
KEY ISSUE

Should the Legislature exempt specified wildfire prevention grant programs from increased workforce standards required under the California Jobs Plan Act of 2021?

ANALYSIS

Existing law:

1) Establishes the Greenhouse Gas Reduction Fund (GGRF), funded from the auction or sale of allowances by the State Air Resources Board (CARB). Prohibits money from the General Fund or other special fund from being deposited in the GGRF. (Government Code §16428.8)

2) Requires moneys appropriated from the Greenhouse Gas Reduction Fund to be used to facilitate the achievement of reductions of greenhouse gas emissions and, where applicable and feasible:
   a) Maximize economic, environmental, and public health benefits to the state.
   b) Foster job creation by promoting in-state greenhouse gas emissions reduction projects carried out by California workers and businesses.
   c) Complement efforts to improve air quality.
   d) Direct investment toward the most disadvantaged communities and households in the state.
   e) Provide opportunities for businesses, public agencies, Native American tribes in the state, nonprofits, and other community institutions to participate in and benefit from statewide efforts to reduce greenhouse gas emissions.
   f) Lessen the impacts and effects of climate change on the state’s communities, economy and environment.

3) Appropriates $200 million from the GGRF each fiscal year, for years 2022-23 to 2028-29, for the following purposes:
   a) $165 million for health forest and fire prevention programs and projects that improve forest health and reduce emissions of greenhouse gases caused by uncontrolled wildfires.
   b) $35 million for the completion of prescribed fire and other fuel reduction projects through proven forestry practices consistent with the recommendations of the California Forest Carbon Plan, including the operation of year-round prescribed fire crews and implementation of a research and monitoring program for climate adaptation.

(Health and Safety Code §39719 (4))
4) Establishes the California Jobs Plan Act of 2021, which requires the State Air Resources Board (CARB) to work with the Labor and Workforce Development Agency (LWDA) to update, by July 1, 2025, the funding guidelines for administering agencies to ensure that all applicants to grant programs funded by the GGRF meet fair and responsible employer standards and provide inclusive procurement policies.

This bill:

1) Exempts specified programs covered under Health and Safety Code 39719 (4) from the increased workforce requirements under the California Jobs Plan Act of 2021.

COMMENTS

1. Need for this bill?

A letter of intent submitted to the Assembly Journal, dated September 9, 2021 by Assemblymember Burke states:

“AB 680 was not intended to apply to wildfire prevention projects that receive continuous funding from the Greenhouse Gas Reduction Fund. Due to newly amended budget language, funding was continuously appropriated for wildfire prevention projects, and I was unable to amend AB 680 in a timely fashion to expressly state that such projects are not affected by my bill. AB 680 was drafted with the intent to affect projects funded via Health & Safety Code Section 39719 (included in the current version of the bill) as they existed in statute when the bill was drafted. I will introduce urgency legislation with Senator Dodd in January to address this issue in order to assure that money for wildfire prevention projects will not be affected in 2025 when the bill guidelines would go into effect. I am committed to reinforcing the clear intention and plain language of AB 680 relative to wildfire prevention projects.”

2. Proponent Arguments

The California Forestry Association

“Assembly Bill 680 (Burke: Chapter 837, Statutes of 2018) enacted the California Jobs Plan Act of 2021 (CJPA) requiring the California Air Resources Board (CARB) and the Labor and Workforce Development Agency to update guidelines to ensure that applicants to grant programs funded by the GGRF meet specified standards. Requirements within the CJPA included prevailing wages, project labor agreements, inclusive procurement policies, and preference to applicants that have ongoing partnership with educational institutions – all of which have posed challenges for local governments.

Assembly Bill 1644 will fulfill legislative intent by adding continuously appropriated wildfire prevention projects to the existing list of projects exempted from Assembly Bill 680’s scope; such projects would not be required to meet employer and labor standards to continue receiving GGRF funding. This exemption will help to further support much the needed use of prescribed fire and other fuel reduction projects with the most skilled workforce available. The ability to leverage GGRF funding has provided local governments
with the ability to undertake vital projects as well as completing wildfire mitigation projects in concert with local fire prevention organizations. Assembly Bill 1644 will alleviate burdens for rural and high fire risk areas to ensure essential GGRF funding is received in a timely fashion.”

3. **Opponent Arguments:**

None received.

4. **Prior Legislation:**

**AB 680 (Burke) Chapter 746, Statutes of 2021:** requires increased workforce standards on projects which utilize Greenhouse Gas Reduction Fund grants, including the payment of prevailing wage for construction projects.

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**SUPPORT**
Association of California Water Agencies (ACWA)
California Forestry Association
Rural County Representatives of California (RCRC)

**OPPOSITION**
None received.

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