



SB19-037

SHORT TITLE: Wildfire Mitigation

LONG TITLE: Concerning measures to mitigate wildfires, and, in connection therewith, permitting county personnel to enter land owned by the federal or state government to remove wildfire fuel sources and appropriating money for the use of the forest restoration and wildfire risk mitigation grant program

SPONSORS: Rep. Woodward

COMMITTEES: Senate State, Veterans, & Military Affairs Committee

PURPOSE OF THE BILL: To allow county personnel or their contractors to mitigate wildfire danger by reducing fuels on state or federal lands lying within the county boundaries or within five miles of county boundaries if the state or federal governments owning the land have failed to maintain a defensible space. Provides immunity for the county or its agents for damages and appropriates money to mitigation or reforestation.

POTENTIAL STAKEHOLDERS: State, Federal and county governments, homeowners in fire-prone areas, fire districts, water providers, fire districts

BACKGROUND: Much concern has been expressed about federal government property (forests and public lands) that contain unmitigated risk of wildfire due to build-up of vegetation and fuels. Local governments may be willing to take on the mitigation task if they are assured of cost recovery and immunity from liability.

Is this bill necessary this year? There is no deadline to be met

How does the bill change current law? Current law does not provide counties either the right of entry to mitigate fuels on federal or state lands or immunity from liability. This bill would provide statutory authority applicable to state lands; it cannot provide such rights on federal lands.

Does the bill affect the prior appropriations system? No

How is the bill implemented? The bill appears to be self-executing by providing statutory authority concerning state lands; it is assumed county governments may need to adopt rules concerning implementation.

Practical considerations: It is difficult to see how the bill can impact federal lands absent some sort of agreement with the federal government.

Fiscal impact: The bill appropriates \$10 million to the State Forest Service