

ASSEMBLY BILL

No. 297

Introduced by Assembly Member Vince Fong

January 26, 2023

An act to amend Section 4124.5 of the Public Resources Code, relating to fire prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 297, as introduced, Vince Fong. Wildfires: local assistance grant program: advance payments.

Existing law requires the Department of Forestry and Fire Protection to establish a local assistance grant program for fire prevention and home hardening education activities. Under existing law, the Director of Forestry and Fire Protection may, until January 1, 2024, authorize advance payments from a grant program award, not to exceed 25% of the total grant award, except as specified.

This bill would extend the director's authority to authorize advance payments from a grant program award to January 1, 2034.

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. Section 4124.5 of the Public Resources Code is
- 2 amended to read:
- 3 4124.5. (a) The department shall establish a local assistance
- 4 grant program for fire prevention and home hardening education
- 5 activities in California. Groups eligible for grants shall include,
- 6 but are not limited to, local agencies, resource conservation

1 districts, fire safe councils, the California Conservation Corps,
2 certified community conservation corps as defined in Section
3 14507.5, University of California Cooperative Extension, the Board
4 of Commissioners under California Volunteers described in Section
5 8411 of the Government Code, Native American tribes, and
6 qualified nonprofit organizations. The department may establish
7 a cost-share requirement for one or more categories of projects.

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

17 (2) For purposes of this subdivision, “fire threatened
18 communities” means those communities in high and very high fire
19 hazard severity zones, identified by the director pursuant to Section
20 51178 of the Government Code, or Article 9 (commencing with
21 Section 4201) of this code, or on the “Fire Risk Reduction
22 Community” list maintained by the board pursuant to Section
23 4290.1.

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

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

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

30 (3) Projects to improve compliance with defensible space
31 requirements as required by Section 4291 through increased
32 inspections, assessments, and assistance for low-income residents.

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

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

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

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

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

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

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

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

18 (e) (1) Until January 1, ~~2024~~, 2034, the director may authorize
19 advance payments from a grant awarded pursuant to this section.
20 The advance shall not exceed 25 percent of the total grant award.
21 The director may authorize a greater amount, not to exceed 50
22 percent of either the total grant award or the cost of equipment,
23 whichever amount is less, for the purpose of purchasing necessary
24 equipment.

25 (2) The grantee shall expend the funds from the advance
26 payment within 6 months of receipt, unless the department waives
27 this requirement.

28 (3) The grantee shall file an accountability report with the
29 department four months from the date of receiving the funds and
30 every four months thereafter.

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

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

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