

## Oregon Department of Forestry 2009 Legislative Concepts

### PROTECTION FROM FIRE

**Wildfire Reduction Act.** This concept, combined with a Policy Option Package in the ODF 2009-11 budget request, proposes changes in sections of ORS 477 to increase and remix landowner and General Fund support for the Department's fire prevention and suppression activities. The concept seeks to address increases in the severity and duration of fire seasons – the results of climate trends and increased fuel loads – and in the incidence of large, costly fires, at a time of limited availability of needed firefighting airplanes and helicopters.

Fire protection funding involves a complicated mix of landowner dollars and state General Funds allocated by the Legislature. The system has evolved over time, but the basic premise remains a partnership between forest landowners and the general public.

The Wildfire Reduction Act's overarching premise is that landowners and the state would increase strategic up-front investments in initial attack and readiness, in turn reducing the incidence of "emergency" fires – those that escape initial attack and grow large – and the high costs associated with them.

The concept addresses many aspects of the public-private funding partnership – increased funding for areas of the state experiencing long-term rises in fire severity, the catastrophic fire insurance deductible (shared between landowners' Oregon Forest Land Protection Fund and General Fund), and the Special Purpose Appropriation (General Funds set aside by the Legislature for specific statewide fire protection needs).

In addition to bolstering up-front resources to keep fires small, the concept proposes changes in the way that landowners and the state share the costs of fighting the larger emergency fires. Currently, landowners, through the Oregon Forest Land Protection Fund, are responsible for the first \$15 million of these costs annually, and the state for an additional \$10 million. Together, these amounts have comprised the \$25 million deductible of the catastrophic insurance policy that the landowners and the state have purchased jointly. Unless extended each legislative session, the landowners' \$15 million share drops to \$10 million. The Wildfire Reduction Act proposes reducing the deductible to \$20 million, and sharing of deductible costs equally to the extent that they occur.

**Extension of current limitations.** As an alternative to the full scope of changes contained in the Wildfire Reduction Act, the Department also proposes a status quo legislative concept that would extend the current emergency fire cost commitments for another two years.

**Forestland classification.** This concept proposes updates and clarifications to sections of ORS 526.305-340 relating to the classification of land for assessment of fire protection fees. The agency collects these forest patrol assessments from owners of protected forestland within protection district boundaries. The concept proposes a variety of changes to the current classification system, including:

- Allowing several adjoining counties within an ODF protection district to work together on land classification.
- Adding a representative of structural fire protection agencies to county classification committees.
- Including wildland-urban interface areas in the definition of forestland.
- Making miscellaneous clarifications and adjustments.

The concept arises from a thorough review of the statutes, rules and policy that make up the ODF forestland classification framework. This system has not been substantively updated in over 30 years. Much has changed during that time on the lands that ODF protects from fire, including expansion of the wildland-urban interface. Many forest protection districts now contain thousands of high-value homes, a trend that has increased fire protection costs.

The Department's classification system review sought to provide recommendations and updates to reflect current conditions, and to identify ways to improve the efficiency and consistency of the system's administration.

## **ADMINISTRATION**

**Forest Products Harvest Tax Rate.** Legislation is introduced each session to set harvest tax rates for Forest Practices Act implementation and for support of the Oregon State University Forest Research Lab. This legislation continues the historical approach of sharing funding responsibility for these programs through a combination of harvest tax and general fund dollars.

## **WORKING FORESTS, RESOURCE LANDS, CLIMATE CHANGE**

**Transfer to public ownership of forestlands at risk of parcelization and loss to managed forest use.** This concept, involving the Department of Land Conservation and Development, local government and others, would allow for transfer of significant tracts to public ownership, in exchange for retention by current owners of development rights on selected portions.

**Incentives for retention of working resource land base.** The Department of Land Conservation and Development would be the lead agency on a cooperative concept, or ODF may become a co-sponsor of a joint concept. The concept would use incentives, including transfer or banking of development rights, to help keep resource land in active management. In particular, it would address forestlands that are:

- At risk of conversion to higher-value residential use (Central Oregon and areas of the Oregon Coast, some areas around Portland and Eugene). The concept may provide for transfer of residential development rights from such lands to receiving areas, either within clusters of conflicted forest land outside of urban growth boundaries (UGBs), or in limited additional UGB expansion areas.
- At risk of conversion to pasture/rangeland. The concept may propose to reduce development potential if such areas are not replanted.
- Already impacted by conflicting residential development. The concept may allow residential development to be clustered if remaining lands stay in active cover/management.

This concept could also be included as part of a statewide carbon sequestration strategy, and could be linked with use of carbon credits as a means of purchasing development rights. It also has potential links to statewide water quality strategies. Support is being explored from other organizations that may be interested or affected by land conversion, loss of forest products, infrastructure, climate change.