

Requested by Representative MARSH

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 762**

1 On page 3 of the printed A-engrossed bill, line 45, delete “3a” and insert
2 “3”.

3 On page 4, delete lines 11 through 45 and delete pages 5 and 6.

4 On page 7, delete lines 1 through 22 and insert:
5

6 **“STATEWIDE MAP OF WILDFIRE RISK**
7

8 **“SECTION 7. (1) The State Forestry Department shall oversee the**
9 **development and maintenance of a comprehensive statewide map of**
10 **wildfire risk that displays the wildfire risk classes described in sub-**
11 **section (4) of this section and populates the Oregon Wildfire Risk**
12 **Explorer.**

13 **“(2) The Oregon Wildfire Risk Explorer must be the official wildfire**
14 **planning and risk classification mapping tool for the State of Oregon.**

15 **“(3) The State Board of Forestry shall establish by rule criteria by**
16 **which the map must be developed and maintained, including criteria**
17 **concerning the use of the most current wildfire assessments.**

18 **“(4) In consultation with Oregon State University, the department**
19 **shall establish five statewide wildfire risk classes of extreme, high,**
20 **moderate, low and no risk. The classes must be:**

21 **“(a) Consistent with ORS 477.027.**

1 **“(b) Based on weather, climate, topography and vegetation.**

2 **“(5) The department shall enter into an agreement with the uni-**
3 **versity that provides that the university will develop and maintain the**
4 **map and make the map publicly available in electronic form through**
5 **the Oregon Wildfire Risk Explorer.**

6 **“(6) The board shall adopt rules that:**

7 **“(a) Provide opportunities for public input into the assignment of**
8 **properties to the wildfire risk classes described in subsection (4) of this**
9 **section.**

10 **“(b) Require the department to provide notice and information**
11 **about how a property owner may appeal an assignment of the property**
12 **owner’s property to the extreme or high wildfire risk classes.**

13 **“(c) Allow affected property owners and local governments to ap-**
14 **peal the assignment of properties to the wildfire risk classes after the**
15 **map is developed, after any updates to the map and within a reason-**
16 **ably time after delivery of the notice and information described in**
17 **paragraph (b) of this subsection.**

18 **“(d) Establish a specific process for appeals through which a re-**
19 **quested change in assignment is assessed based on:**

20 **“(A) Whether the assignment is consistent with the criteria de-**
21 **scribed in subsection (3) of this section;**

22 **“(B) Any pertinent facts that may justify a change in the assign-**
23 **ment; and**

24 **“(C) Any error in the data the department used to determine the**
25 **assignment, if the error justifies a change in the assignment.**

26 **“(7) The map must:**

27 **“(a) Be based on the wildfire risk classes.**

28 **“(b) Be sufficiently detailed to allow the assessment of wildfire risk**
29 **at the property-ownership level.**

30 **“(c) Include the boundaries of the wildland-urban interface, as de-**

1 **fin**ed in ORS 477.015, consistent with national standards.

2 **“(d) Include a layer that geospatially displays the locations of so-**
3 **cially and economically vulnerable communities.**

4 **“(8) To develop and maintain the map, the university shall collab-**
5 **orate with the department, the State Fire Marshal, other state agen-**
6 **cies, local governments, federally recognized Indian tribes in this**
7 **state, other public bodies and any other information sources that the**
8 **university deems appropriate.**

9 **“(9) In maintaining the map, the university shall make technical**
10 **adjustments as needed and update the map consistent with the results**
11 **of appeals described in subsection (6)(b) of this section.**

12 **“(10) The university shall provide technical assistance to represen-**
13 **tatives of state and local government, and to landowners, that use the**
14 **map.**

15 **“SECTION 7a. (1) On or before December 31, 2021, the State**
16 **Forestry Department shall report to an interim committee of the**
17 **Legislative Assembly related to wildfire, in the manner provided in**
18 **ORS 192.245, to the State Wildfire Programs Director and to the**
19 **Wildlife Programs Advisory Council on the progress of the department**
20 **and Oregon State University in complying with the requirements of**
21 **section 7 of this 2021 Act.**

22 **“(2) On or before June 30, 2022, the department and university must**
23 **finish all actions required of the department and university by section**
24 **7 of this 2021 Act.**

25 **“(3) Notwithstanding any contrary provision of law, the State Board**
26 **of Forestry may adopt temporary rules to help ensure the require-**
27 **ments described in subsection (2) of this section are met.**

28

29 **“DEFENSIBLE SPACE**

30

1 **“SECTION 8. As used in sections 8a, 8b and 8c of this 2021 Act,**
2 **‘defensible space’ means a natural or human-made area in which ma-**
3 **terial capable of supporting the spread of fire has been treated, cleared**
4 **or modified to slow the rate and intensity of advancing wildfire and**
5 **allow space for fire suppression operations to occur.**

6 **“SECTION 8a. (1) The State Fire Marshal shall establish minimum**
7 **defensible space requirements for wildfire risk reduction on lands in**
8 **areas identified on the statewide map of wildfire risk described in**
9 **section 7 of this 2021 Act as within the wildland-urban interface.**

10 **“(2) The State Fire Marshal:**

11 **“(a) Shall consult with the Oregon Fire Code Advisory Board to**
12 **establish the requirements.**

13 **“(b) Shall establish requirements that are consistent with and do**
14 **not exceed the standards pertaining only to defensible space that are**
15 **set forth in the International Wildland-Urban Interface Code published**
16 **by the International Code Council, including the standards pertaining**
17 **only to defensible space that are set forth in sections 603 and 604 of**
18 **the code.**

19 **“(c) May consider best practices specific to Oregon in order to es-**
20 **tablish the requirements.**

21 **“(d) Shall periodically reexamine the standards set forth in the**
22 **International Wildland-Urban Interface Code and update the require-**
23 **ments to reflect current best practices, in consultation with the**
24 **Oregon Fire Code Advisory Board.**

25 **“(e) Shall enforce the requirements that are applicable to lands**
26 **within the jurisdiction of a local government.**

27 **“(f) Shall adopt rules governing administration of the requirements.**

28 **“(g) May develop and apply a graduated fee structure for use in**
29 **assessing penalties on property owners for noncompliance with the**
30 **requirements.**

1 **“(h) Shall consult on implementation of the requirements.**

2 **“(i) May adopt rules concerning reports by local governments de-**
3 **scribed in subsection (4)(a) of this section.**

4 **“(3) Subject to additional local requirements, the requirements shall**
5 **apply statewide for all lands in the wildland-urban interface that are**
6 **designated as extreme or high risk, as identified on the map.**

7 **“(4) Notwithstanding subsection (2) of this section, a local govern-**
8 **ment may:**

9 **“(a) Administer, consult on and enforce the requirements estab-**
10 **lished by the State Fire Marshal, within the jurisdiction of the local**
11 **government. A local government that administers or enforces the re-**
12 **quirements established by the State Fire Marshal shall periodically**
13 **report to the State Fire Marshal regarding compliance with the re-**
14 **quirements, including the extent of compliance for each property**
15 **within the jurisdiction of the local government, any change in the**
16 **degree of compliance since the last report and any other information**
17 **required by the State Fire Marshal by rule.**

18 **“(b) Adopt and enforce local requirements for defensible space that**
19 **are greater than the requirements established by the State Fire Mar-**
20 **shal. Any local requirements that a local government adopts for**
21 **defensible space must be defensible space standards selected from the**
22 **framework set forth in the International Wildland-Urban Interface**
23 **Code or other best practices specific to Oregon.**

24 **“(c) Designate local fire districts, fire departments or fire agencies**
25 **to enforce the requirements established by the State Fire Marshal or**
26 **the local government pursuant to paragraph (b) of this subsection. A**
27 **local government that designates enforcement must comply with the**
28 **reporting requirements in paragraph (a) of this subsection.**

29 **“(5) The State Fire Marshal shall administer a community risk re-**
30 **duction program that emphasizes education and methods of prevention**

1 with respect to wildfire risk, enforcement of defensible space require-
2 ments, response planning and community preparedness for wildfires.

3 “(6) The State Fire Marshal may provide financial, administrative,
4 technical or other assistance to a local government to facilitate the
5 administration and enforcement of requirements within the jurisdic-
6 tion of the local government. A local government shall expend finan-
7 cial assistance provided by the State Fire Marshal under this
8 subsection to give priority to the creation of defensible space:

9 “(a) On lands owned by members of socially and economically vul-
10 nerable communities, persons with limited proficiency in English and
11 persons of lower income as defined in ORS 456.055.

12 “(b) For critical or emergency infrastructure.

13 “(c) For schools, hospitals and facilities that serve seniors.

14 “SECTION 8b. (1) The minimum defensible space requirements es-
15 tablished by the State Fire Marshal pursuant to section 8a of this 2021
16 Act may not be used as criteria to approve or deny:

17 “(a) An amendment to a local government’s acknowledged compre-
18 hensive plan or land use regulations.

19 “(b) A permit, as defined in ORS 215.402 or 227.160.

20 “(c) A limited land use decision, as defined in ORS 197.015.

21 “(d) An expedited land division, as defined in ORS 197.360.

22 “(2) Notwithstanding subsection (1) of this section, a local govern-
23 ment may:

24 “(a) Amend the acknowledged comprehensive plan or land use reg-
25 ulations of the local government to include the requirements; and

26 “(b) Use the requirements that are included in the amended ac-
27 knowledged comprehensive plan or land use regulations as a criterion
28 for a land use decision.

29 “SECTION 8c. The State Fire Marshal shall establish minimum
30 defensible space requirements for wildfire risk reduction on lands in

1 areas identified on the map described in section 7 of this section on
2 or before December 31, 2022.

3 **“SECTION 9. The Community Risk Reduction Fund is established**
4 **in the State Treasury, separate and distinct from the General Fund.**
5 **Interest earned by the Community Risk Reduction Fund shall be**
6 **credited to the fund. Moneys in the fund are continuously appropriated**
7 **to the State Fire Marshal for the purpose of carrying out community**
8 **risk reduction and the local government financial assistance described**
9 **in section 8a of this 2021 Act.**

10 **“SECTION 10. (1) The State Fire Marshal shall biannually report**
11 **regarding the status of State Fire Marshal and local government ac-**
12 **tivities for carrying out section 8a of this 2021 Act to a committee or**
13 **interim committee of the Legislative Assembly related to wildfire, in**
14 **the manner provided in ORS 192.245, to the State Wildfire Programs**
15 **Director and to the Wildfire Programs Advisory Council:**

16 **“(a) On or before the date of convening of the regular session of the**
17 **Legislative Assembly as specified in ORS 171.010.**

18 **“(b) Approximately six months after the date described in para-**
19 **graph (a) of this subsection.**

20 **“(2) The report shall include, but need not be limited to:**

21 **“(a) A status report regarding community risk reduction and the**
22 **establishment, administration and enforcement of defensible space**
23 **requirements;**

24 **“(b) The amount of moneys expended during the year for commu-**
25 **nity risk reduction and the establishment, administration or enforce-**
26 **ment of defensible space requirements;**

27 **“(c) The amount of moneys expended during the year for the sup-**
28 **pression of fires on wildland-urban interface lands; and**

29 **“(d) Any recommendations of the State Fire Marshal for legislative**
30 **action, including, but not limited to, current or future resource and**

1 funding needs for community risk reduction and establishing, admin-
2 istering or enforcing defensible space requirements.

3
4 **“LAND USE**

5
6 **“SECTION 11. (1) As used in this section, ‘defensible space’ has the**
7 **meaning given that term in section 8 of this 2021 Act.**

8 **“(2) The Department of Land Conservation and Development shall**
9 **identify updates to the statewide land use planning program and local**
10 **comprehensive plans and zoning codes that are needed in order to in-**
11 **corporate wildfire risk maps and minimize wildfire risk, including the**
12 **appropriate levels of state and local resources necessary for effective**
13 **implementation.**

14 **“(3) Updates may include, but need not be limited to, provisions**
15 **regarding sufficient defensible space, building codes, safe evacuation**
16 **and development considerations in areas of extreme and high wildfire**
17 **risk, allowing for regional differences.**

18 **“(4) On or before October 1, 2022, the Department of Land Conser-**
19 **vation and Development shall:**

20 **“(a) Complete the updates.**

21 **“(b) Report to a committee or interim committee of the Legislative**
22 **Assembly related to wildfire, in the manner provided in ORS 192.245,**
23 **to the State Wildfire Programs Director and to the Wildfire Programs**
24 **Advisory Council on the updates. The report must include recommen-**
25 **dations concerning the updates.**

26 **“(5) As necessary to identify needed updates and develop the rec-**
27 **ommendations required by subsection (4)(b) of this section, the de-**
28 **partment may consult with the State Fire Marshal, the State Forestry**
29 **Department, the Department of Consumer and Business Services and**
30 **local governments.**

1 "BUILDING CODES

2
3 "SECTION 12. (1) For extreme and high wildfire risk classes in the
4 wildland-urban interface that are identified pursuant to section 7 of
5 this 2021 Act, the Department of Consumer and Business Services shall
6 adopt wildfire hazard mitigation building code standards that apply to
7 new dwellings and the accessory structures of dwellings, as described
8 in section R327 of the 2021 Oregon Residential Specialty Code.

9 "(2) The department shall amend section R327 of the Oregon Resi-
10 dential Specialty Code to include standards for additions to existing
11 dwellings and accessory structures and for replacement of existing
12 exterior elements covered in section R327 of the 2021 Oregon Residen-
13 tial Specialty Code.

14 "(3) The department shall incorporate the standards described in
15 subsections (1) and (2) of this section into any updates to the Oregon
16 Residential Specialty Code.

17 "SECTION 12a. (1) The Department of Consumer and Business
18 Services shall take the actions required by section 12 (1) and (2) of this
19 2021 Act not later than October 1, 2022.

20 "(2) The standards described in section 12 (1) and (2) of this 2021
21 Act may not become operative before April 1, 2023.

22 "SECTION 12b. Not more than two years after the standards de-
23 scribed in section 12 (1) and (2) of this 2021 Act are adopted, the De-
24 partment of Consumer and Business Services shall update section R327
25 of the Oregon Residential Specialty Code to:

26 "(1) Ensure that the code incorporates the standards described in
27 section 12 (1) and (2) of this 2021 Act; and

28 "(2) Make any necessary adjustments to the applicability of the
29 standards and permitting requirements in the code.

30 "SECTION 12c. The Department of Consumer and Business Ser-

1 vices:

2 “(1) Shall develop and maintain an interactive mapping tool that
3 displays, at the property level, wildfire hazard mitigation standards
4 covered in section R327 of the Oregon Residential Specialty Code. The
5 tool must be designed to support future inclusion of snow load, seismic
6 and wind building code standards at the property level.

7 “(2) Shall collaborate with Oregon State University to obtain any
8 needed information from the Oregon Wildfire Risk Explorer and na-
9 tional or science-based sources in order to develop the tool.

10 “(3) Shall ensure that the tool is displayed in an electronic format
11 and available to the public at no charge.

12 “(4) Shall periodically update the tool when the relevant building
13 code is updated.

14 “(5) May enter into an agreement with the university concerning
15 services required to develop and maintain the tool.

16 “SECTION 12d. (1) The Department of Consumer and Business
17 Services shall develop the interactive mapping tool described in section
18 12c of this 2021 Act not more than 60 days after the statewide map of
19 wildfire risk described in section 7 of this 2021 Act is developed.

20 “(2) Any delay in developing the tool may not affect a deadline
21 concerning the map.”.

22 In line 35, after “conditions”, insert “caused by wildfire smoke”.

23 Delete lines 43 through 45.

24 On page 8, delete lines 1 through 38 and insert:

25 “SECTION 14. (1) As used in this section, ‘smoke filtration system’
26 means an air filtration system capable of removing particulates and
27 other harmful components of wildfire smoke in a public building.

28 “(2) In consultation and coordination with the Oregon Health Au-
29 thority, the Department of Human Services shall establish and imple-
30 ment a grant program that allows local governments to:

1 “(a) Establish emergency clean air shelters.

2 “(b) Equip public buildings with smoke filtration systems so the
3 public buildings may serve as cleaner air spaces during wildfire smoke
4 and other poor air quality events.

5 “(3) The department shall require grantees to provide access to the
6 clean air shelters at no charge.

7 “SECTION 14a. The Department of Human Services is the lead state
8 agency for clean air shelter operations. The department shall:

9 “(1) Consult and collaborate with the Oregon Health Authority to
10 align practices for voluntary evacuations and emergency sheltering
11 operations.

12 “(2) Coordinate with the authority in setting priorities for awarding
13 grants described in section 14 of this 2021 Act.

14 “(3) Provide support to local agencies that take lead roles in oper-
15 ating and planning clean air shelters in the local agencies’ jurisdic-
16 tions.

17 “SECTION 14b. No later than June 30, 2023, in consultation with the
18 Oregon Health Authority, the Department of Human Services shall
19 report to an appropriate committee or interim committee of the Leg-
20 islative Assembly, in the manner described in ORS 192.245, to the State
21 Wildfire Programs Director and to the Wildfire Programs Advisory
22 Council on:

23 “(1) The grants administered pursuant to section 14 of this 2021 Act,
24 including information about which local governments received grants.

25 “(2) Any barriers to administering the grants.

26 “(3) Areas for improving the grant program described in section 14
27 of this 2012 Act.

28 “(4) Public health impacts from wildfire smoke events.

29 “SECTION 15. (1) As used in this section, ‘smoke filtration device’
30 means portable air cleaners and furnace, heating, ventilation and air

1 conditioning filters that are intended to remove contaminants, in-
2 cluding particulates and other harmful components of wildfire smoke,
3 from the air in a room to improve indoor air quality.

4 “(2) The Oregon Health Authority shall establish a program to in-
5 crease the availability of residential smoke filtration devices among
6 persons vulnerable to the health effects of wildfire smoke who reside
7 in areas susceptible to wildfire smoke.

8 “(3) The authority may award grants for the purchase of smoke
9 filtration devices.

10 “(4) If the authority awards grants described in this section, the
11 authority shall give priority to funding for smoke filtration devices in
12 residential buildings occupied by persons who qualify for the Oregon
13 Health Plan or Medicaid and are vulnerable to the health effects of
14 wildfire smoke.

15 “(5) The authority may adopt rules establishing standards for
16 smoke filtration devices obtained with grant moneys received under
17 this section, including, but not limited to, minimum acceptable effi-
18 ciency for the removal of particulates and other harmful substances
19 generated by wildfires.

20 “(6) The authority may provide information and refer service pro-
21 viders to grantees that need housing interventions to facilitate effec-
22 tive use of smoke filtration devices, including interventions such as
23 weather proofing.

24 “SECTION 15a. The Oregon Health Authority shall periodically re-
25 port to an appropriate committee or interim committee of the Legis-
26 lative Assembly, as described in ORS 192.245, to the State Wildfire
27 Programs Director and to the Wildfire Programs Advisory Council on:

28 “(1) The use of smoke filtration devices funded under section 15 of
29 this 2021 Act, including use of the smoke filtration devices by vulner-
30 able and underserved communities.

1 **“(2) The effectiveness of the programs described in section 15 of this**
2 **2021 Act.**

3 **“(3) Areas for improvement.**

4 **“(4) Public health impacts during wildfire smoke events.**

5 **“(5) Whether funding described in section 15 of this 2021 Act has**
6 **provided a public health return on investment.”.**

7 On page 9, line 29, after “facilities” insert “, the Department of Human
8 Services”.

9 Delete lines 40 through 45 and delete page 10.

10 On page 11, delete lines 1 through 8 and insert:

11 **“SECTION 18. (1)(a) The State Forestry Department shall design**
12 **and implement a program to reduce wildfire risk through the resto-**
13 **ration of landscape resiliency and the reduction of hazardous fuel on**
14 **public or private forestlands and rangelands and in communities near**
15 **homes and critical infrastructure.**

16 **“(b) The department shall ensure that the program is consistent**
17 **with the objectives described in this section and biennially select, ad-**
18 **minister and evaluate projects consistent with the objectives described**
19 **in this subsection.**

20 **“(c) When developing program and project selection criteria, the**
21 **department shall, to the extent practicable, consult and cooperate with**
22 **state and federal agencies, counties, cities and other units of local**
23 **government, federally recognized Indian tribes in this state, public and**
24 **private forestland and rangeland owners, forest and rangeland**
25 **collaboratives and other relevant community organizations and ensure**
26 **consistency with the priorities described in subsection (3) of this sec-**
27 **tion.**

28 **“(2) The department shall develop a 20-year strategic plan, as de-**
29 **scribed in the Shared Stewardship Agreement signed on August 13,**
30 **2019, that prioritizes restoration actions and geographies for wildfire**

1 risk reduction. The plan must be able to be used to direct federal, state
2 and private investments in a tangible way.

3 **“(3) In selecting and administering projects, the department shall:**

4 **“(a) In collaboration with the Oregon State University Extension**
5 **Service and other entities, identify strategic landscapes that are ready**
6 **for treatment, giving priority to projects within the landscapes that**
7 **are:**

8 **“(A) On lands in the four highest eNVC risk classes identified in the**
9 **United States Forest Service report titled ‘Pacific Northwest Quanti-**
10 **tative Wildfire Risk Assessment: Methods and Results’ and dated April**
11 **9, 2018;**

12 **“(B) Inclusive of federal lands with treatment projects currently**
13 **approved under the National Environmental Policy Act (42 U.S.C. 4321**
14 **et seq.);**

15 **“(C) Focusing on treatments protective of human life, property,**
16 **critical infrastructure, watershed health and forest or rangeland**
17 **habitat restoration; and**

18 **“(D) Part of a collaborative partnership with agreements across di-**
19 **verse forestland or rangeland stakeholders that use an expansive,**
20 **landscape-scale approach to address underlying causes of poor wildfire**
21 **resilience and elevated risk of wildfire or that establish innovative**
22 **approaches to addressing the underlying causes that could be imple-**
23 **mented on a larger scale.**

24 **“(b) To the extent practicable, identify and support projects that**
25 **are designed to:**

26 **“(A) Evaluate varying types of fuel treatment methods;**

27 **“(B) Leverage the collective power of public-private partnerships**
28 **and federal and state funding, including leverage of the coordination**
29 **of funding to support collaborative initiatives that address the under-**
30 **lying causes of elevated forestland and rangeland wildfire risk across**

1 **ownerships; and**

2 **“(C) Optimize the receipt of federal government investments that**
3 **equal or exceed department investments.**

4 **“(c) Design the projects to involve existing forest-based and range-**
5 **based contracting entities.**

6 **“(d) Design the projects to complement programs and projects of**
7 **the Oregon Watershed Enhancement Board or other state agencies as**
8 **needed.**

9 **“(e) Design the projects to involve the Oregon Conservation Corps**
10 **Program established by section 21 of this 2021 Act, to the maximum**
11 **extent possible, for community protection projects located in the**
12 **wildland-urban interface, subject to funding available in the Oregon**
13 **Conservation Corps Fund established by section 23 of this 2021 Act.**

14 **“(f) Affirmatively seek, and enhance opportunities for, collab-**
15 **oration from stakeholders holding a wide variety of perspectives re-**
16 **garding forest and rangeland management and opportunities for**
17 **significant involvement by communities in proximity to project sites.**

18 **“(g) Engage in monitoring of the projects to produce useful infor-**
19 **mation on which to base recommendations to the Legislative Assem-**
20 **bly.**

21 **“(4) A project under this section may not include commercial**
22 **thinning on:**

23 **“(a) Inventoried roadless areas;**

24 **“(b) Riparian reserves identified in the Northwest Forest Plan or in**
25 **federal Bureau of Land Management resource management plans;**

26 **“(c) Late successional reserves, except to the extent consistent with**
27 **the 2011 United States Fish and Wildlife Service Revised Recovery Plan**
28 **for the Northern Spotted Owl (*Strix occidentalis caurina*);**

29 **“(d) Areas protected under the federal Wild and Scenic Rivers Act**
30 **(P.L. 90-542), national recreation areas, national monuments or areas**

1 **protected under ORS 390.805 to 390.925;**

2 **“(e) Designated critical habitat for species listed as threatened or**
3 **endangered under the Endangered Species Act of 1973 (P.L. 93-205) or**
4 **by the State Fish and Wildlife Commission under ORS 496.172, unless**
5 **commercial thinning is already allowed under an existing environ-**
6 **mental review or recognized habitat recovery plan; or**

7 **“(f) Federally designated areas of critical environmental concern**
8 **or federally designated wilderness study areas.**

9 **“(5) The department shall give public notice, and allow reasonable**
10 **opportunity for public input, when identifying and selecting landscapes**
11 **under this section.”.**

12 In line 16, after ‘Governor’ insert ‘, State Wildfire Programs Director and
13 Wildfire Programs Advisory Council’.

14 In line 27, delete “forest” and insert “forestland and rangeland”.

15 In line 34, after ‘Governor’ insert ‘, State Wildfire Programs Director and
16 Wildfire Programs Advisory Council’.

17 In line 44, after “burned” insert “or treated”.

18 On page 12, line 3, delete “forest” and insert “forestland or rangeland”.

19 Delete lines 15 through 45 and delete page 13.

20 On page 14, delete lines 1 through 3 and insert:

21

22 **“OREGON CONSERVATION CORPS**

23

24 **“SECTION 21. (1) The Oregon Conservation Corps Program is es-**
25 **tablished for the purposes of:**

26 **“(a) Reducing the risk wildfire poses to communities and critical**
27 **infrastructure.**

28 **“(b) Helping to create fire-adapted communities.**

29 **“(c) Engaging youth and young adults in workforce training.**

30 **“(2) Youth and young adults between 13 years of age and 26 years**

1 of age who have been qualified by a youth development organization
2 may participate in projects undertaken by the corps.

3 “(3) Notwithstanding any contrary provision of law, participants in
4 projects undertaken by the corps:

5 “(a) Are not employees of the corps.

6 “(b) Are exempt from prevailing wage laws.

7 “(c) Must receive compensation for their participation of at least
8 minimum wage or an allowance or stipend that, when combined with
9 other sources of payment the participant is eligible to receive, includ-
10 ing academic credit or an AmeriCorps education award, is equivalent
11 to the value of minimum wage.

12 **“SECTION 22. (1) As used in this section, ‘eligible organization’ in-**
13 **cludes Oregon-based nonprofit youth development organizations and**
14 **public entities that provide programs of job training, skill development**
15 **and forest-related or rangeland-related career path training.**

16 “(2) The Oregon Conservation Corps Advisory Committee is estab-
17 lished within the Higher Education Coordinating Commission for the
18 purpose of managing the Oregon Conservation Corps Program.

19 “(3) The Governor shall determine the number of members on the
20 committee and appoint the members.

21 “(4) The committee shall, in collaboration with a qualified nonprofit
22 foundation, actively seek and source private donations to support the
23 Oregon Conservation Corps Program.

24 “(5) The committee may direct the expenditure of moneys from the
25 Oregon Conservation Corps Fund for a promotional website and ma-
26 terials to solicit private funds.

27 “(6) Members may not receive compensation for service on the
28 committee, but, subject to any applicable laws regulating travel and
29 other expenses of state officers and employees, may be reimbursed for
30 actual and necessary travel and other expenses incurred in the per-

1 formance of committee duties with moneys available to the commis-
2 sion for the purpose of reimbursing the members.

3 “(7) The committee shall administer a grant process that:

4 “(a) Provides funding to support the work conducted by the Oregon
5 Conservation Corps Program.

6 “(b) Defines and uses an equity lens in awarding grants by identi-
7 fying and supporting populations with greater vulnerability including
8 communities of color, indigenous communities, communities with
9 members who have limited proficiency in English and communities
10 with lower-income members.

11 “(c) Awards grants to eligible organizations.

12 “(d) Ensures that grant awards support activities described in sec-
13 tion 21 (1) of this 2021 Act and subsection (8) of this section.

14 “(e) Establishes guidelines for prioritizing grant-supported projects
15 to reduce community fire risks, promote youth and young adult
16 workforce development and educational experiences and reduce haz-
17 ardous fuels.

18 “(8) The committee shall consult with the State Forestry Depart-
19 ment to ensure that the grant process awards funds to proposals that:

20 “(a) Protect at-risk communities and infrastructure within the
21 wildland-urban interface, as described in section 18 of this 2021 Act.

22 “(b) Meet standards for fuel treatment established by the depart-
23 ment.

24 “(9) The committee shall biennially submit a report, on the timeline
25 described in ORS 293.640, to an appropriate committee or interim
26 committee of the Legislative Assembly, as described in ORS 192.245,
27 and to the State Wildfire Programs Director and Wildfire Programs
28 Advisory Council, regarding the expenditure of moneys deposited in
29 the Oregon Conservation Corps Fund.

30 **SECTION 23.** (1) The Oregon Conservation Corps Fund is estab-

1 lished in the State Treasury, separate and distinct from the General
2 Fund. Interest earned by the Oregon Conservation Corps Fund shall
3 be credited to the fund.

4 “(2) The fund may receive contributions from individuals and pri-
5 vate organizations.

6 “(3) Moneys in the fund are continuously appropriated to the Higher
7 Education Coordinating Commission to be used as directed by the
8 Oregon Conservation Corps Advisory Committee and for related ad-
9 ministrative expenses of the commission.

10 “(4) The commission shall keep records of all moneys credited to
11 and deposited in the fund and the activity or program against which
12 each withdrawal from the fund is charged.

13

14 “SMALL FORESTLAND GRANT PROGRAM

15

16 “SECTION 24. (1) As used in this section, ‘small forestland owner’
17 means an individual, group, federally recognized Indian tribe in
18 Oregon or association that owns:

19 “(a) Up to 160 acres of nonindustrial private forestland west of the
20 crest of the Cascade Mountains; or

21 “(b) Up to 640 acres of nonindustrial private forestland east of the
22 crest of the Cascade Mountains.

23 “(2) The State Forestry Department shall establish a small
24 forestland grant program for the purpose of providing grants, on a
25 competitive basis, to support small forestland owners in reducing
26 wildfire risk through the restoration of landscape resiliency and the
27 reduction of hazardous fuels on the owners’ property.

28 “(3) In consultation with partners and stakeholders, the department
29 shall set criteria for assessing grant applications and awarding grants.
30 The criteria may include, but need not be limited to:

1 **“(1) Shall consult and coordinate with federal agencies, private**
2 **stakeholders and other state agencies to determine the adequacy of**
3 **state, federal and private wildfire response capacity. The department**
4 **shall act to facilitate wildfire prevention and wildfire response com-**
5 **munication and coordination between federal, state, local and private**
6 **entities.**

7 **“(2) Shall increase the department’s wildfire readiness and response**
8 **capacity, including increases to fire suppression response personnel,**
9 **aviation assets and necessary administrative support personnel, to the**
10 **extent the department receives funding for the increase.**

11 **“(3) Shall, to the extent practicable, seek to leverage state moneys**
12 **to obtain an increase in federal wildfire resources available to Oregon**
13 **for effective initial response purposes.**

14 **“(4) Shall consult with the office of the State Fire Marshal and with**
15 **local fire defense board chiefs to assess the adequacy of available mu-**
16 **tual aid to provide wildfire response on wildland-urban interface lands**
17 **and to identify means for providing additional resources from the state**
18 **or other entities to enhance wildfire response capacity on wildland-**
19 **urban interface lands.**

20 **“(5) Shall continually identify workforce development needs associ-**
21 **ated with wildfire risk mitigation and wildfire response and develop**
22 **funding proposals for meeting those needs on a sustained basis. The**
23 **identified workforce development needs must align with wildfire risk**
24 **to provide an adequate level of wildfire protection, as described in ORS**
25 **477.062.**

26 **“(6) May enter into cooperative agreements or contracts with a lo-**
27 **cal or private entity for the purpose of assisting the entity to organize**
28 **for purposes of wildfire risk mitigation or wildfire response, including,**
29 **but not limited to, facilitating wildfire training and the acquisition of**
30 **firefighting equipment for the entity and assisting with payment for**

1 liability insurance and other administrative expenses of the entity as-
2 sociated with wildfire risk mitigation or wildfire response.

3 **“SECTION 30b. (1) The office of the State Fire Marshal shall in-
4 crease the office’s wildfire readiness and response capacity to the ex-
5 tent the office receives funding for the increase, by means including:**

6 **“(a) Increasing fire prevention and response personnel and fire ad-
7 ministrative support personnel to address planning, communications,
8 training, deployment and safety.**

9 **“(b) Implementing innovative technologies and modernizing sys-
10 tems to expedite fire resource deployment in an efficient and safe
11 manner.**

12 **“(2) The State Fire Marshal may:**

13 **“(a) Designate funding intended for the Oregon fire mutual aid
14 system to support repositioning of resources and costs.**

15 **“(b) Enter into contracts with federal or state agencies, other
16 states, political subdivisions, corporations and authorities having fire
17 suppression jurisdiction for fire prevention, suppression, coordination
18 and response.**

19

20 **“WILDLAND-URBAN INTERFACE FIRE PROTECTION**

21

22 **“SECTION 31. ORS 477.015 is amended to read:**

23 **“477.015. [(1)] As used in this section and ORS [477.015 to 477.061] 477.025
24 and 477.027, unless the context otherwise requires, ‘[forestland-urban]
25 wildland-urban interface’ means the geographic area in which structures
26 or other human development meets or intermingles with wildland or
27 vegetative fuels. [a geographic area of forestland inside a forest protection
28 district where there exists a concentration of structures in an urban or subur-
29 ban setting.]**

30 **“[(2) As used in ORS 477.015 to 477.057, unless the context requires other-**

1 *wise:]*

2 “[*(a) ‘Committee’ means a county forestland-urban interface classification*
3 *committee.*]

4 “[*(b) ‘Governing body’ means the board of county commissioners or county*
5 *court of a county, as the case may be.*”].

6 Delete lines 11 through 19 and insert:

7 **“SECTION 33.** ORS 477.027 is amended to read:

8 “477.027. (1) By administrative rule, the State Board of Forestry shall
9 establish criteria by which the [*forestland-urban*] **wildland-urban** interface
10 shall be identified and classified. The criteria shall recognize differences
11 across the state in fire hazard, fire risk and structural characteristics within
12 the [*forestland-urban*] **wildland-urban** interface.

13 “(2) The [*criteria shall include not less than three nor more than*] **board**
14 **shall establish** five classes of [*forestland-urban*] **wildland-urban** interface
15 **based on the criteria.**

16 “(3) **The classes must be integrated into the comprehensive state-**
17 **wide map described in section 7 of this 2021 Act.”.**

18 In line 30, delete “integrate” and insert “integrating”.

19 In line 40, delete the second comma and insert “and”.

20 On page 18, after line 6, insert:

21 “(h) Collaborating with the State Resilience Officer and participating in
22 any relevant emergency preparedness advisory councils.

23

24 **“WILDFIRE PROGRAMS ADVISORY COUNCIL**

25

26 **“SECTION 36.** (1) As used in this section, ‘defensible space’ has the
27 **meaning given that term in section 8 of this 2021 Act.**

28 **“(2) There is established a Wildfire Programs Advisory Council to**
29 **advise and assist the State Wildfire Programs Director by:**

30 **“(a) Closely monitoring implementation of activities related to**

1 wildfire prevention and response, including receiving and evaluating
2 agency reports related to wildfire prevention and response.

3 “(b) Providing advice on potential changes to the activities in order
4 to fulfill the goal of dramatically reducing wildfire risk in this state
5 and ensuring that regional defensible space, building codes and land
6 use applications are appropriate.

7 “(c) Strengthening intergovernmental and multiparty collaboration
8 and enhancing collaboration between governments and stakeholders
9 on an ongoing basis.

10 “(d) Developing strategies to enhance collaboration among govern-
11 mental bodies and the general public.

12 “(e) Assessing ways the statewide map of wildfire risk described in
13 section 7 of this 2021 Act may inform development of building codes
14 and land use laws, rules and decisions, in a regionally appropriate
15 manner.

16 “(f) Assessing the application of defensible space requirements to
17 vineyards, crops and other cultivated vegetation.

18 “(g) Reviewing Department of Land Conservation and Development
19 findings and recommendations in the report required by section 11 of
20 this 2021 Act and making additional recommendations related to po-
21 tential updates to the statewide land use planning program, local
22 comprehensive plans and zoning codes to incorporate wildfire risk
23 maps and minimize wildfire risk to people, public and private property,
24 businesses, infrastructure and natural resources.

25 “(3) The council is not a decision-making body but instead is es-
26 tablished to provide advice, assistance, perspective, ideas and recom-
27 mendations to the State Wildfire Programs Director.

28 “(4) The President of the Senate and Speaker of the House of Rep-
29 resentatives shall jointly appoint 19 members to the council as follows:

30 “(a) One member who represents county government.

1 **“(b) One member who is a land use planning director of a county**
2 **that is wholly or partially within the wildland-urban interface.**

3 **“(c) One member who represents city government.**

4 **“(d) One member who is a land use planning director of a city that**
5 **is wholly or partially within the wildland-urban interface.**

6 **“(e) One member who represents fire chiefs and has experience with**
7 **managing, fighting or preventing fire within the wildland-urban**
8 **interface.**

9 **“(f) One member who represents fire marshals and has experience**
10 **with managing, fighting or preventing fire within the wildland-urban**
11 **interface.**

12 **“(g) One member who represents firefighters and has experience**
13 **with managing, fighting or preventing fire within the wildland-urban**
14 **interface.**

15 **“(h) One member who represents rural residential property owners**
16 **whose property is wholly or partially within the wildland-urban inter-**
17 **face.**

18 **“(i) One member who represents farming property owners whose**
19 **property is wholly or partially within the wildland-urban interface.**

20 **“(j) One member who represents ranching property owners whose**
21 **property is wholly or partially within the wildland-urban interface.**

22 **“(k) One member who represents forestland owners whose property**
23 **is wholly or partially within the wildland-urban interface.**

24 **“(L) One member who represents federally recognized Indian tribes**
25 **with land wholly or partially within the wildland-urban interface.**

26 **“(m) One member who represents a utility company.**

27 **“(n) One member who represents environmental interests.**

28 **“(o) One member who represents forest resiliency interests.**

29 **“(p) One member who represents state or regional land use plan-**
30 **ning organizations.**

1 “(q) One member who represents land and housing development
2 interests or real estate industry interests.

3 “(r) One member who represents public health professionals.

4 “(s) One member who represents the environmental justice com-
5 munity.

6 “(5) The presiding officers shall provide public notice of an oppor-
7 tunity for interested parties to submit names of interest for appoint-
8 ment to the council.

9 “(6) At least 30 days before appointing a member, the presiding of-
10 ficers shall consult in good faith with the minority leaders of the
11 Senate and House of Representatives on the appointment.

12 “(7) The term of service for each member is four years.

13 “(8) The members are eligible for reappointment.

14 “(9) The council shall elect a chairperson and vice chairperson to
15 serve for one-year terms.

16 “(10) The members shall serve on the council as volunteers and are
17 not entitled to reimbursement for expenses.

18 “(11) The Department of Consumer and Business Services, Depart-
19 ment of Land Conservation and Development, office of the State Fire
20 Marshal and State Forestry Department shall each provide 15 percent
21 of the time of a full-time equivalent employee to:

22 “(a) Cooperatively staff the council.

23 “(b) Attend council meetings as informational resources.

24 “(c) Assist with drafting reports at the request of the council.

25 “(d) Support the work of the State Wildfire Programs Director.

26 “(12) The Oregon State University Extension Service shall designate
27 a person to serve as staff for the council.

28 “(13) Each October the council shall submit a report to the Gover-
29 nor and appropriate committees or interim committees of the Legis-
30 lative Assembly that describes progress on implementing program

1 activities related to defensible space, building codes, land use and
2 community emergency preparedness and that recommends improve-
3 ments.

4 **“SECTION 37. (1) On or before September 1, 2021, members of the**
5 **Wildfire Programs Advisory Council must be appointed as described in**
6 **section 36 (4) of this 2021 Act.**

7 **“(2) On or before November 1, 2021, the council must begin meeting**
8 **regularly.**

9 **“SECTION 38. Notwithstanding section 36 (7) of this 2021 Act, the**
10 **term of service for the members first appointed from each category**
11 **described in section 36 (4)(a), (c), (e), (g), (i), (k), (m), (o), (q) and (s)**
12 **of this 2021 Act is three years.**

13 **“SECTION 39. The Wildfire Programs Advisory Council must make**
14 **the first report described in section 36 (13) of this 2021 Act in October**
15 **2022.”.**

16 Delete lines 7 through 45.

17 On page 19, delete lines 1 through 16.

18 On page 22, delete lines 17 through 45 and delete page 23.

19 On page 24, delete lines 1 through 39.

20 In line 43, delete “45” and insert “44”.

21 On page 25, line 3, delete “46” and insert “45”.

22