



## Approved

### Wildfire Programs Advisory Council – Meeting

Monday, September 26, 2022

0900 – 1600

The complete Wildfire Programs Advisory Council can be viewed at the following website and serves as the official public meeting record: <https://www.oregon.gov/gov/policies/Pages/wildfire-programs-council.aspx>

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#### Welcome

Chair Bennett

Chair Bennett welcomed the council and introduced Senator Golden to give opening remarks.

Senator Golden thanked the council for its continued work and recognized the early successes of the efforts that stemmed from implementing Senate Bill 762. He highlighted the successes of the 2022 fire season and attributed some of that success to the efforts under SB 762. He acknowledged that the rollout of the wildfire risk map was an early challenge and that communication surrounding that rollout needs to improve. Senator Golden stated that the implementation of SB 762 was always going to be complicated and that to be successful overall the state must be able to course correct to address challenges as they arise, and the council is an important part of that.

Member Dave Hunnicutt suggested looking to what California has done in terms of the wildfire risk impact on insurance rating and underwriting. Director Grafe confirmed that the Division of Financial Regulation is working on legislative concepts relating to this topic.

Chair Bennett thanked staff for supporting the committee and reviewed the agenda and objectives for the meeting. Additionally, the council approved the summary of the previous meetings on July 8, and August 12, 2022.

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0910

#### House Keeping

Vice-chair Browning

Vice Chair Browning identified the four council members not present: Jim McCauley, Bradley Clark, Nick Browne, Steve Rondeau. Other 14 members of the council are present. Tamera Cline, member representing public health professionals, is no longer on the council. Vice Chair Browning reviewed the etiquette for the meeting.

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0920

#### Mapping Update

Director Grafe

Director Grafe gave a high-level review of the new timeline for the wildfire risk map going forward ([link](#)). From October 2022 to February 2023 the Department of Forestry and Oregon State University will use the information gathered during the public engagement period to update the wildfire risk map. From March 2023 to September 2023 ODF and OSU will make a draft version of the map

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available publicly and will conduct outreach and education on the map. From October 2023 to December 2023 the final map will be published, affected property owners will be notified and allowed to appeal, and those appeals will be processed.

Director Grafe asked Matt DeVore to talk about the legal sufficiency of the appeals process under the Oregon Administrative Procedures Act. Matt DeVore talked about the appeal requirements in the bill as well as the appeals processes that are available through the Oregon Administrative Procedures Act.

Director Grafe recognized and thanked Alessandra de la Torre for her help on the equity case study that is included as an appendix in the September director's report. The director also recognized and thanked EJ Davis for help interviewing the authors of Senate Bill 762.

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**DLCD Update**

Director Bateman

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Director Brenda Bateman gave an update to the council on the DLCDC report that is required by Senate Bill 762. Director Bateman described the public engagement process that preceded the final report. The department's report is mostly a collection of recommendations and ideas for how to implement those recommendations. The recommendations generally focus on planning at the community level. There are six recommendations and ideas for implementing each. Ultimately it will be the legislature's decision what to implement and how to implement it. In terms of the options for implementing the recommendations in the report, each recommendation includes two options, one for incentivizing voluntary compliance and one for enforcing mandatory compliance. Director Bateman gave a summary of the six recommendations:

1. Cities and counties prioritizing robust and inclusive community information and engagement in planning
2. Cities and counties assessing and improving transportation networks for safe evacuation and response
3. Cities and counties reviewing and amending local land use codes to ensure safe evacuation and efficient response
4. Cities and counties incorporating wildfire risk mitigation into comprehensive plan policies and land use codes
5. DLCDC providing support in post-disaster recovery through recovery planning services
6. DLCDC providing support to increase the effectiveness of natural hazards planning process and adoption of policies and actions into comprehensive plans and codes

Chair Bennett stated that in some jurisdictions particularly jurisdictions with particularly small planning departments, resources may be a challenge to implementing these recommendations. Director Bateman acknowledged that concern and said that DLCDC reached out to local governments for thoughts on funding. Additionally, she stated that this could be an opportunity to implement the voluntary approach for implementing these recommendations. Also, leveraging model codes could reduce the workload that is necessary of the staff of local jurisdictions.

Chair Bennett stated that the council has been working on how best to include a response to DLCDC's report within the council's larger report. He stated that since the subject matter seems to fall within the scope of workgroup two it may make sense for that group to take on the task and asked the chairs of workgroup two if that would work. Members Hunnicutt and Mary Kyle McCurdy confirmed that they could and that they have already had meetings with DLCDC.

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The council discussed distributing a draft of the report to participating agencies prior to the report being finalized so that the agencies could provide comment or edits. After it was determined that there was sufficient time in the process to do so, the council decided that it would distribute a draft version of the report to the participating agencies.

Chair Bennett asked EJ Davis to give an update on the product so far from the editorial and alignment workgroup. Doctor Davis explained that the workgroup so far focused on setting expectations for the content from other workgroups and organizing the report into sections including an executive summary, individual sections for each section of SB 762 with recommendations from the council in each section, as well as other observations in the appendix to the report. Chair Bennett and Director Grafe stated that some public comment had been received and that they were posted to the council's webpage ([link](#)). Some council members expressed an interest in getting public comment out to the council in advance of meetings to make sure that it can be reviewed.

Chair Bennett stated that the council will discuss its response to DLCD's report at the council's meeting on October 14, 2022.

Members McCurdy and Hunnicutt discussed the sections of the council's report prepared by the wildland urban interface workgroup. They stated that the workgroup's recommendations were all unanimous from the workgroup and that if an idea was not unanimous it was included as an observation, not a recommendation.

Member Allen Berreth talked about the work of the advancing fire protection workgroup. Member Berreth touched on a few themes of the discussion of the workgroup. The workgroup recommends that some time be allowed for the utilities to implement the plans that they were required develop under SB 762. As the utilities implement their own risk plans, they need to remain cognizant of the State's risk assessment. Member Berreth reiterated the importance of collaboration and communication. The group is not recommending discontinuing any programs and they should be funded over the long term.

Chair Bennett asked EJ Davis to give a summary of the council's report ([link](#)). Doctor Davis explained the difference between the recommendations in the body of the report and the observations included in the report's appendix. The council's recommendations fall into four categories: 1. outreach, education, and engagement; 2. advice and recommendations on collaboration; 3. ongoing investment; 4. strategic use of resources. Member Amelia Porterfield recommended adding some additional context to the report explaining the difference between the observations and recommendations and the council agreed.

Chair Bennett asked Alex Cheng from Division of Finance and Regulations to give an update on the legislative concepts that the division is putting together. He explained that DFR has a placeholder LC and is working on draft language for what will be in it. Several ideas have been discussed but nothing is final yet. Director Grafe added some additional detail on what was learned from California's efforts.

The council discussed several items related to the council's work and the draft council report:

- The prescribed burn section should be modified to consider allowing prescribed burn of certain high-risk areas even at times that air quality might otherwise limit the burn.
- Perhaps the council could talk to a representative from California's Insurance Commission about its process

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- Adding additional language to the report to reflect urgency surrounding the recommendations included within the report
  - Emphasizing that limiting these programs to the biennium would limit its effectiveness.
  - Looking at overall defensible space surrounding communities as a whole
  - Remaining mindful the impact on expansion of communities when talking about land use decisions
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1200      **Lunch**

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1300      **Public Comment**      All

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The meeting was opened for public comment, Chair Bennett announced that the council had received three written public comments and no additional public comment was received. Future requests for public comment can be sent to [Jacque.Carlisle@oregon.gov](mailto:Jacque.Carlisle@oregon.gov).

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1315      **Council Report**      Chair Bennett, All

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As the council continued its discussion of the draft report, Chair Bennett reminded the group that the final deadline for the report would be October 14, 2022. The council thanked those that provided public comment and stated a desire to find ways to increase public awareness of the council's work and the council's engagement with the public. There was a clarifying question on the conclusion of the draft report to confirm that the state focus prioritizing funds on areas of high-risk and high-social vulnerability and whether both of those categories need to apply or either it would be a prioritization focusing first on both high-risk and high-social vulnerability, then individually.

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1330      **Wrap Up**      Chair Bennett

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Next the council addressed the plan for its meeting on October 14, 2022. The meeting would probably include:

- Additional detail on the risk mapping timeline and the associated projects
- A review of the final DLCDC report
- Finalizing the council's report

There was additional council discussion on creating opportunity for public comment and encouraging the public to provide comments. The council discussed the value in generating public comment and how feasible it would be for that comment to inform the final draft of the council's report. The council expresses a commitment to facilitating public engagement in the process going forward and perhaps holding council meetings/events in parts of the state most effected by wildfires and the provisions of SB 762.

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