



## Senate Bill 1062: Western Joshua Tree Conservation Act Ensuring Fair, Effective Fee Structures

### Summary

Senate Bill 1062 brings balance to the implementation of the Western Joshua Tree Conservation Act (WJTCA) by improving how the California Department of Fish & Wildlife (CDFW) reviews and adjusts mitigation fees over time.

The bills makes clear that, when updating fees, CDFW shall consider making fees proportionate to the impact of a project, and consider using tiered fee structures based on project type, size or other relevant criteria.

### Background

The WJTCA relies on the collection of in-lieu mitigation fees paid by permit applicants to support land acquisition, restoration, and long-term management activities for the conservation of the Western Joshua tree. Existing law already requires periodic review of the species' status and adjustment of fees to ensure adequate conservation funding, but it does not clearly describe how CDFW should structure those fees when different types and sizes of projects have very different impacts.

As a result, a single fee schedule may not reflect the reality of a project as it is being carried out on the ground, potentially overcharging some projects that are far less disruptive than others. A more intentional approach to fee design will better align costs with actual impacts, rather than mandating a one-size-fits-all fee structure.

### Existing Law

Current law requires the Fish & Game Commission to review the status of the western Joshua tree and the effectiveness of the conservation plan at least every two years, and it

requires CDFW to adjust the WJTCA fees to ensure conservation of the species.

However, statute does not explicitly require CDFW to consider whether those fees are proportionate to project impacts or whether tiered fees by project type, size, or other criteria would better match real-world conditions.

### Solution

SB 1062 promotes a fairer and more practical fee structure under the WJTCA by directing CDFW to consider whether mitigation fees should be proportionate to a project's actual impact and tiered by project size, type, or other criteria. This approach helps ensure that smaller or lower-impact projects are not treated the same as larger projects with very different footprints, reducing the risk of disproportionate costs being passed on to local agencies, ratepayers, and rural communities.

### For More Information

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