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# SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Josh Becker, Chair

2025 - 2026 Regular

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**Bill No:** AB 1891 **Hearing Date:** June 23, 2026  
**Author:** Connolly  
**Version:** May 18, 2026 Amended  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Edith Hannigan

**Subject:** Forestry: Beneficial Fire Capacity Program

## SUMMARY

This bill would require the Department of Forestry and Fire Protection to, on an annual basis, use no less than 10% of the Greenhouse Gas Reduction Fund moneys appropriated to them to expand training, organizational capacity, and support for community-led beneficial fire programs, and would give priority to funding for proposals that involve California Native American tribes or indigenous-led organizations. Additionally, the Department is required to award 25% of the Greenhouse Gas Reduction Fund appropriation to California Native American tribes or tribally- or indigenous-led organizations.

## BACKGROUND AND EXISTING LAW

**Department of Forestry and Fire Protection (Department).** The Department, in accordance with a plan approved by the Board of Forestry and Fire Protection, is responsible for the prevention and suppression of forest fires (Public Resources Code (PRC) §§4113, 4114).

**Office of the State Fire Marshal (OSFM).** In the mid-1990s, the OSFM was moved from the State and Consumer Services Agency to the Department. The State Fire Marshal (SFM) is established as a Chief Deputy Director of Forestry and Fire Protection in the Department (Health and Safety Code (HSC) § 13100). The mission of the OSFM is to “[protect] life and property through the development and application of fire prevention, engineering, training and education, and enforcement.”

**California Climate Investments (CCI).** California Climate Investments is funded by proceeds from the sale of state-owned allowances from quarterly Cap-and-Invest auctions that are deposited into the Greenhouse Gas Reduction Fund (GGRF). On a yearly basis, the Legislature distributes the money from the GGRF to programs administered by different state agencies. Any program that is paid for using money from the GGRF is a California Climate Investments program.

Once state agencies receive funds, they conduct a variety of tasks such as engaging communities, determining the type of projects to fund, releasing and reviewing project proposals, and carefully selecting recipients. Awarded recipients then implement projects based on criteria and timelines developed by the state agency.

**Wildfires.** Wildfires in California have been increasing in frequency and intensity, resulting in loss of life and damage to public health, property, infrastructure, and ecosystems.

California's landscapes are among the most naturally fire-dependent on Earth. One study suggests that prior to 1800, approximately 4.5 million acres of the state burned annually. Native Americans were likely responsible for a significant portion of this acreage. With colonization, many of these practices were significantly reduced or eliminated, fundamentally altering fire scope and intensity across the state.

Low-intensity fires have clear ecological benefits, such as creating habitat and assisting in the regeneration of certain species of plants and trees. Low-intensity fire also reduces surface fuel, which decreases future wildfire intensity.

A century of suppressing low-intensity fires, logging of older growth and more fire-resistant trees has increased the size and severity of California's fires. Climate change has also contributed to wildfire risk by reducing humidity and precipitation and increasing temperatures.

**Prescribed burning.** Prescribed burning is the controlled application of fire to the land to reduce wildfire hazards, clear downed trees, control plant diseases, improve rangeland and wildlife habitats, and restore natural ecosystems. Prescribed fires are typically conducted in compliance with a written prescribed fire plan that outlines the conditions necessary for the burn to be "within prescription." Recent research<sup>i</sup> on California's 2020 wildfire season found prescribed fires decreased wildfire burn severity by 16% and led to a net reduction of 14% in smoke emissions.

California's *Strategic Plan for Expanding the Use of Beneficial Fire*<sup>ii</sup> (March 2022) (Strategic Plan) estimates that between 10 and 30 million acres in California would benefit from some form of fuel reduction treatment and sets a target for deploying beneficial fire on 400,000 acres annually.

According to the *Strategic Plan*, approximately 125,000 to 150,000+ acres are treated with prescribed burning in California annually by state and federal agencies. According to the Wildfire Forest Resilience Task Force Dashboard<sup>iii</sup>, 188,000 acres were treated with beneficial burns in 2024. While this rate is increasing to manage wildfire hazards, it remains far below the long-term goal of 400,000 acres annually and the roughly 4.5 million acres that burned annually before the year 1800.

Prescribed burns are safe. the US Forest Service reported in 2022 that 99.84% of prescribed burns operate as planned without incident.

**Existing law:**

1) Pursuant to Public Resources Code (PRC) §4477:

- a) Requires the SFM, with the involvement of the Statewide Training and Education Advisory Committee, to develop a curriculum for, or amend into an existing curriculum, a certification program for burn bosses, who possess authority to

- engage in a prescribed burning operation and to enter into the necessary contracts related to a prescribed burning operation. The curriculum shall provide for the initial certification as well as the continuing education of burn bosses.
- b) Requires the Department to develop a training program for prescribed fire users to certify professionals in any agency or organization as burn bosses. Requires the Department to certify these individuals to a common standard.
  - c) Requires the SFM to post and update on its internet website the number of burn bosses with an active burn boss certification.
- 2) Declares cooperation by the Department with a person desiring to use prescribed burning as a means of converting brush-covered lands into forage lands or to help meet wildland management goals, which has as its objective the prevention of high intensity wildland fires, watershed management, range improvement, vegetation management, forest improvement, wildlife habitat improvement, restoring ecological integrity and resilience, community wildfire protection, carbon resilience, enhancement of culturally important resources a public purpose. (PRC §4491)
  - 3) Authorizes a person, firm, or corporation, or a group or combination of persons, firms, corporations, or groups, that owns or controls brush-covered land, forest lands, woodland, grassland, shrubland, or any combination thereof within a state responsibility area (SRA) to apply to the Department for permission to utilize prescribed burning for those public purposes described in 2), above. (PRC §4492)
  - 4) Requires, upon receipt of an application, the Department to inspect the land in company with the applicant to determine whether a permit shall be granted; to prescribe the manner in which the site for the prescribed burning shall be prepared; and, to require any precautions to be taken by the applicant as may be considered reasonable to prevent damage to the property of others by reason of the burning. (PRC §4493)
  - 5) Authorizes the director of the Department to enter into an agreement with the owner or any other person who has legal control of any property, any public agency with regulatory or natural resource management authority over any property that is included within any wildland, or any nonprofit organization to conduct joint prescribed burning operations that serve the public interest and are beneficial to the state. Requires the agreement to establish guidelines for the cooperative management of joint prescribed burning operations and requires the completion of a project agreement for each prescribed burn. (PRC §4497)
  - 6) Defines “burn boss” as a person certified pursuant to PRC §4477 to conduct prescribed burning operations and to enter into contracts related to prescribed burning operations; or, a person qualified for the National Wildfire Coordinating Group position title of “Prescribed Fire Burn Boss Type 1” or “Prescribed Fire Burn Boss Type 2.” (PRC §4500(a))
  - 7) Establishes the Prescribed Fire Liability Pilot Program to increase the pace and scale of the use of prescribed fire and cultural burning and to reduce barriers for conducting prescribed fires and cultural burning. (PRC 4§500 (b))
  - 8) Establishes the Prescribed Fire Claims Fund (Fund) to support coverage for losses from prescribed fires and cultural burning by nonpublic entities, such as cultural fire practitioners, private landowners, and nongovernmental entities. (PRC §4500 (c)(1))

- 9) Requires \$165 million to be appropriated from GGRF in the annual Budget Act each year through the 2023–24 fiscal year to the Department for healthy forest and fire prevention programs and projects that improve forest health and reduce greenhouse gas emissions caused by uncontrolled wildfires.
- 10) Requires \$35 million to be appropriated from GGRF in the annual Budget Act each year through the 2023–24 fiscal year to the Department to complete prescribed fire and other fuel reduction projects through proven forestry practices consistent with the recommendations of the Forest Carbon Plan, including the operation of year-round prescribed fire crews and implementation of a research and monitoring program for climate change adaptation. (Sec. 45 of SB 901 (Dodd), Chapter 626, Statutes of 2018)
- 11) Requires the annual proceeds of the GGRF to be continuously appropriated, until FY 2028-29, to the Department as follows: \$200 million for healthy forest and fire prevention programs, and \$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 (HSC) §39719 (b)(4))
- 12) Requires, after specified amounts are fully allocated, as determined by the Department of Finance, moneys in GGRF to be continuously appropriated, without regard to fiscal year, so that \$200 million goes to the Department as follows: 82.5% for healthy forest and fire prevention programs and projects that improve forest health and reduce emissions of greenhouse gases caused by uncontrolled wildfires, and 17.5% 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. (HSC §37919.4 (c)(1)(E))

## PROPOSED LAW

This bill would:

- 1) Make codified legislative findings and declarations regarding:
  - a) The use of beneficial fire for reducing the risk of catastrophic wildfire and greenhouse gas emissions, and
  - b) The critical need for investment in training, organizational capacity, and project implementation, regardless of the immediate quantification of greenhouse gas emissions.
- 2) Require that the Department, on an annual basis, use not less than 10% of the continuous appropriation to the Department from GGRF (pursuant to HSC §37919.4 (c)(1)(E)) to expand training, organizational capacity, and support for community led beneficial fire programs, as specified.
- 3) Require that the Department deliver the funding through grants, programs, and other mechanisms including direct awards, block grants, and subawards.
- 4) Specify the activities that qualify as part of the 10% allocation are:

- a) Funding to support and implement community-led beneficial fire programs, including training, and building and maintaining capacity. The Department shall prioritize organizations with demonstrated effectiveness developing or leading beneficial fire programs.
  - b) Funding to implement beneficial fire projects or projects involving beneficial fire capacity building, research, innovation, or training.
- 5) Specify that 25% of the allocated funds shall be awarded to California Native American tribes or tribally led or indigenous-led organizations. The Department shall prioritize other proposals that involve California Native American tribes or tribally or indigenous-led organizations.
  - 6) Require the Department collaborate with other relevant state agencies, beneficial fire practitioners, and organizations currently engaged in beneficial fire programs in the administration of the funding.
  - 7) Requires the Department, to the extent feasible under grants, programs, and other mechanisms, to
    - a) Allow awarded funds to be used to pay California Native American tribes or tribally designated individuals for consultation or engagement on programs or projects.
    - b) Reduce application and reporting requirements and reliance on acres-treated metrics.
    - c) Allow for longer grant or award terms.
  - 8) Authorize the Department to prescribe rules, guidelines, procedures, or other guidance to carry out the purposes of this chapter.
  - 9) Exempt such rules from the Administrative Procedures Act.
  - 10) Make non-codified findings and declarations.

### **ARGUMENTS IN SUPPORT**

According to the author, “AB 1891 sets aside 10% of the Greenhouse Gas Reduction Fund allocated to [the Department] for wildfire resiliency and forest health to support beneficial fire, with 25% of that dedicated specifically to tribes and tribal organizations. Beneficial fire has been a proven practice utilized by California’s first peoples for thousands of years. The evidence is clear, beneficial fire projects help our ecosystems foster biodiversity, reduce wildfire risk, and preserve natural habitats and forests. It is time we expand these practices and give California another tool to help make our state more resilient to wildfires and natural disasters.”

### **ARGUMENTS IN OPPOSITION**

None received.

### **COMMENTS**

***Funding beneficial fire capacity, training, and implementation.*** Recognizing the importance of prescribed fire, SB 901 (Dodd, Statutes of 2018) established the precedent for appropriating \$200 million to the Department from the GGRF through the 2023–24 fiscal year, including \$35 million to complete prescribed fire and other fuel

reduction projects through proven forestry practices consistent with the recommendations of the Forest Carbon Plan.

SB 155 (Committee on Budget and Fiscal Review), Chapter 258, Statutes of 2021, extended SB 901's continuous appropriations to the Department through FY 2028-29 for those same forest health, fire prevention, and fuel reduction projects.

The \$35 million appropriation has been part of the Department broader wildfire resilience and forest health funding from GGRF. Some dollars are folded into larger programs like fuels reduction crews and forest health projects.

That said, a primary use of the \$35 million allocation has been to establish and operate dedicated prescribed fire crews. For example, early budget plans under SB 901 projected using this funding to create additional prescribed fire staffing and support administrative and technical roles needed to carry out burns on state responsibility areas. In FY 2020-21, funds were used to complete prescribed fire and other fuel reduction projects consistent with the recommendations of the Forest Carbon Plan, including the operation of year-round prescribed fire crews and implementation of a research and monitoring program for climate change adaptation. That included funding full-time crews (beyond seasonal firefighters) and associated support personnel assigned to conduct controlled burns and related fuel reduction tasks.

Part of the appropriation has also been directed toward research and monitoring initiatives tied to prescribed fire's role in climate adaptation. Some funds have been used to provide training for burn bosses and crew members, and support planning, mapping, and coordination needed for larger scale prescribed fire operations consistent with SB 901's intent.

The Governor has proposed trailer bill language<sup>iv</sup> this year to strike the earmarked percentages enacted pursuant to SB 155 for forest projects and prescribed fire, and instead allocate the Department's \$200 million for *any* project listed.

This bill requires the Department to use no less than 10% of its continuously appropriated funding from GGRF to fund training, organizational capacity, and support, for community-led beneficial fire programs, and to use 25% of that allocated funding – which is 7.5% less than the current earmarks in SB 901 and SB 155, but a maintained earmark.

The Legislature will be negotiating both the GGRF spending plan and the Governor's proposed FY 2026-27 budget proposal.

**Committee Amendments.** Given the uncertainty of the GGRF spending plan, and new alternative sources of wildfire prevention funding such as Proposition 4, the committee may wish to amend the bill to broaden the scope of funding sources where this 10% requirement applies. The committee may also wish to amend the bill to clarify the 25% allocation to California Native American tribes is part of the 10% beneficial fire allocation and provide for conditions under which the 10% may not be met. **[SEE Amendments #1 and 2]**

The bill's sponsors want to build off the positive relationship beneficial fire practitioners have experienced collaborating with the Department to develop the guidelines for

administering the Prescribed Fire Claims Fund (PRC §4500(e)). This bill requires the Department to collaborate with similar groups in the administration of the 10% funding. The committee may wish to amend the bill to provide greater specificity aligning the collaborative process with the one outlined in the Prescribed Fire Claims Fund. **[SEE Amendment #3]**

The committee may wish to clarify the requirements for the Department in administering the funding pursuant to this bill. **[SEE Amendment #4]**

- Clarify that the administration requirements apply to the 10% beneficial fire capacity allocation.
- Clarify what is meant by “reduce....reliance on acres treated metrics.”
- Clarify that longer grant terms are intended to support long-term capacity and planning, as provided for by state contracting law.

### ***Related legislation***

AB 1699 (Rogers, 2026) would establish the Good Fire Act to indefinitely extend the Prescribed Fire Liability Program, eliminate the requirement for the Department approval for a plan reviewed and approved by a burn boss, and exempt from the California Environmental Quality Act (CEQA) specified actions taken by the Department to assist in the implementation of prescribed fire or cultural burning projects that do not otherwise require compliance with CEQA, among other things to facilitate beneficial fire. This bill is pending hearing in the Senate Natural Resources and Water Committee.

AB 2184 (Wilson, 2026) would have required, after the amounts in HSC §39719 (a)-(b) and HSC §39719.4 are fully allocated as determined by the Department of Finance, the remaining moneys in the GGRF, up to \$300 million, to be appropriated from the GGRF in the annual Budget Act each FY from the 2027–2028 through the 2045–46 fiscal year, inclusive, to achieve nature-based climate solutions, as specified. This bill was held on the Assembly Appropriations Suspense File.

## **SUGGESTED AMENDMENTS**

### **AMENDMENT 1**

Amend Sec. 4451 as follows:

**4451.** (a) On an annual basis, of the funding appropriated to the department for local assistance and other grant program where prescribed or beneficial fire is an eligible activity, the following amounts shall be accordingly distributed: the department shall use not less than 10 percent of funding continuously appropriated to the department from the Greenhouse Gas Reduction Fund pursuant to subparagraph (E) of paragraph (1) of subdivision (c) of Section 39719.4 of the Health and Safety Code

(1) Not less than 10 percent of such funding shall be awarded to expand training, organizational capacity, and support, for community-led beneficial fire programs, including, but not limited to, those developed by California Native American tribes, nongovernmental organizations, universities and colleges, resources conservation districts, volunteer fire districts, and other local or special districts.

The funding shall be delivered through grants, programs, and other mechanisms, including direct awards, block grants, and subawards.

(2) Not less than 25 percent of the funding in subparagraph (a)(1) shall be awarded to California Native American tribes or tribally led or indigenous-led organizations.

(b) The funding distributed pursuant to subdivision (a) may be delivered through grants, programs, and other mechanisms, including direct awards, block grants, and subawards.

(c) The department may award less than the specified amounts in subdivision (a) only in circumstances where the total funding requested by qualified applicants does not reach the specified thresholds.

### **AMENDMENT 2**

Amend Sec. 4452 as follows:

**4452.** (a) Both of the following activities shall qualify as a part of the 10-percent allocation specified in Section 4451:

(1) Funding to support and implement community-led beneficial fire programs, including training, and building and maintaining capacity. Organizations with demonstrated effectiveness developing or leading beneficial fire programs shall be prioritized.

(2) Funding to implement beneficial fire projects or projects involving beneficial fire capacity building, research, innovation, or training.

~~(b) At least 25 percent of the allocated funds shall be awarded to California Native American tribes or tribally led or indigenous-led organizations. Other proposals that involve California Native American tribes or tribally or indigenous-led organizations also shall be prioritized.~~

### **AMENDMENT 3**

Amend Sec. 4453 as follows:

**4453.** The department shall collaborate with other relevant state agencies, beneficial fire practitioners, and organizations currently engaged in beneficial fire programs in establishing guidelines governing the program and the administration of the funding.

### **AMENDMENT 4**

Amend Sec. 4454 as follows:

**4454.** To the extent feasible under grants, programs, and other mechanisms, the department shall do all of the following in administering the 10 percent allocation specified in section 4451:

(a) Allow awarded funds to be used to pay California Native American tribes or tribally designated individuals for consultation or engagement on programs or projects.

(b) Reduce application and reporting requirements ~~and reliance on acres treated metrics.~~

(c) Develop metrics for program success other than acres treated

(d) Utilize the maximum flexibility provided for by law to allow ~~Allow~~ for longer grant or award terms that support long-term capacity and planning.

**SUPPORT**

Karuk Tribe (co-sponsor)

The Watershed Research and Training Center (co-sponsor)

All Hands Ecology

Amah Mutsun Tribal Band

American Rivers

Audobon California

Biswell Forestry

Briceland Volunteer Fire Department

California Association of Local Conservation Corps

California Cattlemen's Association

California Environmental Voters

California Forward

California Forward

California Indian Environmental Alliance

California Native Plant Society

Californians for Western Wilderness

Calwild

Campfire Restoration Project

Camptonville Community Partnership

Central Coast Prescribed Burn Association

City of Sunnyvale

Colusa County Resource Conservation District

Community Environmental Council

Community Wildfire Planning Center

County of Yuba - Office of Emergency Services

Cross Contour LLC

Cultural Fire Management Council

East Bay Municipal Utility District

Ecoflight

El Dorado Amador Prescribed Fire Association

Environmental Defense Fund

Environmental Protection Information Center (EPIC)

Fall Creek Firewise

Fave Trainings

Feather River College

Filoli

Fire Resilience Institute

Firefighters United for Safety, Ethics, and Ecology (FUSEE)  
Firegeneration Collaborative  
First Rain Land Stewardship Services  
Forestscapes LLC  
Forevergreen Forestry  
Friends of Plumas Wilderness  
Friends of the Inyo  
Friends of the Lost Coast  
Friends of the River  
Habematolel Pomo of Upper Lake  
Hamey Woods  
Humboldt County Prescribed Burn Association  
Humboldt Fire Resilience Institute  
Hybrid Incident Support  
Indigenous Stewardship Network  
Karuk Tribe  
Klamath Forest Alliance  
Mak-warép Ohlone Land Conservancy  
Mattole Restoration Council  
Mid Klamath Watershed Council  
Midpeninsula Regional Open Space District  
Mount Hermon Northwest  
Mount Madonna Center  
Mt. Madonna Challenge  
National Audubon Society  
Nevada County Resource Conservation District  
Nourishing Futures  
Orange County Fire Authority  
Orleans Volunteer Fire Department  
Pacific Forest Trust  
Plumas County Fire Safe Council  
Plumas Underburn Cooperative  
Prometheus Fire Consulting LLC  
Rain  
Resource Conservation District of Monterey County  
Resource Renewal Institute  
Rural Voices for Conservation Coalition  
Salmon River Restoration Council  
San Benito Resource Conservation District  
San Luis Obispo Prescribed Burn Association  
Sandhills of Quail Hollow Firewise  
Santa Clara County Firesafe Council  
Santa Clara Valley Habitat Agency  
Santa Monica Mountains Fire Safe Council  
Santa Rosa Junior College  
Save Mount Diablo  
Save the Redwoods League  
Saving the Sea  
Scott River Watershed Council  
Semillas for Safe Soil

Sempervirens Fund  
Sierra Business Council  
Sierra Nevada Alliance  
Sonoma Land Trust  
South Bay Prescribed Burn Association  
South Yuba River Citizens League  
Spye Conservation INC.  
Storm King Mountain Technologies, INC.  
Sustainable Tahoe  
Terra Fuego Resource Foundation  
The Adidam Holy Domains  
The Climate Center  
The Fire Restoration Group  
The Hatchet Emergency Response INC.  
The Lookout  
The Wilderness Society  
The Wildlands Conservancy  
Transition Habitat Conservancy  
Tribal Ecorestoration Alliance  
Trinity County Resource Conservation District  
Trout Unlimited  
Tuolumne Prescribed Burn Association  
Ventura County Resource Conservation District  
Volcano Land Company  
Wildlands Network  
Wildlands Robotics  
Yosemite Gateway Prescribed Burn Cooperative

**OPPOSITION**

None received

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<sup>i</sup> Kelp, M., Burke, M., Qiu, M., Higuera-Mendieta, I., Liu, T., and Diffenbaugh, N.S. (2025)

<sup>ii</sup> [california-strategic-plan-for-prescribed-fires.pdf](#)

<sup>iii</sup> [Interagency Tracking System](#)

<sup>iv</sup> [RN2608676 v3](#)