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EXECUTIVE OFFICER’S REPORT ON PENDING LEGISLATION

As of 09/16/2024

# Administration and Finance

# Fire Protection/Fuel Management

## [AB 692, Patterson, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=42Lt88vMxaj5xM%2B5Itfn44NSKl%2F7pmWTMTBrFDr1%2FoLPp3FBwnPsX3AL%2B0pJ%2BEOf)

***Status: Dead***

This bill would, until January 1, 2030, exempt from CEQA egress route projects undertaken by a public agency to improve emergency access to and evacuation from a subdivision without a secondary egress route if the State Board of Forestry and Fire Protection has recommended the creation of a secondary access to the subdivision and certain conditions are met.

[SB 504, Dodd, As Amended](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB504)

***Status: Enrolled and presented to the Governor***

Existing law requires a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material to maintain defensible space of 100 feet from each side of the structure, with more intense fuel reductions between 5 and 30 feet around the structure and an ember-resistant zone required within 5 feet of the structure, based on regulations adopted by the State Board of Forestry and Fire Protection. Existing law requires fuels to be maintained and spaced in a condition so that a wildfire, burning under average weather conditions, would be unlikely to ignite the structure. Existing law provides that the requirement for an ember-resistant zone shall take effect for existing structures one year after the effective date for new structures. A violation of these requirements is a crime. Existing law requires the board to classify state responsibility areas, defined by reference to certain conditions of forest and vegetation cover and excluding municipal and federal areas, where preventing and suppressing fires is the state’s financial responsibility.

This bill would instead, without reference to weather conditions, require fuels to be maintained and spaced in a condition so that a wildfire would be unlikely to ignite the structure. The bill would require a person who owns, leases, controls, operates, or maintains a building or structure in the state responsibility area, regardless of location or forest and vegetation cover, to maintain defensible space of 100 feet from each side. The bill would authorize regulations to alter the fuel reduction required between 5 and 30 feet to integrate the ember-resistant zone, and would provide that the requirement for the ember-resistant zone shall instead take effect for existing structures 3 years after the effective date for new structures, as specified. By expanding the scope of a crime, this bill would impose a state-mandated local program.

[*AB 3150, Quirk-Silva*](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB3150)

***Status: Referred to*** [***suspense file***](https://www.capradio.org/articles/2023/05/16/understanding-how-a-california-bill-dies-without-public-debate/)***;*** [***held under submission***](https://californiaglobe.com/articles/a-bill-can-be-held-by-a-legislative-committee-in-several-ways/)

This bill would change the authorities in PRC 4290, 4290.1, and 4291 (Fire Safe Regulations, Fire Risk Reduction Communities List, and Defensible Space, respectively) from the Board to the Office of the State Fire Marshal.

[SB 610, Wiener](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB610)

***Status: Referred to*** [***suspense file***](https://www.capradio.org/articles/2023/05/16/understanding-how-a-california-bill-dies-without-public-debate/)***;*** [***held under submission***](https://californiaglobe.com/articles/a-bill-can-be-held-by-a-legislative-committee-in-several-ways/)

Amendments to this bill on July 8, 2024, remove the provisions that would recast the authorities in PRC 4290 and 4291 from the Board to the Fire Marshal.

[SB 571, Allen](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB571)

***Status: Enrolled and presented to the Governor***

This bill would require the Office of Planning and Research, on or before January 1, 2027, tocreate, and provide to the Legislature, a report relating to standards for ingress and egress routes in newdevelopment, as provided. The bill would require the office to do certain things when creating the report, including provide opportunities for input from the public, as specified, and include the Board of Forestry and Fire Protection in a working group to inform the development of the report.

[AB 2330, Holden, As Amended](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2330)

***Status: Enrolled and presented to the Governor***

The California Endangered Species Act prohibits the taking of an endangered, threatened, or candidate species, except as specified. Under the act, the Department of Fish and Wildlife (department) may authorize the take of listed species by certain entities through permits or memorandums of understanding for specified purposes. Existing law requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Existing law requires a local agency to designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal, as provided.

This bill would authorize a city, county, city and county, special district, or other local agency to submit to the department a locally designed plan to conduct wildfire preparedness activities on land designated as a fire hazard severity zone, as defined, that minimizes impacts to wildlife and habitat for candidate, threatened, and endangered species, and meets specified criteria. The bill would require the department to notify the local agency within 90 days of receipt of the plan if an incidental take permit or other permit is needed, or if there are other considerations, exemptions, or streamlined pathways that the wildfire preparedness activities qualify for, including, but not limited to, the State Board of Forestry and Fire Protection’s California Vegetation Treatment Program. The bill would require the department to provide the local agency, in its notification, a description of the candidate, endangered, and threatened species within the plan area and reasonable measures to avoid, minimize, and fully mitigate the take of the candidate, threatened, and endangered species, as provided. The bill would require the Department of Fish and Wildlife to consult the State Board of Forestry and Fire Protection if technical assistance is necessary.

# Forestry

## [AB 2639, Patterson, As Amended](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2639)

***Status: Appropriations Committee, held under submission (no change since May 2024)***

The Z’berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. Existing law defines “timber operations” for purposes of the act. The act provides that any person who willfully violates any provision of the act or rule or regulation of the State Board of Forestry and Fire Protection is guilty of a misdemeanor.

This bill would expand the definition of “timber operations” to include the maintenance of timberlands for fuels reduction, paid in part or in whole with public funds. By expanding the scope of a crime, the bill would create a state-mandated local program.

The bill would provide that timber operations for the maintenance of timberland, paid in part or in whole with public funds, may comply with the requirements of CEQA in lieu of preparing a timber harvesting plan.

## [AB 66, Mathis, As Amended](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=doXdRpJk50l%2Fq%2BUZPFGZxBfuDu1VbFrgr4doUQlHVEkmziFqaA4ZvNWHM8jh1QdV)

***Status: Died***

Existing law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state’s natural and cultural resources. Existing law establishes in the agency the Department of Water Resources, which manages and undertakes planning with regard to water resources in the state. This bill would require the agency, and each department, board, conservancy, and commission within the agency, to take all reasonable steps to approve the necessary permits for specified projects that meet certain employment conditions within 180 days from receiving a complete permit application. The bill would require the department, board, conservancy, or commission responsible for issuing a permit to post updates on its internet website for each permit application explaining how the permit approval process is progressing and the estimated time until the permit is approved.

[AB 2276, Wood](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB2276)

***Status: Enrolled and presented to the Governor***

The Z’berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. The act authorizes the State Board of Forestry and Fire Protection to exempt from some or all of those provisions of the act a person engaging in specified forest management activities, as prescribed, including: (1), for a period of 5 years following the adoption of emergency regulations, the cutting or removal of trees on the person’s property that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials and maintaining a fuel break, known as the Small Timberland Owner Exemption, (2), until January 1, 2026, the harvesting of those trees that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for specified purposes, known as the Forest Fire Prevention Exemption, and (3), until January 1, 2026, the cutting or removal of trees on the person’s property in compliance with specified defensible space requirements, as provided.

This bill would (1) repeal the Small Timberland Owner Exemption, (2) rename the Forest Fire Prevention Exemption the Forest Resilience Exemption, revise the standards and criteria for qualifying for that exemption, and extend that exemption until January 1, 2031, and (3) extend until January 1, 2031, the other exemption described above. The bill would also make conforming changes.

# Range Management Advisory Committee

## [SB 675,](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=2KLHt3hqEy1VKI4rVSmQpd0abeCEizPdETKhlUj5scTpmnHNbEnRXRJG2QARHWSj) [[Limón](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=2KLHt3hqEy1VKI4rVSmQpd0abeCEizPdETKhlUj5scTpmnHNbEnRXRJG2QARHWSj)](http://sd19.senate.ca.gov/)[, As Amended](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=2KLHt3hqEy1VKI4rVSmQpd0abeCEizPdETKhlUj5scTpmnHNbEnRXRJG2QARHWSj)

***Status: Enrolled and presented to the Governor***

Existing law requires the State Board of Forestry and Fire Protection to appoint a Range Management Advisory Committee and to consult with the advisory committee on rangeland resource issues under consideration by the board.

The bill would require, on or before July 1, 2024, the advisory committee, in consultation with specified entities, to develop guidance for local or regional prescribed grazing plans, as provided. The bill would require the Department of Forestry and Fire Protection (department) and the Department of Conservation to consider and incorporate, where appropriate, this guidance in specified grant programs, as provided.

Existing law requires the Wildfire and Forest Resilience Task Force, established by former Governor Edmund G. Brown Jr., to develop a comprehensive implementation strategy to track and ensure the achievement of the goals and key actions identified in the state’s “Wildfire and Forest Resilience Action Plan,” as provided. Existing law requires, on or before January 1, 2026, and every 5 years thereafter, the task force to update the action plan.

This bill would require the task force, on or before June 30, 2025, in consultation with the advisory committee, to develop a strategic action plan to expand the use of prescribed grazing, as provided. The bill would require the task force to consider incorporating prescribed grazing in the January 1, 2026, update to the “Wildfire and Forest Resilience Action Plan.”

# Forest Biomass [*AB 625, Aguiar-Curry, As Amended*](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB625)

***Status: Died***

This bill would establish the Forest Biomass Waste Utilization Program to be administered by the state board’s Joint Institute for Wood Products Innovation to develop an implementation plan to meet the goals and recommendations of, and the comprehensive framework to align with the state’s wood utilization policies and priorities and focused market strategy of, specified statewide forest management plans, and to develop a workforce training program to complement the workforce needs associated with the implementation plan.