

SENATE THIRD READING
SB 1370 (Stern and Becker)
As Amended August 28, 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 adopted by a local agency; or, in a plan proposed by CAL FIRE. Specifies the categories of activities under the definition of covered wildfire project with environmental or geographic limitations on each category.
- 2) Precludes a project that includes the use of a pesticide, as defined, as qualifying as a covered wildfire mitigation project.
- 3) 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.
- 4) 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 decision on the proposed project within 60 days of receiving a determinedly complete application.
- 5) Establishes transparency requirements and public participation opportunities during the project review period.
- 6) 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. Provides that federal Clean Drinking Water Act permits are not waived.
- 7) Expressly exempts covered wildfire mitigation projects from the California Environmental Quality Act.
- 8) Prohibits consolidated review agencies from approving a project that requires an incidental take permit under the California Endangered Species Act.

- 9) Establishes civil penalties for failure to comply with the EPP and the associated best management practices (BMPs).
- 10) Establishes timeframes for project duration.
- 11) Establishes acreage limits on covered wildfire mitigation projects based on topography.
- 12) Requires, for all publicly funded projects, CAL FIRE to provide a cost-benefit analysis.
- 13) Requires, on or before July 1, 2028, 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.
- 14) Sunsets the bill on December 31, 2029.
- 15) Requires the Board of Forestry, by July 1, 2028, to develop and implement a Nontimber Vegetation Management Program to provide streamlined permitting for projects not covered under the Forest Practice Rules.

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.

This bill codifies the 2025 emergency proclamation with modifications to qualify which types of projects are eligible under the streamlined permitting; prohibit the use of any herbicide or pesticide treatment as eligible for the streamlined permitting; require compliance with the California Endangered Species Act; establish public participation opportunities during the project application process; and, create a new, temporary certified regulatory program for non-timber projects.

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

The League of Cities, California Association of Counties, and Rural Counties write, "Wildfire risk reduction is paramount for keeping communities safe in the wildland-urban interface. SB 1370 will reduce the risk of catastrophic wildfires, response costs, emissions, and smoke exposure. SB 1370 importantly expedites project delivery timelines and avoids litigation delays. Permit delays, including CEQA compliance, can have catastrophic consequences, as seen when the town of Berry Creek was destroyed by a wildfire while waiting for the state to complete CEQA review associated with an \$836,000 fuel management project. With seasonal weather constraints, even a month's delay in obtaining the requisite permits can delay a project deep into the following year.

Arguments in Opposition

Environmental Defense Center writes, "Exempting such activities from our state's environmental laws is particularly concerning because SB 1370 does not require that the exempted activities be supported by scientific evidence as effectively curbing wildfire spread. It is therefore uncertain whether the exempted treatment activities would actually help protect our communities from wildfire impacts, but there is no question that destroying habitat harms wildlife."

FISCAL COMMENTS

Unknown

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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