



MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Will Groves, Planning Manager
Peter Gutowsky, AICP, Director
Kevin Moriarty, Deschutes County Forester

DATE: August 21, 2023

SUBJECT: Upcoming Oregon Department of Forestry Wildfire Hazard Map Meeting / SB 80

I. Direction

Staff seeks Board of County Commissioners (Board) direction as it pertains to preparing and offering technical input for the Oregon Department of Forestry (ODF) September 21, 2023, Wildfire Hazard Map meeting. Draft maps are expected to be released two weeks prior for review. A follow-up meeting with the Board on September 13 or 18 may be appropriate.

II. Background

In 2022, ODF and Oregon State University (OSU) developed administrative rules and a statewide wildfire risk map required under Senate Bill (SB) 762. The rules, adopted by the Board of Forestry, established the criteria by which the map was developed, updated, and maintained. The rules also:

- Implemented five statewide wildfire risk classes of extreme, high, moderate, low and no risk, based on weather, climate, topography, and vegetation.
- Developed a process in which a property owner may appeal a designation of wildfire risk class.
- Determined a process in which a property owner is notified of risk assignment of high or extreme.
- Developed maintenance criteria for the map.

The map also showed what properties in Oregon fall within the wildland-urban interface (WUI), as defined by the Board of Forestry in rule in 2021. OSU developed the map based on the rules adopted by the Board of Forestry and the best data available. The map showed the assigned risk classification for every tax lot in the state. Those properties that were both within the WUI and classified as high or extreme risk were to have received written notification from ODF and would have been subject to future changes to defensible space and residential building codes (R327 - fire hardening). There were also to have been changes to statewide land use planning programs, local plans, and zoning codes.

On August 4, 2022, the wildfire risk map released two months earlier, was temporarily withdrawn for further refinement. These refinements were intended to incorporate feedback from more than 2,000 Oregonians received during the public engagement process.

SB 80, passed in the 2023 Oregon legislative session, outlines changes that ODF is required to make to the map before it goes public again. The bill changed the name of the map from "Wildfire Risk Map" to "Wildfire Hazard Map." It also reduced the score categories from the original five to three: low, medium and high hazard and forbids insurance companies from using the map to set insurance rates. The new roll out of the map does not have a deadline for completion, however it is anticipated for spring 2024. ODF officials say they are still in planning phases and will be conducting extensive public hearings across the state to gather input.

ODF and the Association of Oregon Counties (AOC) will be hosting a Wildfire Hazard Map meeting for District 2 which includes Deschutes County, immediately following the AOC Fall District Meeting at 2:00pm on Thursday, September 21 in Klamath Falls.¹ SB 80 states in Section 1(12):

... to ensure that local characteristics in each area of this state are considered in the mapping process and before the draft map is released, the department shall meet with County Commissioners and the county commissioners' staff in eight in-person meetings throughout this state.

Legislative Intent for "county commissioners' staff" included County Planning Directors, Emergency Managers, and County Administrators. SB 80 goes on to say that after ODF meets with county commissioners and staff, they will have public hearings and opportunities for Oregonians to comment on the map. Then counties will have one additional meeting with the Department after those public meetings occur to review the latest map iteration.

ODF plans on bringing maps to serve as a starting place for the September 21 meeting. It is anticipated they will provide the County with copies two weeks prior for review and to identify areas of concern. It is also expected ODF will also come ready to discuss any comments raised previously by affected counties.

¹ District 2 includes Crook, Deschutes, Harney, Jefferson, Klamath, and Lake counties.