

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Legislation Repeal

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| <p>Background:</p> <p>Jackson County is leading a request to repeal SB 762 (2021) and SB 80 (2023) regarding the development of a statewide wildfire hazard map. The Jackson County Board of Commissioners is sending a letter to the governor and legislators requesting the repeal. Umatilla County is asked to join in the letter.</p> | <p>Requested Action:</p> <p>Authorize Umatilla County Board of Commissioners to join in letter and express county support for the repeal</p> |
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ATTACHMENTS : Letter

*****For Internal Use Only*****

Checkoffs:

- () Dept. Heard (copy)
- () Human Resources (copy)
- (X) Legal (copy)
- () (Other - List:)

To be notified of Meeting:

Needed at Meeting:

Scheduled for meeting on: October 2, 2024

Action taken:

Follow-up:



JACKSON COUNTY

Oregon

Board of Commissioners

Rick Dyer (541) 774-6118
Dave Dotterer (541) 774-6119
Colleen Roberts (541) 774-6117
Fax: (541) 774-6705

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September 10, 2024

Honorable Governor Tina Kotek
Office of the Governor
c/o Genevieve Ziebell
Genevieve.J.Ziebell@Oregon.gov
c/o Laura Hutchings
Laura.Hutchings@Oregon.gov
900 Court St NE S-254
Salem OR 97301

Senator Kathleen Taylor
Senator Majority Leader
State of Oregon, Senate District 21
900 Court Street NE, S-205
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Sen.KathleenTaylor@oregonlegislature.gov

Representative Julie Fahey
Speaker of the House
State of Oregon, House District 14
900 Court Street NE, H-271
Salem OR 97301
Rep.JulieFahey@oregonlegislature.gov

Representative Jeff Helfrich
House Minority Leader
State of Oregon, House District 52
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Rep.JeffHelfrich@oregonlegislature.gov

Senator Rob Wagner
Senate President
State of Oregon, Senate District 19
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Senator Daniel Bonham
Senator Minority Leader
State of Oregon, Senate District 26
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Representative Ben Bowman
House Majority Leader
State of Oregon, House District 25
900 Court Street NE, H-295
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Rep.BenBowman@oregonlegislature.gov

RE: Letter Requesting the Repeal of Oregon Senate Bills 762 (2021) and 80 (2023)

Dear Governor Kotek, Senators Wagner, Taylor, and Bonham; and Representatives Fahey, Bowman, and Helfrich:

We, the Jackson County Board of Commissioners, wish to express our strong opposition to the adoption of the proposed Wildfire Hazard Map, pursuant to Oregon Senate Bills (SB) 762 (2021) and 80 (2023). Furthermore, we believe that the policy behind this legislation needs to be completely revisited, as it was implemented based on an inaccurate, inconsistent map and a flawed process that could lead to significant legal challenges, erode public trust, and unjustly restrict property rights in the community. As such, we request that you propose repealing the provisions of SBs 762 and 80.

This current iteration of the proposed Map, conducted pursuant to SB 80, promised to be a significant improvement over its predecessor that was developed under SB 762, and being more thoroughly researched and

vetted. However, what we have observed is the exact opposite. The proposed Map contains substantial errors in the basic information, incorrect tax lot counts, incorrect structure locations, misclassified fire scars, and outdated data. These fundamental errors highlight a troubling reality: the State has been unable to produce a map that meets the necessary accuracy and reliability to effectively reduce wildfire hazards. These inaccuracies also present real consequences that will impose substantial burdens, costs, and regulations on property owners.

Additionally, the challenges faced by the State in creating this proposed Map are compounded by mismanaged public lands that surround many of the most affected properties. These poorly managed areas significantly increase the risk of wildfires, and present a larger hazard than the conditions that property owners can control. This combination of inaccurate mapping and the neglect of surrounding landscapes underscores the need for a comprehensive approach that addresses both individual property management and the larger context of public land stewardship. Acknowledging these external factors is crucial for developing more effective strategies to mitigate wildfire risks and enhance community safety, and was not considered during the development of the proposed Map.

Furthermore, the process surrounding the development of the proposed Map lacked transparency and meaningful public engagement, and led to the disenfranchisement of property owners who were not adequately informed or consulted. Additionally, the notification of the application of the proposed Map to individual property owners **after the comment period closes** will require individual property owners to go through the costly and time-consuming contested case process that is required under SB 80.

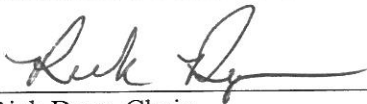
Moreover, SBs 762 and 80 requires that the proposed Map's classification system rely on outdated data which fails to account for proactive measures taken by property owners to mitigate wildfire risks, such as home hardening and creating defensible space. This leads to arbitrary designations and unnecessary restrictions on responsible property owners who have already taken steps to protect their properties.

Given these pressing concerns, we urge you to repeal SBs 762 and 80 and reconsider the policy behind the adoption of the proposed Wildfire Hazard Map.

Thank you for considering our concerns and recommendations. We look forward to your response on this important matter.

Sincerely,


JACKSON COUNTY BOARD OF COMMISSIONERS



Rick Dyer, Chair



Dave Dotterrer, Commissioner



Colleen Roberts, Commissioner

:rd/jb/mc

By: Email Only

CC: Oregon Legislators, Oregon County Commissioners

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