

Date of Hearing: June 29, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Isaac G. Bryan, Chair

SB 1370 (Stern) – As Amended June 11, 2026

SENATE VOTE: not relevant

SUBJECT: Covered wildfire mitigation projects: consolidated and expedited review

SUMMARY: Codifies the Governor’s streamlined permitting at the Natural Resources Agency (NRA) and the California Environmental Protection Agency (CalEPA) for specified wildfire mitigation projects established under executive order.

EXISTING LAW:

- 1) Requires each electrical corporation to annually prepare and submit a wildfire mitigation plan (WMP) to the Wildfire Safety Division for review and approval. Defines 23 variables a WMP is required to contain, including a description of the preventive strategies and programs to be adopted by the electrical corporation to minimize the risk of its electrical lines and equipment causing catastrophic wildfires, including consideration of dynamic climate change risks. (Public Utilities Code (PUC) 8386)
- 2) Requires any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or in forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for the fire protection of such areas, maintain a specified clearance of distances in all directions between all vegetation and all conductors which are carrying specified electric current. (Public Resources Code (PRC) 4293)
- 3) Defines “community wildfire preparedness plan” as a plan for an at-risk community that (a) is developed within the context of the collaborative agreements and the guidance established by the Wildland Fire Leadership Council and agreed to by the applicable local government, local fire department, and state agency responsible for forest management, in consultation with interested parties and the federal land management agencies managing land in the vicinity of the at-risk community; (b) identifies and prioritizes areas for hazardous fuel reduction treatments and recommends the types and methods of treatment on federal and non-federal land that will protect one or more at-risk communities and essential infrastructure; and, (c) recommends measures to reduce structural ignitability throughout the at-risk community. (16 United States Code 6511(3))
- 4) Requires, pursuant to the California Environmental Quality Act (CEQA), a lead agency to prepare and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. Provides specified exemptions for wildfire risk reduction projects. (PRC 21080.49)
- 5) Requires, by April 1, 2026, the California Earthquake Authority (CEA) in its role as California Wildfire Fund Administrator, in consultation with the Public Utilities

Commission (PUC), the Office of Energy Infrastructure Safety, the Department of Insurance, the Office of Emergency Services, and the Department of Forestry and Fire Protection (CAL FIRE), to prepare and submit to the Legislature, and to the Governor, a report that evaluates and sets forth recommendations on new models or approaches that mitigate damage, accelerate recovery, and responsibly and equitably allocate the burdens from natural catastrophes, including catastrophic wildfires, earthquakes, and other natural disasters, including recommendations on options for enactment of programs to reduce the risk of wildfires spreading and becoming high-severity catastrophes, including improved state and local catastrophic event response capability, home fire risk reduction standards, vegetation management practices, and communitywide wildfire hardening requirements. (PUC 719)

THIS BILL:

- 1) Defines the following terms:
 - a) “Consolidated review agencies” as NRA and CalEPA acting jointly to provide coordinated environmental and regulatory review of covered wildfire mitigation projects.
 - b) “Covered wildfire mitigation project” as any of the following activities undertaken for the purpose of reducing wildfire risk and for which the wildfire risk reduction achieved by the activity, and its cost per unit of risk reduced, has been quantified either in a utility’s WMP in a community wildfire preparedness plan, by the department, or by another government agency using tools approved for that quantification by the Office of the State Fire Marshall:
 - i) Removal of hazardous, dead, or dying trees or vegetation;
 - ii) Removal of vegetation for the creation of strategic fuel breaks as identified by approved fire prevention plans, including, but not limited to, department unit fire plans or community wildfire preparedness plans;
 - iii) Removal of vegetation for community defensible space;
 - iv) Removal of vegetation along roadways, highways, and freeways to create safer ingress and egress routes for the public and first responders and to reduce roadside ignitions;
 - v) Removal of vegetation using cultural or traditional ecological knowledge for cultural burning or prescribed fire treatments for fuels reduction;
 - vi) Maintenance of previously established fuel breaks as part of fuel modification projects; and,
 - vii) Removal of vegetation around electrical utility lines, poles, and rights-of-way to reduce the risk of wildfire and fire-related service outages.
 - c) “Expedited authorization” as a written decision by the Secretary for CalEPA or the Secretary of NRA authorizing a covered wildfire mitigation project and requiring the covered wildfire mitigation project to comply with the State Environmental Protection

Plan, the issuance of which waives the requirements that the covered wildfire mitigation project comply with state statutes, rules, regulations, and requirements within the jurisdiction of the boards, departments, and agencies within the consolidated review agencies.

- d) “State Environmental Protection Plan” as the Statewide Fuels Reduction Environmental Protection Plan (EPP), issued May 2025, as it may be updated periodically.
- 2) Requires, any state-level environmental and resource permits, approvals, consultations, and reviews required for a covered wildfire mitigation project to be consolidated into a single coordinated review administered jointly by the consolidated review agencies.
- 3) Requires an applicant seeking authorization to undertake a covered wildfire mitigation project to submit a single, consolidated application package to the consolidated review agencies.
- 4) Requires the consolidated review agencies to establish expedited timelines to complete their review and issue a determination on a complete application.
- 5) Requires the projects to be approved within 60 calendar days of receipt, provided an application is complete within the timelines established by the consolidated review agencies. Provides that the applicant and the consolidated review agencies may agree to extend these timelines if both parties agree more information is required.
- 6) Requires the determination to be in writing and to include all of the following:
 - a) A description of the project;
 - b) The basis for eligibility;
 - c) A list of permits, agreements, or authorizations covered by the authorization; and,
 - d) The required environmental protection measures, including documentation of compliance with the EPP.
- 7) Authorizes the consolidated review agencies to consult with the agencies, boards, and offices that would have otherwise held authority over the covered wildfire mitigation project.
- 8) Provides that an expedited authorization issued waives the requirement that the covered wildfire mitigation project comply with state statutes, rules, regulations, and requirements, within the jurisdiction of boards, departments, and agencies within the consolidated review agencies, and replaces any other permit, agreement, or authorization required by state statutes, rules, regulations, and requirements that fall within the jurisdiction of boards, departments, and offices within the consolidated review agencies.
- 9) Requires any covered wildfire mitigation project shall be conducted in accordance with the EPP.
- 10) Requires projects to be less than 3,000 acres in project size and completed within two years of approval by the consolidated review agencies.

- 11) Exempts a covered wildfire mitigation project authorized under this bill from CEQA.
- 12) Requires, on or before July 1, 2029, the consolidated review agencies to review the requirements and implementation of the EPP and recommend improvements to more effectively protect human health and the environment.
- 13) Requires the agencies to review projects and conduct inspections and monitoring of a subset of projects to develop recommendations.
- 14) Requires the review and recommendations shall be posted on the internet websites of the respective consolidated review agencies.

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Governor's emergency proclamation.** In response to the January 2025 wildfires that burned multiple communities in Los Angeles, Governor Newsom issued Order (EO) N-4-25 on January 12, 2025, exempting reconstruction of properties substantially damaged or destroyed in the wildfires from CEQA and the Coastal Act to accelerate redevelopment. In February 2025, he issued EO N-20-25 to state all rebuilds of primary structures and facilities up to 110% of the existing footprint and accessory dwelling units are exempt from the Coastal Act *entirely*, and further redirected the Coastal Commission to stop issuing guidance or attempting to enforce permitting requirements that conflict with EO N-4-25 to streamline the building of accessory dwelling units to assist in creating more temporary housing. On March 1, the Governor issued a far more sweeping emergency proclamation ordering a suspension of all laws, regulations, rules, and requirements that fall within the jurisdiction of boards, departments, and offices within CalEPA and NRA for expediting critical fuels reduction projects initiated in 2025. On December 31, 2025, Governor Newsom extended the emergency proclamation to March 1, 2026, and through this extension, project streamlining applications were accepted through May 1, 2026.

Critical fuels reduction projects included:

- Removal of hazardous, dead, and/or dying trees;
- Removal of vegetation for the creation of strategic fuel breaks as identified by approved fire prevention plans, including without limitation CAL FIRE Unit Fire Plans or Community Wildfire Preparedness Plans;
- Removal of vegetation for community defensible space;
- Removal of vegetation along roadways, highways, and freeways for the creation of safer ingress and egress routes for the public and responders and to reduce roadside ignitions;
- Removal of vegetation using cultural traditional ecological knowledge for cultural burning and/or prescribed fire treatments for fuels reduction; or,
- Maintenance of previously-established fuel breaks or fuels modification projects.

Under the proclamation's exemptions, entities were required to ask NRA to make a determination that the activities are eligible under the proclamation, and any activity

conducted under the temporary exemptions was required to comply with the state EPP. The EPP provides Best Management Practices (BMPs) and measures to protect air quality, water quality, Tribal cultural resources, special-status species, their habitat, and other habitat resources.

According to the state's dashboard for tracking permits approved under the EPP, 211 projects have been approved; 169 projects are underway; and, 47 projects have been completed, totaling 427 projects that have successfully been approved through the EPP.

Last year, SB 254 (Becker), Chapter 119, Statutes of 2025, assigned the CEA the task of conducting a study and reporting on options to enhance natural catastrophe resiliency while meeting California's climate change and clean energy goals. The CEA's report, *Enhancing California's Resiliency to Natural Catastrophes: Senate Bill 254 (2025) Study Report*, released April 7, recommends establishing in statute the authority to facilitate ongoing fast-track environmental permitting for critical, short-term projects covered under the Governor's emergency proclamation.

- 2) **This bill.** SB 1370 seeks to permanently extend the streamlined permitting under the EPP for wildfire mitigation projects included in the Governor's emergency proclamation and codify the process established by NRA and CalEPA to implement permitting under the EPP.
- 3) **Hitting the pause button.** There is both merit in and consensus for extending this streamlined permitting. However, with a new gubernatorial administration coming into office in 2027, and new appointed secretaries of NRA and CalEPA to follow, the Legislature may wish to extend the EPP process *with a sunset date*. This allows critical projects to move forward while affording the Legislature time to review progress, compliance, and any gaps in needed oversight.
- 4) **Parameters on vegetation management.** California covers more than a million acres of land and has very diverse topographies, ecosystems, and climates, and a diverse range of species and habitat needs across those different regions. Vegetation management under the auspices of wildfire reduction can include myriad different treatment types, including prescribed burning, pruning, removal, mechanical treatment, grazing, and application of herbicides. The Legislature has enacted rules for vegetation management, broadly speaking, to provide environmental protections and ensure the treatments are done appropriately. Exemptions, statutory and categorical, are provided under many of those laws in recognition of likely minimal environmental impact under the scope of the exemption.

Under the Forest Practice Act, the Board of Forestry is authorized to exempt the cutting or removal of trees for the purpose of reducing flammable materials and maintaining a fuel break for a distance of not more than 300 feet on each side from an approved and legally permitted habitable structure. (PRC 4584 (l)(1))

Under CEQA, exemptions are provided for defensible space of up to 100 feet, as measured from the center line of the roadway, for a public roadway identified as an egress and evacuation routes; defensible space within 200 feet of a legal structure located in a high or

very high fire hazard severity zones; and, fuel breaks that extend up to 200 feet from structures. (PRC 21080.49)

Electrical corporations are required to maintain a firebreak which consists of at least 10 feet in each direction from the outer circumference of such pole or tower and specified clearances of vegetation and all conductors which are carrying electric current. (PRC 4292, 4293). Further, Public Utilities Commission General Order 95 stipulates rules for utility vegetation management around overhead electric and communication lines along their rights-of-way to maintain specified safety clearances and system reliability.

More broadly, as it relates to type conversion, current law states the intent of the Legislature that additional consideration be provided for chaparral and coastal sage scrub plant communities that are being increasingly threatened by fire frequency in excess of their natural fire return patterns. Current law provides that prescribed burning, mastication, herbicide application, mechanical thinning, or other vegetative treatments of chaparral or sage scrub can occur only if CAL FIRE finds that the activity will not cause “type conversion” away from the chaparral and coastal sage scrub currently on site. (PRC 4483)

The Legislature did not have an opportunity to opine on or propose revisions to the Governor’s Executive Orders. However, in extending the Governor’s streamlined permitting for such a broad swath of project categories, the bill could provide geographic parameters on the project types consistent with current law.

- 5) **Forest Practice Rules.** The California Forest Practice Act was enacted in 1973 to ensure that timber harvesting and related activities are done in a manner that will preserve and protect fish, wildlife, forests, and streams. The State Board of Forestry enacts and enforces additional rules to protect these resources, known as the Forest Practice Rules (FPRs). The FPRs provide detailed instructions for woody material management, among many other things, for fuel treatment standards that specify wood material management, treatment, and removal within specified distances of various structures and roads.

Under the Governor’s emergency proclamation, projects with a commercial timber component were subject to the EPP and the FPRs, and this bill should expressly state the same.

6) **Author’s statement:**

California's wildfire crisis requires us to implement proven wildfire mitigation projects as quickly and effectively as possible. SB 1370 builds on the success of Governor Newsom's emergency wildfire streamlining efforts by creating a permanent framework for the expedited review of qualifying wildfire mitigation projects. The bill establishes a coordinated state review process, requires projects to demonstrate measurable wildfire risk reduction and cost-effectiveness, and provides greater certainty for critical activities such as vegetation management, fuel reduction, prescribed fire, and community protection projects. By reducing unnecessary permitting delays while maintaining environmental safeguards, SB 1370 will help California better protect communities, infrastructure, and natural resources from catastrophic wildfire.

- 7) **Committee amendments.** The *Committee may wish to consider* amending the bill to:
- a) Require NRA and CalEPA to consult with the boards, agencies, departments, and offices within each of their agencies through the projects review teams established under the EPP;
 - b) Establish geographical limitations consistent with current law on the scope of the specified wildfire reduction projects;
 - c) Clarify the rules applicable to herbicide application;
 - d) Clarify FPR-regulated projects shall continue to comply with the FPRs;
 - e) Clarify the process for submission and authorization of the consolidated permit package;
 - f) Augment the reporting requirements with additional information to be provided; and,
 - g) Sunset the bill on December 31, 2030.
- 8) **Related legislation.** AB 2410 (Ellis) exempts from CEQA specified critical fuels reduction projects conducted in a community located in a high fire threat district as determined by the PUC or very high fire hazard severity zone as identified by the State Fire Marshal or as designated by a local government. This bill is in the Senate Natural Resources and Water Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

American Property Casualty Insurance Association
California Chamber of Commerce
California State Association of Counties
Edison International and Affiliates, Including Southern California Edison
League of California Cities
Megafire Action
National Association of Mutual Insurance Companies
Pacific Association of Domestic Insurance Companies
Pacific Gas and Electric Company
Personal Insurance Federation of California
Rural County Representatives of California
San Diego Gas & Electric
The Nature Conservancy (if amended)

Opposition

350 Bay Area Action
350 Humboldt
7th Generation Advisors

California Chaparral Institute
California Civil Defense Institute (unless amended)
California Native Plant Society
Californians for Pesticide Reform
Center for Biological Diversity
Center for Environmental Health
Center on Race, Poverty & the Environment
Endangered Habitats League (unless amended)
Environment California
Environmental Action Committee of West Marin
Environmental Information Protection Center
Families Advocating for Chemical and Toxics Safety
Feather River Action!
GMO Science
Pacific Forest Trust (unless amended)
Pesticide Action & Agroecology Network
Physicians for Social Responsibility - San Francisco Bay
Resource Renewal Institute
Santa Clara Valley Bird Alliance
Sierra Club
Sunflower Alliance

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