SENATE BILL SB-79

Introduced by Senator Mike McGuire (D-2)

An act relating to California Forest Protection, Firefighter Support, and Forest Restoration Act..

LEGISLATIVE COUNSEL'S DIGEST

SB-79, Mike McGuire (D-2). California Forest Protection, Firefighter Support, and Forest Restoration Act..

Existing law authorizes the Department of Forestry and Fire Protection (CAL FIRE) to conduct and support activities related to wildfire prevention, forest management, vegetation management, and fire protection. Existing state programs provide funding for wildfire prevention and forest resilience projects.

This bill would establish the California Forest Protection, Firefighter Support, and Forest Restoration Pilot Program within CAL FIRE to provide additional resources for wildfire prevention, firefighter preparedness, forest management, and forest cleanup.

This bill would make a one-time appropriation of $10,000,000 from the General Fund for the pilot program. Funds would support additional firefighter staffing and training, hazardous vegetation removal, forest thinning, fuel-break maintenance, prescribed fire, forest restoration, cleanup of wildfire-related debris and hazardous materials, and emergency temporary housing, food, water, and clothing for persons displaced by wildfire.

This bill would require CAL FIRE to provide grants to eligible local fire departments, local governments, federally recognized tribes, and nonprofit organizations for qualifying wildfire prevention and forest restoration projects. The bill would also require CAL FIRE to submit an annual report to the Legislature detailing the use and effectiveness of the funds, including recommendations on whether the pilot program should be continued or expanded.

This bill would require not less than $1,000,000 of the grant moneys allocated for firefighter prevention and preparedness, forest management and restoration, and forest and community cleanup to be reserved for grants to federally recognized tribes, would require those applications to be evaluated separately, and would require the department to provide technical assistance to tribal applicants and prohibit matching-fund requirements for them. The bill would also require the department to engage in timely, ongoing, and meaningful consultation with federally recognized California Native American tribes on projects that may affect tribal cultural resources or traditional ecological practices, as specified, and would authorize projects to incorporate traditional ecological knowledge and cultural burning practices.

Vote: 2/3rds. **Appropriations/fiscal:** yes. **Local program:** yes.

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

SECTION 1. The Legislature finds and declares all of the following:
(a) California’s forests provide important environmental, economic, recreational, cultural, and ecological benefits to the state.
(b) Wildfires threaten forests, wildlife, communities, homes, infrastructure, and natural resources throughout California.
(c) Communities in Northern California and other forested areas of the state face significant wildfire risks and require adequate resources for wildfire prevention and emergency response.

(d) Proactive forest management, including hazardous vegetation removal, forest thinning, prescribed fire, fuel-break maintenance, and defensible-space projects, can reduce wildfire fuels and improve forest resilience.
(e) Firefighters require adequate staffing, equipment, training, and resources to respond effectively to wildfires and conduct wildfire prevention activities.
(f) State funding should support wildfire prevention before fires occur while also providing resources to clean up and restore forests following wildfires.
(g) A pilot program will allow the state to measure the results of these investments before committing to larger, ongoing funding.

SEC. 2. The California Forest Protection, Firefighter Support, and Forest Restoration Pilot Program is hereby established within the Department of Forestry and Fire Protection.
(a) The Department of Forestry and Fire Protection shall administer the pilot program.
(b) The department shall coordinate with local fire departments, counties, cities, federally recognized tribes, and eligible nonprofit organizations when implementing projects funded pursuant to this act.
(c) The department shall prioritize projects located in communities with significant wildfire risk.

SEC. 3. The California Forest Protection, Firefighter Support, and Forest Restoration Fund is hereby established in the State Treasury.
(a) The sum of ten million dollars ($10,000,000) is hereby appropriated from the General Fund, on a one-time basis, to the Department of Forestry and Fire Protection for deposit into the fund for the purposes of the pilot program.
(b) Funds shall be distributed for the following purposes:
(1) Forty-five percent ($4,500,000) shall be used for firefighter prevention and preparedness, including:
(A) Hiring additional firefighters and seasonal personnel.
(B) Providing wildfire prevention and emergency response training.
(C) Purchasing and maintaining firefighting and wildfire prevention equipment.
(D) Maintaining and constructing fuel breaks.
(E) Conducting prescribed fire projects where appropriate.
(F) Conducting hazardous vegetation reduction projects.
(G) Supporting wildfire preparedness and prefire planning.
(2) Thirty-five percent ($3,500,000) shall be used for forest management and restoration, including:
(A) Removing dead, diseased, dying, or hazardous trees.
(B) Removing excessive vegetation and hazardous wildfire fuels.
(C) Conducting forest thinning and forest health projects.
(D) Replanting native trees and vegetation.
(E) Restoring forests damaged by wildfire, drought, disease, or other environmental conditions.
(F) Constructing and maintaining strategic fuel breaks.
(3) Fifteen percent ($1,500,000) shall be used for forest and community cleanup and emergency assistance for wildfire survivors, including:
(A) Removing dead trees and fallen vegetation.

(B) Removing wildfire-damaged debris.
(C) Removing illegal dumping and abandoned materials from forested areas.
(D) Removing hazardous materials that create wildfire or public safety risks.
(E) Cleaning areas surrounding communities located in high or very high fire hazard areas.
(F) Providing emergency temporary housing, food, potable water, and clothing to persons, including firefighters, whose primary residence was destroyed or rendered uninhabitable by a wildfire, for a period not to exceed 90 days following the incident.
(4) Five percent ($500,000) shall be used for research, monitoring, and evaluation of wildfire prevention and forest restoration projects.

SEC. 4. The Department of Forestry and Fire Protection shall establish a grant program to provide funding to eligible local fire departments, local governments, federally recognized tribes, and nonprofit organizations.
(a) An applicant for funding shall identify:
(1) The geographic area of the proposed project.
(2) The wildfire risk addressed by the project.
(3) The proposed prevention, cleanup, or restoration activities.
(4) The estimated cost of the project.
(5) The expected number of acres treated.
(6) For an applicant seeking funds for emergency assistance pursuant to subparagraph (F) of paragraph (3) of subdivision (b) of Section 3, the wildfire incident and the estimated number of persons to be assisted.
(b) Priority shall be given to projects that:
(1) Protect communities located in high or very high fire hazard areas.
(2) Reduce hazardous wildfire fuels.
(3) Protect critical infrastructure.
(4) Improve forest health.
(5) Restore forests damaged by wildfire.
(6) Provide measurable wildfire prevention benefits.
(c) (1) Of the moneys allocated pursuant to paragraphs (1) to (3), inclusive, of subdivision (b) of Section 3 for grants, not less than one million dollars ($1,000,000) shall be reserved for grants to federally recognized tribes, drawn proportionally from each of those paragraphs, as determined by the department.
(2) Applications from federally recognized tribes for the reserved funds shall be evaluated separately from applications from other eligible entities.
(3) The department shall provide technical assistance to tribal applicants and shall not require matching funds from tribal applicants.

SEC. 5. The Department of Forestry and Fire Protection shall establish a Firefighter Wildfire Prevention Program.
(a) Participating firefighters may assist with:
(1) Hazardous fuel reduction.
(2) Vegetation management.
(3) Fuel-break construction and maintenance.

(4) Prescribed fire projects.
(5) Community defensible-space projects.
(6) Wildfire prevention education.
(7) Prefire planning and wildfire risk assessment.
(8) Forest restoration activities.
(b) Activities conducted pursuant to this section shall not interfere with a firefighter's emergency response responsibilities.

SEC. 6. The Department of Forestry and Fire Protection shall submit an annual report to the Legislature on or before January 1 of each year until all funds appropriated pursuant to this act have been expended. The report shall include:
(a) The amount of funding distributed pursuant to this act.
(b) The number of firefighters supported through the pilot program.
(c) The number of acres treated for wildfire prevention.
(d) The amount of hazardous vegetation removed.
(e) The number of forest restoration projects completed.
(f) The number of fuel-break projects completed or maintained.
(g) The amount spent on forest and community cleanup.
(h) The geographic distribution of program funding.
(i) An assessment of the effectiveness of projects funded pursuant to this act.
(j) Recommendations on whether the pilot program should be continued, expanded, or modified.

SEC. 7. Projects funded pursuant to this act shall comply with applicable state and federal environmental laws. When implementing projects, the Department of Forestry and Fire Protection shall take reasonable measures to protect wildlife habitat, watersheds, native vegetation, cultural resources, air quality, and threatened or endangered species.

SEC. 8. (a) The Department of Forestry and Fire Protection shall engage in timely, ongoing, and meaningful consultation with federally recognized California Native American tribes regarding projects funded pursuant to this act that may affect tribal cultural resources or traditional ecological practices.
(b) For purposes of this section, "consultation" means a process of seeking, discussing, and considering carefully the views of a tribe, in a manner that is respectful of tribal sovereignty and cognizant of tribal cultural values, and that includes all of the following:
(1) Written notice to each potentially affected tribe at the earliest planning stage of a project, and in any case before project design is finalized and before any funding, approval, or other final decision is made.
(2) A reasonable opportunity, of not less than 30 days, for the tribe to request consultation, and commencement of consultation within 30 days of a request.
(3) Continued consultation throughout project implementation, including notice to the tribe of any substantial change to the project scope or location.
(4) A written response to the tribe describing how its input was considered and, where the input was not adopted, the reasons.

(c) Where appropriate, projects may incorporate traditional ecological knowledge and cultural burning practices as part of wildfire prevention and forest management.
(d) This section does not limit any consultation obligation under existing law, including Sections 21080.3.1 of the Public Resources Code and 65352.4 of the Government Code, or diminish the sovereignty of any tribe.

SEC. 9. The Department of Forestry and Fire Protection shall coordinate with local governments, fire protection districts, resource conservation districts, federal land-management agencies, federally recognized tribes, nonprofit organizations, and private landowners when appropriate to maximize the effectiveness of wildfire prevention and forest restoration projects.

SEC. 10. The funds appropriated pursuant to Section 3 shall remain available for expenditure until June 30 of the third fiscal year following the fiscal year in which the funds are appropriated. Any funds that remain unallocated after that date shall remain available for wildfire prevention and forest restoration purposes upon appropriation by the Legislature.

SEC. 11. This act shall take effect on January 1, 2027.