



May 6, 2025

Uploaded via the OLIS website

House Committee on Climate, Energy, and Environment
Chair Representative John Lively
900 Court St NE
Salem, OR 97301

RE: Public Comment Regarding SB 83
Our File No: 45408-00001

Dear Representative Lively and Members of the Committee:

Our office has been engaged by Robert Casebeer to prepare and submit public comment regarding Senate Bill 83 for your consideration as part of the public hearing scheduled for May 6, 2025. Mr. Casebeer is a resident and owner of real property in eastern Oregon and is affected by the Statewide Wildfire Hazard Map (the “**Wildfire Hazard Map**”) posted by the Department of Forestry (“**ODF**”) to the Oregon Explorer website on January 7, 2025, which designates all properties in Oregon as a low, moderate, or high wildfire hazard zone.

Like many property owners, Mr. Casebeer is concerned with the potential effects the Wildfire Hazard Map and associated regulations will have on his property, such as depreciation in value, increased regulations restricting development, and increased costs associated with development. Mr. Casebeer supports the provisions of Senate Bill 83 which would repeal the ODF wildfire hazard zone designations on the Wildfire Hazard Map. However, the Senate Bill 83 does not address what will happen with the Wildfire Hazard Map and associated data collected to create the map if the bill is passed. If the Wildfire Hazard Map or associated data remains available for public use or use by local governments, this will undermine the

SALEM
Park Place, Suite 200
250 Church Street SE
Salem, Oregon 97301

Post Office Box 470
Salem, Oregon 97308

tel 503.399.1070
fax 503.371.2927

BEND
Vision Plaza
404 SW Columbia St
Suite 150
Bend, Oregon 97702
tel 541.693.1070

effect of repealing the map designations as the data could still potentially lead to depreciation in property values, increased costs of development, and increased regulation of development in those areas designated as a moderate or high hazard zone.

Section 2 of the bill directs the State Fire Marshall to develop a model code regarding defensible space regulations that local governments may adopt. Similarly, Sections 6 and 7 of the bill direct the Department of Consumer and Business Services to adopt certain building code standards to mitigate wildfire hazards and develop a process for local governments to adopt said code. While Sections 2, 6, and 7 of Senate Bill 83 would no longer require local governments to adopt the regulations, the bill still permits local governments to implement the additional regulations. Mr. Casebeer is concerned that providing a process for local governments to adopt these regulations, even though the Wildfire Hazard Map designations are repealed, will negatively impact and place an undue burden on private property owners as described above. Rather than directing state agencies to devote time and resources to developing model codes which burden the rights of private property owners, the legislature should be focusing on addressing the most pressing threat of wildfires in Oregon, which comes from the lack of proactive management on public lands.

Mr. Casebeer agrees that protecting Oregon from wildfires is an important cause that requires legislative attention. However, the legislature should be addressing the threat of wildfires posed by State and Federal owned and managed lands. The greatest threat of wildfires comes from State and Federal lands that are poorly managed, such as uncleared brush and other fuel sources, and lack standards for wildfire prevention and mitigation. The legislature should develop standards for public lands in order to protect private property from wildfires originating on said lands. The legislature should develop legislation focusing on the management of and wildfire prevention on State owned and managed lands, and work with federal agencies to address the threat of wildfires, such as the Bureau of Land Management which manages millions of acres in Oregon. While repealing the Wildfire Hazard Map designations is a positive first step, the bill fails to fully address the issue of wildfire prevention and mitigation by not addressing the threat of wildfires posed by public lands.

Sincerely,



MARGARET Y. GANDER-VO

margaret@sglaw.com

Voice Message #374

[MYG/EAR:bg]

cc: Client