

BOARD OF FORESTRY AND FIRE PROTECTION

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**EXECUTIVE OFFICER'S REPORT ON PENDING LEGISLATION**

As of 01/17/2019

Board Business**[SB 73, Mitchell, As Amended](#)****Status: Printed**

This bill would make appropriations for the support of state government for the 2019–20 fiscal year.

This bill would declare that it is to take effect immediately as a Budget Bill.

[AB 190, Ting, As Amended](#)**Status: Sent to Printer**

This bill would make appropriations for the support of state government for the 2019–20 fiscal year.

This bill would declare that it is to take effect immediately as a Budget Bill.

Forestry**[AB 144, Aguiar-Curry, As Amended](#)****Status: First Read on 1/7/19**

Existing law declares that a thriving in-state forest products sector provides public benefits, including employment opportunities in both rural and urban areas, and economic development for rural communities. Existing law establishes the Forest Health 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 the siting of 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 proximate 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 recast the median household income threshold from 5% below to at or below 5% of the state's median household income.

Fire Protection**[AB 38, Wood, As Amended](#)****Status: Printed**

(1) Existing law, California Building Standards Law, requires the State Fire Marshall to develop, and the California Building Standards Commission to review, building standards to implement the state's fire and life safety policy.

Existing law requires the Director of Forestry and Fire Protection to designate specified areas as very high fire hazard severity zones. Existing law requires the State Fire Marshall, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, to recommend building standards for very high fire hazard severity zones to protect structures and vegetation from fires spreading from adjacent structures or vegetation. Existing law requires persons who own, lease, control, operate, or maintain dwellings or occupied structures in these designated areas to comply with specified requirements, including

complying with all applicable state and local building standards. Existing law makes a violation of these provisions a crime.

This bill would require, no later than July 1, 2020, the State Fire Marshall to develop, and the California Building Standards Commission to review, building standards for buildings in very high fire hazard severity zones. The bill would require, beginning on July 1, 2020, all newly constructed buildings and all transferred buildings in very high fire hazard severity zones to comply with the building standards. By requiring new building standards for buildings in very high fire hazard severity zones, this bill would expand the definition of a crime and impose a state-mandated local program.

This bill would establish the State Fire Preparedness Council, consisting of specified members, and would prescribe the responsibilities of the state council with regard to improving the scale and effectiveness of the state's fire preparedness. The bill would require the state council to, among other things, create regional community fire preparedness councils, composed of members representing the local community in areas of the state designated as very high fire hazard severity zones, as described, to work collaboratively with the state council to implement fire prevention measures in the regional community, as specified.

(2) Existing law authorizes local agencies, upon making specified findings, to provide low-interest loans to owners of buildings within their jurisdiction for the purpose of making seismic safety upgrades to eligible buildings, as defined, in order to meet current earthquake safety codes. Existing law authorizes these local entities to issue bonds in order to finance these loans which are secured by a lien on the subject property. This bill would establish the Fire Hardened Homes Revolving Loan Fund in the State Treasury, as specified. The bill would transfer \$1,000,000,000 from the General Fund to the new fund for the purposes of the bill. Moneys in the fund would be available, upon appropriation by the Legislature, to an unspecified state agency to distribute to local agencies for the purpose of funding no- or low-interest loans made by those agencies to owners of eligible buildings to pay for eligible costs of fire hardening. The bill would provide that financing under this program, along with other liens on the subject property, could not exceed 80% of the appraised value of the property. The bill would define terms for its purposes.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

[SB 130, Galgiani, As Amended](#)

Status: Printed

Existing law requires the Department of Forestry and Fire Protection to implement and administer various programs designed to improve forests and grasslands and prevent and suppress fires in state responsibility areas, as defined.

This bill would provide that it is the intent of the Legislature to enact legislation that would authorize the installation of a siren warning system for wildfires in populated areas and communities in state responsibility areas.

[SB 45, Allen, As Amended](#)

Status: Referred to Coms. on N.R. & W., EQ., and GOV. & F.

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide primary direct election, authorizes the issuance of bonds in an amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

This bill would enact the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.

This bill would provide for the submission of these provisions to the voters at the _____, 2020, _____ election. This bill would declare that it is to take effect immediately as an urgency statute.

[SB 133, Galgiani, As Amended](#)**Status: Printed**

Existing law establishes various programs for the prevention, detection, and mitigation of wildfires.

This bill would state the intent of the Legislature to enact legislation to create and fund a program for installing remote infrared cameras that can help in detecting wildfires.

[AB 191, Patterson, As Amended](#)**Status: Printed**

Existing law, the State Housing Law, establishes statewide construction and occupancy standards for buildings used for human habitation, including energy conservation and fire prevention requirements relating to energy efficiency and the installation of interior sprinklers.

This bill would, until January 1, 2030, exempt homes being rebuilt after wildfires or specified emergency events that occurred on or after January 1, 2017, from meeting certain current building standards.

[AB 41, Gallagher, As Amended](#)**Status: Printed**

The California Disaster Assistance Act provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs.

This bill would provide that the state share is up to 100% of total state eligible costs connected with the Camp Fire that started on November 8, 2018, in the County of Butte.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Butte.

[AB 42, Gallagher, As Amended](#)**Status: Printed**

Existing law authorizes a county board of supervisors to provide by ordinance for the reassessment of property that is damaged or destroyed, without fault on the part of the assessee, by a major misfortune or calamity, upon the application of the assessee or upon the action of the county assessor with the board's approval. With respect to certain counties that have adopted reassessment ordinances and have been declared by the Governor to be in a state of emergency as a result of certain events, existing law provides for state allocations of the estimated amounts of the reductions in property tax revenues resulting in certain fiscal years from reassessments under those ordinances. Existing law also continuously appropriates, without regard to fiscal years, moneys in the Special Fund for Economic Uncertainties for purposes of funding these state allocations.

This bill would state the intent of the Legislature to enact legislation that would provide for state allocations with respect to property tax revenue reductions resulting from reassessments for damages incurred within the County of Butte due to the 2018 Camp Fire.

Greenhouse Gas Reduction Fund Appropriations[SB 25, Caballero, As Amended](#)**Status: Referred to Com. on N.R. & W.**

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA.

Existing federal law authorizes the governor of a state to nominate a specified number of census tracts that meet certain requirements as a qualified opportunity zone and authorizes the Treasury Secretary to designate those tracts as qualified opportunity zones. Existing federal law provides certain federal tax incentives to a taxpayer who invests in a qualified opportunity fund, which is an investment vehicle organized for the purpose of investing in qualified opportunity zone property, as prescribed.

This bill would establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for projects located in qualified opportunity zones that are funded, in whole or in part, by qualified opportunity funds, or by moneys from the Greenhouse Gas Reduction Fund and allocated by the Strategic Growth Council. Because a public agency would be required to comply with those new procedures, this bill would impose a state-mandated local program. The bill would apply certain rules of court establishing procedures requiring actions or proceedings seeking judicial review pursuant to CEQA or the granting of project approvals, including any appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects located in a qualified opportunity zone.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Range Management

[SB 62, Dodd, As Amended](#)

Status: Referred to Com. on N.R. & W.

Existing law, the California Endangered Species Act, prohibits the taking of an endangered or threatened species, except in certain situations. Under the act, the Department of Fish and Wildlife may authorize the take of listed species pursuant to an incidental take permit if the take is incidental to an otherwise lawful activity, the impacts are minimized and fully mitigated, and the issuance of the permit would not jeopardize the continued existence of the species. The act requires the department to adopt regulations for the issuance of incidental take permits.

The act also provides, until January 1, 2020, that the accidental take of candidate, threatened, or endangered species resulting from acts that occur on a farm or a ranch in the course of otherwise lawful routine and ongoing agricultural activities is not prohibited by the act.

This bill would make this exception permanent.