



# Legislative Council Staff

## Research Note

Version: Final

Date: 3/10/2016

### Bill Number

House Bill 16-1019

### Sponsors

*Representative Becker K.  
Senators Jones and Roberts*

### Short Title

*Broadcast Burns Watershed  
Protection*

### Research Analyst

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### Status

This research note reflects the final version of the bill, which becomes effective August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed.

### Summary

The bill, recommended by the **Wildfire Matters Review Committee**, adds broadcast burning to the types of projects and methods for which the Colorado State Forest Service (CSFS) may award grants from the Healthy Forests and Vibrant Communities Cash Fund and the Forest Restoration Cash Fund.

### Background

Broadcast burns, or prescribed burns, are controlled applications of fire to wildland fuels in their natural or modified state over a predetermined area. Broadcast burns produce the fire behavior and fire characteristics required to attain planned fire treatment and resource management objectives. The U.S. Forest Service (USFS) conducts broadcast burns to reduce wildland fire fuel loads and improve wildlife habitat and forest health. In order for a broadcast burn to take place, certain criteria has to be met, including smoke dispersal conditions, weather, adequate staffing, and fuel moisture.

Under current law, the CSFS, a service and outreach agency of Colorado State University, works to improve the health and sustainability of the state's forested land. The CSFS administers several projects and programs related to forest health, wildfire risk mitigation and planning, and watershed restoration. The Colorado Healthy Forests and Vibrant Communities Act of 2009 and

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the Healthy and Vibrant Communities Fund were established by House Bill 09-1199. The act addressed the risk of wildfire in the state and the development of community wildfire protection plans to bring together federal, state, and local interests, including nongovernmental entities, to address the risk of wildfire to life, property, and infrastructure in the state. Moneys in the fund are currently allocated for:

- reducing community wildfire risks;
- supporting wildfire preparedness;
- supporting watershed restoration; and
- providing economic development incentives related to woody biomass utilization.

The Healthy Forests and Vibrant Communities Act also permits the CSFS to use up to \$1 million annually from the Forest Restoration Program Cash Fund for wildfire risk mitigation and support of long-term ecological restoration. The Forest Restoration Program and the Forest Restoration Cash Fund were created in 2007 as a pilot program. The cash fund is funded through the Severance Tax Operational Fund. House Bill 12-1032 extended the funding from the Severance Tax Operational Fund through FY 2017-18 at a level of \$2.5 million annually. The restoration program helps fund projects that demonstrate a community-based approach to forest restoration. CSFS is required to issue a statewide request for grant proposals for such projects.

## House Action

***House Agriculture Committee (January 27, 2016).*** At the hearing, representatives from CSFS and the Colorado Department of Public Safety testified in support of the bill. There was no testimony in opposition to the bill.

The committee adopted amendment L.001, and referred the bill, as amended, to the House Committee of the Whole. The amendment changed the term "fuel mitigation treatment" to "fuel reduction treatment," which clarified that broadcast burns would be considered a fuel reduction treatment rather than a fuel mitigation treatment.

***House second reading (February 1, 2016).*** The House adopted the House Agriculture, Livestock, and Natural Resources committee report; there were no further amendments to the bill. The House passed the bill on second reading, as amended.

***House third reading (February 2, 2016).*** The House passed the bill on third reading with no amendments.

## Senate Action

***Senate Agriculture, Energy, and Natural Resources Committee (February 25, 2016).*** At the hearing, representatives from CSFS, the Division of Fire Prevention and Control, and Denver Water testified in support of the bill.

The committee adopted amendment L.002, and referred the bill, as amended, to the Senate Committee of the Whole, with a recommendation that it be placed on the consent calendar. The amendment replaced the term "fuel reduction treatment" with "fuel mitigation treatment," returning the language of the bill to that of the introduced version.

***Senate second reading (March 1, 2016).*** The Senate adopted the Senate Agriculture, Energy, and Natural Resources committee report and passed the bill on the second reading consent calendar, as amended.

**Senate third reading (March 2, 2016).** The Senate passed the bill on third reading with no amendments.

## Relevant Research

Wildfire Matters Review Committee, 2015 Final Report, December 2015: <http://tinyurl.com/zu5jah2>

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