

Date of Hearing: April 14, 2021

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Luz Rivas, Chair

AB 1255 (Bloom) – As Amended April 6, 2021

SUBJECT: Fire prevention: fire risk reduction guidance: local assistance grants

SUMMARY: Requires, on or before July 1, 2023, the Natural Resources Agency (NRA), in collaboration or consultation with specified state agencies, to develop a guidance document that describes goals, approaches, opportunities, and best practices in each region of the state for ecologically appropriate, habitat-specific fire risk reduction. Requires specified consultation with counties related to the Department of Forestry and Fire Protection's (CAL FIRE) local fire prevention grant program.

EXISTING LAW:

- 1) Requires the Board of Forestry and Fire Protection (Board) to classify all lands within the state for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state [known as the State Responsibility Area (SRA)].
- 2) Requires CAL FIRE to identify certain areas in the local responsibility area (LRA) as very high fire hazard severity zones (VHFHSZ) based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas.
- 3) Authorizes the board of supervisors of any county to provide by ordinance that the county assumes responsibility for the prevention and suppression of all fires on all land in the county, including lands within the SRA, when CAL FIRE concurs in accordance with criteria adopted by the Board. Specifies that the county exercises, for the duration of the contract, all the duty, power, authority, and responsibility for the prevention and suppression of all fires on all land in the county for which the county is authorized.
- 4) Requires, to the extent feasible and only in portions of the state, the Board's vegetation treatment program programmatic environmental impact report, when certified, to serve as the programmatic environmental document for persons conducting prescribed fires with a CAL FIRE burn permit.
- 5) Authorizes prescribed burning, mastication, herbicide application, mechanical thinning, or other vegetative treatments of chaparral or sage scrub to only occur if CAL FIRE finds that the activity will not cause "type conversion" away from the chaparral and coastal sage scrub currently on site.
- 6) Requires the Natural Resources Agency (NRA), in consultation with the State Fire Marshal (SFM) and the Forest Management Task Force (FMTF), to review regional capacity of each county that contains a VHFHSZ.
- 7) Establishes a local assistance grant program at CAL FIRE to improve fire prevention in California and ensure that fire prevention activities happen year round.

- 8) Requires the Board to develop criteria and maintain a "Fire Risk Adapted Community" list of local agencies that meet best practices for local fire planning. Prioritizes local agencies on the list for CAL FIRE's local assistance fire prevention grants.
- 9) Requires, pursuant to SB 901 (Dodd), Chapter 626, Statutes of 2018, the following appropriations from the Greenhouse Gas Reduction Fund (GGRF) be made through the 2023-24 fiscal year to CAL FIRE:
 - a) \$165 million for healthy forest and fire prevention programs and projects that improve forest health and reduce greenhouse gas emissions caused by uncontrolled wildfires.
 - b) \$35 million to complete prescribed fire and other fuel reduction projects through proven forestry practices consistent with the recommendations of the Forest Carbon Plan, including the operation of year-round prescribed fire crews and implementation of a research and monitoring program for climate change adaptation.

THIS BILL:

- 1) Defines "forest restoration" to mean assisting the recovery of degraded forest ecosystems by reestablishing the composition, structure, pattern, and ecological processes necessary to facilitate terrestrial and aquatic ecosystems, sustainability, resilience, and health under current and future conditions. Requires forest restoration activities to take a broader approach than fuel reduction activities by considering the need for resilience to a wider range of stressors, such as increased temperatures, drought, and insect-induced mortality. Requires Forest Restoration activities to also provide watershed health and wildlife habitat benefits.
- 2) Defines "habitat-specific fire risk reduction" to mean fire risk reduction activities that take into account an area's ecology including, but not limited to, the needs of native plant and animal species and the historic fire regimes including, but not limited to, the pattern, timing, duration, and intensity in which fires have naturally occurred. Specifies that habitat-specific fire risk reduction reduces fire risk for communities while minimizing any negative impacts to native plants and animal species.
- 3) Defines "type conversion" to mean the dominant native plant species, such as native shrublands, are dramatically reduced or extirpated, allowing nonnative plant species to colonize and spread due to single or multiple disturbance events, including wildfire incidents.
- 4) Requires, on or before July 1, 2023, the NRA, in collaboration with CAL FIRE, the State Water Resources Control Board, and the Department of Fish and Wildlife, and in consultation with the Office of Planning and Research, the Office of Emergency Services, the Department of Parks and Recreation, state conservancies, and other relevant state agencies, to develop a guidance document that describes goals, approaches, opportunities, and best practices in each region of the state for ecologically appropriate, habitat-specific fire risk reduction.
- 5) Requires the guidance document to do all of the following:
 - a) Identify and define applicable regions of the state, accounting for and distinguishing habitat characteristics that are important to recognize to support habitat-specific and threat-specific, effective wildfire risk reduction activities;

- b) Describe future conditions that balance fire behavior, public safety, and climate resilience with habitat protection and watershed function, and that recognize different balances of those priorities and proximity to vulnerable assets, including, but not limited to, homes;
 - c) Describe strategies for achieving and maintaining the desired conditions over long time horizons. Specifies for forests, this must include addressing future economic pressure to harvest timber while maintaining climate and fire resilient forest structure;
 - d) Describe existing workforce limitations and assist state agencies in identifying and developing workforce training opportunities and career specified fields;
 - e) Recommend actions that state agencies can take to implement any fire prevention or forest health programs that account for and prioritize habitat-specific fire risk reduction and forest restoration projects that avoid type conversion;
 - f) Identify projects that should be implemented in each region of the state; and,
 - g) Recommend opportunities to use and implement the guidance document, including a description of the general scale of wildfire risk reduction needs in each region and recommendations to allocate funding to CAL FIRE, state agencies, conservancies, or other entities.
- 6) Requires the guidance document to be developed through a public process, including region-specific public workshops.
 - 7) Requires, to the extent feasible, CAL FIRE, state agencies, and conservancies incorporate the guidance document into their funding programs.
 - 8) Requires CAL FIRE to collaborate or consult with state agencies and conservancies to implement the guidance document, as specified.
 - 9) Specifies any funding for programs described in the guidance document approved by the state before July 1, 2022 will not be delayed or contingent upon the development of the guidance document.
 - 10) Requires CAL FIRE to consult with a county before awarding a local assistance grant for a project within the county, to ensure that a county's, including a contract county's, local fire prevention priorities are considered and prioritized.
 - 11) Eliminates the sunset date of January 1, 2024 for CAL FIRE's authority to provide advanced payments.

FISCAL EFFECT: Unknown

COMMENTS:

1) Author's statement:

Wildfire in California is a natural and important influence on California's diverse landscapes. However, increasingly hot temperatures, unpredictable wind and weather events, and ongoing drought conditions have created a growing and

increasingly complicated wildfire threat to communities across California. Our natural resources, public lands, and diverse habitats, which provide numerous benefits to communities including recreation, clean water, and clean air, are also imperiled.

While California will likely always have a substantial need for fire suppression and response, we should make greater investments in risk reduction and resilience strategies and activities that can help reduce the catastrophic impacts and onerous costs of wildfires.

AB 1255 provides an integrated approach to advance wildfire resilience actions and risk mitigation in a variety of habitat types, with the goals of building resilience into our natural resources and ensuring our communities are safe. In addition, the proposed bill seeks to engage community members, stakeholders, and the best available science to consider innovative approaches to workforce development, planning, and infrastructure hardening.

- 2) **Background.** Wildfires in California are continuing to increase in frequency and intensity, resulting in loss of life and damage to public health, property, infrastructure, and ecosystems. In 2020, wildfires burned more than 4.1 million acres. The August Complex Fire in northern California, the largest fire in California's modern history, burned over one million acres. In total, wildfires caused 33 deaths and destroyed over 10,000 structures in 2020. The land area burned in 2020 more than doubled the previous record, roughly 1.8 million acres, which was set in 2018. Furthermore, seven of the state's deadliest fires have occurred since 2017, with over 100 fatalities in 2017 and 2018.

Fire has always been present in California landscapes either occurring by lightning strikes or used by Native American tribes to preserve certain useful plants and prevent larger fires. Low-intensity fires have clear ecological benefits, such as creating habitat and assisting in the regeneration of certain species of plants and trees. Low-intensity fire also reduces surface fuel, which decreases future wildfire intensity.

A century of suppressing low-intensity fires, logging of older growth and more fire-resistant trees, and a significant five-year drought has increased the size and severity of California's fires. Climate change has also contributed to wildfire risk by reducing humidity and precipitation and increasing temperatures.

The use of targeted mechanical vegetation management, prescribed fire, and managed wildfire reduces the accumulated high fuel loads, promoting healthier, more resilient forests, reducing the risk of high-severity wildfires.

SB 901 (Dodd), Chapter 626, Statutes of 2018, committed \$1 billion for CAL FIRE's Forest Health Grant Program and Fire Prevention Grant Program and dedicated fuel reduction crews over the next five years. The funds are meant to be used to do significant fuel reduction work near communities and in forested watersheds, and many projects will include a biomass utilization component. Approximately half of this commitment has already been spent.

On January 8, 2021, the Governor's Budget proposed \$1 billion to support the FMTF's Wildfire and Forest Resilience Action Plan; the plan included early action items and an extension of the SB 901 funding commitment for five years.

- 3) **This bill.** On January 8, 2021, the Governor's Forest Management Task Force (FMTF) released a comprehensive action plan to reduce wildfire risk for vulnerable communities, improve the health of forests and wildlands, and accelerate action to combat climate change. This action plan stated:

California's diverse landscapes and communities require regionally tailored strategies and actions. Protecting California's communities and natural places from the impacts of catastrophic wildfire cannot be achieved through a "one size fits all" solution. Different types of vegetation and landscapes— from redwoods to chaparral to desert— require different approaches. State investments and programs must recognize and enable regionally and locally-driven solutions in partnership with groups and leaders from these regions

This bill attempts to create habitat specific fire risk reduction activities to address the diverse landscapes of California that are all subject to fire risk. A review of CAL FIRE's Forest Health Grant Program and Local Fire Prevention Grant Program has shown that a majority of the awards have been awarded to forested landscapes of the North Coast, Northern California, and the Sierra Nevada. While Southern California has received less than 10% of the awards. The bill requires NRA to provide guidance to state agencies who are funding fire risk reduction on how to identify habitat specific fire risk reduction activities for all landscapes of the state.

In addition, the bill attempts to recognize that the six contract counties (Marin, Kern, Los Angeles, Santa Barbara, Ventura, and Orange) assume all the fire prevention responsibilities for the state in those counties and should play a larger role in deciding how local fire prevention grants are allocated.

- 4) **Amendments.** In order to reduce conflict with AB 9 (Wood) and improve the clarity of the bill. The author and committee *may wish to consider* the following amendments:
- a) Clarify the definition of forest restoration;
 - b) Add the Forest Management Task Force to the list of agencies the NRA should collaborate with;
 - c) Remove references to addressing the economic pressure of timber harvesting;
 - d) Remove identification of specific projects;
 - e) Remove the requirement that CAL FIRE coordinate with regional entities when implementing the guidance document; and,
 - f) Clarify county consultation requirement to recognize the role of contract counties.

5) Related legislation.

AB 9 (Wood) establishes in the Department of Conservation the Regional Forest and Fire Capacity Program to support regional leadership to build local and regional capacity and develop, prioritize, and implement strategies and projects that create fire-adapted communities by improving watershed health, forest health, community wildfire preparedness, and fire resilience. This bill is also scheduled to be heard in this committee on April 14th.

AB 642 (Friedman) is an omnibus fire prevention bill that makes various changes to support cultural and prescribed fire, including the creation of a Cultural Burning Liaison at CAL FIRE, and requires a proposal for creating a prescribed fire training center in California. This bill passed out of this committee on March 24th with a vote of 9-0 and is awaiting hearing in the Assembly Appropriations Committee.

SB 63 (Stern) makes multiple changes in state law to enhance fire prevention efforts by CAL FIRE, including, among other things, improved vegetation management and expanding the area where fire safety building standards apply. This bill is awaiting hearing in the Senate Housing Committee.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Association of Local Conservation Corps
 California Association of Realtors
 California Invasive Plant Council
 California Native Plant Society
 Civicorps
 Community Nature Connection
 Defenders of Wildlife
 Endangered Habitats League
 Los Angeles Conservation Corps
 Midcoast Community Council
 North Peninsula Democratic Club
 Orange County Conservation Corps
 Pacific Forest Trust
 San Jose Conservation Corps & Charter School
 Sierra Business Council
 Southern California Mountains Foundation
 Urban Corps of San Diego County
 1 Individual

Opposition

None on file

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