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SB-675 Prescribed grazing: local assistance grant program: Wildfire and Forest Resilience Task Force.
(2023-2024)

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Senate Bill No. 675

CHAPTER 772

An act to amend Section 4124.5 of, and to add Sections 741.5 and 4771.6 to, the Public Resources Code, relating to fire prevention.

[Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 675, Limón. Prescribed grazing: local assistance grant program: Wildfire and Forest Resilience Task Force.

Existing law requires the State Board of Forestry and Fire Protection to appoint a Range Management Advisory Committee and to consult with the advisory committee on rangeland resource issues under consideration by the board.

The bill would require, on or before July 1, 2025, the advisory committee, in consultation with specified entities, to develop guidance for local or regional prescribed grazing plans, as provided. The bill would require the Department of Forestry and Fire Protection (department) and the Department of Conservation to consider and incorporate this guidance in specified grant programs, as provided.

Existing law requires the department to establish a local assistance grant program for eligible groups for purposes of specified fire prevention and home hardening education activities in the state, including public education outreach activities and projects to improve compliance with defensible space requirements through increased inspections, assessments, and assistance for low-income residents, as provided. Existing law authorizes the Director of Forestry and Fire Protection to authorize advance payments from a local assistance grant award, subject to specified conditions, and requires the grantee of the advance payment to file an accountability report with the department 4 months from the date of receiving the funds and every 4 months thereafter. Existing law makes funding for this program subject to an appropriation by the Legislature.

This bill would expand the fire prevention and home hardening education activities eligible for these grants to include projects involving the application of prescribed grazing, as provided. The bill would change the eligibility criteria for projects to improve compliance with defensible space requirements to make eligible, instead of low-income residents, those residents with socioeconomic characteristics that increase the risk of wildfire or adverse health outcomes, or that inhibit the ability to respond to a wildfire, as specified. For purposes of an advance payment of grant funds, the bill would instead require the grantee to file an accountability report with the department no later than 6 months from the date of receiving the funds and no later than every 6 months thereafter.

Existing law requires the Wildfire and Forest Resilience Task Force, established by former Governor Edmund G. Brown Jr., to develop a comprehensive implementation strategy to track and ensure the achievement of the goals and key actions identified in the state's "Wildfire and Forest Resilience Action Plan," as provided. Existing law requires, on or before March 1, 2026, and every 5 years thereafter, the task force to update the action plan.

This bill would require the task force, on or before June 30, 2025, in consultation with the advisory committee, to develop a strategic action plan to expand the use of prescribed grazing, as provided. The bill would require the task force to consider incorporating prescribed grazing in the January 1, 2026, update to the "Wildfire and Forest Resilience Action Plan."

This bill would incorporate additional changes to Section 4124.5 of the Public Resources Code proposed by SB 504 to be operative only if this bill and SB 504 are enacted and this bill is enacted last.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 741.5 is added to the Public Resources Code, to read:

741.5. (a) On or before July 1, 2025, the Range Management Advisory Committee, established pursuant to Section 741, in consultation with the Department of Fish and Wildlife, fire ecologists with expertise in the full range of California's vegetation communities, and the University of California Cooperative Extension Livestock and Natural Resources Advisors and Specialists, shall develop guidance for local or regional prescribed grazing plans. The guidance shall include all of the following:

- (1) Best practices for identifying and selecting priority areas for prescribed grazing.
- (2) Best practices for developing project plans and metrics for applying, monitoring, and evaluating the effectiveness and impacts of prescribed grazing.
- (3) Best practices for using prescribed grazing to increase the diversity and abundance of native species and decrease the abundance of invasive species, including through adaptive management, exclusion areas, wildlife-friendly fencing, and monitoring.
- (4) Recommendations for securing sufficient land and resources, including forage, needed to pasture livestock when not engaged in a prescribed grazing project.
- (5) Best practices for building community support and engaging with public and private landowners to improve the implementation and outcomes of a prescribed grazing plan.
- (6) Methods to identify opportunities to house and maintain shared grazing infrastructure.
- (7) Best practices to use prescribed grazing to support and enhance prescribed burns and other vegetation management projects.
- (8) Best practices for use of prescribed grazing for reducing wildfire risk in and near fire-threatened communities, as that term is defined in paragraph (2) of subdivision (b) of Section 4124.5.
- (9) Other recommendations to increase the pace and scale of prescribed grazing at the local or regional levels, where appropriate.

(b) The department shall consider and incorporate, at its discretion, the guidance developed pursuant to subdivision (a) in the grant program established pursuant to Section 4124.5.

(c) The Department of Conservation shall consider and incorporate, where appropriate, the guidance developed pursuant to subdivision (a) in the grant program established pursuant to Section 4208.1.

SEC. 2. Section 4124.5 of the Public Resources Code is amended to read:

4124.5. (a) The department shall establish a local assistance grant program for fire prevention and home hardening education activities in California. Groups eligible for grants shall include, but are not limited to, local agencies, resource conservation districts, fire safe councils, the California Conservation Corps, certified community conservation corps as defined in Section 14507.5, University of California Cooperative Extension, the Board of Commissioners under California Volunteers described in Section 8411 of the Government Code, Native American tribes, and qualified nonprofit organizations. The department may establish a cost-share requirement for one or more categories of projects.

(b) (1) The local assistance grant program shall establish a robust year-round fire prevention effort in and near fire-threatened communities that focuses on increasing the protection of people, structures, and communities. To the maximum extent practicable, the grants shall be designed to be durable and adaptively managed so that while improving resiliency to wildfire, the projects, when on forest land, retain a mixture of species and sizes of trees to protect habitat values. The department shall prioritize, to the extent feasible, projects that are multiyear efforts.

(2) For purposes of this subdivision, "fire-threatened communities" means those communities in high and very high fire hazard severity zones, identified by the State Fire Marshal pursuant to Section 51178 of the Government Code, or Article 9 (commencing with Section 4201) of this code, or on the "Fire Risk Reduction Community" list maintained by the board pursuant to Section 4290.1.

(c) Eligible activities shall include, but not be limited to, all of the following:

(1) Development and implementation of public education and outreach programs. Programs may include technical assistance, workforce recruitment and training, and equipment purchases.

(2) Fire prevention activities as defined in Section 4124.

(3) Projects to improve compliance with defensible space requirements as required by Section 4291 through increased inspections, assessments, and assistance for residents with relevant socioeconomic characteristics, as defined in Section 8654.7 of the Government Code.

(4) Technical assistance to local agencies to improve fire prevention and reduce fire hazards.

(5) Creation of additional "Firewise USA" communities in the state or other community planning or certification programs deemed as appropriate by the department.

(6) Projects to improve public safety, including, but not limited to, access to emergency equipment and improvements to public evacuation routes.

(7) Vegetation management along roadways and driveways to reduce fire risk. Where appropriate, the Department of Transportation shall be consulted if state infrastructure will be affected. Those projects shall remain consistent with paragraph (1) of subdivision (b).

(8) Public education outreach regarding making homes and communities more wildfire resilient, including training on defensible space and prescribed grazing.

(9) Projects to reduce the flammability of structures and communities to prevent their ignition from wind-driven embers.

(10) Development of a risk reduction checklist for communities that includes defensible space criteria, structural vulnerability potential, and personal evacuation plans.

(11) (A) Projects involving the application of prescribed grazing, which may include the installation of fencing or watering improvements.

(B) Watering improvements described in subparagraph (A) shall not include the creation of a well or replacement of well infrastructure.

(d) The department may consider the fire risk of an area, the geographic balance of projects, and whether the project is complementary to other fire prevention or forest health activities when awarding local assistance grants.

(e) (1) The director may authorize advance payments from a grant awarded pursuant to this section. The advance payment shall not exceed 25 percent of the total grant award. The director may authorize a greater amount, not to exceed 50 percent of either the total grant award or the cost of equipment or supplies, whichever amount is less, for the purpose of purchasing necessary equipment or supplies.

(2) The grantee shall expend the funds from the advance payment within six months of receipt, unless the department waives this requirement.

(3) The grantee shall file an accountability report with the department no later than six months from the date of receiving the funds and no later than every six months thereafter.

(f) Until July 1, 2025, the department may authorize advance payments on a grant awarded under this section in accordance with subdivision (d) of Section 11019.1 of the Government Code.

(g) The department may expand or amend an existing grant program to meet the requirements of this section.

(h) Funding for the local assistance grant program created pursuant to this section shall be made upon appropriation by the Legislature.

SEC. 2.5. Section 4124.5 of the Public Resources Code is amended to read:

4124.5. (a) The department shall establish a local assistance grant program for fire prevention and home hardening education activities in California. Groups eligible for grants shall include, but are not limited to, local agencies, resource conservation districts, fire safe councils, the California Conservation Corps, certified community conservation corps as defined in Section 14507.5, University of California Cooperative Extension, the Board of Commissioners under California Volunteers described in Section 8411 of the Government Code, Native American tribes, and qualified nonprofit organizations. The department may establish a cost-share requirement for one or more categories of projects.

(b) (1) The local assistance grant program shall establish a robust year-round fire prevention effort in and near fire-threatened communities that focuses on increasing the protection of people, structures, and communities. To the maximum extent practicable, the grants shall be designed to be durable and adaptively managed so that while improving resiliency to wildfire, the projects, when on forest land, retain a mixture of species and sizes of trees to protect habitat values. The department shall prioritize, to the extent feasible, projects that are multiyear efforts.

(2) For purposes of this subdivision, "fire-threatened communities" means those communities in high and very high fire hazard severity zones, identified by the State Fire Marshal pursuant to Section 51178 of the Government Code, or Article 9 (commencing with Section 4201) of this code, or on the "Fire Risk Reduction Community" list maintained by the board pursuant to Section 4290.1.

(c) Eligible activities shall include, but not be limited to, all of the following:

(1) Development and implementation of public education and outreach programs. Programs may include technical assistance, new technologies, game elements to enhance and accelerate the education of property owners, workforce recruitment and training, and equipment purchases.

(2) Fire prevention activities as defined in Section 4124.

(3) Projects to improve compliance with defensible space requirements as required by Section 4291 through increased inspections, assessments, and assistance for residents with relevant socioeconomic characteristics, as defined in Section 8654.7 of the Government Code.

(4) Technical assistance to local agencies to improve fire prevention and reduce fire hazards.

(5) Creation of additional "Firewise USA" communities in the state or other community planning or certification programs deemed as appropriate by the department.

(6) Projects to improve public safety, including, but not limited to, access to emergency equipment and improvements to public evacuation routes.

(7) Vegetation management along roadways and driveways to reduce fire risk. Where appropriate, the Department of Transportation shall be consulted if state infrastructure will be affected. Those projects shall remain consistent with paragraph (1) of subdivision (b).

(8) Public education outreach regarding making homes and communities more wildfire resilient, including training on defensible space and prescribed grazing.

(9) Projects to reduce the flammability of structures and communities to prevent their ignition from wind-driven embers.

(10) Development of a risk reduction checklist for communities that includes defensible space criteria, structural vulnerability potential, and personal evacuation plans.

(11) (A) Projects involving the application of prescribed grazing, which may include the installation of fencing or watering improvements.

(B) Watering improvements described in subparagraph (A) shall not include the creation of a well or replacement of well infrastructure.

(d) The department may consider the fire risk of an area, the geographic balance of projects, and whether the project is complementary to other fire prevention or forest health activities when awarding local assistance grants.

(e) When reviewing applications for the grant program created pursuant to this section, the department shall give priority to any local governmental entity qualified to perform defensible space assessments pursuant to Section 4291.5 in very high and high fire hazard severity zones, as identified by the State Fire Marshal pursuant to Section 51178 of the Government Code or Article 9 (commencing with Section 4201) of this chapter or by a local agency pursuant to Section 51179 of the Government Code, for using the common reporting platform created pursuant to subdivision (c) of Section 4291.5 to report that information.

(f) (1) The director may authorize advance payments from a grant awarded pursuant to this section. The advance payment shall not exceed 25 percent of the total grant award. The director may authorize a greater amount, not to exceed 50 percent of either the total grant award or the cost of equipment or supplies, whichever amount is less, for the purpose of purchasing necessary equipment or supplies.

(2) The grantee shall expend the funds from the advance payment within six months of receipt, unless the department waives this requirement.

(3) The grantee shall file an accountability report with the department no later than six months from the date of receiving the funds and no later than every six months thereafter.

(g) Until July 1, 2025, the department may authorize advance payments on a grant awarded under this section in accordance with subdivision (d) of Section 11019.1 of the Government Code.

(h) The department may expand or amend an existing grant program to meet the requirements of this section.

(i) Funding for the local assistance grant program created pursuant to this section shall be made upon appropriation by the Legislature.

SEC. 3. Section 4771.6 is added to the Public Resources Code, to read:

4771.6. (a) On or before June 30, 2025, the task force, in consultation with the Range Management Advisory Committee of the State Board of Forestry and Fire Protection, established pursuant to Section 741, shall develop a strategic action plan to expand the use of prescribed grazing to support the state's efforts to increase the pace and scale of wildfire and forest resilience activities and strengthen the protection of communities and reduce their fire risk.

(b) The plan shall include a focus on reducing wildfire risk in and near "fire-threatened communities," as that term is defined in paragraph (2) of subdivision (b) of Section 4124.5.

(c) The strategic action plan shall include a component on monitoring and evaluating the effectiveness of prescribed grazing on reducing wildfire risk, including near communities, and the impacts of prescribed grazing on forest and wildland health, promoting the diversity and abundance of native species, and decreasing the abundance of invasive species.

(d) The task force shall consider incorporating prescribed grazing in the January 1, 2026, update to the state's "Wildfire and Forest Resilience Action Plan."

SEC. 4. Section 2.5 of this bill incorporates amendments to Section 4124.5 of the Public Resources Code proposed by both this bill and Senate Bill 504. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2025, (2) each bill amends Section 4124.5 of the Public Resources Code, and (3) this bill is enacted after Senate Bill 504, in which case Section 2 of this bill shall not become operative.