



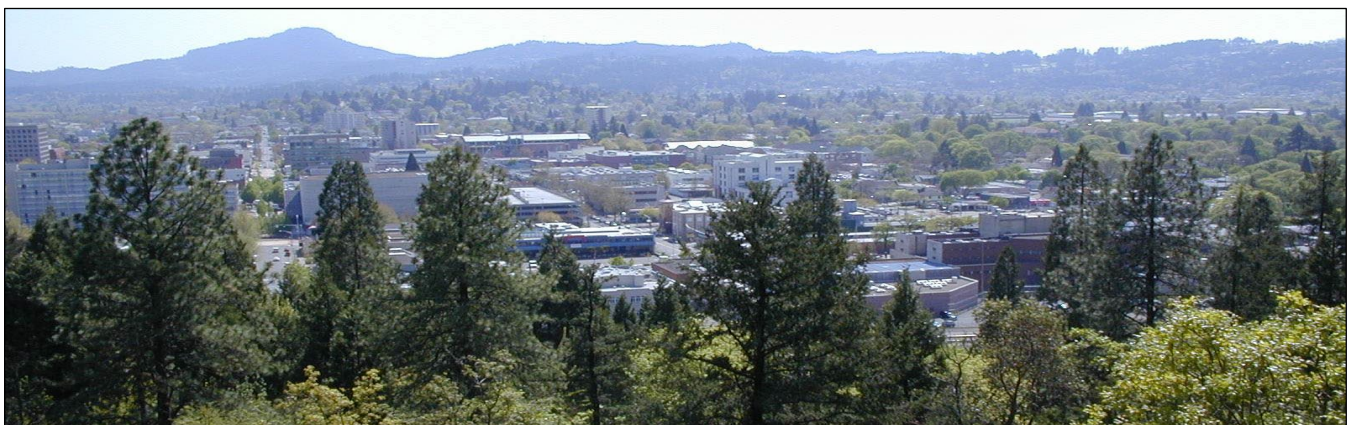
OREGON
Department of
Land Conservation
& Development

WILDFIRE ADAPTED COMMUNITIES RECOMMENDATIONS REPORT

September 30, 2022



Source: Patrick Wingard, DLCD;
Blue River recovery



Source: DLCD image library, no copyright; forest over city

Acknowledgements

Wildfire Adapted Communities Stakeholder Group

Amanda Sullivan-Astor, Associated Oregon Loggers
Chad Hawkins, Office of State Fire Marshal
Charisse Sydoriak, Unaffiliated
Court Boice, Commissioner, Curry County
Curt Wilson, AIA
Dave Hunnicutt, Oregon Property Owners Association
Devin Kesner, Rogue Advocates
Erubiel Valladares Carranza, Unaffiliated
Evyand Andries, Oregon Wine Council
Jim McCauley, League of Oregon Cities
Jon Legarza, Healthy Sustainable Communities
Joshua Cloke, Unaffiliated
Joshua Shaklee, Douglas County
Katie Skakel, NIST Center of Excellence - Center for Risk-Based Community Resilience Planning
Kelly O'Neill Jr., City of Sandy
Kyle Collins, Deschutes County

Lauren Smith, Oregon Farm Bureau
Leah Rausch, DLCD Citizen Involvement Advisory Committee
Leslie Neu, Unaffiliated
Mallorie Roberts, Association of Oregon Counties
Mary Kyle McCurdy, 1000 Friends of Oregon
McRae Carmichael, Mid-Willamette Valley Council of Government
Melanie Stanley, Unaffiliated
Mike Eliason, Oregon Forest & Industries Council
Pam Hardy, Western Environmental Law Center
Paul Anderes, Commissioner, Union County
Rachel Serslev, Lane County
Robbin Roderick, Unaffiliated
Samantha Bayer, Oregon Home Builders Association
Tanner Fairrington, Medford Fire Department and Oregon Fire Marshals Association

DLCD Staff

Brenda Bateman, Ph.D.
Susan Millhauser
Angie Brewer
Sadie Carney
Matt Crall
Hilary Foote
Kirstin Greene
Gordon Howard
Jon Jinings
Marian Lahav
Josh LeBombard
Sarah Marvin
Palmer Mason

Land Conservation and Development Commission

Anyeley Hallová, Chair
Nick Lelack, Vice-Chair
Stuart Warren, project liaison
Barbara Boyer
Kaety Jacobson
Allan Lazo
Gerard Sandoval, Ph.D.

Consultants

Libby Bakke, Barney and Worth
Trisha Maxfield, Barney and Worth
Tammy Menkerud, Barney and Worth
Kathy Keese, Unete
Michael Howard, Oregon Partnership for Disaster Resilience, University of Oregon

Table of Contents

| | |
|--|----|
| Executive Summary..... | 1 |
| I. Purpose | 3 |
| II. Background | 3 |
| SB 762 State Agency Coordination | 5 |
| III. Community and Stakeholder Engagement: What We Heard | 8 |
| Overarching Themes | 9 |
| Tribal Government Consultation | 10 |
| IV. Recovery Lessons Learned..... | 11 |
| V. Recommendations | 12 |
| Background | 12 |
| Community Information and Engagement..... | 13 |
| Safe Evacuation and Firefighting Response..... | 14 |
| Wildfire Risk Mitigation Requirements for Areas of New Development | 16 |
| Recovery Planning | 18 |
| Areas Subject to Natural Hazards..... | 19 |
| State and Local Resources for Implementation..... | 20 |
| VI. Conclusions and Next Steps | 23 |
| VII. Appendices..... | 24 |
| Appendix A: Potential Topics for Future Consideration | 25 |
| Appendix B: Glossary of Terms..... | 27 |

Executive Summary

The Department of Land Conservation and Development's (DLCD) *Wildfire Adapted Communities Recommendations Report*, prepared in response to Senate Bill 762 (2021), identifies six recommendations for changes to state and local land use planning programs to reduce risk from wildfire to protect Oregon communities. In addition to the recommendations, the report includes background on wildfire impacts, an overview of SB 762, the responsibilities of DLCD and other closely aligned agencies, a summary of feedback received from the community and stakeholder engagement process that has informed the recommendations, and a note about Legislative next steps and prioritization of resources.

The six recommendations reflect what DLCD heard from community members and leaders about the role land use can play in addressing and mitigating wildfire risk in communities, informed by best practices, including strategies some Oregon communities are already implementing. How and where the built environment exists and expands directly affects how effectively communities can increase their resilience to wildfire. DLCD's recommendations focus on land use planning actions at the community, subdivision, or neighborhood scale. These recommendations are not generally applicable to individual single-family homes.

This distinction recognizes that SB 762 already includes some of the most protective strategies for one- and two-family homes located in the wildland urban interface (WUI) that are in areas of high and extreme wildfire risk: the adoption and implementation of defensible space and residential building hardening standards. To complement those existing provisions, DLCD staff attempted to identify gaps that, when filled, support existing wildfire regulation, fire and building codes, and development standards. In areas zoned for agriculture, the recommendations do not impose additional requirements on agricultural structures beyond existing law.

The Oregon Legislature will consider these recommendations, along with those of the Wildfire Programs Advisory Council (WPAC), during the 2023 legislative session. Based on those considerations and public input, legislative outcomes from the 2023 session may assign responsibility for implementation to DLCD and its partner agencies. Any implementation assigned to the department by the Legislature would not take place until the wildfire risk map is available.

Implementation Options

Each of the recommendations could be implemented in a variety of ways:

- 1) A voluntary approach that allows local governments to proceed at their own pace and develop local solutions;
- 2) A mandatory approach that begins with agency rulemaking, followed by compliance checks and enforcement; or
- 3) A hybrid approach that begins with a period of voluntary innovation and adoption, includes a timeline for check-in / assessment, and follows with mandatory measures in communities that have not adopted legislatively identified wildfire protections.

A range of strategies could be developed by DLCDC to support the above implementation options, including, but not limited to, the following:

- Model polices, code, and guidance for establishing appropriate standards, community engagement best practices, and integration of planning processes; and
- Grant funding for consultants, temporary local staff, technical expertise, and community engagement.

Prioritizing Resources

While these recommendations are available for any city or county to consider and adopt, the Oregon Legislature, when deciding on the best means of implementation, may need to prioritize resources. DLCDC recommends the Legislature consider investing first in communities predominantly comprised of properties that are high and extreme wildfire risk inside the WUI. Regional differences should also be considered, with implementation timelines and applicability tailored to meet regional needs, community size, local capacity, and other factors. Whatever approach the Legislature takes, each recommendation requires substantial state funding and technical assistance to support local implementation, particularly for cities and counties with limited capacity.

Recommendations

Recommendation 1: Cities and counties prioritize robust and inclusive community information and engagement in planning efforts to create wildfire adapted communities.

Recommendation 2: Cities and counties assess and improve transportation networks for safe evacuation and firefighting response.

Recommendation 3: Cities and counties review and amend local land use codes for new development to ensure safe evacuation and efficient firefighting response.

Recommendation 4: Cities and counties review and amend comprehensive plan policies and implement land use codes to incorporate wildfire risk mitigation requirements for new development.

Recommendation 5: Cities and counties prepare for post-disaster recovery in local communities through recovery planning.

Recommendation 6: Cities, counties, special districts, and Tribes to increase the effectiveness of natural hazards planning through coordination of Community Wildfire Protection Plan and Natural Hazard Mitigation Plan processes and adoption of policies and actions into comprehensive plans and codes.

Accessing the Report: A member of the Legislative Assembly may obtain a copy of the report by downloading it using this link: [DLCDC Wildfire Adapted Communities Recommendations Report, September 30, 2022](#), or by sending an email to DLCD.WILDFIRE@dlcd.oregon.gov.

I. Purpose

As directed by [Senate Bill \(SB\) 762](#)¹ Section 11: Land Use (as amended by [SB 1533 \(2022\)](#)²), the Department of Land Conservation and Development (DLCD) has prepared recommendations for consideration by the Oregon Legislature and the state [Wildfire Programs Advisory Council](#)³ (WPAC) by October 1, 2022. These recommendations focus on potential changes to the statewide land use planning program and local comprehensive plans and zoning codes needed to minimize wildfire risk. Under SB 762, DLCDC's objective is to help make communities safer, including identifying appropriate levels of state and local resources necessary for effective implementation. According to SB 762, recommended changes may include, but need not be limited to, provisions regarding sufficient defensible space, building codes, safe evacuation, and development considerations in areas of extreme and high wildfire risk, allowing for regional differences.

II. Background

SB 762, Oregon's wildfire omnibus legislation was passed into law in 2021. It was the product of years of hard work by the Governor's Council on Wildfire Response, the Legislature, state agencies, and Oregonians across the state. It represents Oregon's comprehensive approach to addressing wildfire impacts by readying the state for the increasing frequency, intensity, and duration of wildfires due to climate change. Taking this proactive approach, the Oregon Legislature has invested more than 195 million dollars to help improve wildfire preparedness and resilience, with a particular focus on investing in underserved communities.

The three key strategies include:

- Creating fire adapted communities,
- Increasing wildfire response safety and effectiveness, and
- Strengthening the health and resilience of Oregon's landscapes.

Increasing wildfire protection in Oregon requires action from eleven implementing state agencies under SB 762. This body of work is coordinated by the State Wildfire Programs Director, advised by WPAC, to:

- Minimize loss of life and property,
- Protect the lives of firefighters,
- Protect and manage Oregon's forest assets, and
- Reduce wildfire risk for communities and development.

¹ <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/SB762/Enrolled>

² <https://olis.oregonlegislature.gov/liz/2022R1/Downloads/MeasureDocument/SB1533>

³ <https://www.oregon.gov/gov/policies/Pages/wildfire-programs-council.aspx>

More than 2,000 wildfires in 2020 burned more than 1.2 million acres in Oregon, causing unprecedented deaths and damage to homes, livelihoods, and the natural environment. The 2020 Labor Day fires had the following impacts:^{4 5 6 7}

- Nine lives lost;
- More than 5,000 homes and commercial structures burned, including at least 1,500 manufactured homes;
- Thousands of Oregonians displaced;
- 420,800 Oregonians were in Level 1 Evacuation status on September 14, 2020;
- Interstate I-5, Highway 22, and Highway 101 were among many transportation routes closed for multiple miles due to fire hazards in the area;
- Hazardous air quality throughout most of Oregon, with Portland metro area air quality worse than any major city in the world at the time;
- 2020 fire suppression costs exceeded 1 million dollars;
- Cost of physical damages related to 2020 fires—more than 1 billion dollars based on initial assessments from local and state agencies conducted in October 2020, considering response and emergency protective measures and costs to repair and or replace damaged public infrastructure to pre-disaster condition (likely to be eligible for partial reimbursement through the Federal Emergency Management Agency (FEMA) Public Assistance grant program); and
- As of August 2022, FEMA has obligated \$332,841,123 to the State from the Public Assistance Program to reimburse local, Tribal, and state government agencies and non-profits for disaster response and recovery, including debris removal, emergency protective measures, and permanent restoration of facilities.

Over the past several decades, wildfires and the acreage burned in Oregon has increased dramatically. The numbers reveal in how much the damage caused by the state’s wildfires has grown in just 30 years:⁸

- 1992-2001: 199,000 acres burned annually
- 2002-2011: 314,000 acres burned annually
- 2012-2021: 720,000 acres burned annually

In a June 2022 poll, 93 percent of Oregonians reported viewing wildfires as a threat to people living in Oregon. One year prior, in May 2021, 68 percent of Oregonians saw wildfires as a threat to their own community.⁹ Wildfire risk is projected to increase across the state, as we face a future with hotter, drier, and longer summers. Increasingly negative and persistent impacts of wildfire are expected to affect personal safety, mental and physical health, Oregon’s communities, economy, built environment, recreation, working lands, and natural environment.¹⁰

⁴ Advancing Wildfire Protection, March 2022, Report 2; https://www.oregon.gov/gov/policies/Wildfire_Programs_Council/Documents/Wildfire-Prog-Dir-Rpt_March-2022.pdf

⁵ <https://www.corvallisadvocate.com/2022/wildfire-recovery-programs-focus-on-manufactured-homes-lost-in-2020-wildfires/>

⁶ Oregon Department of Emergency Management, <https://storymaps.arcgis.com/stories/6e1e42989d1b4beb809223d5430a3750>

⁷ Oregon Department of Emergency Management, <https://wildfire-auth.oregon.gov/Updates/Wildfire-Recovery-Update-2-15-22-EN.pdf>

⁸ Doug Grafe, Wildfires Program Director, Office of Governor Brown, presentation to the Senate Interim Committee on Natural Resources and Wildfire Recovery, June 2, 2022

⁹ Oregon Values and Beliefs Center, June 29, 2022: Wildfire Opinion Poll. <https://oregonvbc.org/wildfire/>

¹⁰ Oregon Natural Hazards Mitigation Plan, 2020; p. 13, p. 22; https://www.oregon.gov/lcd/NH/Documents/Approved_2020ORNHMP_00_Complete.pdf

How serious is the threat of wildfire? 2021-2022

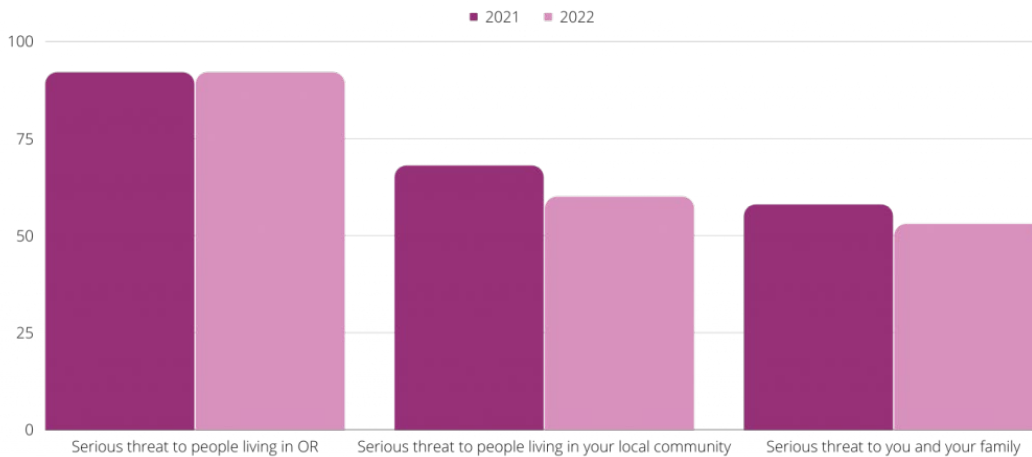


Figure 1. Oregon Values and Beliefs Center, June 2022 Wildfire Opinion Poll

SB 762 State Agency Coordination

As directed by SB 762, 11 state agencies are working together to reduce wildfire risks and impacts to Oregonians and the built and natural environment. As one of the implementing agencies, DLCD has been consulting and coordinating with partner agencies working on land use and related implementation elements required under SB 762 throughout the process of developing this recommendations report. A brief overview of these agencies' charge under SB 762 follows.

The Department of Land Conservation and Development

DLCD's work is focused on making recommendations on changes to statewide land use planning, local land use plans, and zoning codes to help reduce risk from wildfires and make communities safer. DLCD's charge under SB 762 includes:

- Identifying recommended changes to the statewide land use planning program and local comprehensive plans and zoning codes that are needed to incorporate wildfire risk maps and minimize wildfire risk, including appropriate levels of state and local resources necessary for effective implementation.
- Recommended changes may include, but need not be limited to, provisions regarding sufficient defensible space, building codes, safe evacuation, and development considerations in areas of extreme and high wildfire risk, allowing for regional differences.
- On or before October 1, 2022, the department shall report to a committee or interim committee of the Legislative Assembly related to wildfire, in the manner provided in ORS 192.245, to the State Wildfire Programs Director and to the Wildfire Programs Advisory Council on the changes recommended by the department.
- As necessary to identify recommended changes, the department may consult with the State Fire Marshal, the State Forestry Department, the Department of Consumer and Business Services, and local governments.

Oregon Department of Forestry

SB 762 Section 7 required the Oregon Department of Forestry (ODF) in collaboration with Oregon State University (OSU) to map Oregon's wildland-urban interface (WUI) and designate every tax lot in Oregon with one of five classes of wildfire risk. A statewide map of wildfire risk, based on Board of Forestry-approved rules defining the WUI and criteria for wildfire risk mapping and to identify and classify the WUI, was required to be effective June 30, 2022. Readers may view the final adopted Forestry rules [here](#).¹¹ SB 762 directed ODF to display the WUI boundary and fire risk classes and include spatial data displaying the location of socially and economically vulnerable communities. The wildfire risk map has been suspended while ODF works to further engage communities to refine the risk mapping and the appeals process. A new draft wildfire risk map is anticipated in March 2023. Once finalized, anticipated between October and December 2023, the risk map will be accessible using the [Oregon Wildfire Risk Explorer](#).¹²

Department of Consumer and Business Services

The Building Codes Division of the Department of Consumer and Business Services (BCD/DCBS) is updating building codes standards that will help make new one-and-two family homes more fire-resistant. BCD is developing building code rules, as specified under SB 762, Section 12, that will:

- Amend the current [Oregon Residential Specialty Code \(ORSC\)](#)¹³ Section R327 (Wildfire Hazard Mitigation) to apply to all new dwellings and the accessory structures of dwellings in extreme and high wildfire risk classes in the WUI.
- Amend the current ORSC Section R327 to extend wildfire hazard mitigation building code standards to apply to existing dwellings that are having exterior elements replaced.
- Additionally, BCD is working on an interactive tool to work in conjunction with the Oregon Wildfire Risk Explorer that will display wildfire hazard mitigation standards covered in Section R327 of the ORSC.

It is important to note that ORSC only applies to one-and-two family homes. Many dwellings and other buildings and structures are not covered by the ORSC, such as multifamily dwellings, commercial buildings, agricultural buildings on farms, manufactured housing, and certain temporary structures such as recreational vehicles or RVs. Building codes for structures that are not covered in the ORSC are not required to be updated under SB 762. Additionally, ORSC is a "minimum/maximum" code. This means that a builder must construct at least to the minimum code standard but is free to voluntarily exceed code (minimum) while local building departments cannot require more than what is in the code (maximum). As directed in SB 762, Section R327 will apply only in high and extreme wildfire risk areas that are also in the WUI, as shown on the risk map. Local governments are not allowed to require application of the code, or any part of the code, outside the area designated in SB 762, although homeowners and developers may voluntarily comply with those standards.

Oregon has a uniform statewide building code that is intended to provide consistent and predictable building standards and equal protection across the state. However, in January 2019, BCD amended ORSC R327 to make it available for local adoption. Through this voluntary program, several jurisdictions in Oregon adopted the [2019](#)

¹¹ <https://www.oregon.gov/odf/aboutodf/pages/proposedlawsrules.aspx>

¹² <https://oregonexplorer.info/topics/wildfire-risk>

¹³ <https://codes.iccsafe.org/content/ORRSC2021P1/copyright>

[ORSC: R327.4 Wildfire Hazard Mitigation](#)¹⁴ with modifications. These jurisdictions are required to rescind their codes and related land use regulations to comply with updated Section R327 for areas that are not mapped as extreme or high risk and in the WUI. Local authority to apply ORSC R327 more broadly will no longer be available once the updates are completed.

As of the writing of this report, BCD is in the process of amending ORSC Section R327 to align with the scope and application of the statewide wildfire risk map created under SB 762. These changes were originally anticipated to be adopted by October 1, 2022, with a six-month phase in period. Due to the rescinding of the wildfire risk map, the effective date of the new code requirements will be based on when the wildfire risk map is available. More information regarding the timeline and adoption process is available on [BCD's wildfire hazard mitigation webpage](#).¹⁵

Oregon Office of State Fire Marshal

The Oregon Office of State Fire Marshal (OSFM) is working to make homes and communities safer through defensible space actions that will help firefighters better protect homes and other buildings in the high and extreme risk classes in the WUI. Under Section 8 of SB 762, statewide minimum defensible space code provisions are currently being developed by OSFM. The [Oregon Defensible Space Code](#)¹⁶ must be adopted by December 31, 2022. Due to the rescinding of the wildfire risk map, the effective date of the new defensible space code requirements will be based on when the wildfire risk map is available. SB 762 allows local governments to adopt and enforce local requirements for defensible space that are greater than the minimum statewide requirements established by the State Fire Marshal; the locally adopted standards must be selected from the framework set forth in the International Wildland-Urban Interface Code.

Related to defensible space and land use, SB 762 also states that the minimum defensible space requirements established by the State Fire Marshal may not be used as criteria to approve or deny an amendment to a local government's acknowledged comprehensive plan or land use regulations; a permit, as defined in ORS 215.402 or 227.160; a limited land use decision, as defined in ORS 197.015; or an expedited land division, as defined in ORS 197.360. However, a local government may:

- Amend the acknowledged comprehensive plan or land use regulations of the local government to include the defensible space requirements; and
- Use the requirements that are included in the amended acknowledged comprehensive plan or land use regulations as a criterion for a land use decision.

Additionally, OSFM provides grant funds through its Community Risk Reduction program and Response Ready Oregon program using a variety of criteria to determine eligibility. The Response Ready program is focused on increasing fire service capacity. These criteria include vulnerable communities as identified on the risk map. These OSFM assistance programs must give priority to the creation of defensible space, per SB 762 Section 8a:

- On lands owned by members of socially and economically vulnerable communities, persons with limited proficiency in English and persons of lower income as defined in ORS 456.055;

¹⁴ <https://www.oregon.gov/bcd/laws-rules/Documents/rules/20190124-wildfirehazard-pr.pdf>

¹⁵ <https://www.oregon.gov/bcd/codes-stand/Pages/wildfire-hazard-mitigation.aspx>

¹⁶ <https://www.oregon.gov/osp/programs/sfm/pages/oregon-defensible-space-code.aspx>

- For critical or emergency infrastructure; and
- For schools, hospitals and facilities that serve seniors.

III. Community and Stakeholder Engagement: What We Heard

Starting in April 2022, DLCD staff engaged community members and stakeholders from across Oregon in a robust engagement and consultation process to develop the draft recommendations for reducing wildfire risks to communities. This engagement included virtual community listening sessions, an online open house and survey, five meetings with a diverse [Wildfire Adapted Communities Stakeholder Group](#),¹⁷ one-to-one interviews with additional stakeholders, direct outreach to community based organizations, and several meetings with representatives and leadership from two federally recognized Tribes. In addition to community members broadly, staff sought input and guidance from:

- The [Land Conservation and Development Commission](#)¹⁸ (LCDC or the commission),
- State agencies
- Tribal governments
- Local governments
- Wildfire mitigation experts
- Local fire agencies
- Interested parties

In April 2022, DLCD staff and consultants held four regionally focused virtual community listening sessions that provided an opportunity for participants to discuss specific regional concerns and wildfire concerns generally. More than 150 people representing 117 organizations joined the sessions from across Oregon. A detailed summary of the listening sessions is included in the *Community and Stakeholder Engagement Summary*, available on the [DLCD wildfire project website](#).¹⁹

The Wildfire Adapted Communities Stakeholder Group (Stakeholder Group) met five times between May and August 2022. Members from across Oregon represented a broad spectrum of perspectives, interests, and organizations, including individuals from fire affected communities and historically underrepresented populations. Members were invited to share their unique experience and views with DLCD project staff on wildfire mitigation efforts to increase the safety and health of all Oregonians. Sometimes members had conflicting points of view. Representing such diverse perspectives, members were not expected to reach agreement on direction or specific recommendations; however, their guidance was critical in developing these recommendations. Stakeholder Group meetings were streamed live for remote viewers. Meeting materials, presentations, recordings, and summaries are available on the [DLCD wildfire project website](#).²⁰

Additionally, DLCD staff and consultants prepared an [online open house](#)²¹ and survey (both available in English and Spanish) to further engage Oregonians. As of September 1, 2022, 397 people completed the survey. The following table shows the top five responses to the survey question “What principles should guide DLCD’s

¹⁷ https://www.oregon.gov/lcd/NH/Documents/Wildfire_Adapted_Communities_Stakeholder_Group_List.pdf

¹⁸ <https://www.oregon.gov/lcd/Commission/Pages/index.aspx>

¹⁹ <https://www.oregon.gov/lcd/NH/Pages/Wildfire-Adapted-Communities.aspx>

²⁰ <https://www.oregon.gov/lcd/NH/Pages/Wildfire-Adapted-Communities.aspx>

²¹ <http://wildfireadaptedoregon.com/>

recommendations for making Oregon communities more resilient to wildfires?”, which informed the guiding principles used by DLCD staff in the development of the recommendations. Additional survey results are included in *Community and Stakeholder Engagement Summary*.

| Response to 2022 DLCD Survey Question: What principles should guide DLCD’s recommendations for making Oregon communities more resilient to wildfires? | |
|--|--|
| 77% | Protect human life |
| 57% | Protect homes of people |
| 52% | Protect important infrastructure |
| 51% | Protect community assets that are critical to recovery |
| 50% | Protect environmental resources |

The guiding principles that emerged from the broad engagement process, in addition to the survey results, include:

- Protect human life from the growing risks of wildfires.
- Increase the ability of Oregon communities to withstand and recover from wildfires.
- Focus on achieving equitable outcomes and increasing community capacity, with greater attention given to historically and currently underserved and under-resourced communities.
- Protect and increase the resilience of important infrastructure and community assets, particularly those that are critical to survival and recovery.
- Protect the natural environment we all depend on and the places where people live, work, and gather.
- Work with communities to identify regional and local differences for consideration within the context of Statewide Land Use Planning Goals to mitigate wildfire risk.
- Consider local capacity and state support in the implementation of wildfire mitigation measures.

The draft recommendations report was available for public comment between August 19 and September 16, 2022. DLCD sought feedback through interviews with members of the Wildfire Adapted Communities Stakeholder Group, meetings with stakeholders and agency partners, invitations to elected leaders and Tribal governments, a Latino community focus group, two virtual community listening sessions with 49 participants, and a local government survey, in addition to written public comment. Public comment was received from Oregon State Legislators; county and city commissioners and staff; Tribal, state agency, and commission staff; statewide professional associations and advocacy organizations; community-based organizations; planning consultants; and individuals. LCDC also received written and verbal comments on the draft recommendations at their September 22, 2022 meeting. Additional information is included *Community and Stakeholder Engagement Summary*.

Overarching Themes

Several overarching themes emerged from the community and stakeholder engagement process:

- Oregonians are concerned about wildfire and eager for the state to take action to protect communities.
- Oregonians are motivated to take action to protect their homes, families, and communities from wildfire.
- Equity must be considered throughout (before, during, and after a wildfire).

- Better interagency and intergovernmental, including Tribal governments, coordination, communication, and collaboration are required to mitigate, prepare, respond, and recover from wildfire disasters.
- People want and need accessible, reliable education and communications before, during, and after a wildfire to protect lives and property and support recovery. Language accessibility is a challenge at all stages. Access to broadband in some parts of the state is a challenge to receiving information, compounded in some cases by lack of access to technology and digital literacy.
- A one-size fits all approach will not work. Consider potential impacts on rural and unincorporated communities.
- Consistency in application has benefits.
- Evacuation planning should consider the characteristics of the community and allow for location specific differences.
- Federal land managers need to be involved in assessing and addressing transportation access for safe evacuation and response, particularly in rural areas.
- Multiple transportation routes, street connectivity, and sufficient site access are critical for efficient evacuation of residents and access for emergency response vehicles.
- There may be conflicting development and land use considerations.
- There is tension between development and private property interests and extending protections broadly across a community to ensure the protection of people and property.
- Statewide planning efforts need to be flexible for local communities and should balance the needs of individuals and the community.
- Concerns about not having requirements, such as for defensible space and wildfire resilience building codes, and resources to implement in areas not identified as extreme or high risk.
- Infrastructure and provision of utilities like water, sewer, septic, and electricity should accommodate heightened wildfire risk.
- Watersheds and community water supplies need to be protected and managed to reduce impacts from wildfires.
- Funding and resources should be made available to local governments and private community members for planning, implementation, and education for any land use programs designed to reduce wildfire risks.
- Staff capacity at the local government level varies around the state and should be considered regarding implementation (e.g., timing, phasing, level of support).

During the community engagement process, several topics were raised that are not within DLCD's purview to address through land use recommendations or that have been deferred for possible future research by the department. A summary of these topics is included in Appendix A: Potential Topics for Future Consideration.

Tribal Government Consultation

Coordination and consultation with Oregon's nine federally recognized Tribes involved formal letters to Tribes' leadership and staff inviting consultation. Staff followed the letter by meetings with representatives who were interested in engaging at a staff-to-staff level. These included the Coquille Indian Tribe and the Cow Creek Band of the Umpqua Tribe of Indians. DLCD staff kept Tribal government representatives apprised of major milestones throughout the development of the recommendations, including inviting review and comments on the draft

land use recommendations. Issues raised by Tribal representatives in these discussions and follow up engagement include:

- The importance of protecting and managing cultural resource sites not only on Tribal lands but throughout ancestral land, especially in emergency situations and in planning processes. There is currently a lack of coordination and notification by emergency managers with the Tribes.
- DLCDC should complete its Goal 5 rulemaking process to help inform local jurisdictions about how to identify and coordinate on protecting and managing resources which might be damaged by wildfire (and related suppression activities).
- Tribal members that live in the WUI lost homes in 2019-2020 and were displaced or impacted by smoke and air quality hazards.
- Access to resources and information to encourage people to do clearing for defensible space.
- Safe evacuation concerns in areas of limited transportation access.
- Interest in long-term planning and impacts to land that the Tribes may want to use down the road.
- Any change in land use that might occur on land adjacent to Tribal land that might impact Tribal land, especially land held in trust.
- Ensuring that lands that come into development are being planned to reduce wildfire risk.
- Interest in access to and integration of Geographic Information System (GIS) data into Tribal GIS system. Additionally, access to simplified risk maps and data equity are important.

IV. Recovery Lessons Learned

DLCDC has the lead responsibility for State Recovery Function #1: Community Planning and Capacity Building. Barriers to recovery and opportunities to increase community resilience identified during the recovery and rebuilding process from past wildfires, including the 2020 wildfires, provided additional context for the development of these recommendations. Key themes related to recovery and rebuilding identified by Governor's Wildfire Economic Recovery Council²² and during the community engagement process include:

- The importance of helping people remain in their communities.
- The need for clear and coordinated information sharing about recovery resources that are available from local, state, and federal sources, and for preparedness and evacuation planning, with specific attention to language and technology access needs.
- Building communities back better by:
 - Asking communities—especially rural communities—what opportunities are needed to lift them up in a way that hasn't been available before.
 - Rebuilding homes and structures that are safe, cost effective, and more energy efficient.
 - Rebuilding in an equitable way that ensures communities have better access to affordable housing and other programs.
 - Considering how and where we build: rebuilding more fire-resistant communities with risk reduction and mitigation in mind to avoid future fire and other hazards and threats, like floods and landslides.

²² *Recovering & Rebuilding from Oregon's 2020 Wildfires: Key Findings & Recommendations, Governor's Wildfire Economic Recovery Council*, January 4, 2021, pp. 18-19;
<https://digital.osl.state.or.us/islandora/object/osl%3A987568/datastream/OBJ/view>

- Shoring up important utility services such as power lines, sewer and septic systems, and broadband services.
- Evaluating and updating land use processes to better facilitate rebuilding.
- Updating and strengthening WUI strategies and codes.
- Updating natural hazard mitigation plans in partnership with local governments and Tribes, including reviewing risk assessments and priorities for public safety and infrastructure mitigation actions and recovery strategies, and developing risk assessments and prioritizing mitigation actions and recovery strategies for natural resources and cultural resources.
- Recognizing the need for assistance to unincorporated communities in preparing for natural disasters and recovery, whether through grants, technical assistance, staff support, or otherwise.

V. Recommendations

Background

Comprehensive land use planning plays an important role in helping communities mitigate wildfire and other natural hazard risks. Oregon’s planning program provides a policy framework that supports local implementation of strategies that reduce the risks to people and property.²³ Statewide Land Use Planning Goal 7: Areas Subject to Natural Hazards, is central to this framework. Goal 7 requires cities and counties to include planning for natural hazards in their adopted comprehensive land use plans.

The following six recommendations reflect what DLCD heard from community members and leaders about the role land use can play in addressing and mitigating wildfire risk in communities, informed by best practices, including strategies some Oregon communities are already implementing. How and where the built environment exists and expands directly affects how effectively communities can increase their resilience to wildfire. DLCD’s recommendations focus on land use planning actions at the community, subdivision, or neighborhood scale. These recommendations are not generally applicable to individual single-family homes.

This distinction recognizes that SB 762 already includes some of the most protective strategies for one- and two-family homes located in the WUI that are in areas of high and extreme wildfire risk: the adoption and implementation of defensible space and home hardening standards. To complement those existing provisions, DLCD staff attempted to identify gaps that, when filled, support existing wildfire regulation, fire and building codes, and development standards. In areas zoned for agriculture, the recommendations do not impose additional requirements on agricultural structures beyond existing law.

The Oregon Legislature will consider these recommendations, along with those of the WPAC, during the 2023 legislative session. Based on those considerations and public input, legislative outcomes from the 2023 session may assign responsibility for implementation to DLCD and its partner agencies. Any implementation assigned to the department by the Legislature would not take place until the wildfire risk map is available, including development of strategies for incorporation of the risk map.

²³ Governor’s Council on Wildfire Response, November 2019: Report and Recommendations, Recommendation 4: Land Use, p. 38; <https://www.oregon.gov/osp/Docs/GovWildfireCouncilRpt-FinalRecs.pdf>

Implementation Options

Each of the recommendations could be implemented in a variety of ways:

- 1) A voluntary approach that allows local governments to proceed at their own pace and develop local solutions;
- 2) A mandatory approach that begins with agency rulemaking, followed by compliance checks, and enforcement; or
- 3) A hybrid approach that begins with a period of voluntary innovation and adoption, includes a timeline for check-in / assessment, and follows with mandatory measures in communities that have not adopted legislatively identified wildfire protections.

A range of strategies could be developed by DLCD to support the above implementation options, including, but not limited to:

- Model polices, code, and guidance for establishing appropriate standards, community engagement best practices, and integration of planning processes; and
- Grant funding for consultants, temporary local staff, technical expertise, and community engagement.

Prioritizing Resources

While these recommendations are available for any city or county to consider and adopt, the Oregon Legislature, when deciding on the best means of implementation, may need to prioritize resources. DLCD recommends the Legislature consider investing first in communities predominantly comprised of properties that are high and extreme risk inside the WUI. Regional differences should also be considered, with implementation timelines and applicability tailored to meet regional needs, community size, local capacity, and other factors. Whatever approach the Legislature takes, each recommendation requires substantial state funding and technical assistance to support local implementation, particularly for cities and counties with limited capacity.

Community Information and Engagement

Recommendation 1: Cities and counties prioritize robust and inclusive community information and engagement in planning efforts to create wildfire adapted communities.

This recommendation aligns with Statewide Planning Goal 1: Citizen Involvement and Goal 7: Areas Subject to Natural Hazards.

DLCD recommends that cities and counties use best practices and a meaningful participatory process to engage community members, particularly those from traditionally under-served and under-represented populations, in planning wildfire adapted communities, which includes preparedness, evacuation, adaptation, mitigation, and recovery planning. DLCD has guidelines online available to assist with these efforts, "[Putting the People in Planning](#)."²⁴ To conduct inclusive engagement and help provide equitable outcomes, DLCD also recommends

²⁴ https://www.oregon.gov/lcd/CPU/Documents/Putting_the_People_in_Planning.pdf

alignment with the state’s [Diversity, Equity, and Inclusion Action Plan](#).²⁵ Understanding the general locations of vulnerable populations can help communities mitigate impacts before a wildfire or can help distribute needed recovery dollars after an event, leading to more equitable and effective outcomes.

Planning for wildfire is most likely to be successful when the entire community participates in the effort, including representatives from fire and emergency management agencies, land use and public works departments, utility providers, school districts, direct service agencies and providers, community-based organizations, and individuals. Plans to mitigate wildfire must recognize the many ways that people interact with and depend on the built and natural environment. Understanding Oregonians’ lived experiences and needs, especially socially and economically vulnerable community members, and prioritizing such needs in planning outcomes can increase overall community resilience and the ability to recover.

Efforts to achieve robust and inclusive community information and engagement include:

- a. Providing information to public officials about community vulnerabilities, and the capabilities of community members to contribute to mitigation efforts, anticipate a wildfire event, and recover from natural hazards and disasters. For example, designing collaborative planning activities that also serve as educational opportunities to generate consensus and understanding of mitigation actions. This increases the likelihood that community members will engage in recommended behaviors.
- b. Intentionally including community groups that have been traditionally under-served, under-represented, and excluded, empowering and building resilience in the community as a whole. Being sure to include elderly, those with mobility challenges or disabilities, those with limited transportation options, and those with limited English proficiency.
- c. Ground truthing, using local expertise to increase ownership and legitimacy for wildfire mitigation planning efforts.
- d. Developing community education materials and events to effectively communicate with all community members.

This recommendation applies to cities and counties that undertake wildfire preparedness, evacuation, adaptation, mitigation, and recovery planning outlined in recommendations two through six; it is not intended as a stand-alone activity.

Safe Evacuation and Firefighting Response

Recommendation 2: Cities and counties assess and improve transportation networks for safe evacuation and firefighting response.

This recommendation aligns with Statewide Planning Goal 7: Areas Subject to Natural Hazards, Goal 11: Public Facilities and Services, and Goal 12: Transportation.

Cities and counties, including emergency management, transportation, and fire agencies, should work across jurisdictional boundaries with regional, state, and federal partners and Tribal governments to assess the existing transportation network, identifying gaps or deficiencies that may hinder safe evacuation of residents and visitors

²⁵ https://www.oregon.gov/das/Docs/DEI_Action_Plan_2021.pdf

and efficient access for firefighting response. The need for safe evacuation is present in all areas of wildfire risk. To address identified gaps or deficiencies in transportation infrastructure needed to support local evacuation plans, cities and counties may need to amend transportation plans, policies, and programs.

This recommendation provides support for addressing a major gap in the protection of human life from wildfires. Currently, communities are not required under state law to prepare and plan for safe evacuation, although many communities have undertaken such efforts. As a result, a patchwork of planning with differing levels of implementation exists across the state. This recommendation provides a foundational element that supports evacuation planning and efficient firefighting response through identification of needed improvements to the transportation network.

An assessment of transportation facilities for evacuation purposes could be included in a local Natural Hazards Mitigation Plan (NHMP). These plans are typically updated every five years, with FEMA funding support. Identification of projects in a NHMP can increase eligibility for federal hazard mitigation grant funds.

Efforts to assess and improve transportation networks for safe evacuation and firefighting response should:

- a. Identify, analyze, and plan temporary safe zones and multiple evacuation routes²⁶ where possible, given existing conditions, needed improvements, and the need for ongoing maintenance.
- b. Consider strategies to provide, where possible, secondary access during an emergency for existing neighborhood development with a single access point (e.g., agreements allowing evacuation through public or private property, including locked gates, before and during wildfires).
- c. Identify evacuation needs and opportunities and consider mutual aid agreements with transit agencies and/or school districts to provide evacuation assistance for those without reliable access to private vehicles.
- d. Provide and maintain visible, durable signage for evacuation zones and temporary safe zones. Communities that use zonal evacuation²⁷ establish numbered evacuation zones in advance of a fire. A city or county evacuates by zone number as needed, depending on where the fire is coming from. Permanent signs are used to designate the boundaries of each zone.
- e. Improve eligibility for FEMA funding by identifying evacuation related transportation projects including improvements, maintenance, development of secondary access routes and temporary staging areas, and addressing needs of people without reliable access to private vehicles.
- f. To address identified gaps or deficiencies in transportation infrastructure needed to support local evacuation plans, cities and counties should amend transportation plans, policies, and programs. These may include Transportation System Plans; transportation management, operations, and maintenance plans; Capital Improvement Plans; and NHMPs and appropriate portions of Comprehensive Plans and zoning codes. The amendments would ensure the community's network of transportation facilities is planned, managed, and maintained to support effective responses to wildfires. DLCDC recognizes that cities and counties may already be engaged in evacuation planning; this recommendation is intended to support those efforts through land use and transportation planning.

²⁶ An evacuation, or escape, route is typically focused on private vehicle access, however use of multi-modal transportation networks for evacuation can allow people to use other means to travel to an assembly location for transport by bus or otherwise.

²⁷ Zonal evacuation planning and management organizes a community into zones with identified escape routes. The City of Ashland employs this type of system: <https://www.ashland.or.us/Page.asp?NavID=18126>.

Recommendation 3: Cities and counties review and amend local land use codes for new development to ensure safe evacuation and efficient firefighting response.

This recommendation aligns with Statewide Planning Goal 7: Areas Subject to Natural Hazards, Goal 11: Public Facilities and Services, and Goal 12: Transportation.

In coordination with state and local emergency management and fire agencies, review and amendment of zoning and land division codes to increase street connectivity and site access for new development is intended to support safe evacuation of residents and visitors and efficient firefighting and other emergency response. Because of constant change in the landscape and wildfire conditions, it is vital that communities ensure that subdivisions, manufactured home parks, retail centers, and other areas with multiple structures are planned and built to have more than one access road in and out with sufficient grade and widths for firefighting equipment and personnel.

Review and amend local zoning codes and processes to address the following:

- a. Prioritize street connectivity, development layout, and lot placement for new subdivisions, commercial areas, residential neighborhoods, and other areas with multiple structures, where practicable, to provide multiple evacuation routes.
- b. To support implementation of existing requirements of the Oregon Fire Code adopted by the State Fire Marshal under ORS 476.030, provide notice of all development applications to the local fire agency and the Office of the State Fire Marshal with an opportunity for review and comment to ensure implementation of Oregon Fire Code standards for site access and driveways, hydrant placement, and water supply.
- c. For temporary uses such as special events or outdoor mass gatherings, review and update, as needed, fire protection and ingress and egress standards in consultation with the fire agency having jurisdiction or the State Fire Marshal.
- d. Establish a waiver or similar process for cases where geography, property configuration, lack of legal access, and other factors may prevent certain locations from complying.

Wildfire Risk Mitigation Requirements for Areas of New Development

Recommendation 4: Cities and counties review and amend comprehensive plan policies and implement land use codes to incorporate wildfire risk mitigation requirements for new development.

This recommendation aligns with Statewide Planning Goal 7: Areas Subject to Natural Hazards, Goal 8: Recreational Needs, and Goal 11: Public Facilities and Services. However, recommendations related to urban growth under Goal 14: Urbanization are not included in this report, this topic has been deferred for future consideration.

Updated comprehensive plan policies and implementing land use codes that govern new development are intended to reduce wildfire risk at the community or neighborhood and subdivision scale, with standards or applications that may differ depending on the scale or type of development. These land use strategies are

intended to complement existing state building code and defensible space requirements which help to reduce the threat of home-to-home ignitions in higher-density areas.

Cities and counties should review and amend local comprehensive plans, zoning, and land division codes to require land use wildfire mitigation standards for new development or substantially improved buildings,²⁸ including rebuilding after natural disasters. Consider applicable policies and actions identified in adopted Natural Hazards Mitigation Plans and Community Wildfire Protection Plans. Amendments should include:

- a. Site and Design Standards.
 - i. Design and Approval Standards. Site design and land division approval standards that encourage clustering of structures in the lowest area of risk for a particular site, structure spacing standards, density modification, and other types of flexibility for new subdivisions, Planned Unit Developments, manufactured home parks, and commercial development of considerable size or scale, such as shopping centers, campuses, destination resorts, and large hotels.
 - ii. Fire Breaks and Buffers. Incorporate roads, parking lots, parks, trails, golf courses, and other natural and built features, where practicable, to protect people and property from wildfire encroachment.
 - iii. Setbacks and Siting. Incorporate setback and siting standards to minimize development on or atop steep slopes. Create separation between structures to reduce ignition risk (except where structures are constructed to meet ignition-resistant construction standards). Establish setbacks from adjacent wildland areas.
- b. Defensible Space. Align local defensible space standards or references with the statewide minimum defensible space code established by the Oregon Office of State Fire Marshal or locally adopted defensible space standards selected from the framework set forth in the International Wildland-Urban Interface Code as allowed under SB 762.
- c. Public Facilities.
 - i. Parks and Open Space. Review and amend open space and parks master plans to incorporate policies that address fire breaks, fire mitigation, and long-term vegetative maintenance to reduce risk in parks, open spaces, and trail areas.
 - ii. Provision of Services. Increase coordination and consultation with State Fire Marshal, local fire agencies, and public and private water providers when planning for areas of new development to evaluate and plan for the provision of fire services and sufficient water flow and pressure needed to address structural ignition.
 - iii. Location and Resilience of Facilities. Consider and address wildfire risk when planning, developing, substantially improving, or replacing public facilities and services. Evaluate opportunities to increase the resilience of water, wastewater, and other critical infrastructure. Protect future water, sewer, transportation, and communication facilities from wildfire risk whenever possible, especially infrastructure vital for wildfire recovery.
- d. Types of Uses.
 - i. Incorporate wildfire mitigation measures in the siting and development of facilities with concentrated, vulnerable populations, such as schools, hospitals, assisted living facilities, clean air shelters, prisons, infrastructure, and community lifelines.

²⁸ Substantially improved building as defined by FEMA is included here as an example; <https://www.fema.gov/node/405414#>. Cities and counties may have similar definitions that rulemaking would clarify.

- ii. Incorporate wildfire mitigation measures in the siting and development of facilities that manufacture, use, or store hazardous combustible materials. Where facilities of this type must be developed, require adequate fire risk mitigation measures consistent with state and federal requirements. Agricultural exemptions may apply in certain circumstances.
- e. Private Covenants. Ensure that private covenants cannot be used to reduce or diminish the applicability of wildfire mitigation standards.
- f. Waivers. Establish a waiver or similar process for circumstances where geography, property configuration, legal access and other factors may prevent certain locations from complying with the above.

Recovery Planning

Recommendation 5: Cities and counties prepare for post-disaster recovery in local communities through recovery planning.

This recommendation aligns with Statewide Planning Goal 7: Areas Subject to Natural Hazards.

After a wildfire disaster, cities and counties often need additional capacity to process land use and related permit applications and engage in broader community recovery efforts to support rebuilding and the return of people to their communities in timely manner. For example, 2020 post-wildfire recovery efforts required several local governments to undertake significant and urgent flood hazard work, with help from DLCD's National Flood Insurance Program Coordinator. DLCD grants aided several local government planning offices, which were overwhelmed with permit applications, by funding contract planners. Recovery planning in advance of a hazard ensures that policies, regulations, systems, and documents are in place to facilitate recovery. Pre-planning reduces barriers and can help impacted communities recover more quickly.

While DLCD's recommendations primarily focus on wildfire mitigation, recovery professionals and those with lived experience recognize that hazards overlap; that Oregon is vulnerable to a wide range of hazards; hazard events can recur; and that many hazards will increase with climate change. For instance, wildfire can increase risk from flooding and landslides because after a wildfire, the charred ground repels rainwater, increasing the risk of flooding and debris flows for several years. Intense storms can then lead to severe flooding and landslides.²⁹

A programmatic approach to support cities and counties after wildfire or other disasters would include:

- a. DLCD assistance with pre-disaster recovery planning to minimize the impact of future fires and associated natural hazard risks and to develop more wildfire resilient communities.
- b. Preparations to support local staff post-disaster.
- c. Delivery of post-disaster professional services, including the processing of land use approvals to expedite the rebuilding of wildfire-impacted communities.

This recommendation provides support to cities and counties regardless of wildfire risk levels.

²⁹ Oregon's 2017 Integrated Water Resources Strategy. Oregon Water Resources Department, p. 86;
<https://www.oregon.gov/OWRD/programs/Planning/IWRS/Pages/default.aspx>

Areas Subject to Natural Hazards

Recommendation 6: Cities, counties, special districts, and Tribes increase the effectiveness of natural hazards planning through coordination of Community Wildfire Protection Plan and Natural Hazard Mitigation Plan processes and adoption of policies and actions into comprehensive plans and codes.

This recommendation aligns with Statewide Planning Goal 2: Land Use Planning and Goal 7: Areas Subject to Natural Hazards.

Goal 7 directs local governments to address natural hazards in their comprehensive land use plan by adopting a natural hazard inventory, policies, and supporting land use codes developed through a public planning process. Lack of information, capacity, and funding has resulted in minimal natural hazards planning in some communities.³⁰

Additional natural hazard mitigation planning technical assistance to cities, counties, Tribes, and special districts could result in the following outcomes:

- a. Streamlined community wildfire protection and natural hazards mitigation planning processes that could save financial and staff (local, state, university) resources.
- b. Ensuring that wildfire and natural hazard mitigation strategies related to land use are implemented through actionable Comprehensive Plan policies and implementing codes.
- c. Better coordination between planning efforts and development of land use policies and codes. For example, model comprehensive plan polices, code, and guidance regarding process could also address overlapping hazards and risk reduction opportunities, such as floodplains and post-fire debris flows; assessing the unique needs of socially vulnerable communities; and implementing equitable engagement strategies.

DLCD is currently piloting projects to update planning processes and integrate updated Community Wildfire Protection Plans (CWPP)³¹ into Natural Hazard Mitigation Plans (NHMP)³² in Linn and Benton Counties. Cities and counties are very interested in additional technical support from DLCD to integrate CWPP and NHMP strategies into their Comprehensive Plans, however they lack local capacity and DLCD does not currently have the funding or staff capacity to provide this service.

A programmatic approach to support cities, counties, special districts, and Tribes would result in coordinated timing of CWPP and NHMP development, updates, and subsequent integration into Comprehensive Plans and land use regulations. DLCD's technical assistance for NHMP updates is funded through FEMA grants; state funding could allow for the additional technical assistance necessary to incorporate a CWPP and NHMP strategies into a comprehensive plan and implementing code, which is not allowed under FEMA funding.

³⁰ Governor's Council on Wildfire Response November 2019: Report and Recommendations;
<https://www.oregon.gov/osp/Docs/GovWildfireCouncilRpt-FinalRecs.pdf>

³¹ <https://www.oregon.gov/ODF/Fire/Pages/CWPP.aspx>

³² <https://www.oregon.gov/lcd/NH/Pages/Mitigation-Planning.aspx>

This recommendation provides support to cities, counties, Tribes, and special districts engaged in community wildfire protection and natural hazards mitigation planning regardless of wildfire risk levels.

State and Local Resources for Implementation

The Legislature asked DLCDC to provide information about “...the appropriate levels of state and local resources necessary for effective implementation.” The following is a summary of initial data and preliminary research that are a starting point for determining future needed state and local resources. Factors that will help to refine cost estimates include having the final wildfire risk map to better understand where the recommendations might apply (e.g., how many counties and cities are affected), direction from the Legislature regarding voluntary, mandatory, or hybrid implementation, and further input from local governments as implementation strategies are refined.

Strategically invested, state funding can be leveraged to access more federal funding for local governments. As noted in the recommendations, increased ability to access federal funding by local governments and the state could bolster implementation of local wildfire mitigation strategies, particularly related to recovery planning, the development of community wildfire protection plans and natural hazard mitigation plans, and implementation of identified projects. Local governments have expressed a desire to directly access additional federal dollars, but limited staff capacity to apply for and manage federal grants prevents many communities from availing themselves of these resources. Increased programmatic support from DLCDC is one way of accessing federal dollars, pass through grants are another possibility.

To support communities with wildfire mitigation, DLCDC has submitted a two-year budget request to the Governor’s Office for a total of \$611,000. Policy Option Package (POP) 202, entitled “Wildfire Adapted Communities,” proposes funding three positions and providing outreach, technical assistance, policy research, and any program development or rulemaking the Legislature directs the department to undertake. This budget request does not contain any grant funding the Legislature may wish to distribute to communities. As noted above, the department plans to submit a future budget request to fund local implementation based on refined cost estimates developed in consultation with local governments during the development of implementation programs, as directed by the Legislature.

Preliminary research by the department to identify needed resources and associated costs for implementing the recommendations used several methods, including a local government survey, conversations with stakeholders such as the Association of Oregon Counties (AOC) and the League of Oregon Cities (LOC), and review of prior DLCDC Technical Assistance grants. There are many variables informing the following estimates. This information is intended as a starting point for further conversations.

Local Government Survey

DLCDC reached out to city and county partners through a local government survey and webinar to gain a better understanding of needed local resources and the potential cost of implementation for each of the six recommendations. 28 people responded to the survey and 23 people attended the webinar, representing 14 cities, 19 counties, one council of governments, and two fire districts. The survey provided information on where communities are in their work to address wildfire risk, which is one factor that determines future costs. For

example, more than half of the survey respondents have a FEMA-approved natural hazards mitigation plan and about one-third have an up-to-date community wildfire protection plan. Other implementation strategies had lower numbers in terms of completion, with many communities planning to coordinate their wildfire mitigation work with other plans and programs. Many respondents noted that they are awaiting state guidance before embarking on wildfire mitigation work. Model code and grant assistance were the leading types of needed resources identified in the survey, followed closely by the need for additional staff and consultant support. Cost estimates to complete the work to support the recommendations varied greatly. This reflects the variety of wildfire mitigation efforts already in place in some communities, the anticipated scale of the effort, and existing capacity. Local governments that have completed some of the elements have a better sense of the required person-hours and consultant support needed.

Survey results from a selection of counties and cities representing a diversity of sizes and locations around the state are shown in Figure 2 and Figure 3, respectively. Estimated costs for implementation range broadly. Several communities have already engaged in wildfire mitigation work, while others have not. Survey results reflect a range of community needs. Some communities have completed work tasks related to the recommendations, while others have not started this work. Some communities already account for ongoing costs in existing budgets, such as updating a community wildfire protection plan or natural hazards mitigation plan, thus did not identify a need for additional resources.

Figure 2. Summary of Select County Responses to Local Government Survey

| | Baker | Clatsop | Deschutes | Jackson | Morrow | Wasco |
|---|----------------------------|-------------------------|--------------------------------|--------------------------------|--------------------------------|----------------------------|
| Assess transportation network for safe evacuation and firefighting response (Rec. 2) | \$25,000-\$50,000 | <\$25,000 | \$50,000-\$100,000 | \$50,000-\$100,000 | \$25,000-\$50,000 | \$100,000-\$150,000 |
| Amend land use codes for new development for safe evacuation and firefighting response (Rec. 3) | \$25,000-\$50,000 | No additional resources | \$50,000-\$100,000 | \$50,000-\$100,000 | \$25,000-\$50,000 | \$50,000-\$100,000 |
| Review/amend comp plan policies and implement land use codes for wildfire standards for new development (Rec. 4) | \$25,000-\$50,000 | No additional resources | \$50,000-\$100,000 | \$50,000-\$100,000 | \$25,000-\$50,000 | \$50,000-\$100,000 |
| Recovery planning (Rec. 5) | \$25,000-\$50,000 | >\$100,000 | >\$100,000 | >\$100,000 | \$25,000-\$50,000 | \$50,000-\$100,000 |
| Develop a Community Wildfire Protection Plan (Rec. 6) | No additional resources | <\$25,000 | \$50,000-\$100,000 | \$50,000-\$100,000 | <\$25,000 | \$25,000-\$50,000 |
| Develop a FEMA Approved NHMP (Rec. 6) | No additional resources | No additional resources | \$50,000-\$100,000 | \$50,000-\$100,000 | \$50,000-\$100,000 | \$25,000-\$50,000 |
| Total Range | \$100,000-\$200,000 | \$150,000 | \$350,000->\$600,000 | \$350,000->\$600,000 | <\$175,000-\$300,000 | \$300,000-\$550,000 |

Figure 3. Summary of Select City Responses to Local Government Survey

| | Bend | Central Point | Estacada | La Pine | Madras | Medford | Sisters |
|---|----------------------------|--------------------------------|----------------------------|--------------------------------|--------------------------------|--------------------------------|----------------------|
| Assess transportation network for safe evacuation and firefighting response (Rec. 2) | >\$100,000 | >\$100,000 | >\$100,000 | <\$25,000 | <\$25,000 | \$25,000-\$50,000 | <\$25,000 |
| Amend land use codes for new development for safe evacuation and firefighting response (Rec. 3) | \$50,000-\$100,000 | No additional resources | \$25,000-\$50,000 | <\$25,000 | <\$25,000 | \$25,000-\$50,000 | <\$25,000 |
| Review/amend comp plan policies and implement land use codes for wildfire standards for new development (Rec. 4) | \$50,000-\$100,000 | No additional resources | \$25,000-\$50,000 | \$25,000-\$50,000 | <\$25,000 | \$25,000-\$50,000 | <\$25,000 |
| Recovery planning (Rec. 5) | \$50,000-\$100,000 | \$25,000-\$50,000 | >\$100,000 | <\$25,000 | \$25,000-\$50,000 | >\$100,000 | <\$25,000 |
| Develop a Community Wildfire Protection Plan (Rec. 6) | \$25,000-\$50,000 | \$25,000-\$50,000 | >\$100,000 | <\$25,000 | No additional resources | >\$100,000 | <\$25,000 |
| Develop a FEMA Approved NHMP (Rec. 6) | \$25,000-\$50,000 | <\$25,000 | <\$25,000 | No additional resources | No additional resources | >\$100,000 | <\$25,000 |
| Total Range | \$350,000-\$500,000 | <\$175,000-\$225,000 | \$375,000-\$425,000 | <\$125,000-\$150,000 | <\$100,000-\$150,000 | >\$375,000-\$450,000 | <\$150,000 |

Association of Oregon Counties

AOC reached out to its members and received one detailed estimate of the cost to implement the six recommendations, for a total of \$110,000 plus one FTE staff person (temporary) for the first year, with smaller support and cost estimates needed for ongoing work. The county asked not to be identified but can be described as a medium size county in an area of the state that has medium wildfire risk. Note that this is one estimate from one county. If 36 counties needed to do the same level of work, the total cost for county implementation of the six recommendations could initially be up to \$4 million dollars, not including staffing needs. However, this is a very rough estimate as the actual costs will depend on what level of work a county has already completed, ongoing costs versus one-time investments, and refined implementation requirements/recommendations. Additionally, future needs could vary depending on the county and whether certain ongoing costs are accommodated in local budgets. Finally, it is not clear which recommendations will apply to which counties and how many counties will implement which of the recommendations. Given all the caveats, the \$4 million estimate for the initial year of county implementation should be considered with caution.

DLCD Technical Assistance Grants

Technical Assistance (TA) grants are competitive awards to local governments that fund projects to update a comprehensive plan, to update local land use ordinances, or other planning compliance projects. The grants must align with the department’s priorities provided in the [Grant Allocation Plan](#).³³

For additional information regarding potential costs of needed resources, DLCD staff reviewed several prior TA grant budgets for a variety of cities and counties from the 2021-2023 period. While not specifically related to wildfire mitigation implementation, the examples shown in Figure 4 include many similar elements that could be undertaken, especially under recommendations 3 and 4. The examples include several comprehensive plan and development code review and update projects that required the work of consultants, the formation of a technical advisory committee, and public meetings and hearings. The department requires an inclusive outreach plan and equity and inclusion self-assessment for TA grant projects.

Figure 4. Summary of Select DLCD Technical Assistance Grants, 2021-2023

| | Grant Total | Tasks |
|--|--------------------|---|
| City of Stanfield Comp Plan and development code review and update | \$50,000 | Task 1 – Inclusive Outreach Plan, \$2,000 Task 2 – Project Kick-Off, \$6,000 Task 3 – Draft Comprehensive Plan and Development Code Update, \$25,000 Task 4 – Final Comprehensive Plan and Development Code Update, \$15,000 Task 5 – Equity and Inclusion Self-Assessment, \$2,000 |
| City of Gold Hill municipal code review and update | \$25,000 | Task 1 – Inclusive Outreach Plan \$ 3,000 Task 2 – Code Evaluation \$ 3,000 Task 3 – Public Input \$ 3,000 Task 4 – Draft Amendment \$ 7,000 Task 5 – Code Adoption \$ 8,000 Task 6 – Equity and Inclusion Self-Assessment \$ 2,000 |
| City of Metolius Comp Plan review and update. Included Buildable Land Inventory, updated Capital Improvement Plan, County Transportation Plan elements, natural hazards and natural resources review | \$35,000 | Task 1 – Inclusive Outreach Plan \$ 1,500 Task 2 – Review of Comprehensive Plan \$ 8,000 Task 3 – Inventory Update \$ 10,000 Task 4 – Goals, Objectives, and Policies Review \$ 8,500 Task 5 – Adoption \$ 6,000 Task 6 – Equity and Inclusion Self-Assessment \$ 1,000 |

VI. Conclusions and Next Steps

The 2023 Legislature may pass legislation that enacts some portion of these recommendations. DLCD implementation of legislative direction would include a robust and inclusive community and stakeholder engagement process, whether it is the development of voluntary programs or rulemaking, or a combination thereof. Any implementation assigned to the department by the Legislature would not take place until the wildfire risk map is available. The department plans to submit a 2025-2027 agency budget request for local government implementation funding, pending legislative direction. Phased local implementation may follow, depending on funding availability. If local implementation funding is supported in DLCD’s legislatively adopted budget, grants and resources for local governments would be available.

³³ https://www.oregon.gov/lcd/CPU/Documents/2021-23_Grants_Allocation_Plan.pdf

VII. Appendices

Appendix A. Potential Topics for Future Consideration

Appendix B. Glossary

Appendix A: Potential Topics for Future Consideration

Through the community engagement process, several topics were raised that are not within DLCD's purview to address through land use recommendations or that have been deferred for possible future research by the department. A summary of these topics follows:

Consultation with Tribal Governments

- Fire agencies and other emergency responders should enter into agreements with Tribal governments to address concerns around the protection of cultural resources to ensure communication at the time of a wildfire event to determine locations of cultural resources.
- DLCD should complete its Goal 5 rule review process to help inform local jurisdictions about how to identify and coordinate on protecting/managing resources which might be damaged by wildfire (and related suppression activities).

Emergency Management and Response

- Ensure that public outreach and communication related to wildfire preparedness, evacuation, and response includes up-to-date information that is easy to find and is accessible for people with limited English proficiency or digital access.

Building Codes

- Consider expanding fire hardening building code standards (R 327) beyond the Oregon Residential Specialty Code to dwellings and other buildings and structures that are not covered by the ORSC, such as multifamily dwellings, commercial buildings, agricultural buildings on farms, manufactured housing, and certain temporary structures such as RVs.

Wildfire Risk Mapping

- Use modeling that considers future vegetation changes due to climate change.
- Consider fire modeling that accounts for structural ignition, or homes as fuel.

Defensible Space Funding

- Consider funding access that could be provided upfront to help meet defensible space standards. Much of the grant money available is a reimbursement and not money that is available up front. People may not have access to funds needed up front thus are unable to make needed improvements.

Disclosures

- Disclosure of wildfire risk at property sale.

Landscaping, Buffering, and Screening

- Use fire-resistant materials and plants for fencing and hedges.
- Develop landscaping standards that require fire-resistant plants and requirements for hazardous vegetation management plans.

Growth Management

- Conduct policy research to determine the advantages and disadvantages of incorporating wildfire risk and related natural hazards in the Urban Growth Boundary locational criteria and justification analysis process in conjunction with other urbanization rules regarding locational criteria.
- Look at where and how communities grow in light of wildfire risk.

Habitat Protection

- Identify opportunities to use natural features for wildfire buffers that have a co-benefit of protecting habitat.
- For areas where vegetation supports riparian, wetland, and wildlife habitat functions, develop and communicate best practices for protection and maintenance in relation to defensible space requirements.

Appendix B: Glossary of Terms

Community Engagement: Comprehensive and equitable engagement activities at the state and local level increase community buy-in and capacity, build trust, foster long-term relationships among stakeholders, and result in community supported, community driven plans.

Policy Research: Policy research can take many forms. In some cases, policy research leads to policy development or rulemaking. Policy research can be both quantitative and qualitative, and may rely on academic tools, collaboration, public opinion, and be short- or long-term.

Regulation: Regulations are implementing requirements that local governments use to implement applicable land use rules and their comprehensive plan.

Rulemaking: A rule "implements, interprets or prescribes law or policy" of a state agency (ORS 183.310(9)). The legislature may delegate to state boards and commissions the authority to write rules that define details and clarify how a statute or program will be carried out. Almost any time the legislature passes a statute on land use planning, LCDC needs to adopt or amend rules so everyone can understand the processes and steps to best accomplish the legislature's intention. The legislature provided LCDC rulemaking authority in ORS 197.040, generally limited to rules that apply to land use. The state Administrative Procedures Act provides specific steps that LCDC must follow to ensure that interested parties and the public can give input.

State and Local Resources: Resources for local governments provide direct support to local governments through grants and technical assistance. To better understand needed financial resources to implement recommendations, the department will work closely with local government partners, either through a stand-alone engagement process or during rulemaking. DLCD will need funding for increased staff capacity to support local government implementation for wildfire mitigation and recovery planning, such as support for state-level engagement activities, developing model code and guidance for local governments and other technical assistance, and to engage in rulemaking.

Technical Assistance: Technical Assistance (TA) grants are competitive awards to local governments that fund projects to update a comprehensive plan, to update local land use ordinances, or other planning compliance projects. The grants must align with the department's priorities provided in the Grant Allocation Plan. Technical Assistance could include the development of model codes and guidelines, support for recovery planning, and geographic information services mapping and analysis support.