
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 1456 (Bryan) - California Environmental Quality Act: California Vegetation Treatment Program

Version: July 18, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: E.Q. 8 - 0, N.R. & W. 7 - 0

Mandate: No

Consultant: Ashley Ames

Bill Summary: This bill would require the State Board of Forestry and Fire Protection to update the Final Program Environmental Impact Report (FPEIR) for the California Vegetation Treatment Program by January 1, 2027.

Fiscal Impact:

- The Department of Forestry and Fire Protection (CalFire) estimates ongoing costs of about \$582,000 in year one, \$746,000 in year two, and \$661,000 annually thereafter (Timber Regulation and Forest Restoration Fund [TRFRF]) to address the additional workload resulting from the implementation of this bill.

Background:

State Board of Forestry and Fire Protection (Board). In 1885, the Governor of California approved an act that authorized the appointment of a three-man State Board of Forestry, the first such body in the nation. That original Board was abolished in 1893. In 1905, an "Act of March 18, 1905," became law, creating a new Board of Forestry and the first State Forester.

The Board consists of nine members appointed by the Governor and approved by the Senate. There are five public members, three members from the forest products industry, and one member from the range livestock industry. The Governor designates the chair of the Board, who continues to serve in that capacity at the pleasure of the Governor, and the vice chair is elected by the members. The members serve four-year terms.

The Board is responsible for developing the general forest policy of the state, determining the guidance policies of the Department of Forestry and Fire Protection (Department), and representing the state's interest in federal forestland in California. Together, the Board and the Department work to carry out their mandate to protect and enhance the state's unique forest and wildland resources.

State Responsibility Area (SRA). The SRA is the areas of the state where the state has the financial responsibility for preventing and suppressing wildfires (Public Resources Code (PRC) § 4102). The Board is required to classify all lands within the state to determine the SRA (PRC § 4125). Lands in the SRA include:

- Lands covered wholly or in part by forests or by trees producing or capable of producing forest products.

- Lands covered wholly or in part by timber, brush, undergrowth, or grass, whether of commercial value or not, which protect the soil from excessive erosion, retard runoff of water or accelerate water percolation, if such lands are sources of water which is available for irrigation or for domestic or industrial use.
- Lands in areas which are principally used or useful for range or forage purposes, which are contiguous to the lands described above (PRC § 4126).

Lands which are not in SRA are in local or federal responsibility areas (LRA and FRA), as applicable.

California Vegetation Treatment Program (CalVTP). The CalVTP, developed by the Board and approved on December 30, 2019, is a critical component of the state's multi-faceted strategy to address California's wildfire crisis. The CalVTP includes the use of prescribed burning, mechanical treatments, manual treatments, herbicide application, and prescribed herbivory as tools to reduce hazardous vegetation around communities in the Wildland-Urban Interface (WUI), to construct fuel breaks (shaded or non-shaded), and to promote ecological restoration. The CalVTP FPEIR provides a powerful California Environmental Quality Act (CEQA) compliance tool to expedite the implementation of wildfire resilience projects.

Project proponents can use the CalVTP to comply with CEQA for vegetation treatments consistent with the CalVTP FPEIR. A project proponent is any local or state agency providing funding or having land ownership and/or management or other regulatory responsibility in the treatable landscape. This includes the Department, Counties, Cities, Water Agencies, Special Districts, Open Space Districts, State Parks, California Department of Fish and Wildlife (CDFW), Universities, Conservancies, and many other state and local public agencies.

According to the Governor, 106 projects have been approved to date under CalVTP.

CalVTP Treatable Landscape. Geographic area is one of the factors identified in CEQA Guidelines that agencies may consider when determining whether a project is within the scope of a PEIR. The geographic area analyzed in the CalVTP FPEIR is the treatable landscape. The treatable landscape consists of land primarily within the SRA and some areas of the LRA, and some FRA. Therefore, areas of a treatment project outside the treatable landscape are not within the scope of the CalVTP FPEIR.

January 2025 Los Angeles Wildfires. The new year started ominously in southern California, when during its first week a strong high-pressure system over the Great Basin triggered powerful Santa Ana winds. The Los Angeles area hadn't seen any measurable rainfall for eight months and was in a state of moderate drought. On January 6, the National Weather Service issued a red flag warning predicting hurricane strength winds.

Around 10:30 the next morning, dispatch officers began receiving reports of a fast-moving fire in the mountains near Pacific Palisades. Eventually the Palisades Fire became the most destructive fire in City of Los Angeles history – 12 people were killed,

23,448 acres burned, and according to the Department's damage assessment report, 6,833 structures were damaged or destroyed.

Later in the evening on the 7th, a fire began in the San Gabriel Mountains and Santa Ana winds pushed the flames into the foothill communities of Altadena, Pasadena, and Sierra Madre. The Eaton Fire burned 14,021 acres and damaged or destroyed 10,488 structures. 18 people, all from the predominantly Black neighborhood in west Altadena, were killed. The fire became the fifth most deadly and second most destructive in California history.

Administration's response. Governor Newsom, in response to the Los Angeles wildfires, issued a number of executive orders and proclamations to aid recovery, protect victims, fast-track wildfire safety regulations, and facilitate wildfire prevention projects.

Notably, the State of Emergency Proclamation on March 1, 2025 (Proclamation) suspended state statutes, rules, regulations, and requirements under the jurisdiction of California Natural Resources Agency (CNRA) and Environmental Protection Agency (EPA) boards, departments, and offices in order expedite critical fuel reduction projects, specifically including CEQA and the California Coastal Act. Individuals or entities who wish to conduct fuel reduction projects under this Proclamation must first seek a determination from the CNRA and/or EPA Secretaries that the proposed activity is eligible for this suspension. These projects must be initiated before the end of calendar year 2025.

In that emergency proclamation, the Governor acknowledged that even with the success of CalVTP, more is needed to expedite critical fuels reduction projects in more areas of the state, including those not yet covered by CalVTP, to protect the lives and property of Californians. The proclamation directs the Board to take immediate steps to update the CalVTP FPEIR, in consultation with CNRA and others as appropriate, to increase CalVTP's efficiency and utilization, in order to continue promoting rapid environmental review for large wildfire risk reduction treatments.

Proposed Law: This bill would:

1. Require the Board to update the CalVTP by January 1, 2027.
 - a. Require the update to expand the treatable landscape.
 - b. Require a project under the FPEIR to incorporate the disposition of biomass in the project description.
 - c. Require the update to include cultural burning.
 - d. Undertake any amendments necessary to implement the objectives stated in the Governor's Proclamation of a State of Emergency, dated March 1, 2025.
2. Provide that the FPEIR shall remain in full effect and may continue to serve as the basis for later project-specific environmental analyses to support vegetation treatment projects while the update pursuant to subdivision (b) is being prepared.
3. Authorize a public agency to enter into an agreement with a federally recognized California Native American tribe to conduct a project under the FPEIR.

Related Legislation:

AB 1227 (Ellis, 2025) would exempt specified fuels reduction projects from the CEQA until January 1, 2028, and requires the California Natural Resources Agency (CNRA) and the California Environmental Protection Agency (CalEPA) to report to the Legislature on the implementation of a recent emergency proclamation by the Governor intended to expedite fuels reduction projects.

AB 66 (Patterson, 2025) would exempt from CEQA egress route projects in subdivisions reviewed by the Board of Forestry (BOF) where the BOF recommends creation of secondary access to the subdivision.

SB 632 (Galgiani Chapter 411, Statutes of 2019) requires the State Board of Forestry and Fire Protection, as soon as practicably feasible, but no later February 1, 2020, to complete its environmental review under CEQA and certify a specific final PEIR for a vegetation treatment program.

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