Assembly Bill No. 1823 CHAPTER 399

An act to amend Sections 4290.1, 4630.1, and 4630.2 of, to add Section 4005 to, and to repeal Section 4124.7 of, the Public Resources Code, relating to fire protection. [Approved by Governor October 2, 2019. Filed with Secretary of State October 2, 2019.] legislative counsel’ s digest AB 1823, Committee on Natural Resources. Fire protection: local fire planning.

(1)  Existing law requires the State Board of Forestry and Fire Protection, on or before July 1, 2022, to develop criteria for and maintain a “Fire Risk Reduction Community” list of local agencies located in a state responsibility area or a very high fire hazard severity zone that meet best practices for local fire planning. Existing law requires the state board to consider certain things when developing the criteria for the list, including recently developed or updated community wildfire protection plans. This bill would also require the state board, when considering developing criteria for the list, to consider compliance with the state board’s regulations, including minimum fire safety standards. The bill would require the state board to post the list on its internet website. The bill would also repeal a duplicative and inoperative provision that incorrectly names the list.

(2)  Existing law establishes the Forest Management Task Force pursuant to a specified executive order issued by the Governor, and requires the task force or its successor entity, on or before July 1, 2020, in consultation with specified entities, to develop recommendations for siting additional wood product manufacturing facilities in the state. Existing law specifies that it is the intent of the Legislature, in developing those recommendations, that the location and activities of the mass timber production facilities be, among other things, located in, or be approximate to, areas that are near the locations of large landscape fires, as described, and in areas identified as federal opportunity zones or in areas that have an average household income of 5% below the state’s median household income. This bill would add a definition of the task force for purposes of those provisions and recast the median household income threshold from 5% below to at least 5% below the state’s median household income.

(3)  Existing law requires, on or before January 31, 2020, the Department of Forestry and Fire Protection, in consultation with the state board, to identify barriers to in-state production of mass timber and other innovative forest products, and develop solutions that are consistent with the state’s climate objectives on forest lands.

This bill would extend the compliance date from on or before January 31, 2020, to on or before July 1, 2020.

The people of the State of California do enact as follows:

SECTION 1. Section 4005 is added to the Public Resources Code, to read: 4005. “Forest Management Task Force” means the task force established by the Governor to oversee the implementation of Executive Order No. B-52-18.

SEC. 2. Section 4124.7 of the Public Resources Code, as added by Section 3 of Chapter 632 of the Statutes of 2018, is repealed.

SEC. 3. Section 4290.1 of the Public Resources Code is amended to read: 4290.1. (a)  On or before July 1, 2022, the board shall develop criteria for and maintain a “Fire Risk Reduction Community” list of local agencies located in a state responsibility area or a very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code, that meet best practices for local fire planning. (b)  The board shall consider all of the following when developing the criteria for the list required under subdivision (a):

(1)  Compliance with the board’s regulations, including minimum fire safety standards.

(2)  Participation in the National Fire Protection Association’s “Firewise USA” or the National Wildfire Coordinating Group’s “Fire Adapted Communities” programs.

(3)  Adoption of the board’s recommendations to improve the safety element pursuant to subdivision (b) of Section 65302.5 of the Government Code.

(4) Recently developed or updated community wildfire protection plans. (c)  The board shall post the “Fire Risk Reduction Community” list on its internet website.

SEC. 4. Section 4630.1 of the Public Resources Code is amended to read: 4630.1. (a)  On or before July 1, 2020, the department, in consultation with the board, shall identify barriers to in-state production of mass timber and other innovative forest products, and shall develop solutions that are consistent with the state’s climate objectives on forest lands. (b)  The department shall collaborate, in implementing this section, with members of the working group established pursuant to Section 717, other state agencies, and independent experts, including with apprenticeship programs of organized labor, community colleges, and others with similar expertise, on innovative forest products and mass timber workforce training and job creation.

SEC. 5. Section 4630.2 of the Public Resources Code is amended to read: 93 Ch. 399 — 2 — 4630.2. (a)  On or before July 1, 2020, the Forest Management Task Force or its successor entity shall, in consultation with the Governor’s Office of Business and Economic Development, the Joint Institute for Wood Products Innovation in the Board of Forestry and Fire Protection, private industry, investors, and other stakeholders it deems appropriate, develop recommendations for siting additional wood product manufacturing facilities in the state. These recommendations shall include, but are not limited to, all of the following: (1) A financially viable proposal for the development and construction of at least one new mass timber production facility that can manufacture mass timber panels that can be cross or dowel laminated or use similar mass timber technology. (2)  The identification and proposal of the necessary incentives needed to attract private investment to construct such a mass timber production facility in California. (3)  The identification of other former manufacturing or wood processing sites that may be suitable for future investment. (b)  In developing the recommendations pursuant to subdivision (a), it is the intent of the Legislature that the location and activities of the mass timber production facilities, to the extent feasible, meet all of the following: (1) Be adjacent to a high or very high fire hazard severity zone, as identified by the department, and be capable of processing materials generated as a result of fuel treatments or other forest management practices. (2)  Generate mass timber workforce training and job creation opportunities. (3)  Be located in, or be proximate to, areas that are near the locations of large landscape fires of greater than 50,000 acres that have occurred since 2005 and in areas identified as federal opportunity zones or in areas that have an average household income of at least 5 percent below the state’s median household income.

[NOTE: relevant sections to the Fire Risk Reduction Community list excerpted from full bill text.]

SB 901, Dodd. Wildfires. Chapter 626.

(1) Existing law, the California Emergency Services Act, among other things, authorizes the Governor, with the advice of the Office of Emergency Services, to divide the state into mutual aid regions for the more effective application, administration, and coordination of mutual aid and other emergency-related activities. Existing law authorizes the Office of Emergency Services to coordinate response and recovery operations in the mutual aid regions. The Budget Act of 2018 appropriated $99,376,000 to the Office of Emergency Services for purposes of local assistance. Of those funds, $25,000,000 was made available, pursuant to a schedule, for equipment and technology that improves the mutual aid system. Existing law authorizes the Department of Forestry and Fire Protection (CalFire) to administer various programs, including grant programs, relating to forest health and wildfire protection.

This bill would revise the Budget Act of 2018 to provide that the $25,000,000 described above shall be applied to support activities directly related to regional response and readiness. The bill would provide that these activities include predeployment of Office of Emergency Services fire and rescue and local government resources that are part of the California Fire and Rescue Mutual Aid System or additional resources upon the authority and approval of the Office of Emergency Services to meet the requirements for state resources called up for predisaster and disaster response.

This bill would state that 2 separate appropriations, one for $165,000,000 and one for $35,000,000, shall be made in each Budget Act through the 2023–24 fiscal year from the Greenhouse Gas Reduction Fund to CalFire, each for separately identified purposes relating to forest health, fire prevention, and fuel reduction.

(4) Existing law requires CalFire to provide fire prevention and firefighting implements and apparatus, and organize fire crews and other services, related to the prevention and control of forest fires.

This bill would require, contingent on the enactment of AB 1956 of the 2017–18 Regular Session, the department to prioritize local assistance grant funding applications from local agencies based on the “Fire Risk Reduction Community” list, as provided.

This bill would also require the state forestry board to adopt regulations implementing minimum fire safety standards that are applicable to lands classified and designated as very high fire hazard severity zones and would require the regulations to apply to the perimeters and access to all residential, commercial, and industrial building construction within lands classified and designated as very high fire hazard severity zones, as defined, after July 1, 2021. The bill would further require the state forestry board to, on and after July 1, 2021, periodically update regulations for fuel breaks and greenbelts near communities to provide greater fire safety for the perimeters to all residential, commercial, and industrial building construction within state responsibility areas and lands classified and designated as very high fire hazard severity zones after that date. The bill would require the state forestry board, on or before July 1, 2022, to develop criteria and maintain a “Fire Risk Reduction Community” list of local agencies located in a state responsibility area or a very high fire hazard severity zone that meet best practices for local fire planning.

**SEC. 6.**

 Section 4124.7 is added to the Public Resources Code, to read:

**4124.7.**

 (a) The department shall, except for activities described in paragraph (5) of subdivision (c) of Section 4124.5, prioritize local assistance grant funding applications from local agencies based on the “Fire Risk Reduction Community” list, upon development of that list, pursuant to Section 4290.1.

(b) The prioritization required in subdivision (a) shall not affect applications from entities that are not local agencies.

(c) This section shall become operative only if Assembly Bill 1956 of the 2017–18 Regular Session is chaptered and becomes effective on or before January 1, 2019.

**SEC. 10.**

 Section 4290.1 is added to the Public Resources Code, to read:

**4290.1.**

 (a) On or before July 1, 2022, the board shall develop criteria and maintain a “Fire Risk Reduction Community” list of local agencies located in a state responsibility area or a very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code, that meet best practices for local fire planning.

(b) The board shall consider all of the following when developing the criteria for the list required under subdivision (a):

(1) Participation in the National Fire Protection Association’s “Firewise USA” or the National Wildfire Coordinating Group’s “Fire Risk Reduction Communities” programs.

(2) Adoption of the board’s recommendations to improve the safety element pursuant to subdivision (b) of Section 65302.5 of the Government Code.

(3) Recently developed or updated community wildfire protection plans.