

SECTION-BY-SECTION BILL SUMMARY

ELECTRIC SYSTEM PLANS (Sections 1-6)

- Requires the Public Utilities Commission (PUC) to periodically convene workshops for electric utilities and system operators to share information related to wildfire best practices, to adopt risk reduction standards by rule, and to evaluate and approve Public Utility plans that meet specified requirements.
- Requires Public Utilities to create, and operate in compliance with, a PUC-approved wildfire protection plan. First plan must be submitted by **December 31, 2021**.
- Requires consumer-owned utilities to create, and operate in compliance with, a governing body-approved wildfire mitigation plan. First plan must be submitted by **June 30, 2022**.

STATEWIDE MAP OF WILDFIRE RISK (Section 7)

- Requires the Oregon Department of Forestry (ODF) to oversee, and Oregon State University (OSU) to execute, the development and maintenance of a comprehensive statewide map of wildfire risk that includes wildland urban interface boundaries and wildfire risk classes by **June 30, 2022**.
- Requires that ODF, in consultation with OSU, establish five statewide wildfire risk classes of extreme, high, moderate, low, and no risk.
- Requires the Oregon Board of Forestry (Board) to adopt rules that provide opportunities for public input and appeal on assignment of properties to wildfire risk classes.
- Requires OSU to collaborate with ODF, the State Fire Marshal, other state agencies, local governments, Indian tribes, other public bodies, and other information sources to create the map.
- Requires that the map be made publicly accessible and requires OSU to provide technical assistance to state and local governments and to landowners to use the map and associated Oregon Wildfire Risk Explorer platform.
- Requires the final map be used to inform policy actions and programs as detailed in the Act.

DEFENSIBLE SPACE (Sections 8-10)

- Defines 'defensible space' as a natural or human-made area in which material capable of supporting the spread of fire has been treated, cleared, or modified to slow the rate and intensity of advancing wildfire and allow space for fire suppression operations to occur.
- Requires the State Fire Marshal to establish minimum defensible space requirements for wildfire risk reduction on lands located within the wildland urban interface (WUI) on the statewide map by **December 31, 2022**.
- Requires the State Fire Marshal to establish defensible space requirements that are consistent with the International Wildland-Urban Interface Code and to consult with the Oregon Fire Code Advisory Board in establishing Oregon-specific requirements. Allows local governments to adopt more stringent defensible space requirements.
- Authorizes either the State Fire Marshal or a local government to administer and enforce the minimum defensible space requirements, and allows the State Fire Marshal to provide financial, administrative, technical, or other assistance to local governments for administration and enforcement.
- Directs the State Fire Marshal to administer a community risk reduction program that emphasizes wildfire risk education and prevention methods, defensible space enforcement, response planning, and community preparedness for wildfire. Establishes the Community Risk Reduction Fund to carry out the program.

LAND USE (Section 11)

- Requires the Department of Land Conservation and Development to identify needed updates to the statewide land use planning program, local comprehensive plans, and zoning codes to incorporate the wildfire risk map and to minimize wildfire risk by **October 1, 2022**.

BUILDING CODES (Section 12)

- Requires the Department of Consumer and Business Services (DCBS) to adopt R327 wildfire hazard mitigation building code standards for new dwellings and dwelling accessory structures in extreme and high wildfire risk classes by **October 1, 2022**, to be operative no earlier than **April 1, 2023**.
- Requires DCBS to amend section R327 to include standards for additions to existing dwellings and dwelling accessory structures and for replacement of certain existing exterior materials by **October 1, 2022**, to be operative no earlier than **April 1, 2023**.
- Requires DCBS in collaborate with OSU to develop and maintain a free, publicly accessible interactive mapping tool that displays R327 wildfire hazard mitigation standards at the property level and is designed to support future inclusion of snow load, seismic, and wind building code standards. This tool must be established no more than 60 days following the completion of the wildfire risk map, identified in section seven, or no later than **August 31, 2022**.

HEALTH SYSTEMS FOR SMOKE (Sections 13-15)

- Requires the Department of Environmental Quality (DEQ) to establish a program to support communities in:
 - Detecting, preparing for, communicating, or mitigating the environmental and public health impacts of wildfire smoke.
 - To develop and implement community response plans to mitigate public health impacts of smoke.
 - To monitoring, interpreting, and communicating air quality data.
- Requires the Department of Human Services (DHS), in consultation and coordination with the Oregon Health Authority (OHA), to establish and implement a local government clean air shelter grant program. Establishes DHS as the lead state agency for clean air shelter operations and shall report on grant program development by **June 30, 2023**.
- Requires OHA to establish a smoke filtration system grant program to increase the availability of residential smoke filtration systems among persons vulnerable to the health effects of smoke who reside in areas susceptible to wildfire smoke.

EMERGENCY RESPONSE & DISASTER RECOVERY (Sections 16-17)

- Adds 'wildfire' to state definition of 'emergency.'
- Requires the Office of Emergency Management (OEM) to update its statewide emergency plan to prepare for or respond to wildfire emergencies on an area-wide or statewide basis, including wildfire risk mitigation efforts and evacuations, by **December 31, 2021**.
- Requires OEM to coordinate with cities, counties, and other specified entities to ensure local efforts align with the statewide plan, and to provide training and community education.

WILDFIRE RISK REDUCTION PROGRAM (Sections 18-20)

- Requires the Oregon Department of Forestry (ODF) to design and implement a treatment program to reduce wildfire risk on public or private forestlands and rangelands, and in communities near homes and critical infrastructure, through restoration of landscape resiliency and reduction of hazardous fuels.
 - Requires ODF to consult and cooperate with Oregon State University Extension, state and federal agencies, counties, cities, other units of local government, Indian tribes, public and private forestland and rangeland owners, forest collaboratives, and other relevant community organizations to select projects for treatment.
 - Establishes criteria for project selection and design.
 - Prohibits commercial thinning on specified protected lands.
 - Requires ODF to develop a 20-year strategic plan that prioritizes restoration actions and geographies.
 - Requires ODF to report regarding the status of the program development and implementation by **January 15, 2022**, and again upon completion of projects by **June 30, 2023**.
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OREGON CONSERVATION CORPS (Sections 21-23)

- Establishes the Oregon Conservation Corps Program to reduce wildfire risk to communities and critical infrastructure, to help create fire-adapted communities, and to engage youth and young adults in workforce training.
- Establishes the Oregon Conservation Corps Advisory Committee within the Higher Education Coordinating Commission to administer the program grant process and to engage private sector funding.
- Establishes grant process requirements and priorities.
- Establishes the Oregon Conservation Corps Fund to be used primarily for program grants.

SMALL FORESTLAND GRANT PROGRAM (Section 24)

- Directs the Oregon Department of Forestry (ODF) to establish a small forestland grant program for the purpose of providing grants, on a competitive basis, to support small forestland owners of one to 160 acres west of the Cascades, and one to 640 acres east of the Cascades, in reducing wildfire risk through the restoration of landscape resiliency and reduction of hazardous fuels on their property. Requires ODF to set criteria for assessing grant applications and awarding grants.

PRESCRIBED FIRE (Sections 25-27)

- Requires the Oregon Department of Forestry (ODF) to establish by rule a Certified Burn Manager Program. Requires ODF to consult with the Oregon Prescribed Fire Council concerning best practices for conducting the program, initiate rulemaking to establish the program, and provide a progress report to the Legislative Assembly by **December 1, 2021**.
- Allows a person to conduct a prescribed fire that burns across land ownership boundaries if the person obtains a permit, complies with its conditions, and obtains consent from relevant landowners. Requires related ODF rulemaking to be initiated by **November 30, 2021** and completed by **November 30, 2022**.

FEDERAL PARTNERSHIPS (Section 27a)

- Requires the Oregon Department of Forestry (ODF) to cooperate with federal agencies to increase the effectiveness of federal forest management programs, agreements, and activities.

PROTECTED AREAS (Sections 28-29)

- Requires the State Forester in collaboration with the State Fire Marshal, state agencies, and local governments, to adopt rules establishing baseline levels of wildfire protection, that reflect regional conditions, for lands outside of forest protection districts that are susceptible to wildfire.
- Authorizes the State Forester to provide financial assistance to counties to assist landowners with forming or modifying wildfire protection jurisdictions to ensure adequate protection, and to develop wildfire protection facilities, equipment, training, and other resources.
- Requires counties to ensure all applicable lands within the county have baseline level or higher wildfire protection by **January 1, 2026**.

WILDFIRE RESPONSE CAPACITY (Section 30)

- Requires the Oregon Department of Forestry (ODF) to establish and maintain an expanded system of automated smoke detection cameras and associated staff.
- Requires ODF to consult and coordinate with the State Fire Marshal, other state and federal agencies, local fire defense board chiefs, and private stakeholders, to determine the adequacy of state, federal, and private wildfire response capacity, and adequacy of available mutual aid to provide wildfire response on WUI lands.
- Requires the Office of the State Fire Marshal (OSFM) and ODF to increase their wildfire readiness and response capacities.

WILDLAND URBAN INTERFACE (WUI) FIRE PROTECTION (Sections 31-34)

- Requires the Board of Forestry to establish a definition of 'wildland urban interface' (WUI) and criteria by which the WUI shall be identified and classified.
 - Repeals and harmonizes existing statutes to ensure consistency with new processes for WUI designation.
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STATE WILDFIRE PROGRAMS DIRECTOR (Sections 35)

- Establishes a Governor-appointed State Wildfire Programs Director to oversee implementation of this Act, including ensuring program coordination and compliance with deadlines, assessing financial impacts, supervising staffing of the Wildfire Programs Advisory Council, reporting regularly to the Governor and legislature, and exploring opportunities to further reduce wildfire risk in Oregon.

WILDFIRE PROGRAMS ADVISORY COUNCIL (Sections 36-39)

- Establishes a Wildfire Programs Advisory Council to advise and assist the Director by closely monitoring implementation of this Act, providing advice on potential changes to activities to meet goals, strengthening intergovernmental and multiparty collaboration, developing strategies to enhance collaboration among governmental bodies and the public, assessing ways the statewide map could inform development of building codes and land use laws, rules, and decisions in a regionally appropriate manner, assessing application of defensible space requirements to vineyards, crops, and other cultivated vegetation, and reviewing DLCD findings and recommendation related to land use and the minimization of wildfire risk.
- Requires the President of the Senate and Speaker of the House to jointly appoint 19 members to the Council from a specified list of representative entities and requires the presiding officers consult in good faith with legislative minority leaders. Specifies terms of service and other formative parameters.
- Requires the Department of Consumer and Business Services, the Department of Land Conservation and Development, the Office of the State Fire Marshal, the Oregon Department of Forestry, and the Oregon State University Extension Service to cooperatively staff the Council. Requires Council to submit annual reports beginning **October 2022**.

CONFORMING AMENDMENTS (Sections 40-43)

- Provides conforming amendments.

APPROPRIATIONS (Sections 44-64)



- Provides for General Fund appropriations and increases in expenditure limits to fund duties and programs required by the Act.

CAPTIONS (Section 65)

















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EMERGENCY CLAUSE (Section 66)

- Declares emergency, effective on passage.
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 = action deadline
 = report due to Legislature, Director, Council

SB 762-A: IMPLEMENTATION TIMELINE

	2021						2022						2023											
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
FIRE-ADAPTED COMMUNITIES	MAP: ODF to establish WUI definition & risk classes rulemaking and OSU to create map 100 days - WUI Defined  Dec. 31: ODF progress report  June 30: Statewide map complete																							
	COMMUNITY RISK REDUCTION: OSFM Wildfire education, prevention, preparedness (& defensible space enforcement beginning Jan 2023) 																							
							Jan: OSFM bi-annual report 						Aug: OSFM bi-annual report 						Jan: OSFM bi-annual report 					
													DEFENSIBLE SPACE: OSFM to modernize standards 						Dec. 31: Minimum standards established					
													BUILDING CODES: DCBS R327 code updates 						Oct. 1: R327 code adoption & Map  April 1: R327 code operative					
													LAND USE: DLCD to update program  						Oct 1: DLCD complete program update and report					
	UTILITIES: PUC offers workshops to share best practices for wildfire risk reduction; PUC standards established by rule; and electric utility risk-based wildfire plans created & implemented																							
							Dec. 31: Public Utilities submit plan 						June 30: Consumer-Owned submit plan 											
	WILDFIRE EMERGENCY PREPAREDNESS: OEM regional coordinators work with cities, counties, and others to ensure alignment with statewide plan and provide training																							
							Dec. 31: Update statewide emergency plan to include wildfire 																	
	COMMUNITY SMOKE RESPONSE PLANS: DEQ establishes a program to assist in developing community response plans to mitigate smoke																							
	AIR QUALITY MONITORING ENHANCEMENT: DEQ community outreach, and deployment of air quality monitoring equipment																							
	CLEAN AIR SHELTER GRANT PROGRAM: DHS to establish grant program to establish clean air shelters with advanced air filtration systems in public buildings																							
																		June 30: Update on grant program 						
SMOKE FILTRATION SYSTEM GRANT PROGRAM: OHA to establish grant program to increase availability of residential smoke filtration devices for vulnerable populations.																								
																		Periodically report on grant program 						

	2021						2022						2023												
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July
RESILIENT LANDSCAPES	WILDFIRE RISK REDUCTION PROGRAM: ODF to implement fuel reduction projects to restore landscape resiliency across public and private lands. Develop a 20-year plan.  																								
							 Jan 15: ODF progress report						June 30 complete projects & Jul 15: final report												
	WILDFIRE WORKFORCE CORPS: HECC to set up Advisory Committee and grants program for fuel treatments and wildfire risk reduction in home ignition zones.												 June 30: Biennial report												
	SMALL WOODLAND GRANT PROGRAM: ODF grant program to reduce wildfire risk by restoring landscape resiliency																								
	FACILITATING EASIER ACCESS TO PRESCRIBED FIRE: Establish Prescribed Burn Manager Program to mitigate wildfire risk												 Dec. 1: Board of Forestry report & initiate rulemaking						Nov. 30: Complete rulemaking 						
RESPONSE	ENHANCED WILDFIRE READINESS & RESPONSE CAPACITY: ODF and OSFM fire suppression, coordination, and response (personnel, equipment, training, etc.)																								
	BASELINE FIRE PROTECTION LEVELS: Rulemaking to establish baseline protection levels for all lands susceptible to wildfire (jurisdiction formation, facilities, equipment, training, etc.)																								
OVERSIGHT	STATE WILDFIRE PROGRAMS DIRECTOR: Implementation oversight of this 2021 Act and investigate opportunities for further risk reduction												Jan 2026: Baseline levels fully established  												
	Bimonthly report 						        						WILDFIRE PROGRAMS ADVISORY COUNCIL: Advise and assist the Director by closely monitoring implementation and recommending changes to further reduce risk												
						Oct: Annual Council report 