



LEAGUE OF CALIFORNIA CITIES



California Special Districts Association
Districts Stronger Together



June 14, 2024

The Honorable Dave Min
Chair, Senate Natural Resources and Water Committee
1021 O Street, Room 3220
Sacramento, CA 95814

RE: AB 2330 (Holden) Endangered Species: Incidental Take: Wildfire Preparedness Activities
Notice of SUPPORT (As Amended May 16, 2024)

Dear Senator Min,

On behalf of the League of California Cities (Cal Cities), Rural County Representatives of California (RCRC), California Special Districts Association (CSDA), Association of California Water Agencies (ACWA), Mountain Counties Water Resources Association, California Fire Chiefs Association, Fire Districts Association of California, Los Angeles Area Fire Chiefs Association, Orange County Fire Chiefs Association, Ventura County Fire Chiefs Association, and the California Cattlemen's Association, we are pleased to **support AB 2330 (Holden)**. The bill would develop a voluntary, streamlined process for local agencies to submit wildfire preparedness programs to the California Department of Fish and Wildlife (CDFW) and seek approval to avoid, minimize, and mitigate the take of an endangered, threatened, or candidate species, incidental to conducting vegetative management activities in fire hazard severity zones located adjacent to communities.

The size and severity of wildfires in California is increasing due to climate extremes. In California's recorded history, the top eight largest wildfires and the top two most destructive wildfires occurred in the last seven years, and the deadliest wildfire

occurred in the last six years. Communities statewide have experienced the catastrophic and devastating impacts of wildfires, and the threat of wildfire on life and property remains for many communities across the state.

Just as the state and federal agencies are responsible for managing lands and preparing and responding to wildfires, local agencies are also responsible for conducting wildfire preparedness activities on Local Responsibility Areas (LRAs) in designated fire hazard severity zones throughout the state. The state has completed a programmatic environmental impact report under the California Environmental Quality Act (CEQA) for 20 million acres of State Responsibility Areas (SRAs) with mitigation measures and a streamlined consultation process with environmental permitting agencies, called the California Vegetative Treatment Program (CalVTP). Local agencies, however, do not have a streamlined process for LRAs and have experienced long delays spanning multiple fire seasons when trying to accelerate these types of wildfire preparedness efforts on LRAs.

AB 2330 would provide local agencies a voluntary, streamlined process that prioritizes wildfire preparedness activities and public safety while upholding environmental laws and permitting authorities. The bill would require local agencies to provide CDFW under the California Endangered Species Act (CESA) with specific information, including the location and type of activities that are planned, that the local agency has complied with CEQA, and any planned environmental mitigation or conservation measures the local agency plans to take as part of their wildfire preparedness activities. CDFW would have 90 days to notify the local agency if an incidental take permit is needed or if they are other exemptions or streamlined pathways are available to the local agency. The bill would require, in its notification to the applicant, a description of the threatened or endangered species and methods to be taken to avoid or minimize the take of that species. If an incidental take permit is needed, CDFW would be required to approve or deny the permit application with 45 days upon receipt of a completed application. By going through this streamlined process, local agencies will be able to consult with CDFW regarding their proposed activities to ensure any potential harm to species can be avoided and environmental mitigation measures are in place for vegetative management activities to occur. CDFW would still be able to charge their regular permitting fees for the incidental take permits that are identified through this process, which would cover the staff time to review and issue these permits.

The bill would ensure continued environmental oversight and communication between local agencies and the state for any approved wildfire preparedness programs. The bill would require CDFW to consult with the State Board of Forestry and Fire Protection to provide further technical assistance to local agencies. This would allow CDFW to respond should any concerns arise to not only minimize or mitigation environmental impacts but avoid a species take through this proactive pathway.

If local wildfire preparedness activities are not accelerated in LRA areas, the threat of wildfire could continue to pose extreme risk of future catastrophic wildfire events to both communities and the environment. AB 2330 provides a feasible process that maintains CDFW's environmental authorities and oversight while prioritizing wildfire preparedness and public safety.

For these reasons, we **strongly support AB 2330** and respectfully request you aye vote when the bill is heard in the Senate Natural Resources and Water Committee. As the sponsor of this legislation, please do not hesitate to contact the League of California Cities Environmental Quality Lobbyist Melissa Sparks-Kranz at 916-658-8232 or msparkskranz@calcities.org.

Sincerely,



Melissa Sparks-Kranz
Legislative Affairs, Lobbyist
League of California Cities

cc: The Honorable Chris R. Holden
Members, Senate Natural Resources and Water Committee
Katharine Moore, Chief Consultant, Senate Natural Resources and Water Committee
Todd Moffitt, Policy Consultant, Senate Republican Caucus