To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for wildfire mitigation grants, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Prepare, Ready, Equip, and Prevent Areas at Risk of Emergency Wildfires Act of 2013” or the “PREPARE Act of 2013”.
SEC. 2. WILDFIRE MITIGATION.

Title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.) is amended by inserting after section 203 the following:

“SEC. 203A. WILDFIRE MITIGATION.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency;

“(2) the term ‘community wildfire protection plan’ has the meaning given the term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511);

“(3) the term ‘local mitigation plan’ means a mitigation plan developed under section 322(b) that addresses wildfire mitigation and preparedness; and

“(4) the term ‘State mitigation plan’ means a mitigation plan developed under section 322(c) that addresses wildfire mitigation and preparedness.

“(b) ESTABLISHMENT OF WILDFIRE MITIGATION AND PREPAREDNESS GRANT PROGRAM.—The President, acting through the Administrator, shall establish a pilot program to make grants to States for wildfire mitigation and preparedness.

“(c) USE OF FUNDS.—A grant under this section may be used by a State—
“(1) to reduce the hazardous fuel load by reducing the use of fuels that may contribute to catastrophic wildfires in high-risk areas;

“(2) to invest in personnel and organizations to improve wildfire preparedness;

“(3) to invest in vehicles and other equipment to improve wildfire preparedness;

“(4) to invest in air tankers or other airborne assets to help contain, suppress, and monitor wildfires;

“(5) to prevent damage from runoff into waterways and floods caused by erosion from wildfires; and

“(6) at the discretion of the Governor of a State, for any other wildfire mitigation and preparedness activities on Federal, State, or private land in the State, unless otherwise prohibited by law.

“(d) ELIGIBILITY FOR ASSISTANCE.—

“(1) IN GENERAL.—

“(A) ELIGIBILITY.—A State shall be eligible for assistance under this section if the section 420 grant ratio for such State is equal to or greater than 150 percent of the State population ratio.
“(B) RATIOS.—For purposes of subparagraph (A)—

“(i) the section 420 grant ratio shall be equal to the quotient of—

“(I) the number of declarations for a grant under section 420 received by the State during the 10 years prior to the date on which an application for assistance is submitted under this section, divided by

“(II) the total number of declarations for a grant under section 420 in the United States during the 10 years prior to the date on which an application for assistance is submitted under this section; and

“(ii) the State population ratio shall be equal to the quotient of—

“(I) the population of the State, based on the most recent data available from the Bureau of the Census on the date on which an application for assistance is submitted under this section, divided by
“(II) the population of the United States, based on the most recent data available from the Bureau of the Census on the date on which an application for assistance is submitted under this section.

“(2) Waiver.—The President may waive the requirement of paragraph (1) if a State—

“(A) files a petition for waiver of the requirement of paragraph (1); and

“(B) demonstrates that significant environmental changes or shifts in forest health put the State at an elevated risk for catastrophic wildfires, as determined by the President.

“(3) Local Assistance.—The Governor of a State may award funds received under this section, to be used solely for the purposes set forth under subsection (c), to—

“(A) any county or municipality in that State with a community wildfire protection plan or a local mitigation plan; or

“(B) any other entity that is explicitly referenced in and central to, in the determination of the Governor, the design of a community...
wildfire protection plan or a local mitigation plan.

“(e) CRITERIA FOR ASSISTANCE.—In determining whether to award a grant to a State under this section, the President shall—

“(1) give preference to—

“(A) a State with a high level of need for assistance based on the best scientific data available, as determined by the President in consultation with the Chief of the Forest Service;

“(B) a State that provides matching non-Federal funds, including funds from nongovernmental entities, equal to not less than 100 percent of the amount of Federal funds made available under this section; and

“(C) a State that previously received a grant under this section and efficiently and effectively used the Federal funds for wildfire mitigation and preparedness activities in the State, as determined by the President; and

“(2) consider environmental conditions in a State, including environmental changes, deteriorating forest health, and overall wildfire risk.

“(f) APPLICATION FOR ASSISTANCE.—
“(1) IN GENERAL.—To request a grant under this section, a State shall submit an application to the President in such form, in such manner, and containing such information as the President may reasonably require.

“(2) CONTENTS.—In addition to any other requirements that may be specified by the President, a State submitting an application for a grant under this section shall demonstrate that—

“(A) the State has a publicly available State mitigation plan;

“(B) the State shall provide matching non-Federal funds equal to not less than 50 percent of the amount of Federal funds made available under this subsection; and

“(C) a county or municipality that may receive funds from the grant has a community wildfire protection plan or a local mitigation plan.

“(g) REPORT.—Not later than 1 year after the date of receipt of a grant under this section, a State shall submit to the Administrator a report, which shall be made publicly available, on the use of funds made available under the grant.

“(h) FUNDING FOR ASSISTANCE.—
“(1) PREDISASTER MITIGATION FUND.—Subject to the availability of funds in the National Predisaster Mitigation Fund established under section 203(i), the President shall use not less than $20,000,000 and not more than $30,000,000 from unobligated amounts in the National Predisaster Mitigation Fund for each of fiscal years 2014 through 2019 in carrying out this section.

“(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to increase the amount of appropriations authorized for the Department of Homeland Security in any given fiscal year.”.