UNFINISHED BUSINESS

Bill No: SB 1370
Author: Stern (D) and Becker (D)
Amended: 8/28/26
Vote: 21

SENATE ENERGY, U. & C. COMMITTEE: 13-0, 4/13/26
AYES: Allen, Archuleta, Arreguín, Caballero, Dahle, Gonzalez, Grove, Hurtado, McNerney, Reyes, Richardson, Stern, Wahab
NO VOTE RECORDED: Ochoa Bogh, Becker, Rubio, Strickland

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SENATE FLOOR: 29-5, 5/26/26
AYES: 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
NOES: Alvarado-Gil, Grove, Jones, Ochoa Bogh, Strickland
NO VOTE RECORDED: Choi, Dahle, Gonzalez, Niello, Seyarto, Valladares

ASSEMBLY FLOOR: 58-4, 8/31/26 - See last page for vote

SUBJECT: Covered wildfire mitigation projects: consolidated and expedited review

SOURCE: Author

DIGEST: This bill 1) establishes a consolidated and expediated review process for certain covered wildfire mitigation projects requiring approval or permits from the Natural Resources Agency or Environmental Protection Agency; and 2) requires the Board of Forestry and Fire Protection to adopt regulations to develop a Certified Regulatory Program for nontimber vegetation management.

Assembly Amendments create more specific project parameters and requirements for covered wildfire mitigation projects and add in the requirement for the Board of

Forestry and Fire Protection to develop a nontimber vegetation management certified regulatory program.

ANALYSIS:

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) 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)

This bill:

1) Defines a "covered wildfire mitigation project" and specifies the activities that qualify as such. Projects that include the use of a pesticide, as defined, do not qualify as a covered wildfire mitigation project.

2) Establishes that Division 13 of the Public Resources Code does not apply to a covered wildfire mitigation project.

3) Requires that any state-level environmental and resource permits, approvals, consultations, and reviews required for a covered wildfire mitigation project shall be consolidated into a single coordinated review.

4) Establishes requirements for the consolidated review agencies in reviewing and making a decision regarding a submitted project.

5) Establishes if the consolidated review agencies approve a covered wildfire mitigation project, the approval shall be in writing and shall include specified information about the project.

6) Establishes penalties for violations of the EPP.

7) Authorizes the consolidated review agencies to require additional environmental protections when necessary.

8) Limits covered wildfire mitigation projects to certain maximum sizes and requires them to be completed within two years of approval by the consolidated review agencies. Prescribed fire projects shall have up to five years from approval by the consolidated review agencies to be completed.

9) Requires the Department, for each Department-funded project, to provide a cost-benefit analysis to estimate the project's return on investment for risk reduction or an explanation of why an estimate could not be assigned to a particular project.

10) Requires the consolidated review agencies, on or before July 1, 2028, to send a report to the Legislature regarding the implementation of this program.

11) Sunsets the authority to issue authorizations under this program on January 1, 2029, and sunsets this program entirely on January 1, 2034.

12) Requires the Board of Forestry and Fire Protection (Board) to adopt regulations for a Nontimber Vegetation Management Program to provide an additional pathway for authorizing vegetation management activities that are not subject to the Forest Practice Rules on local, nonfederal, private, and state-owned lands.

13) Requires the Board to submit those regulations to the Secretary of the Natural Resources Agency, requesting approval of those regulations as a certified regulatory program under the California Environmental Quality Act.

14) Sunsets the statues relating to the Nontimber Vegetation Management Program on January 1, 2035.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According the Assembly Appropriations Analysis on a previous version of this bill:

1) CNRA estimates annual General Fund costs of approximately $1.4 million until FY 2030-31, for about six limited-term staff and information technology storage and licensing. Tasks include administering a centralized intake and one-stop review process for CWMPs; ensuring conformity with EPP best management practices; providing written authorizations; and reporting on implementation, non-compliance, enforcement actions, staff adequacy, and herbicide use.

2) CalEPA estimates annual General Fund 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 General Fund costs of approximately $6.5 million until FY 2030-31 for vehicles, software contracts, and 26 positions across various classifications to conduct technical forestry and environmental analyses to support the consolidated environmental review and authorization process, conduct enforcement, and create and use a methodology for the standardized quantification of risk-reduction benefit of all publicly funded projects.

5) The California Geological Survey (CGS) estimates costs of approximately $1.4 million in year one and $1.1 million in year two and until FY 2030-31 (TRFRF) for five positions, vehicles, and equipment (such as photogrammetric drones for inspections). CGS anticipates a senior engineering geologist will serve as the primary technical liaison with applicants and partner agencies, coordinate staff workloads, ensure consistency in technical reviews across regions, and oversee implementation of the review program; three engineering geologists located in the Santa Rosa, Redding, and Los Angeles CGS regional offices will conduct project reviews, site inspections, compliance and performance monitoring, technical analyses, and reporting; and one research data specialist will provide project geospatial tracking analysis, field data processing, and data management.

6) The State Water 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 CWMPs 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, General Fund, 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 (General Fund, TRFRF) to collaborate with applicants and the other departments on the project review team and conduct expedited review of proposed wildfire resilience projects throughout the coastal zone to determine and document whether each project complies with the EPP and meets the other criteria in the bill. The commission further notes that under the EP, approximately one-third of the statewide projects were located in the coastal zone. The commission expects a similarly large number of projects to continue to be located on the coast under this bill.

8) The Department of Parks and Recreation (State Parks) estimates annual General Fund costs until FY 2030-31 of roughly $2.2 million for 12 positions to implement this bill. State Parks anticipates a significant increase in the number of fuel reduction projects in and adjacent to state parks, which would require significant engagement from department staff to review projects and avoid and minimize detrimental impacts to the state park system. State Parks further notes that under existing agreements with Pacific Gas and Electric, the department receives annual reimbursements of roughly $400,000 for reviewing utility line or pole maintenance projects within the state park system. If utilities are not required to consult with State Parks or obtain a right-of-entry permit from the department to conduct work, the department argues it would lose this revenue source.

9) CDFW estimates General Fund 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. CDFW reports its staff spent roughly 694 hours per month on EP implementation from June 2025 through May 2026 and anticipates workload of a similar magnitude should this bill go into effect.

10) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown amount to the courts to adjudicate additional filings resulting from this bill. Costs will depend on the number of cases filed and the amount of court time needed to

resolve each case. It generally costs approximately $1,000 to operate a courtroom for one hour. Although courts are not funded based on workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions, totaling approximately $117.3 million in FY 2025-26.

SUPPORT: (Verified 8/28/26)

American Property Casualty Insurance Association
California Chamber of Commerce
California Council for Environmental & Economic Balance (CCEEB)
California Fire Safe Council
California Municipal Utilities Association
California State Association of Counties (CSAC)
City of Thousand Oaks
Edison International and Affiliates, Including Southern California Edison
Elevate California
Lafayette; City of
League of California Cities
Mayor Todd Gloria, City of San Diego
Megafire Action
National Association of Mutual Insurance Companies
Orange County Fire Authority
Pacific Association of Domestic Insurance Companies
Pacific Gas and Electric Company
Pacific Gas and Electric Company and its Affiliated Entities
Personal Insurance Federation of California
Rural County Representatives of California (RCRC)
San Diego Gas & Electric
San Diego Gas and Electric Company
Sierra Business Council
Southern California Edison
The Nature Conservancy

OPPOSITION: (Verified 8/28/26)

350 Bay Area Action
350 Humboldt
350 South Bay Los Angeles
350 Southland Legislative Alliance
7th Generation Advisors
Active San Gabriel Valley
Battle Creek Alliance & Defiance
Canyon Raptor Rescue
Beachwood Canyon Neighborhood Association
Brentwood Alliance of Canyons & Hillsides
California Chaparral Institute
California Native Plant Society
Californians for Pesticide Reform
Canyon Back Alliance
Center for Biological Diversity
Center for Environmental Health
Center on Race, Poverty & the Environment
Citizen for Los Angeles Wildlife
Cleanearth4kids.org

Environment California
Environmental Action Committee of West Marin
Environmental Information Protection Center
Environmental Protection Information Center
Facts Families Advocating for Chemical and Toxics Safety
Families Advocating for Chemical and Toxics Safety
Feather River Action!
Federation of Hillside and Canyons Los Angeles
Friends of Griffith Park
Gmo Science
Green Foothills
Hollywoodland Homeowners Association
Latino Outdoors
Los Feliz Improvement Association
Los Padres Forest Watch
Nature for All
Non-toxic Neighborhoods
Pesticide Action & Agroecology Network
Physicians for Social Responsibility - San Francisco Bay
Poison Free Malibu
Resource Renewal Institute
Santa Clara Valley Bird Alliance
Sierra Club
Sunflower Alliance
Sunset Hills Hoa

ARGUMENTS IN SUPPORT: 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 OPPOSITION: A coalition of environmental groups writes in opposition, "SB 1370 would waive almost every environmental law and regulation under CalEPA and CNRA for broadly defined wildfire mitigation projects. These projects can include thousands of acres of herbicide spraying, clearcutting, and native species and habitat removal[…] Examples of environmental laws that would be waived for these large clearance projects include: California Water Code permits and waste discharge requirements, the California Coastal Act and Coastal Commission's administrative regulations, the California Endangered Species Act, the California Environmental Quality Act,

Obstruction of Streams, Smoke Management Guidelines for Prescribed Burning, and state agency consultation requirements."

Assembly Floor Third Reading By Petrie-Norris	58	4	17	SB 1370 Stern Senate

Ayes: Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Carrillo, Castillo, DeMaio, Dixon, Ellis, Gabriel, Gipson, Jeff Gonzalez, Mark González, Hadwick, Harabedian, Hoover, Irwin, Jackson, Johnson, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Pacheco, Papan, Patel, Patterson, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Blanca Rubio, Sanchez, Schiavo, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Wicks, Wilson, Rivas

Noes: Connolly, Kalra, Lee, Ward

No Vote Recorded: Addis, Alvarez, Boerner, Caloza, Chen, Davies, Elhawary, Flora, Fong, Garcia, Haney, Hart, Ortega, Pellerin, Rogers, Schultz, Zbur

Prepared by: Edith Hannigan / N. R. & W. / (916) 651-4116
11/12/26 13:30:55

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