



**MEMORANDUM**

**TO:** Deschutes County Board of Commissioners (Board)

**FROM:** Kyle Collins, Associate Planner  
Will Groves, Planning Manager  
Peter Gutowsky, Community Development Director  
Kevin Moriarty, County Forester

**DATE:** September 6, 2023

**SUBJECT:** Senate Bill 80 – Statewide Wildfire Hazard Mapping Discussion

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**I. BACKGROUND**

Certain properties in rural Deschutes County will likely be subject to new wildfire mitigation measures as approved under Senate Bill (SB) 762<sup>1</sup> and ultimately amended pursuant to SB 80<sup>2</sup>. One of the primary pieces of SB 762 and SB 80 is the creation of a comprehensive Statewide Wildfire Hazard Map to guide new wildfire regulations for development. The initial hazard map was made available on June 30, 2022. However, based on significant concern from citizens and interest groups through the state, the Oregon Department of Forestry (ODF) withdrew the initial map to provide more time for additional public outreach and refinement of hazard classification methodologies.

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. SB 80 also forbids insurance companies from using the map to set insurance rates for homeowners. The new roll out of the map does not have a deadline for completion, however it is anticipated for spring 2024.

Under SB 80, once the Statewide Wildfire Hazard Maps are finalized, properties included in **both** a designated Wildland Urban Interface (WUI) boundary and classified as high hazard will be subject to additional development regulations. SB 80 requires that, at minimum, local governments ensure that properties meeting both of these standards will be subject to:

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

<sup>2</sup> <https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/SB80/Enrolled>

- 1) Home hardening building codes as described in section R327 of the Oregon Residential Specialty Code.
- 2) Defensible space standards as determined by the Oregon State Fire Marshal.

At present, the State Fire Marshal has yet to develop final statewide defensible space requirements.

ODF officials 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<sup>3</sup>. 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. Draft copies of these maps have been provided to staff and are attached to this memo to identify areas and issues for discussion. It is also expected ODF will also come ready to discuss any comments raised previously by affected counties.

## **II. BOARD CONSIDERATION**

There are no specific decisions for the Board to make regarding the Statewide Wildfire Hazard Map at this time. However, the Board may wish to discuss and outline specific concerns regarding the Statewide Wildfire Hazard Map to be raised during the upcoming AOC meeting on September 21. Deschutes County staff, including the County Forester Kevin Moriarty, will be participating in these proceedings remotely and in person.

### Attachments:

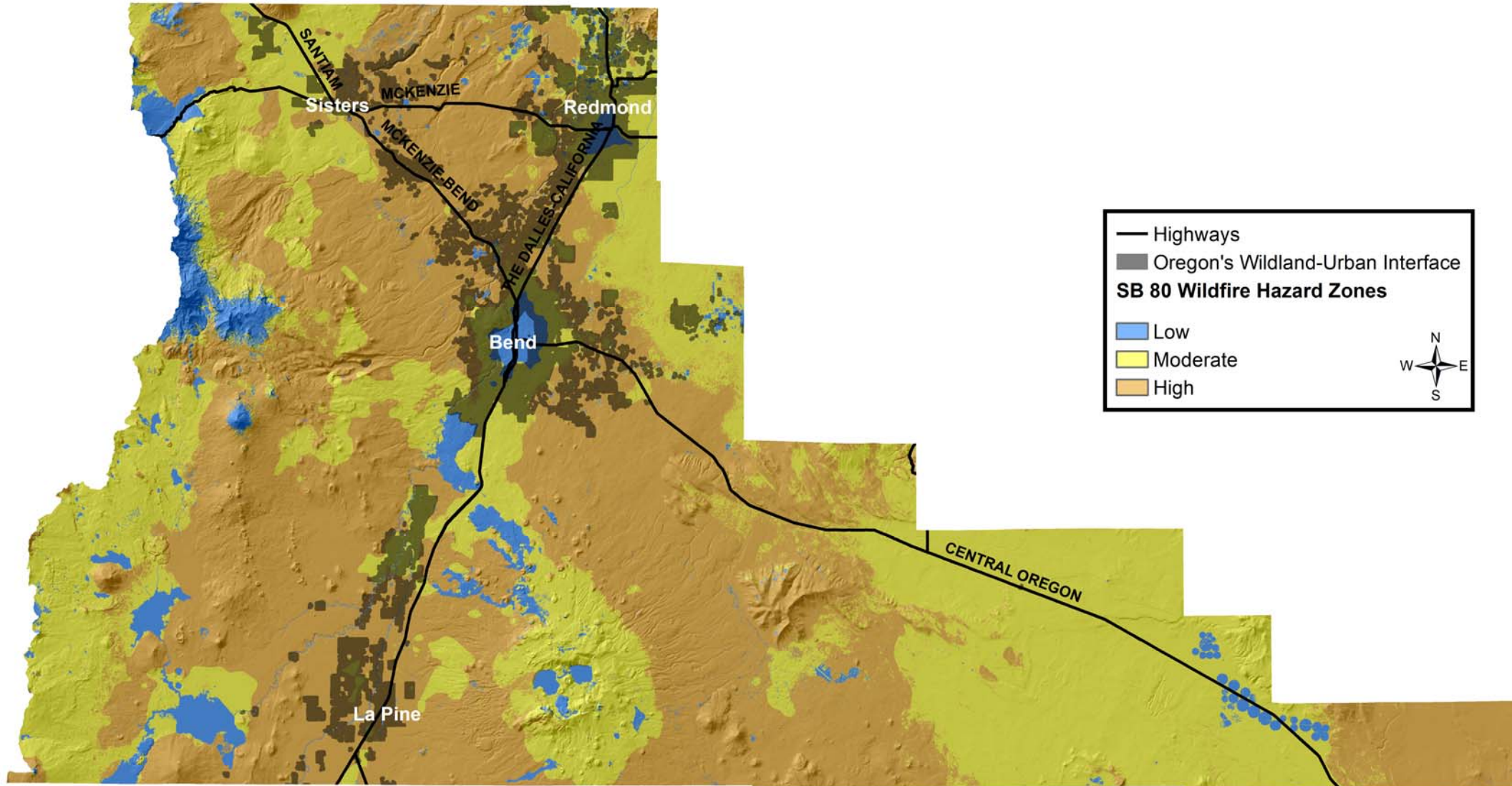
1. Senate Bill 80 – Draft Deschutes County Wildfire Hazard Map
2. Senate Bill 762 – Deschutes County Wildfire Risk Map

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<sup>3</sup> District 2 includes Crook, Deschutes, Harney, Jefferson, Klamath, and Lake counties.

# Draft Senate Bill 80 Wildfire Hazard Map

(AOC District 2 Meeting - 9/21/2023)



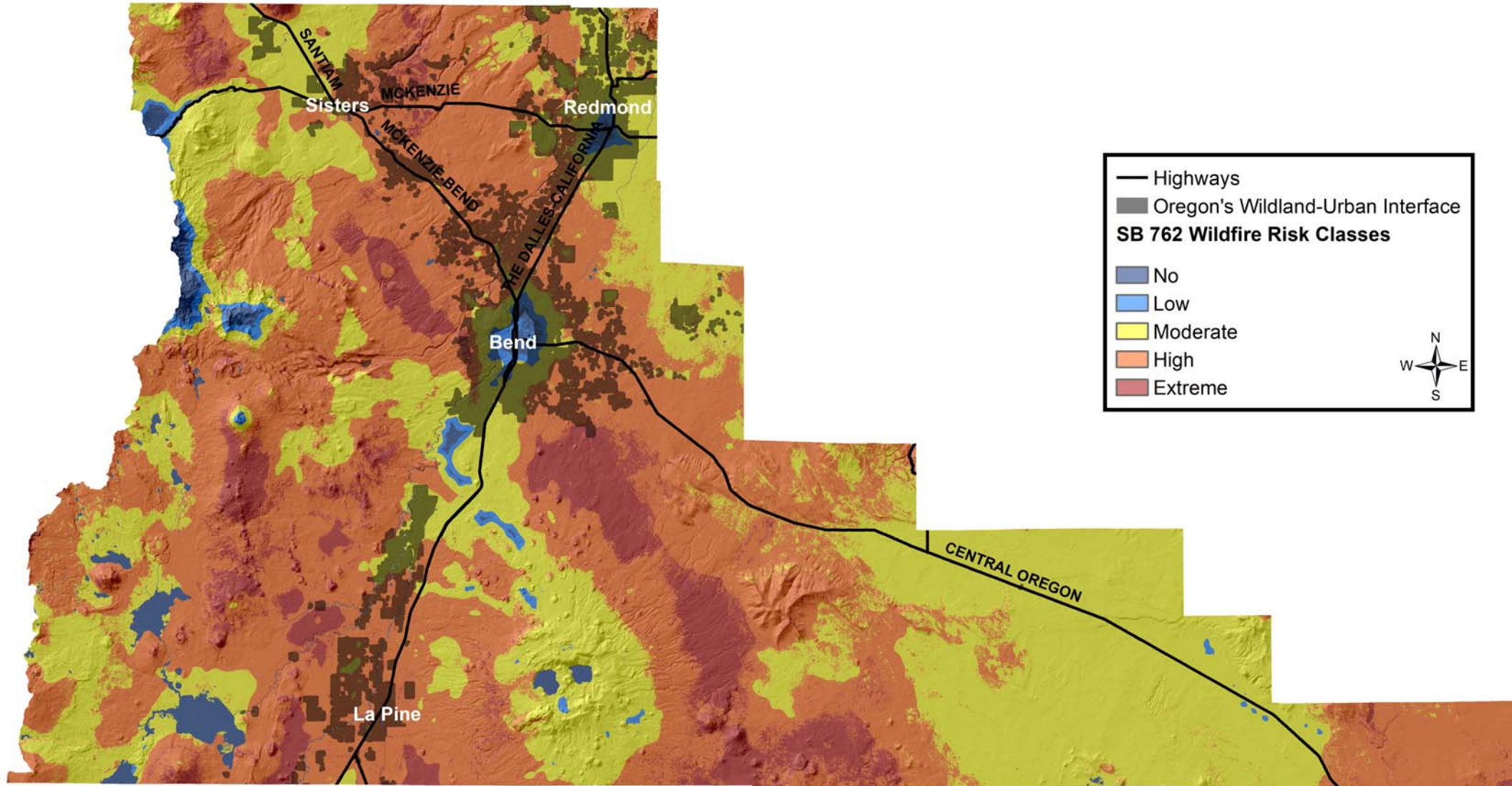
— Highways  
■ Oregon's Wildland-Urban Interface  
**SB 80 Wildfire Hazard Zones**  
■ Low  
■ Moderate  
■ High





# Senate Bill 762 Wildfire Risk Map

(AOC District 2 Meeting - 9/21/2023)



— Highways  
■ Oregon's Wildland-Urban Interface  
**SB 762 Wildfire Risk Classes**

- No
- Low
- Moderate
- High
- Extreme

