

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2152 (Mark González) – As Introduced February 18, 2026

SUBJECT: California Environmental Quality Act: exemption: fire stations

SUMMARY: Establishes a California Environmental Quality Act (CEQA) exemption for public agency fire station projects, provided the project is not located on specific sensitive sites and construction, rehabilitation, and maintenance work is covered by a project labor agreement.

EXISTING LAW:

- 1) CEQA requires lead agencies with the principal responsibility for carrying out or approving a proposed project to prepare a negative declaration, mitigated negative declaration, or environmental impact report (EIR) for this action, unless the project is exempt from CEQA (CEQA includes various statutory exemptions, as well as categorical exemptions in the CEQA guidelines). (Public Resources Code (PRC) 21000 *et seq.*)
- 2) Authorizes judicial review of CEQA actions taken by public agencies, following the agency's decision to carry out or approve the project. Challenges alleging improper determination that a project may have a significant effect on the environment, or alleging an EIR does not comply with CEQA, must be filed in the superior court within 30 days of filing of the notice of approval. The courts are required to give CEQA actions preference over all other civil actions. Requires the court to regulate the briefing schedule so that, to the extent feasible, hearings commence within one year of the filing of the appeal. Requires the plaintiff to request a hearing within 90 days of filing the petition. Requires the court to establish a briefing schedule and a hearing date, requires briefing to be completed within 90 days of the plaintiff's request for hearing, and requires the hearing, to the extent feasible, to be held within 30 days thereafter. (PRC 21167 *et seq.*)
- 3) Establishes an alternative, optional procedure for concurrent preparation and certification of the administrative record in electronic form, as follows:
 - a) Requires the lead agency, upon written request by a project applicant and with consent of the lead agency, to concurrently prepare the record of proceedings with the administrative process.
 - b) Requires all documents and other materials placed in the record of proceedings to be posted on a Web site maintained by the lead agency.
 - c) Requires the lead agency to make publicly available, in electronic format, the draft environmental document, and associated documents, for the project.
 - d) Requires the lead agency to make any comment publicly available electronically within five days of its receipt.

- e) Requires the lead agency to certify the record of proceedings within 30 days after filing notice of determination or approval.
- f) Requires certain environmental review documents to include a notice, as specified, stating that the document is subject to this section.
- g) Requires the applicant to pay for the lead agency's cost of concurrently preparing and certifying the record of proceedings.
(PRC 21167.6.2)

THIS BILL:

- 1) Exempts public agency fire stations projects from CEQA, provided the project is not located in any of the following sites:
 - a) Prime farmland, farmland of statewide importance, or unique farmland as designated by the Department of Conservation.
 - b) Wetlands, as defined in specified federal regulations.
 - c) A hazardous waste site that is included on any list compiled pursuant to Section 65962.5 of the Government Code (i.e., the "Cortese List").
 - d) A floodplain, as mapped by the Federal Emergency Management Agency, unless the project includes adequate flood protection as determined by the lead agency.
 - e) Within a delineated earthquake fault zone, as determined by the State Geologist, in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission.
 - f) Lands identified for conservation in an adopted natural community conservation plan, a habitat conservation plan, or other adopted natural resource protection plan.
 - g) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act, the California Endangered Species Act, or the Native Plant Protection Act.
 - h) Lands under conservation easement.
- 2) Requires all construction, rehabilitation, and maintenance contracts in excess of \$50,000 to be covered by a project labor agreement.
- 3) Requires the lead agency to determine, based upon substantial evidence in the record, that the project satisfies both the location and labor criteria above.

- 4) Authorizes the lead agency, in making these determinations, to rely on publicly available maps and data from state or federal agencies, in lieu of preparing biological surveys, geotechnical studies, or other technical analyses.
- 5) Requires the lead agency to file a notice of exemption with the Office of Land Use and Climate Innovation.

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Background.** CEQA provides a process for evaluating the environmental effects of applicable projects undertaken or approved by public agencies. If a project is not exempt from CEQA, an initial study is prepared to determine whether the project may have a significant effect on the environment. If the initial study shows that there would not be a significant effect on the environment, the lead agency must prepare a negative declaration. If the initial study shows that the project may have a significant effect on the environment, the lead agency must prepare an EIR.

An EIR must accurately describe the proposed project, identify and analyze each significant environmental impact expected to result from the proposed project, identify mitigation measures to reduce those impacts to the extent feasible, and evaluate a range of reasonable alternatives to the proposed project. If mitigation measures are required or incorporated into a project, the agency must adopt a reporting or monitoring program to ensure compliance with those measures.

Generally, CEQA actions taken by public agencies can be challenged in superior court once the agency approves or determines to carry out the project. CEQA appeals are subject to unusually short statutes of limitations. Under current law, court challenges of CEQA decisions generally must be filed within 30-35 days, depending on the type of decision. The courts are required to give CEQA actions preference over all other civil actions. However, the schedules for briefing, hearing, and decision are less definite. The petitioner must request a hearing within 90 days of filing the petition and, generally, briefing must be completed within 90 days of the request for hearing. Except for the several project types that have been granted eligibility for judicial streamlining since 2011, there is no deadline specified for the court to render a decision.

- 2) **A veteran legislator once said, when reviewing a CalFire deficiency bill, “fires are fought with money.”** Of course, this quote, borrowed from an old U.S. Forest Service maxim, is only part of the story. Fires are fought, and traffic accidents and medical calls are responded to, by dedicated firefighters who need to be compensated and equipped for a dangerous profession. And people calling 911 in an emergency expect a quick response.

According to California Professional Firefighters:

Many California fire agencies have seen significantly increased call volume and population growth but we have not seen the same expansion of fire stations in those communities. For example, a recent analysis by the International Association of Fire

Fighters found that the Los Angeles Fire Department is in need of 62 new fire stations and 4,000 additional firefighters to meet the needs of the community.

A primary cause of fire services struggling to keep pace with population growth, as well as the increased risks associated with development and climate change, is clearly funding. This applies to both infrastructure, including, but not limited to, local fire stations, and, staffing. While the Legislature has addressed state and local fire service funding issues on many occasions, providing funds for both infrastructure and staffing, this bill is the first attempt at a CEQA exemption.

While the author and sponsor have provided some limited examples of fire station project delays that are at least partially attributable to CEQA review, there isn't a wealth of evidence to justify a permanent, statewide exemption. It appears that the majority of local fire station projects (once they are funded) are approved via categorical exemption or negative declaration, and constructed without excessive controversy or delay.

The fire station project where the lead agency requires preparation of an EIR, much less faces litigation, is the exception. The Van Nuys station example occurred, and was resolved, several years ago. In the context of CEQA challenges against the City of Los Angeles, which is relatively high compared to many other areas of the state, the litigation rate for fire station projects appears to be very low.

This may call for an optional CEQA streamlining approach available to more complicated or controversial fire station projects, rather than an unlimited statewide exemption for all fire station projects.

3) **Author's statement:**

Across our state, localities struggle to construct new fire stations due to rising costs, procedural delays, and, at times, CEQA litigation. Los Angeles is a prime example of what could happen across this state. In *Tiara Group vs. City of Los Angeles*, a group of residents successfully delayed a fire station from being built for over 2 years – placing lives on the line and wasting nearly \$2 million of valuable taxpayer dollars.

With the International Association of Fire Fighters determining that LAFD needs 62 new Fire Stations and 4,000 additional Firefighters, and the last attempted fire station built in LAFD being sued twice under frivolous lawsuits, now is the time to ensure our fire departments across the state have the streamlined process they need to bolster fire infrastructure.

- 4) **Suggested amendments.** Rather than an unlimited, statewide, and permanent CEQA exemption, *the author and the committee may wish to consider* amending this bill to provide CEQA process streamlining tailored to local fire station projects, including expediting the administrative process by using concurrent preparation of the administrative record and expediting the judicial review process for projects that are challenged in court, with a 365-day deadline for the courts to resolve a lawsuit.
- 5) **Double referral.** This bill has been double-referred to the Emergency Management Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Professional Firefighters (co-sponsor)
United Firefighters of Los Angeles City (co-sponsor)
California Business Roundtable
City of Redondo Beach
State Building and Construction Trades Council

Opposition

Associated General Contractors, California Chapters
Defenders of Wildlife
Sonoma Land Trust
Western Electrical Contractors Association

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