

Forest Landowners of California

2017 Legislative Update

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2017 – What’s Happening (or not happening) In the Capitol?

- **California vs. Potential Changes in Federal Policies (i.e., health care, climate change, environmental rules)**
- **Pushback on Trump Administration**
 - Democrats have 2/3 supermajority in both houses
 - Current legislators have longer term limits - will be in office until at least 2024-2028
- **Transportation Deal – Increased Gas Tax for Road Maintenance/Construction**
- **What Drought? Oroville Dam Spillway**
- **Show Me The Money ! - Cap & Trade Authorization/Extension**
- **Health Care (Single-payer universal health care coverage)**
- **Marijuana - Legalization Implementation and Enforcement**



2017 Forestry Legislation

■ **AB 425 (Caballero) La Malfa Exemption Roads Work - Support. In Assembly - ALIVE**

- Expands the existing Forest Fire Prevention Pilot Program by allowing the construction of up to 600 feet for temporary roads for the purposes of treating and thinning overstocked forests in need of management.
- Will allow for the temporary construction of roads with minimal impact to forest resources.
- Legislation passed last year (AB 2029) which extended and expanded the sunset date for the La Malfa exemption.
- AB 2029 allows for the removal of trees less than 24 inches in diameter without the need for a timber harvest plan.
- CalFire opposed the roads provision in the legislation last year.
- AB 425 seeks to resolve CalFire's concerns by providing additional protections and restrictions that were not in AB 2029.

■ **AB 288 (Oberholte) SRA Fee Payment Extension - Support. In Assembly - ALIVE**

- Extends the deadline to either pay the state responsibility are (SRA) fire prevention fee or file a petition for redetermination of the fee from 30 days to 60 days.
- Intent of the bill is to give property owners an additional 30-day grace period to pay the SRA fee without incurring a 10% mandatory penalty.
- Also requires the Board of Equalization to offer a penalty and interest amnesty program to fee payers who agree to enter into a payment plan to pay past due fees.

2017 Forestry Legislation - continued

- **AB 920 (Aguiar-Curry) 20% Renewable Baseload Mandate - Support. In Assembly - ALIVE**
 - Originally required retail sellers of electricity to contract for a minimum of 20% of “renewable baseload generation” by December 31, 2024.
 - Bill is intended to establish a 20% renewable baseload procurement mandate on load serving entities to meet the existing requirements of the Renewable Portfolio Standard (RPS).
 - Bill is technology neutral but renewable baseload power would most likely include generation from geothermal, biomass, and biogas sources. to compliment wind and solar.
 - Strong opposition from IOUs, POUs, and the wind and solar industry forced amendments to the bill that strikes the 20% procurement mandate.
 - Bill now requires the CPUC to evaluate each load serving entity’s integrated resource plan (IRP) to ensure there is a balanced mix of baseload, dispatchable, and peaking power.
 - Also requires CPUC to assess whether a renewable baseload generation procurement mandate is needed to meet the state’s greenhouse gas reduction goals.
- **AB 1342 (Flora) Cap-and-Trade for Forest Projects - Support. In Assembly - ALIVE**
 - Continuously appropriates \$100 million from the cap-and-trade fund to CalFire and \$200 million to CalRecycle for greenhouse gas reduction projects.
 - Projects eligible for funding could include projects for forest management, wildfire reduction, and improving resiliency of lands prone to wildfires.
 - Due to uncertainty of cap-and-trade dollars, bill was recently amended to ensure that the funding would only become available upon appropriation by the Legislature.

2017 Forestry Legislation - continued

- **AB 362 (Wood) CFIP Loans for Landowners. In Assembly - ALIVE**
 - Allows CalFIRE to provide advances and loans to landowners for work agreed to as part of the CA Forest Improvement Program (CFIP).
 - Funding would be intended to allow landowners to upgrade the management, protection and enhancement of their forestlands who can't afford to conduct forest fuel treatments.
 - Specifies that CalFire can make loans for forest resource improvements to cover all or part of a smaller nonindustrial timberland owner's share.
 - Landowner would agree in writing to undertake work for which the advance was provided for, with recognition that any funds for uncompleted work would allow for a claim and lien against the property.
 - *Note: Brown Administration is proposing \$5 million for CFIP in the proposed 2017-18 budget*

- **AB 1391 (Patterson) CFIP Funds for Vegetation Management. In Assembly - ALIVE**
 - Allows CalFIRE to enter into agreements to provide funds through CFIP to conduct vegetation management.
 - Specifies that CalFIRE can only provide CFIP funds for vegetation management if the person's income is at or below 500% of the federal poverty level.
 - Intended to help property owners address defensible space.

2017 Forestry Legislation - continued

■ **AB 1433 (Wood) Cap-and-Trade Dollars to Protect Open Space.** [In Assembly - ALIVE](#)

- Requires annual transfer of 20% of cap-and-trade revenues to fund grants and programs that facilitate actions to protect and improve the resilience of “natural and working lands.”
- Creates the so-called “Climate Adaptation and Resilience Based on Nature (CARBON)” account that would be housed within the Wildlife Conservation Board for the purpose of providing grants to projects that restore natural habitats, promote climate adaptation, resilience in natural and working lands, and provide multiple ecosystem benefits.
- “Working lands” defined as land used for farming, grazing, or the production of forest products.
- “Natural lands” defined as lands consisting of forests, grasslands, deserts, freshwater, and riparian systems, wetlands, coastal and estuarine areas, watersheds, wildlands, wildlife habitat, parks, and other similar open-space land.

■ **AB 771 (Quirk) Prescribed Burn Template.** [In Assembly – ALIVE](#)

- Requires CalFIRE to create a uniformed prescribed burn plan template for forest fuel treatment.
- Requires CalFIRE and CARB to develop a webpage that contains the uniformed prescribed burn plan template and centralizes state information pertinent to prescribed burning for the purpose of promoting prescribed fire as a fuel treatment technique.
- A similar bill was vetoed in 2015.

2017 Forestry Legislation - continued

- **AB 975 (Friedman) Expansion of Wild & Scenic Rivers - Oppose. In Assembly - ALIVE**
 - Expands the area protected in the Wild and Scenic Rivers System (System) from immediately adjacent to the river segment to within a quarter mile of the river.
 - Existing law states it is the policy of the state that certain rivers possess extraordinary scenic, recreational, fishery, or wildlife values be preserved in their "free-flowing" state, together with their immediate environments, for the benefit and enjoyment of the people of the state.
 - This bill goes way beyond intent of trying to align state law with federal law and would essentially allow every portion of every river as "Wild and Scenic."
 - Significant opposition from business, landowner and agricultural groups.
- **AB 1066 (Aguiar-Curry) Public Works and Tree Removal - Oppose. In Assembly – ALIVE**
 - Expands a specific definition of public works - the phrase "demolition" - to include tree removal.
 - Expanding the definition to include tree removal would have the unintended effect of requiring prevailing wage at a time when forest management, particularly in rural counties, must have minimal cost pressures to avoid the disproportionate impacts of the tree mortality crisis.



Questions?