
SENATE COMMITTEE ON EMERGENCY MANAGEMENT

Senator Henry Stern

Chair

2025 - 2026 Regular

Bill No:	AB 1699	Hearing Date:	6/30/2026
Author:	Rogers		
Version:	6/25/2026 Amended		
Urgency:	Yes	Fiscal:	Yes
Consultant:	Cassie Royce		

SUBJECT: Good Fire Act: Prescribed Fire Liability Pilot Program: burn bosses: California Environmental Quality Act

SUMMARY: Creates a pathway to allow individuals certified as prescribed fire managers under other certification programs, as specified, to be designated as a state-certified burn boss and makes changes to the Prescribed Fire Liability Pilot Program to advance the implementation of prescribed fire throughout the state.

ANALYSIS:

Existing law:

- 1) Establishes the Office of the State Fire Marshal (SFM), within the Department of Forestry and Fire Protection (CAL FIRE) to protect life and property through the development and application of fire prevention, engineering, training and education, and enforcement.
- 2) Requires the SFM, with the involvement of the Statewide Training and Education Advisory Committee (STEAC), to develop a curriculum for, or amend into an existing curriculum, a certification program for prescribed fire burn bosses (burn bosses), who possess authority to engage in a prescribed burning operation and to enter into the necessary contracts related to a prescribed burning operation.
- 3) Requires the curriculum in 2) above to provide for the initial certification as well as the continuing education of burn bosses.
- 4) Directs CAL FIRE to develop a training program for prescribed fire users to certify professionals in any agency or organization as burn bosses and requires CAL FIRE to certify these individuals to a common standard.

- 5) States it is the intent of the Legislature that CAL FIRE use its discretion to ensure that burn bosses are thoroughly qualified to engage in prescribed burning operations prior to issuing certifications.
- 6) Requires the SFM to post and update on its internet website the number of burn bosses with an active burn boss certification.
- 7) Declares cooperation by CAL FIRE with a person desiring to use prescribed burning as a means of converting lands into forage lands or to help meet wildland management goals, as specified.
- 8) Defines “burn boss” as a person certified pursuant to SFM certification to conduct prescribed burning operations and to enter into contracts related to prescribed burning operations; or, a person qualified for the federal National Wildfire Coordinating Group (NWCG) designation of “Prescribed Fire Burn Boss Type 1” or “Prescribed Fire Burn Boss Type 2.”
- 9) Establishes the Prescribed Fire Liability Program to increase the pace and scale of the use of prescribed fire and cultural burning and to reduce barriers for conducting prescribed fires and cultural burning.
- 10) Creates the Prescribed Fire Claims Fund (Claims Fund) to support coverage for losses from prescribed fires and cultural burning by nonpublic entities, such as cultural fire practitioners, private landowners, and nongovernmental entities.

This bill:

- 1) Makes various findings and declarations for purposes of this bill including that it is critical that the state take more action to further expedite and expand beneficial fire projects, where appropriate, to enable practitioners to more effectively implement safe and effective beneficial fire projects.
- 2) Establishes that the SFM shall require recertification no sooner than every three years as part of the continuing education of burn bosses.
- 3) Requires CAL FIRE to consider methods to increase the pool of available instructors for the certification program, including the use of nondepartmental instructors.
- 4) Directs CAL FIRE, in consultation with the STEAC, to develop a mechanism to allow individuals certified as prescribed fire managers under other certification programs, as specified, to be designated as a state-certified burn boss, and to

allow that person to use the SFM recertification process to maintain current standing.

- 5) Provides that changes made to the certification process by this bill do not alter, expand, or limit the applicable standard of care related to prescribed fires and cultural burning under California law.
- 6) Authorizes CAL FIRE to waive the inspection of land proposed to be burned by a private person for a burn application submitted by certain qualified prescribed fire managers.
- 7) Allows CAL FIRE to modify standard precautions, as specified, for a burn application submitted by certain qualified prescribed fire managers.
- 8) Specifies that changes made pursuant to 6) and 7) above do not alter, expand, or limit the applicable standard of care related to prescribed fires and cultural burning under California law.
- 9) Authorizes overtime or double time pay under grant funding where the pay is necessary for the implementation of the burn, as specified.
- 10) Revises the definition of “burn boss” to also mean a person who possesses current qualification for the federal NWCG designation of “Prescribed Fire Burn Boss Type 1” or “Prescribed Fire Burn Boss Type 2.”
- 11) Makes the Prescribed Fire Liability Program under the Claims Fund permanent and imposes various requirements related to the Claims Fund.
- 12) Exempts actions taken by CAL FIRE to assist in the implementation of prescribed fire or cultural burning projects from environmental review, as specified.
- 13) Makes other minor clarifying changes.
- 14) Contains an urgency clause.

Background

Author’s statement. According to the author, “For generations, California Tribes have stewarded the landscape with fire. This community wide effort created a safer and healthier ecosystem for all. Tragically, one of the first laws ever passed by this Legislature outlawed this practice. We restricted cultural burning practices and ignored that wisdom. We eventually set up a fire response system that extinguished

all flames, even when they were desperately needed to clear overly dense vegetation and support fire dependent plants. AB 1699 is about righting that historic wrong. The use of beneficial fire, a prescribed fire, or a controlled burn are all examples of “Good Fire”. We know all too well about the opposite, catastrophic wildfires that burn out of control. We need much more Good Fire to address that very real threat that far too many of us have learned to live with. We need to follow the leadership of our Tribes and build up the systems to use more Good Fire.”

Prescribed burning. Prescribed burning is the controlled application of fire to the land to reduce wildfire hazards, clear downed trees, control plant diseases, improve rangeland and wildlife habitats, and restore natural ecosystems. Prescribed fires are typically conducted in compliance with a written prescribed fire plan that outlines the conditions necessary for the burn to be “within prescription.” Prescribed burns are safe: the US Forest Service reported in 2022 that 99.84% of prescribed burns operate as planned without incident. According to California’s “Strategic Plan for Expanding the Use of Beneficial Fire” released in March 2022, between 10 and 30 million acres in the state would benefit from some form of fuel reduction treatment.

Burn bosses. The SFM’s state-certified prescribed fire burn boss is a certified position to plan and manage prescribed fire on state or private lands. A state-certified burn boss may possess authority to engage in a prescribed burning operation and enter into necessary contracts with CAL FIRE. As noted by the SFM, certified burn bosses prepare burn plans, secure permits, implement prescribed fire projects, monitor fire effects, maintain compliance with prescription criteria, and conduct post-burn reviews. This certification includes required training and continuing education and is tied to state liability protections and burn authority.

At the federal level, the NWCG defines two key prescribed fire burn boss certifications: Prescribed Fire Burn Boss Type 1 and Type 2. Certifications from both the SFM and the NWCG require demonstrated knowledge of fire behavior, smoke management, risk assessment, burn plan development, and compliance with regulations.

The STEAC. The STEAC serves as an advisory committee to the SFM on matters pertaining to training and education in the California fire service. The STEAC reviews and recommends action regarding standards and curriculum, instructor requirements, and training site requirements.

Claims Fund. SB 926 (Dodd), Chapter 606, Statutes of 2022, established the \$20 million Claims Fund to support and expand private prescribed fires throughout the state. Although property damage and escapes are rare (less than 1%) from a prescribed fire, a fund to cover the cost of potential losses incurred from a permitted prescribed fire partially limits the financial risk of private burners and incentivizes more permitted private prescribed burns. According to CAL FIRE, the Claims Fund is meant to demonstrate that carefully planned, resourced, and implemented beneficial fire is a low-risk land management tool to mitigate high-severity wildfires and promote healthy and resilient landscapes.

Prior/Related Legislation

SB 1260 (Jackson), Chapter 624, Statutes of 2018, requires CAL FIRE to develop a professional burn boss curriculum and certification program to create a consistent standard for the education and skills needed for people to conduct prescribed fires.

FISCAL EFFECT: Appropriation: Yes Fiscal Com.: Yes Local: No

SUPPORT:

Pacific Forest Trust (sponsor)
3 Suns Farm
All Hands Ecology
Amah Mutsun Tribal Band
American Rivers
Biswell Forestry
Briceland Volunteer Fire Department
BurnBot
Cal Poly Humboldt Fire Resilience Institute
California Association of Local Conservation Corps
California Cattlemen's Association
California Forward
California Indian Environmental Alliance
California Licensed Foresters Association
California Native Plant Society
California State Association of Counties
California Tahoe Alliance
Californians for Western Wilderness
CalWild
Campfire Restoration Project
Camptonville Community Partnership

Central Coast Prescribed Burn Association
Central Coast State Parks Association
Central Sierra Environmental Resource Center
Colusa County Resource Conservation District
Community Wildfire Planning Center
Confluence West
Contra Costa Resource Conservation District
Cross Contour Fire
Cultural Fire Management Council
Defenders of Wildlife
EcoFlight
Elevate California
Environmental Defense Fund
Environmental Protection Information Center
Firefighters United for Safety, Ethics, and Ecology
Firegen
FireGeneration Collaborative
FireWERX
Forestry and Fire Recruitment Program
Forevergreen Forestry
Friends of Plumas Wilderness
Friends of the Lost Coast
Fuels and Vegetation Education Trainings
Habematolel Pomo of Upper Lake
Hayfork Prescribed Burn Association
Humboldt County Prescribed Burn Association
Humboldt Fire Resilience Institute
Hyampom Prescribed Burn Association
Indigenous Stewardship Network
Karuk Tribe
Keep Tahoe Blue
Klamath Forest Alliance
Lake County Land Trust
Los Angeles Prescribed Burn Association
Marin Resource Conservation District
Mattole Restoration Council
Megafire Action
Mid Klamath Watershed Council
Midpeninsula Regional Open Space District
Mother Lode Land Trust
Mount Hermon Northwest
Nevada County Resource Conservation District

Nourishing Futures 501(c)(3)
Orleans Volunteer Fire Department
Peninsula Open Space Trust
Plumas Corporation
Plumas County Fire Safe Council
Plumas Underburn Cooperative
Prometheus Fire Consulting
Rain
Rancho Aromitas Firewise Community
Resilience Force
Resource Renewal Institute
Robinson Rancheria Danoxa Fish and Wildlife Department
Rural Voices for Conservation Coalition
Salmon River Restoration Council
San Benito Fire Safe Council
San Benito Resource Conservation District
San Luis Obispo Prescribed Burn Association
Santa Clara County Firesafe Council
Santa Clara Valley Habitat Agency
Santa Rosa Junior College Shone Farm
Save Mount Diablo
Save the Redwoods League
Scott River Watershed Council
Sempervirens Fund
Sequoia Riverlands Trust
Sierra Business Council
Sierra Nevada Alliance
Solano Resource Conservation District
Sonoma County Agricultural Preservation and Open Space District
Sonoma Ecology Center
Sonoma Land Trust
South Bay Prescribed Burn Association
South Yuba River Citizens League
Spye Conservation
Sugar Pine Foundation
Terra Fuego Resource Foundation
The Climate Center
The Fire Restoration Group
The Lookout
The Wilderness Society
The Wildlands Conservancy
TreePeople

Trees Foundation
Tribal EcoRestoration Alliance
Trinity County Resource Conservation District
Trout Unlimited
Trust for Public Land
Tuolumne Prescribed Burn Association
Ventura County Resource Conservation District
Watershed Research and Training Center
Western Watersheds Project
Wild and Scenic Rivers
Wildlands Network
Wildlands Robotics
Wine Institute
Yolo County Fire Safe Council
Yolo County Resource Conservation District
Yolo Prescribed Burn Association
Yosemite Gateway Prescribed Burn Cooperative
Yosemite Rivers Alliance
14 individuals

OPPOSITION:

None on file

ARGUMENTS IN SUPPORT: In support of this bill, the sponsor, Pacific Forest Trust writes that, “AB 1699 is legislation that will ease implementation barriers and expand California's use of beneficial fire—a proven tool for reducing catastrophic wildfire risk, protecting communities, and restoring healthy landscapes.... Expanding prescribed fire protects Californians from catastrophic wildfire while restoring our landscapes... [This bill] provides practical solutions to credential bottlenecks, liability concerns, and operational restrictions that currently limit this essential work.”

DUAL REFERRAL: Senate Natural Resources and Water Committee and Senate Emergency Management Committee