

AMENDED IN SENATE JULY 14, 2021

AMENDED IN ASSEMBLY MAY 3, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1431

Introduced by Assembly Member Frazier

February 19, 2021

An act to add Article 7.9 (commencing with Section 4599) to Chapter 8 of Part 2 of Division 4 of the Public Resources Code, relating to forestry.

LEGISLATIVE COUNSEL'S DIGEST

AB 1431, as amended, Frazier. Forestry: forest carbon and resilience goals.

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 establish state goals for ~~fuel treatment and fuels treatment~~, vegetation management, ~~as specified~~, and wildfire risk reduction, including, but not limited to, increasing vegetation management on nonfederal lands and urging the federal government to increase vegetation management on federal lands, as provided, and increasing the pace and scale of home hardening efforts to harden at least 100,000 existing homes per year by 2025. The bill would require that the established vegetation management goals be for activities that improve fire resiliency and reduce fire spread, duration, and intensity, fuel ignitability, or ignition of tree crowns, as applicable, and would require the state to implement, or cause to be implemented, the established vegetation management and home hardening goals in a

specified manner, including prioritizing the implementation of these goals in the most vulnerable communities. The bill would require the Natural Resources Agency and the California Environmental Protection Agency, on or before January 1, 2023, and annually thereafter, to submit to the appropriate policy and budget committees of the Legislature a report on the progress made towards achieving those state goals.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Wildfires have grown larger and increased in intensity and
4 destructiveness over the last several decades. Forest fires have
5 increased from an average of about 60,000 acres annually between
6 the 1950s and 1990s to 175,000 acres annually in the 2000s and
7 over 1,000,000 acres annually this decade. These high-intensity
8 wildfires are far more damaging than the low-intensity wildfires
9 that historically played an important role in the forest ecosystem.

10 (b) Since 2017, California’s wildfires have caused 186 deaths
11 and destroyed over 45,000 structures, including much of the Town
12 of Paradise in 2018.

13 (c) Wildfires result in significant emissions of greenhouse gases.
14 In 2020, California’s wildfires have burned over 4,000,000 acres
15 and released over 90,000,000 metric tons of emissions of
16 greenhouse gases, according to preliminary estimates. That is more
17 than all *of the* emissions of greenhouse gases from industrial
18 sources in 2018, well over ~~half~~ *one-half of the* emissions of
19 greenhouse gases from the entire transportation sector, more than
20 double all *of the* emissions of greenhouse gases from the
21 commercial and residential sectors, and nearly three times the
22 emissions of greenhouse gases from agriculture. The 2020 wildfires
23 also caused widespread hazardous air quality for extended periods
24 of time.

25 (d) Vegetation management and fuels treatment strategies,
26 including prescribed fire, mechanical thinning, and woody biomass
27 utilization, have been deemed by numerous forest and climate
28 scientists to reduce and avoid greenhouse gas emissions associated
29 with high-severity wildfires.

1 (e) In May of 2018, a broad representation of local, state, and
2 federal agencies finalized the California Forest Carbon Plan, a
3 comprehensive strategy to restore the resilience of California’s
4 forests, forested watersheds, and wildlands while reducing the
5 impacts of climate change and criteria pollutants from catastrophic
6 wildfires.

7 (f) The California Forest Carbon Plan, while currently providing
8 a theoretical roadmap to reducing the state’s wildfire risk and forest
9 carbon emissions through both active avoidance of emissions of
10 greenhouse gases and carbon sequestration, is not binding and
11 therefore not as effective as it should be for meeting California’s
12 greenhouse-gases *gas* emissions reductions goals.

13 (g) On January 8, 2021, the Governor’s Forest Management
14 Task Force released the California’s Wildfire and Forest Resilience
15 Action Plan, a comprehensive action plan to reduce wildfire risk
16 for vulnerable communities, improve the health of forests and
17 wildlands, and accelerate action to combat climate change.

18 (h) ~~The codification of the~~ *Codifying the* goals outlined in the
19 California Forest Carbon Plan and the California’s Wildfire and
20 Forest Resilience Action Plan pursuant to this act will elevate the
21 importance of reducing emissions of greenhouse gases and criteria
22 pollutants from the forest and wildland sector commensurate with
23 the urgency of achieving those goals.

24 SEC. 2. Article 7.9 (commencing with Section 4599) is added
25 to Chapter 8 of Part 2 of Division 4 of the Public Resources Code,
26 to read:

27

28 Article 7.9. California Forest Carbon and Resilience Goals

29

30 4599. (a) Building upon the objectives outlined in the
31 “California Forest Carbon Plan: Managing Our Forest Landscapes
32 in a Changing Climate” released by the Forest Climate Action
33 Team in May of 2018 and the “California’s Wildfire and Forest
34 Resilience Action Plan” released by the Governor’s Forest
35 Management Task Force in January of 2021, the Legislature hereby
36 establishes as state goals for ~~fuel treatment and fuels treatment,~~
37 ~~vegetation management~~ *management, and wildfire risk reduction*
38 all of the following:

39 (1) ~~Increase forest restoration and fuels treatment~~ *Use all fuels*
40 *reduction methods to run up to 100,000 acres per year on*

1 *nonfederal lands by ~~2025~~: 2025, in support of the goal specified*
2 *in paragraph (4).*

3 (2) Increase the area reforested annually by 25 percent above
4 ~~2018 levels: levels by 2030.~~

5 (3) By 2025, expand areas of ~~high priority~~ *high-priority* habitat
6 *by 5 percent above ~~current~~ 2018 levels, as provided in the “State*
7 *Wildlife Action Plan.”*

8 (4) Increase vegetation management to 500,000 acres per year
9 *on nonfederal lands by 2025.*

10 (5) Urge the federal government to ~~achieve similar treatment~~
11 *levels increase vegetation management to 500,000 acres per year*
12 *on federal lands.*

13 (6) ~~Expand~~ *Create a sustainable* wood products ~~manufacturing~~
14 *market* in the state.

15 (7) Increase carbon storage through increased use of durable
16 wood products in buildings.

17 (8) ~~Streamline the planning and permitting for forest restoration~~
18 ~~and forest health projects.~~ *Improve regulatory processes to increase*
19 *the pace and scale of ecological restoration and stewardship.*

20 (9) Develop a comprehensive program to assist private forest
21 landowners.

22 (10) Increase by 10 percent *above 2018 levels by 2030* the
23 acreage of forest land protected by conservation easements that
24 include specific management objectives to maintain and improve
25 forest health and reduce the risk of wildfire through the promotion
26 of a more natural tree density, to make improvements that increase
27 the land’s ability to increase carbon sequestration, and to provide
28 for the retention of larger trees and growth of larger trees over
29 time. Conservation easements shall focus on areas that *are*
30 *threatened by development and that can effectively sequester and*
31 *store resilient carbon while providing wildlife habitat, protecting*
32 *watershed values, and supporting other forest ecosystem benefits.*

33 (11) By 2030, ~~significantly increase California’s~~ *the state’s total*
34 *urban tree ~~canopy~~, canopy by 10 percent above 2018 levels,*
35 *targeting disadvantaged and low-income communities and*
36 *low-canopy ~~areas~~. areas, with a preference for planting species*
37 *and varieties that are resilient to the impacts of climate change.*

38 (12) Increase the pace and scale of home hardening efforts to
39 *harden at least 100,000 existing homes per year by 2025.*

1 (b) (1) All vegetation management goals established in this
2 article shall be for activities that improve the fire resiliency of the
3 landscape where they are conducted and reduce the fire spread,
4 duration, and intensity, fuel ignitability, or ignition of tree crowns,
5 as applicable.

6 (2) *The state shall implement, or cause to be implemented, the*
7 *vegetation management goals established pursuant to this article*
8 *as follows:*

9 (A) *The type of treatment shall be appropriate to each*
10 *ecosystem, as determined by the best available science.*

11 (B) *Treatments of chaparral, coastal sage scrub, and other*
12 *native shrublands shall do both of the following:*

13 (i) *Be designed, implemented, and maintained to avoid type*
14 *conversion and the spread of invasive and nonnative species. For*
15 *purposes of this clause, “type conversion” means an outcome in*
16 *which a significant reduction or extirpation of the dominant native*
17 *plant species occurs as a result of treatments that provide*
18 *opportunities for nonnative species to colonize and spread due to*
19 *disturbance events, including fire and vegetation removal.*

20 (ii) *Consist solely of removal of flammable nonnative, invasive*
21 *species, restoration of native species in damaged or type-converted*
22 *vegetation, the creation or maintenance of defensible space of 100*
23 *feet around structures or communities, the creation or maintenance*
24 *of strategic fuel breaks within 1,000 feet of communities at risk,*
25 *ignition control along roadways, or maintenance of fire roads that*
26 *provide firefighting access to communities.*

27 (C) *The state shall prioritize treatments in areas that provide*
28 *the greatest risk reductions to the most vulnerable communities.*

29 (3) *The state shall implement, or cause to be implemented, the*
30 *home hardening goal established in paragraph (12) of subdivision*
31 *(a) in a manner that prioritizes hardening homes in the most*
32 *vulnerable communities.*

33 (c) Notwithstanding Section 10231.5 of the Government Code,
34 on or before January 1, 2023, and annually thereafter, the Natural
35 Resources Agency and the California Environmental Protection
36 Agency shall submit a report to the appropriate policy and budget
37 committees of the Legislature on progress made towards achieving
38 the goals ~~described~~ *established* in subdivision (a).

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