

Hearing Officer Report

Date: June 20, 2023
To: Oregon Department of Energy
From: James Cogle, Rulemaking Coordinator
Subject: Hearing Officer's Report on Rulemaking Hearing
Hearing Date: May 18, 2023
Hearing Location: Online

Filing caption: Energy Efficient Wildfire Rebuilding Incentive Program amendment.

The rulemaking hearing on the proposed rules was convened at 4:08 p.m. One member of the public attended along with five Oregon Department of Energy staff, including the hearing officer. People were asked to type their names, affiliations, and state whether they wished to comment on the proposed rules into the chat function of Webex. They were informed of the procedures for taking comments. They also were told that the hearing was being recorded.

Before receiving comment, James Cogle briefly summarized the proposed rules.

Summary of Oral Public Comments

Cass Cornwell, Firebrand Resiliency Collective: It is vitally important to extend the deadline for the program. Looking at the data available on the recovery of manufactured home parks, that alone tells me that very few people have been able to rebuild in time to take advantage of this program. More resources for people to rebuild their homes may be available when HARP releases. People have been in limbo since the WRRRA funds dried up to be able to replace their homes. Only around 244 of the over 1500 manufactured homes that were destroyed have been replaced, this figure may change as some data still needs to be processed. It is safe to say that less than 300 of the manufactured homes have been replaced. We have numbers on the Jackson County dashboard for building permits issued for site built homes and again I would say we are about a third of the way there with site built homes, but it is still way behind and there are still people who will need to use the incentive.

Written Comments

No written comments were submitted at the hearing.

Three written comments were submitted during the public comment period, two were supportive of the extension of the deadline and one comment did not say whether they were supportive or not but addressed two topics. The first topic was that a building permit should not be a requirement, as some repairs caused by the fire do not require a permit. Secondly,

that payment of the incentive should occur following completion of the work, not necessarily the project. The funds could then be used to help address issues required to complete the building permit. These changes were not made, the program uses evidence that building codes have been met as a requirement to receive an incentive for residential and commercial structures. Restructuring the program as described in the comment would have altered how the program verifies that projects are complete and was outside the scope of the rulemaking.

Close of Hearing

The hearing was adjourned at 4:20 p.m. The public comment period closed at 5 p.m. on May 22, 2023.