

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 15-0123.01 Duane Gall x4335

SENATE BILL 15-022

SENATE SPONSORSHIP

Roberts,

HOUSE SPONSORSHIP

Mitsch Bush and Brown,

Senate Committees

Agriculture, Natural Resources, & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 CONCERNING THE WILDFIRE RISK REDUCTION GRANT PROGRAM.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Wildfire Matters Review Committee. In 2013, the general assembly created the wildfire risk reduction grant program, funded through the wildfire risk reduction fund. An initial transfer of \$9,800,000 was made from the general fund to the wildfire risk reduction fund as a result of that legislation. **Section 4** of the bill directs the state treasurer to make a similar transfer, effective July 1, 2015.

Sections 1 and 3 change terminology to broaden references to hazardous fuels from "forest" to "wild land vegetation" and specify

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
April 22, 2015

methods of manipulation or removal of fuel.

Section 2:

- ! Encourages grant applicants to utilize the labor of veterans participating in a unit or program recognized by the Colorado state forest service that employs veterans in wildfire mitigation activities; and
- ! Removes the requirement for grant applicants to specify the location of projects in relation to United States forest service (USFS) projects using USFS maps.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 36-7-402, **amend** (3)
3 and (4) (a) as follows:

4 **36-7-402. Definitions.** As used in this part 4, unless the context
5 otherwise requires:

6 (3) "Hazardous ~~forest~~ fuel reduction treatment" means treatments
7 THAT REMOVE OR REDUCE VEGETATIVE FUEL, including ~~manipulation or~~
8 ~~removal of fuel to help diminish~~ MECHANICAL, MANUAL, AND PILE
9 BURNING FIRE TREATMENTS, IN ORDER TO:

10 (a) DIMINISH the potential damage arising from a catastrophic
11 wildfire; and

12 (b) ENHANCE emergency personnel's ability to influence the
13 spread of wildfire.

14 (4) "Wildland-urban interface" or "WUI" means an area where:

15 (a) Human development is close to ~~forested public land~~ WILD
16 LAND VEGETATION; and

17 **SECTION 2.** In Colorado Revised Statutes, 36-7-403, **amend** (1),
18 (2) (a), (2) (c) (II), and (2) (d) as follows:

19 **36-7-403. Wildfire risk reduction grant program - creation -**
20 **eligibility - department powers and duties - rules.** (1) There is hereby

1 created in the department the wildfire risk reduction grant program. The
2 purpose of the program is to provide funding opportunities for projects
3 implementing hazardous forest fuel reduction treatments to reduce the
4 risks associated with wildfires in the WUI throughout Colorado.

5 (2) The department shall develop and administer the program in
6 consultation with an advisory committee created in section 36-7-404. In
7 developing the program, the department shall:

8 (a) Dedicate up to twenty-five percent of the grant funds available
9 in the wildfire risk reduction fund, created in section 36-7-405, to fund
10 capacity-building efforts to provide local governments, community
11 groups, and collaborative forestry groups with the resources necessary to
12 provide site-based hazardous forest fuel reduction treatments, including
13 neighborhood slash piles and community equipment for use by
14 landowners;

15 (c) Require a grant applicant to demonstrate that:

16 (II) The proposed project includes a plan for utilizing any woody
17 material generated by the project, including traditional forest products and
18 biomass energy products. Pursuant to its authority ~~created in~~ UNDER
19 section 23-31-315, C.R.S., the Colorado state forest service shall ~~upon~~
20 ~~request~~, offer technical support to grant applicants to assist with the
21 development of the applicant's plan for utilizing forest products. The
22 department shall inform applicants of the availability of the Colorado
23 state forest service's technical support.

24 (d) Encourage a grant applicant, where feasible, to

25 ~~(F)~~ utilize the labor of:

26 ~~(A)~~ (I) Youth and young adults participating in a Colorado youth
27 corps organization accredited by the Colorado youth corps association; or

1 ~~(B) (II) The veterans green corps operated by the Colorado youth~~
2 ~~corps association VETERANS PARTICIPATING IN AN ACCREDITED~~
3 ~~COLORADO CORPS PROGRAM SERVING VETERANS. and~~

4 ~~(H) Identify whether the proposed project will take place on state~~
5 ~~or private lands adjacent to United States forest service projects in the~~
6 ~~WUI, using project maps that the department anticipates will be provided~~
7 ~~by the United States forest service. Once the department receives the~~
8 ~~maps from the United States forest service, it shall make the maps~~
9 ~~available to grant applicants. When appropriate, applicants may apply the~~
10 ~~principles of good neighbor authority, as defined in section 23-31-313 (3)~~
11 ~~(e), C.R.S., to address cross-boundary treatment needs on United States~~
12 ~~forest service lands.~~

13 **SECTION 3.** In Colorado Revised Statutes, 36-7-404, **amend** (3)
14 (a) (V) as follows:

15 **36-7-404. Wildfire risk reduction grant program advisory**
16 **committee - creation - appointment - duties.** (3) (a) In consultation
17 with the department, the advisory committee shall determine eligibility
18 criteria for grant recipients. Eligible grant recipients include:

19 (V) Nonprofit groups that promote hazardous forest fuel reduction
20 treatment projects in partnership with local, state, or private entities.

21 ==
22 **SECTION 4.** In Colorado Revised Statutes, 39-29-109.3, **add** (2)
23 (o) as follows:

24 **39-29-109.3. Severance tax operational fund - repeal.**
25 (2) Subject to the requirements of subsections (3) and (4) of this section,
26 if the general assembly chooses not to spend up to one hundred percent
27 of the moneys in the operational fund as specified in subsection (1) of this

1 section, the state treasurer shall transfer the following:

2 (o) (I) TO THE WILDFIRE RISK REDUCTION FUND CREATED IN
3 SECTION 36-7-405, C.R.S., FOR THE FISCAL YEAR COMMENCING ON JULY
4 1, 2015, ONE MILLION DOLLARS.

5 (II) THIS PARAGRAPH (o) IS REPEALED, EFFECTIVE JULY 1, 2017.

6 **SECTION 5. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.