



## Senate Bill 1063: Western Joshua Tree Conservation Act Expedited Take Permits for Residential Life-Sustaining Services

### **Summary**

---

Senate Bill 1063 ensures that essential, life-sustaining services for residential properties can be installed, maintained, and repaired without facing delays or costly permitting requirements by creating a carve-out for projects subject to the Western Joshua Tree Conservation Act (WJTCA).

Specifically, this bill creates an expedited permitting pathway for the taking of a Western Joshua tree, without required fees or mitigation measures, so long as the taking is related to infrastructure that provides electricity, gas, water, sewer, telecom service, or wildfire hardening to a single-family or multi-family residence.

### **Background**

---

The Western Joshua tree is a native plant species found throughout California's high desert, including in communities where residents rely on wells, septic systems, overhead powerlines, and other infrastructure to maintain safe and habitable homes. In recent years, state law has established new protections for the species, requiring permits before certain activities can occur near Western Joshua trees.

While these protections serve an important conservation purpose, they have also created unintended consequences for property owners who live within the protected boundaries of the WJTCA. Residents needing to install or maintain critical infrastructure, such as connecting to the electrical grid, repairing septic systems, or replacing damaged utility lines, can face lengthy permitting timelines, unmanageable fees, and regulatory uncertainty.

In some cases, these obstacles can prevent or significantly postpone access to life-sustaining

utilities, creating hardship for homeowners and jeopardizing public health and safety.

### **Existing Law**

---

Under current law, homeowners must obtain permission from the California Department of Fish and Wildlife (CDFW) if they intend to perform any kind of activity that would require the removal or trimming of a Western Joshua tree, even if the tree is dead.

This process requires an applicant to submit forms, wait for approval, and pay mitigation fees, even for routine projects like connecting electricity, repairing septic systems, or maintaining water lines. In many cases, homeowners may also be required to pay for and coordinate the relocation and care of a living tree for the remainder of its life.

This level of government involvement in basic property maintenance has created costly delays, added financial burdens, and limited homeowners' ability to maintain safe and functional living conditions on their own land.

### **Solution**

---

By allowing a permit to be issued without fee collection or complex mitigation measures and requiring CDFW to grant or deny a permit within 30 days, SB 1063 improves equity and access for rural residents, and ensures they can obtain life-sustaining utility services without facing disproportionate financial burdens or indefinite regulatory delays.

### **For More Information**

---

Bill text and status can be found at <http://leginfo.legislature.ca.gov/>