**Restoring Indigenous Fire Stewardship Through Policy: An Analysis of SB 310 on Cultural Burning**

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## Summary

Senate Bill 310 (SB 310) is a new bill that would expand cultural burning in California, a practice by some tribes that applies sophisticated burning methods to manage resources, promote adaptive landscapes to changing climactic conditions, and connect humans to the land. SB 310 also convenes a working group, including members from California Native American Tribes, to build a research-based framework to facilitate cultural burns in the future. In this report, we analyze SB 310 and highlight the importance of Indigenous people and their knowledge into research, policy, and decision-making.

## Recommendations

* Send support letters for Senate Bill 310 to [Assembly Appropriations](mailto:approps.committee@assembly.ca.gov) Committee Chair Assemblymember Holden and cc Consultant [Nikita Koraddi](mailto:Nikita.Koraddi@asm.ca.gov) starting January 2024
* Send relevant research or background on Senate Bill 310 to [Senator Dodd’s Office](mailto:Leslie.Spahnn@sen.ca.gov) and the Assembly Appropriations Committee members starting January 2024
* Support funding and opportunities to Indigenous people, for Indigenous people. Share information across networks, call your representatives to support initiatives, collaborate, and support grant writing efforts for Indigenous tribes
* Advocate for the importance, value, and need for Indigenous people in research, policy, and decision-making
* Understand the history of social and physical forms of structural dispossession and genocide that have allowed the United States to claim Native lands and Indigenous people’s sovereignty and livelihoods, and the connection to climate change impacts on landscapes and collective wellbeing

## Definitions

## Indigenous Knowledge: the collective metaphysical and biophysical understanding of people and their relation to their environment shared over generations (Lake, 2021).

## Cultural burning: the intentional use of fire in Tribal belief systems and practices, serving as a spiritual and ecological tool to support human and non-human well-being (Lake, 2021).

* **Indigenous Fire Knowledge:** “fire-related knowledge, beliefs, and practices that have been developed and applied on specific landscapes for specific purposes by long time inhabitants” (Huffman, 2013).

## Indigenous Fire Stewardship

Fires are an integral part of watersheds in the Sierra Nevada that shape ecosystem structure and the availability of water and resources (Rhoades et al., 2019). However, a history of fire suppression and the genocide, forced assimilation, and criminalization of Indigenous people have removed Indigenous people and their fire management practices from the landscape (Adlam et al., 2022). These fire-suppressed areas are degrading from cascading disasters – intense drought, higher-severity wildfires, and destructive flooding events. For example, the Rim Fire destroyed 256,428 acres of forest surrounding the Tuolumne River in 2013 (U.S. Forest Service, n.d.), resulting in large-scale habitat destruction that continues to impact the region to present day (Roodsarabi et al., 2023).

Indigenous people have intensely managed California lands with fire to support ecological, cultural, economic, and societal needs as part of Indigenous Fire Stewardship (Adlam et al., 2022; Lake, 2021). Burning practices are applied with frequency, seasonality, and specificity to the ecology of the land and in response to changing environmental and climatic conditions (Lake, 2021). Cultural burning as a spiritual and ecological tool results in fires that are smaller, more controlled, frequent, and less intense than natural (lightning) fires (Lake, 2021; Adlam et al., 2022). These practices share common methodologies with Western scientific processes and incorporate geology, topography, soils, vegetation, fuels, weather, fire behavior, and fire effects, among many other social and environmental dynamics (Lake, 2021). Over time, a mosaic of fire regimes, known as pyrodiversity, develops and facilitates healthier forest habitats and greater biodiversity (Martin and Sapsis, 1992).

Government policies must incorporate Indigenous people into the decision-making process and establish respectful collaborations towards tribal sovereignty, tribal decisions, and equitable outcomes. These efforts are interconnected with our collective need to restore degraded landscapes, promote adaptable ecosystems, and ensure the well-being of people and the environment. Here we review Senate Bill 310, a new bill introduced in the 2023 legislative season that revitalizes Indigenous Fire Stewardship to manage historically fire-suppressed landscapes.

## Senate Bill 310: Cultural Burning

### Bill Overview

[Senate Bill 310](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB310) acknowledges tribal sovereignty regarding cultural burning in California and creates a process for federally recognized California Native American Tribes and the California Natural Resources Agency (CNRA) to enter into agreements to waive various state regulatory requirements for cultural burns until January 1, 2029.

The bill also requires that the Secretary of CNRA convene a cultural burn working group that includes certain State environmental agencies, California Native American Tribes, local air pollution control districts, and local governments. This group’s goal is to determine a framework in support of cultural burning and report back to the legislature by January 1, 2025.

### Support and Opposition

[Public supporters](file:///C:/Users/itzel/Downloads/202320240SB310_Assembly%20Judiciary.pdf) of SB 310 include the Karuk Tribe and various environmental organizations; they argue this bill would allow the pace and scale of prescribed burn activities to increase.

The California Air Pollution Control Officers Association (CAPCOA) and South Coast Air Quality Management District have [publicly opposed the bill](file:///C:/Users/itzel/Downloads/202320240SB310_Assembly%20Judiciary.pdf); they argue that this bill could affect current safeguards that protect downwind communities from prescribed burn emissions.

### Future of the Bill

SB 310 was marked as a two-year bill, meaning it can be heard and voted on again during the 23-24 legislative session. To be signed into law, the bill will need to be heard by the Assembly Appropriations committee, taken to a vote on the Assembly and Senate Floor, and then signed by the Governor before October 15, 2024.

### Conclusion and implications

Overall, SB 310 would allow for the expansion of cultural burning in California, while simultaneously conducting research and promoting robust discussion on how to best continue to expand cultural burning. We are disheartened to see that this bill would only apply to federally recognized tribes, because it excludes the dozens of non-federally recognized tribes in the state, but we believe the Cultural Burn Working Group’s report will be of particular importance to the overall implementation of this bill and future legislation on this topic. We encourage engagement and support of this bill and other policies that establish collaborative partnerships to further Tribal sovereignty and Tribal-lead scientific research, policy, and decision-making.

### Contacts for SB 310

Chris Holden, Assembly Appropriations Committee Chair Assemblymember: [approps.committee@assembly.ca.gov](mailto:approps.committee@assembly.ca.gov)

Nikkita Koraddi, Principal Consultant, Committee Staff member of the California State Assembly Committee on Appropriations: [nikita.koraddi@asm.ca.gov](mailto:nikita.koraddi@asm.ca.gov)

Leslie Spahnn, Legislative Director, State Senator Bill Dodd, [leslie.spahnn@sen.ca.gov](mailto:leslie.spahnn@sen.ca.gov)

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