

Summary of Revisions to Draft Rules for the Energy Efficient Wildfire Rebuilding Incentive Program

The revised draft rules include the following additional changes to:

- 330-260-0000 for clarity and to remove reference to House Bill 2289.
- 330-260-0010 to clarify that “owner” means the legal owner of the structure at the time of the application for an incentive. A definition for residential structure that expands the eligible structures has been added.
- 330-260-0020 to remove the requirement to comply with HB 2289’s new dwelling requirements. As a replacement the former dwelling requirements from HB 2289 have been added in to rule and new more flexible rebuilding requirements have been added into the residential structure incentive (330-260-0030). 330-260-0020(5) has been added to state that owners who have completed their rebuilding prior to applying are eligible for incentives.
- 330-260-0030 to increase flexibility within eligibility requirements and allow people to rebuild on the same lot as the damaged or destroyed structure without a size requirement for the floor area, this replaces program eligibility requirements for the structure to not exceed 10% of the floor area of the destroyed or damaged structure and that the rebuilding had to occur within the footprint of the destroyed building. Clarification has been added that the residential structure incentives are per structure. The rules have been restructured to make it easier to read, and additions and clarifications on the required inspections have been included. Incentive eligibility for new accessory dwelling units has also been included.
- 330-260-0040 to clarify that the commercial and public buildings and multifamily housing incentives are per structure. Adds a location requirement to match the residential incentive. The rules have been restructured to make it easier to read, and additions and details have been included on the inspections required. Edits clarify that the incentive for a multifamily housing structure of facility providing housing for low-income households is per property. Removes reference to the 2022 Oregon Commercial Reach Code.
- 330-260-0050 to expand eligibility to those individuals replacing a damaged or destroyed residential structure with a manufactured dwelling. A flexible location requirement for the incentives has also been added. The ability to self-install heat pumps has been removed.
- 330-260-0060 to add in individuals considered as having moderate-income as eligible to receive the additional incentives for residential structures, it was formerly just low-income. Details of what the department considers low- or moderate-income for the program is included. Additional pathways to demonstrate eligibility for the additional incentives have been included.
- 330-260-0080 to clarify the application deadlines in the rules and to add the ability for the department to require a response to a request for additional information within 30 days.
- 330-260-0090 to remove the ability for a contractor to amend an incentive application and to clarify dates.

- 330-260-0100 to add requirements for the owner to specify that structure had been rebuilt to the specified code and energy efficiency requirements when notifying the department of project completion. Included details and additions to the utility or local jurisdiction inspections required to be completed prior to distribution of funds. Dates were also clarified.

Additional minor edits were made throughout the rules to improve clarity.

