



- 5) Requires CDFW to maintain a list of permits issued pursuant to this bill and sufficient information regarding each relocation to be able to assess the success or failure of the relocation and the factors contributing to that success or failure.

#### FISCAL EFFECT:

CDFW estimates General Fund costs of approximately \$224,000 in fiscal year (FY) 2027-28 followed by \$215,000 in FY 2028-29 and ongoing for one permanent position to implement the requirements of this bill, including developing and implementing the new permitting pathway; preparing new application materials, education and guidance documents, and permit templates; updating its website and tracking metrics; consulting with applicants; reviewing applications; conducting site visits and determining qualifications for projects; and issuing permits. Based on the department's current workload related to permitting under the WJTCA, CDFW anticipates an increase in permit applications in its Inland Deserts Region (region six), serving Imperial, Inyo, Mono, Riverside, and San Bernardino counties.

By authorizing CDFW to permit the relocation of WJTs, without fees or mitigation, this bill is likely to result in annual and ongoing foregone in-lieu fee revenue of an unknown amount (WJT Conservation Fund).

As of March 2026, CDFW had collected \$14.4 million in permit fees, with 283 acres being conserved and more acquisitions planned for this year. As of March 2026, CDFW had either expended or allocated \$2.7 million from the WJT Conservation Fund and another \$3.2 million is earmarked for expenditure, including for land management and acquisition.

#### COMMENTS:

- 1) **Purpose.** According to the author:

[This bill] gives community members a practical option to work around their existing Western Joshua trees, while also making reasonable use of their property. By allowing the relocation of up to [ten] western Joshua trees when certain criteria are met, this bill establishes a clear, commonsense permitting pathway for the very residents who have acted as good stewards of the desert for decades, rather than burdening them with expensive fees and complex mitigation requirements.

- 2) **Background. WJTCA.** Enacted in 2023, the WJTCA prohibits the importation, export, take, possession, purchase, or sale of any WJT in California unless authorized by CDFW. The act authorizes CDFW to issue permits for the incidental take (a take that is incidental to otherwise lawful activities) of one or more WJTs if the permittee meets certain conditions. Permittees may pay specified fees in lieu of conducting mitigation activities. The act also authorizes CDFW to issue permits for the removal of dead WJTs and the trimming of live WJTs under certain circumstances.

Under the act, all in-lieu fees collected are deposited into the Fund for appropriation to CDFW solely for the purposes of acquiring, conserving, and managing WJT conservation lands and completing other activities to conserve the WJT. CDFW has implemented two permitting systems under the act, and as of March 2026, the department issued 106 incidental

take permits or ITPs (which require mitigation fees) and 742 hazardous management permits (which is a free permit). Between 2023 and 2025, almost 24,000 trees had been authorized for lethal removal. CDFW is in the process of developing regulations specific to adjusting the mitigation fees to ensure they are adequate for the conservation of the WJT species.

***WJT Relocation.*** In August 2025, CDFW released the WJT Relocation Guidelines and Protocols. In the document, CDFW writes that salvage and relocation of WJTs may be an important part of saving the species from the threat of extinction. The WJTCA requires permittees to minimize (and avoid) impacts to the maximum extent practicable and specifically calls out relocation as a minimization action. CDFW notes that relocation is deemed a method to minimize impacts to WJT populations, rather than a substitution for mitigation through payment of fees. The WJTCA also states that CDFW may require relocation.

Among others in support, the Town of Apple Valley argues that homeowners currently “face a permitting structure that was designed around broader take-related compliance, even when the end-goal is not to kill a tree, but to relocate and preserve it.” The Town of Apple Valley contends the new process this bill creates reflects the reality that, in many cases, a take permit issued by CDFW does not actually authorize the killing of a WJT. Instead, relocation is often required as a condition of project approval, and this bill simplifies that process for residents who are trying to preserve a tree by moving it rather than destroying it.

**Analysis Prepared by:** Nikita Koraddi / APPR. / (916) 319-2081