

EXECUTIVE OFFICER'S REPORT ON PENDING LEGISLATION

As of 07/11/2019

Board Business

AB 1222, Flora, As Introduced

Gut and amend, no longer relevant to the Board. Would have increased number of Board members to 10.

Forestry

AB 1160, Dahle, As Amended

Status: Enrolled and Presented to the Governor

The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. The act requires the State Board of Forestry and Fire Protection to adopt district forest practice rules and regulations, as provided, and requires a sustained yield plan that is prepared and approved in accordance with these rules and regulations to be effective for a period of no more than 10 years.

This bill would instead require the sustained yield plan to be effective for a period of no more than 20 years.

~~*The act authorizes the state board to exempt from some or all of those provisions of the act a person engaging in specified forest management activities, as prescribed, including the cutting or removal of trees on the person's property that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials and maintaining a fuel break, known as the Small Timberland Owner Exemption.*~~

~~*This bill would include as an exemption, the harvesting of trees, limited to those trees that eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns, for the purpose of reducing the rate of fire spread, duration, and intensity, fuel ignitability, or ignition of tree crowns, subject to specified requirements, known as the Shaded Fuel Break Exemption.*~~

AB 144, Aguiar-Curry, As Amended

Status: In Appropriations Committee: Held Under Submission

(1) 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~~ 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 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 add a definition of the task force for purposes of those provisions and recast the median household income threshold from 5% below to at or below 5% of the state's median household income.

(2) Existing law establishes the strategic growth council in state government consisting of various state agency heads and 3 public members. Existing law assigns to the council certain duties relative to the identification and review of activities and funding programs of state agencies that may be coordinated to improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, meet greenhouse gas emissions reduction goals, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner.

This bill would require the council, in consultation with stakeholders and relevant permitting agencies, to prepare and submit a report to the legislature that provides a scoping plan for the state to meet its organic ~~waste management~~ waste, climate change, and air quality mandates, goals, and targets and would require the scoping plan to include, among other things, recommendations on policy and funding support for ~~closing the loop on carbon-neutral or carbon-negative organic waste management practices.~~ the beneficial reuse of organic waste.

AB 1375, Bigelow, As Introduced

Status: Appropriations Committee: Held Under Submission

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 for the removal of dead and dying trees in connection with the Governor's Proclamation of a State of Emergency issued on October 30, 2015, is no more than 90% of total state eligible costs.

SB 69, Weiner, As Amended

Status: Re-referred to Committee on Appropriations

(12) The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. The act requires the department, upon receipt of a timber harvesting plan, to transmit a copy to, among other entities, the appropriate California regional water quality control board, and prohibits a timber harvesting plan from being approved if the appropriate regional board finds, based on substantial evidence, that the timber operations proposed in the plan will result in a discharge into a watercourse that has been classified as impaired due to sediment pursuant to federal law, that causes or contributes to a violation of the regional water quality control plan. The act requires the State Board of Forestry and Fire Protection to adopt district forest practice rules and regulations, as provided, to ensure the continuous growing and harvesting of commercial forest tree species and to protect the soil, air, fish, wildlife, and water resources.

Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the regional boards prescribe waste discharge requirements for the discharge of waste that could affect the quality of the waters of the state. This bill would instead prohibit a timber harvesting plan from being approved unless the appropriate regional board finds that the timber operations proposed in the plan will not result in a significant discharge into a watercourse that has been classified as impaired due to sediment pursuant to federal law, that causes or contributes to a violation of the regional water quality control plan, basin plan, approved total maximum daily load requirement, or approved waste discharge requirement. The bill would impose various forest practice requirements on a person who discharges sediment into a Class I, II, or III watercourse pursuant to a timber harvesting plan and would require the regional boards to incorporate those requirements into any applicable waste discharge requirements to manage controllable sources of sediment, achieve water quality objectives, and protect beneficial uses. The bill would provide that any requirements in the forest practice rules adopted by the State Board of Forestry and Fire Protection that contain more stringent sediment control standards shall prevail over the requirements established in the bill, and would incorporate definitions from the forest practice rules and regulations into the bill's provisions. The bill would limit the application of these forest practice requirements to fish-bearing watercourses or watercourses that have historically been fish-bearing watercourses.

The bill would require a regional board, upon receipt of a timber harvesting plan submitted by the Department of Forestry and Fire Protection, to expeditiously review the plan for consistency with any applicable regional water quality control plan, basin plan, approved total maximum daily load requirement, or approved waste discharge requirement, and to notify the department of any inconsistencies it finds.

Fire Protection

AB 1823, Natural Resources Committee, As Amended

Status: Ordered to Consent Calendar

(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 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 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.

*clean up bill from 2018 legislative season

SB 632, Galgiani, As Amended

Status: Re-referred to Committee on Appropriations

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.

~~Existing law authorizes the court to grant relief in an action or proceeding brought challenging a project on the grounds of noncompliance with CEQA.~~

~~This bill would, in granting relief in such action or proceeding, prohibit the court from enjoining or staying a project that is consistent with a vegetation treatment program~~

~~for which a program environmental impact report has been certified by the State Board of Forestry and Fire Protection.~~

Existing law establishes the State Board of Forestry and Fire Protection and vests the board with authority over wildland forest resources.

This bill would require the board, by June 30, 2020, to complete its environmental review under CEQA and certify a specific draft program environmental impact report for a vegetation treatment program.

AB 616, Patterson, As Amended

Status: Appropriations Committee: Held Under Submission

Existing law requires the Department of Forestry and Fire Protection to implement various fire protection programs intended to protect forest resources and prevent uncontrolled wildfires.

This bill would require the department, in collaboration with the Natural Resources Agency and the California Environmental Protection Agency, to prepare and submit to the Legislature and the appropriate legislative policy and budget committees, on or before January 1, 2021, and by January 1 of each year thereafter, until January 1, ~~2025,~~ 2024, a report on the progress made with regard to the implementation of a specified forest carbon plan, as described, and the policies and resources needed ~~to achieve specified wildland fire prevention goals for fuel treatment and vegetation management in the state, as prescribed.~~ meet the objectives of the plan.

SB 462, Stern, As Amended

Status: Re-referred to Appropriations Committee; Add to Consent Calendar

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Under existing law, the board of governors appoints a chief executive officer, who is known as the Chancellor of the California Community Colleges.

This bill would require the Chancellor's Office of the California Community Colleges, working in collaboration with the Academic Senate for California Community Colleges, ~~to establish a model curriculum for a forest and woodlands restoration and fire resiliency workforce program that could be offered at campuses of the California Community Colleges. The bill would require the chancellor's office to distribute the model curriculum to community college districts no later than January 1, 2021, with the goal of enabling interested community college districts to offer the course to students beginning with the 2021-22 academic year.~~ develop a forest and woodlands restoration workforce model curriculum and vocational programs to be offered by community college districts commencing on or before July 31, 2021. The bill would require the chancellor's office to allocate funds appropriated for purposes of the bill to community college districts that offer the coursework in accordance with the model curriculum, as specified.

The bill would require the model curriculum to reflect regional needs, and to be developed by the chancellor's office in consultation with experts from designated

governmental, academic, and nonprofit organizations with a demonstrated expertise in forest and woodland restoration and fire management. The bill would require the final contents of the model curriculum to be determined solely by the Academic Senate for California Community Colleges. The bill would also specify topics to be covered and training to be provided, to the extent practicable and feasible, by the model curriculum and the related vocational programs.

The bill would ~~provide~~ express the intent of the Legislature that certified graduates of the forest and woodlands restoration workforce course would be ~~eligible~~ able to matriculate into the prescribed fire teams of the Department of Forestry and Fire Protection or into work with other compatible state and federal forest ~~and woodlands~~ restoration efforts and other private professional restoration businesses and related apprenticeship programs, as specified programs. The bill would require the chancellor's office, working in collaboration with the California Fire Science Consortium, to provide community college districts interested in offering the forest and woodlands restoration workforce course with information about fire advisors from the consortium who are qualified, willing, and available to be course instructors or to consult with those instructors.

SB 515, Caballero, As Amended

Status: Re-referred to Appropriations Committee; Add to Consent Calendar

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires each electrical corporation, local publicly owned electric utility, and electrical cooperative to construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment. Existing law requires each electrical corporation to annually prepare a wildfire mitigation plan and to submit its plan to the commission for review and approval, as specified. Existing law requires that an electrical corporation's wildfire mitigation plan include plans for vegetation management. Existing law requires the commission and the Department of Forestry and Fire Protection to enter into a memorandum of understanding to cooperatively develop consistent approaches and share data related to fire prevention, safety, vegetation management, and energy distribution system.

This bill would require the commission to submit a report to the appropriate policy committees of the Legislature on or before January 6, 2020, that contains specified information relating to high hazard zone fuel.

~~Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The California Renewables Portfolio Standard Program requires the commission to establish a renewables portfolio standard requiring all retail sellers, including electrical corporations, to procure a minimum quantity of electricity products from eligible renewables energy resources, as defined, so that the total kilowatthours of those products sold to their retail end-use customers achieves 25% of retail sales by December 31, 2016, 33% by December 31, 2020, 44% by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. The program requires electrical corporations, by~~

~~December 1, 2016, to collectively procure, through 5-year financial commitments, their proportionate share of 125 megawatts of cumulative rated generating capacity from bioenergy projects that commenced operation prior to June 1, 2013, and that each produces its generation using specified minimum percentages of certain types of forest feedstock. Pursuant to existing law, the commission has adopted resolutions establishing fuel or feedstock procurement requirements for generation from bioenergy projects intended to reduce wildfire risks that are applicable to the state's 3 largest electrical corporations. This bill would expand the fuels and feedstocks that are eligible to meet these wildfire risk reduction fuel and feedstock requirements to include biomass diverted from specified higher fire-risk zones.~~

Land Use Planning

SB 190, Dodd, As Amended

Status: Re-referred to Committee on Appropriations

This bill would require the Office of the State Fire Marshal to develop, in consultation with representatives from local, state, and federal fire services, local government, building officials, utility companies, the building industry, insurers and insurance research organizations, and the environmental community, a model defensible space program to be made available for use by a city, county, or city and county in the enforcement of the defensible space provisions. The bill would set forth required components of the program.

This bill would require the Office of the State Fire Marshal to develop and make available on their internet website a Wildland-Urban Interface Fire Safety Building Standards Compliance training manual intended for use in the training of local building officials, builders, and fire service personnel. The bill would require the Office of the State Fire Marshal to develop a guidance document for the maintenance of defensible space around residential structures. The bill would also require the Office of the State Fire Marshal to develop and update on a regular basis a Wildland-Urban Interface Products handbook listing products and construction systems that comply with specified Wildland-Urban Interface Fire Safety building standards.

This bill would additionally provide that, upon appropriation, moneys in the fund may be available for purposes of carrying the requirements described in (1) and (2) above.

AB 394, Obernolte, As Amended

Status: Re-referred to Senate Committee on Natural Resources and Water

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion—~~of,~~ 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.

This bill would, until January 1, 2025, exempt from CEQA egress route projects or activities undertaken by a public agency that are specifically recommended by the State Board of Forestry and Fire Protection that improve the fire safety of an existing subdivision if certain conditions are met. The bill would require the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project or activity is exempt. The bill would require the lead agency to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project or activity will be located.

SB 182, Jackson, As Amended

Status: Re-referred to Committee on Local Government

(1) The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a housing element and a safety element for the protection of the community from unreasonable risks associated with the effects of various geologic and seismic hazards, flooding, and wildland and urban fires. Existing law requires the housing element to be revised according to a specific schedule. Existing law requires the planning agency to review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every 8 years to identify new information relating to flood and fire hazards and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element.

This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after January 1, 2020, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit ~~strategy~~, strategy to reduce the risk of property loss and damage during wildfires, as ~~specified~~. specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the clearinghouse described below. The bill would also require the planning agency to review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every 8 years, to identify new information relating to retrofit updates applicable to the city or county that was not available during the previous revision of the safety element. By increasing the duties of local officials, this bill would create a state-mandated local program.

(2) Existing law requires the general plan to include a land use element that designates the proposed general distribution and general location and extent of the uses of the land for, among other purposes, housing, business, and industry. Existing law additionally requires the general plan to include a housing element and requires each local government to review and revise its housing element, as specified.

This bill would require a city or county that contains a very high fire risk area, as defined, upon each revision of the housing element on or after January 1, 2021, to amend the land use element of its general plan to contain, among other things, the locations of all very high fire risk areas within the city or county and feasible implementation measures designed to carry out specified goals, objectives, and policies relating to the protection of lives and property from unreasonable risk of wildfire. The bill would require the city or county to complete a review of, and make findings related to, wildfire risk reduction standards, as defined, upon each subsequent revision of the housing element, as provided. The bill would require the State Board of Forestry and Fire Protection to review the findings and make recommendations, as provided.

The bill would additionally require the Office of the State Fire Marshal, in consultation with the Office of Planning and Research, on or before January 1, 2023, to review the wildfire risk reduction standards and specified wildfire risk reduction standards that meet certain requirements, adopt reasonable standards for third-party inspection and certifications for a specified enforcement program, and update the maps of the very high fire hazard severity zones, as specified.

Existing law requires county or city zoning ordinances to be consistent with the general plan of the county or city, as specified.

This bill would require a city or county that contains a very high fire risk area, within 12 months following the amendment of the city or county's land use element, to adopt a very high fire risk overlay zone or otherwise amend its zoning ordinance so that it is consistent with the general plan, as specified.

This bill would additionally prohibit the legislative body of a city or county that contains a very high fire risk area, upon the effective date of the revision of the city or county's land use element, from entering into a development agreement for property that is located within a very high fire risk area, approving specified discretionary permits or other discretionary entitlements for projects located within a very high fire risk area, or approving a tentative map or a parcel map for which a tentative map was not required for a subdivision that is located within a very high fire risk area, unless the city or county makes specified findings based on substantial evidence in the record.

By increasing the duties of local officials, this bill would impose a state-mandated local program.

(3) Existing law requires the Department of Housing and Community Development, in consultation with each council of governments, to determine each region's existing and projected housing need, as provided. Existing law requires each council of governments, or the department for cities and counties without a council of governments, to adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county and that furthers specified objectives.

This bill would require the regional housing needs allocation plan to additionally further the objective of reducing development pressure within very high fire risk areas by ~~considering allocation of~~ allocating a lower proportion of housing ~~to jurisdictions that contain a greater amount of land~~ a jurisdiction if it is likely that the jurisdiction would otherwise need to identify lands within ~~those~~ a very high fire

~~risk areas~~, area as adequate sites in order to meet its housing need allocation, as specified.

(4) Existing law requires the council of governments, or delegate subregion, as applicable, to develop a proposed methodology for distributing the existing and projected regional housing need and, to the extent that sufficient data is available as provided, to include specified factors to develop the methodology that allocates regional housing needs, including, among other factors, the rate of overcrowding.

This bill would additionally require the council of governments, or delegate subregion, as applicable, to include within those factors, the amount of land in each member jurisdiction that is within a very high fire risk area.

For cities and counties without a council of governments, existing law requires the Department of Housing and Community Development to determine and distribute the existing and projected housing need, unless that responsibility is delegated as provided to cities and counties, based upon available data and in consultation with the cities and counties, taking into consideration, among other things, the availability of suitable sites and public facilities.

This bill would also require the amount of land in each city and each county that is within a very high fire risk area, as defined, to be taken into consideration by the department.

By increasing the duties of local officials, this bill would impose a state-mandated local program.

(5) Existing law requires, for any conservation easement purchased with state funds on or after January 1, 2019, wherein land subject to the easement includes some forest lands, or consists completely of forest lands, to the extent not in conflict with federal law, the terms of any applicable bond, or the requirements of any other funding source, that the landowner agree, as part of the easement, to maintain and improve forest health through promotion of a more natural tree density, species composition, structure, and habitat function, to make improvements that increase the land's ability to provide resilient, long-term carbon sequestration and net carbon stores, as well as watershed functions, to provide for the retention of larger trees and a natural range of age classes, and to ensure the growth and retention of such larger trees over time.

This bill would revise and recast this provision to instead require, for any conservation easement purchased with state funds on or after January 1, 2020, wherein land subject to the easement is comprised of specified forestland, to the extent not in conflict with federal law, the terms of any applicable bond, or the requirements of any other funding source, that the terms of the conservation easement address maintaining and improving forest health and resiliency to disturbances in order to conserve and enhance the land's ability to provide long-term carbon sequestration, climate benefits, and watershed functions. The bill would also require the conservation easement, and any required management plan, to guide forest and other land management undertaken by the landowner to promote, among other things, native forest ecological structure and species composition, as specified.

(6) Existing law requires the Office of Planning and Research to implement various long-range planning and research policies and goals that are intended to, among other things, encourage the formation and proper functioning of local entities and, in

connection with those responsibilities, to adopt guidelines for the preparation and content of the mandatory elements required in city and county general plans.

This bill would require the Office of Planning and Research, on or before January 1, 2023, in collaboration with cities and counties, to develop and post on its internet website a clearinghouse of local ordinances, policies, and best practices relating to land use planning in very high fire risk areas, wildfire risk reduction, and wildfire preparedness, as specified.

(7) Existing law requires, until the 2023–24 fiscal year, the amount of \$165,000,000 to be appropriated from the Greenhouse Gas Reduction Fund to the Department of Forestry and Fire Protection for healthy forest and fire prevention programs and projects that improve forest health and reduce greenhouse gas emissions caused by uncontrolled wildfires.

This bill would require an unspecified amount of those funds to be allocated by the Department of Forestry and Fire Protection for grants to cities and counties that contain one or more very high fire risk areas for programs and projects that have the dual benefit of controlling the spread of wildfire and improving life safety, as specified. The bill would require the department to prioritize local assistance grant funding applications from local agencies based on the proportion of land located in very high fire risk areas or on the recommendation of the State Board of Forestry and Fire Protection for fire safety improvements.

(8) Existing law requires a common interest development within a very high fire severity zone to allow an owner to install or repair a roof with at least one type of fire retardant roof covering material that meets specified requirements.

This bill would require the one type of fire retardant roof covering material to additionally meet, at a minimum, class B standards, as specified in the International Building Code.

(9) 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.

AB 747, Levine, As Amended

Status: From Consent Calendar; Ordered to Third Reading

The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries that bears relation to its planning. That law requires this general plan to include certain mandatory elements, including a safety element for the protection of the community from unreasonable risks associated with the effects of various geologic hazards, flooding, wildland and urban fires, and climate adaptation and resilience strategies. That law requires the safety element to address, among other things, evacuation routes related to identified fire and geologic hazards.

~~This bill would require the safety element's address of~~ [bill, upon the next revision of a local hazard mitigation plan on or after January 1, 2020, or beginning on or before](#)

January 1, 2021, if a local jurisdiction has not adopted a local hazard mitigation plan, would require the safety element to be reviewed and updated as necessary to identify evacuation routes ~~to include their capacity~~ and their capacity, safety, and viability under a range of emergency scenarios. The bill would authorize a city or county that has adopted a local hazard mitigation plan, emergency operations plan, or other document that fulfills commensurate goals and objectives to use that information in the safety element to comply with this requirement by summarizing and incorporating by reference that other plan or document in the safety element.

By increasing the duties of local ~~government officials~~, planning officials with respect to the update of general plans, this bill would impose a state-mandated local program.

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.

AB 191, Patterson, As Amended

Status: Re-referred to Committee on Housing and Community Development

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 that meet specified requirements and are being rebuilt after wildfires or specified emergency events that occurred on or after January 1, 2017, from meeting certain current building standards.

AB 1516, Friedman, As Amended

Status: Re-referred to Committee on Appropriations

(1) Existing law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on specified criteria and the severity of the fire hazard. Existing law requires that a person who owns, leases, controls, operates, or maintains an occupied dwelling or structure in, upon, or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land, or land that is covered with flammable material that is within a very high fire hazard severity zone, as designated by a local agency, or a building or structure in, upon, or adjoining those areas or lands within a state responsibility area, to maintain a defensible space of 100 feet from each side and from the front and rear of the structure, as specified. A repeated violation within a specified timeframe of those requirements is a crime.

This bill would require a person described above to utilize more intense fuel reductions between 5 and 30 feet around the structure, and to create a noncombustible zone within 5 feet of the structure. Because a violation of these

provisions would be a crime or expand the scope of an existing crime, the bill would impose a state-mandated local program.

This bill would require each local agency having jurisdiction of property upon which conditions that are regulated by the defensible space provisions described above to annually report to the Department of Forestry and Fire Protection the number of inspections, enforcement actions, and estimated compliance rates with those provisions for the property within its jurisdiction. By imposing additional reporting requirements on local agencies, the bill would impose a state-mandated local program.

This bill would require each local agency having jurisdiction of property upon which conditions that are regulated by the defensible space provisions described above and the Department of Forestry and Fire Protection to make reasonable efforts to provide notice to affected residents of the above requirements before imposing penalties for a violation of those requirements.

This bill would require the Department of Forestry and Fire Protection to (A), commencing January 1, 2021, ensure the inspection of each known structure within a state responsibility area at least once every 3 years, (B) periodically review and provide spot checks of compliance with defensible space requirements in areas where contract counties enforce those requirements within a state responsibility area, (C) provide biannual training to applicable local officials on defensible space inspections, and (D) take all feasible steps to improve compliance with defensible space requirements. The bill would require the department, by July 1, 2021, to develop a wildland-urban interface wildfire risk model to determine the risk for a community or parcel within a local responsibility area or a state responsibility area and guidelines for the proper use of the model, as provided. The bill would require the department to establish, and consult with, an advisory workgroup, with specified members, to develop the model. The bill would require the department to update the model and guidelines whenever fire hazard severity zones are revised.

(2) Existing law requires the Department of Forestry and Fire Protection to develop, periodically update, and post on its internet website a guidance document on fuels management for purposes of very high fire hazard severity zones, as designated by a local agency, and requires the guidance document to include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species.

This bill would limit these native species, for purposes of the guidance document, to those that are fire resistant or drought tolerant, or both.

(3) Existing law provides that the Director of Forestry and Fire Protection may authorize the removal of vegetation that is not consistent with specified standards regarding defensible space, as provided.

This bill would require the director to, where necessary and feasible, use members of the California Conservation Corps, a local conservation corps, a resource conservation district, fire safe councils, or other entities deemed appropriate by the director to remove that vegetation.

(4) Existing law requires a person that owns, controls, operates, or maintains an electrical transmission or distribution line upon mountainous land, or in forest-covered land, brush-covered land, or grass-covered land, to maintain certain

clearances between all vegetation and all conductors that are carrying electric current during those times and in those areas determined to be necessary by the Director of Forestry and Fire Protection or the agency with primary responsibility for the fire protection of those areas. A violation of this provision and other specified provisions relating to fire prevention requirements is a crime.

This bill would require the Department of Forestry and Fire ~~Protection and Protection~~, in consultation with the Public Utilities ~~Commission, Commission and any person who owns, controls, operates, or maintains any electrical transmission or distribution lines~~, on or before ~~January 31, July 1, 2021~~, to develop a guidebook of vegetation, including tree and shrub ~~species species~~, that, if planted in the vicinity of electrical transmission and distribution lines, cannot encroach within ~~10 feet of the vicinity of~~ overhead conductors ~~at any time, and, as provided. For purposes of this provision, and other specified provisions related to firebreaks and vegetation clearance around electrical transmission or distribution lines, as provided, the bill would define person to mean, among other things, a county, city, district, or other local public agency. By expanding the duties of a local public agency, the bill would create a state-mandated program. The bill would require the guidebook to ~~contain recommended native vegetation to plant in the vicinity of electrical transmission and distribution lines and towers that provides habitat benefits, include, but not be limited to, guidelines for planting underneath and to the side of conductors of varying voltages, as provided.~~ The bill would require the department, the Public Utilities Commission, an electrical corporation, and a local publicly owned electric utility to make available on their respective internet websites the above-described guidebook. The bill would prohibit landowners, on or after ~~January 31, July 1, 2021~~, from planting vegetation, including tree ~~species and shrub species~~, in the vicinity of electrical transmission and distribution lines that ~~have not been identified in, are inconsistent with~~, or in a location that would be inconsistent with, the provisions of that guidebook. The bill would prohibit landowners, on or after January 31, 2021, from planting vegetation near electrical transmission and distribution lines and towers that can encroach within 10 feet of overhead conductors at any time. Because a violation of those prohibitions on landowners would be a crime, the bill would impose a state-mandated local program.~~

This bill would ~~provide that any person who owns, controls, operates, or maintains any electrical transmission or distribution line, the Public Utilities Commission, or the Department of Forestry and Fire Protection, after providing notice and an opportunity to be heard to the landowner, is authorized to access properties in which vegetation has been planted in violation of those prohibitions on landowners for purposes of removing that vegetation at the landowner's expense. The bill would provide that any person who owns, controls, operates, or maintains any electrical transmission or distribution line, the Public Utilities Commission, or the Department of Forestry and Fire Protection, after providing notice and an opportunity to be heard to the landowner, is authorized to access properties in which volunteer vegetation, as defined, will encroach within 10 feet of overhead conductors for purposes of removing that vegetation. authorize, upon completion of the guidebook, San Diego Gas and Electric Company, until July 1, 2026, to enforce the provisions above, as provided, within their service territory.~~

[This bill would make legislative findings and declarations as to the necessity of a special statute for San Diego Gas and Electric Company.](#)

SB 99, Nielsen, As Amended

Status: From Committee on Appropriations; Add to Consent Calendar

This bill would require the city or county, upon the next ~~specified~~ revision of the housing ~~element~~, element on or after January 1, 2020, to review and update the safety element to include information identifying residential developments in ~~very high fire hazard severity zones or state responsibility~~ hazard areas that do not have at least two emergency evacuation routes. By increasing the duties of local officials, this bill would impose a state-mandated local program.

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.

Greenhouse Gas Reduction Fund Appropriations

AB 343, Patterson, As Amended

Status: Appropriations Committee Held Under Submission

The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, defined to mean the cutting or removal, or both, of timber or other solid wood forest products from timberlands for commercial purposes, unless a timber harvesting plan prepared by a registered professional forester has been submitted for the operations to the Department of Forestry and Fire Protection. The act provides an exception from its provisions for timber operations that involve the removal of trees less than 16 inches in diameter at breast height from a firebreak or fuelbreak if the removal meets specified requirements, including the requirement that the removed trees will not be processed into logs or lumber.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation.

~~The Administrative Procedure Act generally governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law.~~

This bill would require the Natural Resources Agency to develop and implement a fuels transportation program that provides competitive grants or other financial incentives for projects in eligible communities to offset the costs of transporting fuels to ~~a biomass energy facility~~, an eligible biomass facility, an innovative forest

products facility, or a mass timber facility, as specified. The bill would authorize the agency to allocate moneys from the Greenhouse Gas Reduction Fund consistent with the purposes of the fund. ~~The bill would exempt these provisions from the Administrative Procedure Act.~~

AB 352, Garcia, As Amended

Status: Referred to Committee on Environmental Quality

(1) The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

This bill, beginning July 1, 2020, would require state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality, to include a specified application ~~timeline, to allow applicants from the Counties of Imperial and San Diego to include daytime population numbers in grant applications, and to prohibit grant eligibility and scoring criteria from precluding low-income communities, as defined, from applying for or being awarded a grant,~~ timeline.

~~This bill, for competitive grant programs that involve housing, urban forestry, urban greening, or planning and that allocate moneys from the Greenhouse Gas Reduction Fund after July 1, 2020, would require state agencies administering those moneys from the Greenhouse Gas Reduction Fund to develop at least 3 categories for applications based on the total population and population density of where the proposed project is to be located and to develop scoring criteria for each category, as specified. The bill would make these provisions inapplicable to grant programs for agriculture.~~

~~(2) Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law requires the moneys from the Greenhouse Gas Reduction Fund to be used to facilitate the achievement of reductions of greenhouse gas emissions consistent with the act and, among other things, to maximize economic, environmental, and public health benefits to the state.~~

~~This bill would additionally require the moneys in the Greenhouse Gas Reduction Fund to be used to facilitate the achievement of reductions of greenhouse gas emissions consistent with the act and to increase water supply resilience; reduce or prevent increases in transportation, energy, or fuel costs; accelerate the development and implementation of low-carbon technology; reduce vehicle miles traveled; promote zoning and development activities that increase public access to essential services or amenities; promote partnerships between multiple jurisdictions;~~

~~promote climate change adaptation capacity; and improve community access to green space.~~

This bill ~~also~~ would require the ~~department~~ Department of Finance to include in an annual report to the Legislature specified information on the applications received for each grant program allocating moneys from the Greenhouse Gas Reduction Fund.

~~(3)~~

(2) Existing law creates the Transformative Climate Communities Program, which is administered by the Strategic Growth Council. Existing law requires the council to award competitive grants to specified eligible entities for the development and implementation of neighborhood-level transformative climate community plans that include greenhouse gas emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities, as defined. Existing law authorizes the council, when awarding grants under the program, to give priority to plans and projects that cover areas that have a high proportion of census tracts identified as disadvantaged communities and that focus on communities that are most disadvantaged.

This bill would additionally authorize the council, when awarding grants under the program, to give priority to plans and projects covering areas that have a high proportion of census tracts identified as low-income communities, as defined. The bill would authorize applicants from the Counties of Imperial and San Diego to include daytime population numbers in their grant applications. The bill would prohibit the council when adopting the program's guidelines from limiting the geographic boundaries of a project to a number of square miles.

(3) In regards to a certain amendment, this bill would make legislative findings and declarations as to the necessity of a special statute for the Counties of Imperial and San Diego.