

SENATE THIRD READING
SB 1370 (Stern and Becker)
As Amended July 2, 2026
Majority vote

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 a 2025 executive emergency proclamation.

Major Provisions

- 1) Defines "covered wildfire mitigation project" as an activity undertaken for the purpose of reducing wildfire risk required by law; identified in a utility's wildfire mitigation plan or in a community wildfire preparedness plan; or, in a plan proposed by CAL FIRE. Specifies the categories of activities under the definition of covered wildfire mitigation project.
- 2) Requires, without limiting any other statutory exemption or categorical exemption, 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 by a project review team and administered jointly by the consolidated review agencies, NRA in coordination with the CalEPA.
- 3) Requires the consolidated review agencies to use the application process established under the State Environmental Protection Plan (EPP) pursuant to the governor's March 1, 2025, emergency proclamation; specifies criteria for the applicant; and, requires a rendered authorization on the proposed project within 60 days of receiving a complete application.
- 4) Provides that an expedited authorization waives the requirement that the covered wildfire mitigation project comply with state statutes, rules, regulations, and requirements, within the jurisdiction of boards, departments, commissions, 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.
- 5) Exempts from the bill any applicable pesticide requirement under specified sections of the Food and Agricultural Code or the associated implementing regulations and requires pesticide applications to comply with all applicable pesticide use reporting requirements.
- 6) Establishes civil penalties for failure to comply with the State EPP and the associated best management practices (BMPs).
- 7) Establishes acreage limits on covered wildfire mitigation projects based on topography.
- 8) Requires, for all publicly funded projects, CAL FIRE to conduct a risk reduction cost per unit.
- 9) Requires, on or before July 1, 2029, the consolidated review agencies to report to the Legislature on the implementation of all wildfire mitigation projects that were permitted in compliance with the Statewide EPP, among other specified reporting requirements.

10) Sunsets the bill on December 31, 2030.

COMMENTS

In response to the January 2025 wildfires that burned multiple communities in Los Angeles, on March 1, Governor Newsom issued a 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:

- 1) Removal of hazardous, dead, and/or dying trees;
- 2) 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;
- 3) Removal of vegetation for community defensible space;
- 4) 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;
- 5) Removal of vegetation using cultural traditional ecological knowledge for cultural burning and/or prescribed fire treatments for fuels reduction; or,
- 6) 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 EPP. The EPP provides 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, there have been 427 approved projects covering 101,324 acres and 231,033 treatment acres (more than one treatment type can be used on the same area.) There are an additional 153 project applications under review.

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.

According to the Author

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.

Arguments in Support

MegaFire Action writes that needed fuels reduction projects, vegetation treatments, fuel breaks, and defensible space work can require overlapping state permits, approvals, and environmental reviews from multiple agencies—a process that can take years and impose substantial costs, often dwarfing the complexity of the work itself. This bill dramatically reduces the time and transaction costs associated with getting mitigation work done. Critically, it does not eliminate environmental protection covered projects must comply with the EPP.

Arguments in Opposition

Sierra Club, along with a plethora of other environmental advocate groups, writes that this bill exempts broadly-defined wildfire mitigation projects from all statutes, rules, regulations and requirements of any agency within NRA or CalEPA. "This means projects are exempted from a stunning breadth of environmental laws, including pesticide regulations, hazardous substance laws, the California Environmental Quality Act, endangered species protections, stream protections, air quality regulations, water quality regulations, forestry regulations and countless others. Projects have no requirement to be cost-effective or effective in reducing wildfire severity or risk."

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) NRA estimates annual General Fund (GF) costs of approximately \$1.4 million until fiscal year (FY) 2030-31, for about six limited-term staff and information technology storage and licensing.
- 2) CalEPA estimates annual GF costs of \$342,000 until FY 2030-31 to participate in project reviews and approvals and for interagency coordination.
- 3) The Department of Pesticide Regulation anticipates costs of an unknown amount, ranging from minor and absorbable to the low hundreds of thousands of dollars, depending on the extent to which the department is requested to participate in permitting processes for projects authorized to use herbicides.
- 4) CAL FIRE preliminarily estimates annual GF costs of approximately \$6.5 million until FY 2030-31 for vehicles, software contracts, and 26 positions across various classifications.

- 5) The California Geological Survey estimates costs of approximately \$1.4 million in year one and \$1.1 million in year two and until FY 2030-31 (Timber Regulation and Forest Restoration Fund (TRFRF)) for five positions, vehicles, and equipment.
- 6) The State Water Resources Control Board estimates annual costs of at least \$6.8 million until FY 2030-31 for State Water Board and regional water board staff to participate in required expedited project review and interagency coordination for covered wildfire mitigation projects within the 60-day timeline and to conduct audits and field inspections of projects to verify compliance with the EPP. In addition to staff costs, the State Water Board anticipates one-time contracting costs of \$500,000 to develop adequate informational technology (IT) resources for project intake and review and \$250,000 in annual licensing costs for software to support the IT resources (TRFRF, GF, Water Rights Fund).
- 7) The California Coastal Commission estimates costs of approximately \$537,000 for two positions in FY 2027-28 (until, as discussed above, recently approved funding for four limited-term positions expires) followed by \$1.5 million annually for six limited-term positions from FY 2028-29 through FY 2030-31 (GF, TRFRF) to collaborate with applicants and the other departments on the project review team.
- 8) The Department of Parks and Recreation estimates annual GF costs until FY 2030-31 of roughly \$2.2 million for 12 positions to implement this bill.
- 9) The California Department of Fish and Wildlife estimates GF costs of approximately \$2.2 million in FY 2027-28 and \$1.9 million from FY 2028-29 through FY 2030-31 for eight positions and six vehicles to implement this bill.
- 10) Cost pressures (Trial Court Trust Fund, GF) of an unknown amount to the courts to adjudicate additional filings resulting from this bill.
- 11) Finally, the bill will likely result in indeterminate but potentially significant workload or cost savings to affected agencies to the extent that expedited authorization reduces or eliminates the need for stand-alone agency permitting and review.

VOTES

SENATE FLOOR: 29-5-6

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Grove, Jones, Ochoa Bogh, Strickland

ABS, ABST OR NV: Choi, Dahle, Gonzalez, Niello, Seyarto, Valladares

ASM NATURAL RESOURCES: 10-0-4

YES: Bryan, Ellis, Alanis, Garcia, Haney, Hoover, Macedo, Pellerin, Wicks, Zbur

ABS, ABST OR NV: Connolly, Kalra, Muratsuchi, Schultz

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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