

CHAPTER 183

NATURAL RESOURCES

SENATE BILL 15-022

BY SENATOR(S) Roberts, Aguilar, Carroll, Crowder, Donovan, Guzman, Heath, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Newell, Todd, Ulibarri, Cadman; also REPRESENTATIVE(S) Brown, Arndt, Becker K., Ginal, Hamner, Mitsch Bush, Pettersen, Rankin, Rosenthal, Ryden, Tyler, Vigil, Young, Hullinghorst.

AN ACT

CONCERNING THE WILDFIRE RISK REDUCTION GRANT PROGRAM.

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

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

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

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

- (a) DIMINISH the potential damage arising from a catastrophic wildfire; and
 - (b) ENHANCE emergency personnel's ability to influence the spread of wildfire.
- (4) "Wildland-urban interface" or "WUI" means an area where:

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

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

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

36-7-403. Wildfire risk reduction grant program - creation - eligibility - department powers and duties - rules. (1) There is hereby created in the department the wildfire risk reduction grant program. The purpose of the program is to provide funding opportunities for projects implementing hazardous forest fuel reduction treatments to reduce the risks associated with wildfires in the WUI throughout Colorado.

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

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

(c) Require a grant applicant to demonstrate that:

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

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

(f) utilize the labor of:

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

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

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

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

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

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

SECTION 4. In Colorado Revised Statutes, 39-29-109.3, **add** (2) (p) as follows:

39-29-109.3. Severance tax operational fund - repeal. (2) Subject to the requirements of subsections (3) and (4) of this section, if the general assembly chooses not to spend up to one hundred percent of the moneys in the operational fund as specified in subsection (1) of this section, the state treasurer shall transfer the following:

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

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

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

Approved: May 12, 2015