study areas.

41 (5) The **State Forestry** Department shall give public notice, and allow reasonable opportunity
42 for public input, when identifying and selecting landscapes under this section.

43 **SECTION 3.** ORS 476.698 is amended to read:

44 476.698. (1) The Oregon Conservation Corps Fund is established in the State Treasury, separate
45 and distinct from the General Fund. Interest earned by the Oregon Conservation Corps Fund shall

1 be credited to the fund.

2 (2) The fund may receive contributions from individuals and private organizations.

3 (3) Moneys in the fund are continuously appropriated to the Higher Education Coordinating
4 Commission to be used *[as directed by the Oregon Youth Works Advisory Board created under ORS*
5 *660.320]* **for purposes related to the Oregon Conservation Corps Program established by ORS**
6 **476.694** and for related administrative expenses of the commission.

7 (4) The commission shall keep records of all moneys credited to and deposited in the fund and
8 the activity or program against which each withdrawal from the fund is charged.

9 **SECTION 4. In addition to and not in lieu of any other appropriation, there is appropri-**
10 **ated to the Higher Education Coordinating Commission, for the biennium beginning July 1,**
11 **2025, out of the General Fund, for deposit in the Oregon Conservation Corps Fund established**
12 **by ORS 476.698:**

13 (1) **The amount of \$10,000,000, for the purpose of funding grant-supported projects related**
14 **to the Oregon Conservation Corps Program established by ORS 476.694.**

15 (2) **The amount of \$5,000,000, to match dollar-for-dollar funds secured from sources other**
16 **than state government that are dedicated for the purpose of funding grant-supported**
17 **projects related to the Oregon Conservation Corps Program.**

18 **SECTION 5. This 2025 Act being necessary for the immediate preservation of the public**
19 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
20 **on its passage.**

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