

ASSEMBLY THIRD READING  
AB 2152 (Mark González and Wicks)  
As Amended May 18, 2026  
Majority vote

## SUMMARY

Establishes expedited administrative and judicial review procedures under the California Environmental Quality Act (CEQA) for "essential local fire station projects," requiring the courts to resolve lawsuits within 365 days, to the extent feasible.

### Major Provisions

- 1) Makes an essential local fire station project, at the discretion of a lead agency, eligible for judicial streamlining pursuant to this bill if the lead agency makes, based upon substantial evidence in the record, all of the following determinations:
  - a) The project is not located on eight specified sites (for example, wetlands and lands under conservation easements).
  - b) The project will employ best practices, as compared to similar fire station projects previously reviewed under CEQA, to avoid or mitigate significant environmental effects, including those environmental effects from noise, traffic, and hazardous materials.
  - c) The project's construction, rehabilitation, and maintenance contracts in excess of \$50,000 are covered by a project labor agreement, as defined.
- 2) Authorizes the lead agency, in making a determination under this bill, to rely on publicly available maps and data from state or federal agencies and provides that the lead agency shall not be required to prepare biological surveys, geotechnical studies, or other technical analyses.
- 3) Requires the lead agency to (a) maintain documentation supporting its determination as part of the record of proceedings for the project and (b) prepare and certify the record of proceeding pursuant to Public Resources Code section 21167.6.2 (which establishes an alternative, concurrent method for preparing the administrative record or record of proceedings for environmental reviews).
- 4) Requires the lead agency, upon making a determination that a project, activity, or approval is eligible for judicial streamlining pursuant to this bill, to file a notice of determination with the Office of Land Use and Climate Innovation, as specified.
- 5) Requires the Judicial Council, on or before July 1, 2027, to adopt rules of court that apply to any action or proceeding brought to attack, review, set aside, void, or annul the certification of an environmental impact report, mitigated negative declaration, or negative declaration for an essential local fire station project, including any potential appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 365 calendar days of the filing of the certified record of proceedings with the court.
- 6) Requires the project applicant to pay the costs of the trial court and the court of appeal in hearing and deciding any case, including payment of the costs for the appointment of a

special master if deemed appropriate by the court, in a form and manner provided in the rules of court adopted by the Judicial Council.

- 7) Defines an "essential local fire station project" or "project" to mean a project undertaken by a city, county, or local fire agency to plan, design, and acquire property for, and construct, rehabilitate, or maintain, a fire station.

## COMMENTS

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.

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 fire station-specific CEQA streamlining.

While the author and sponsor have provided some limited examples of fire station project delays that are at least partially attributable to CEQA review, 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 Environmental Impact Report (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.

### **According to the Author**

"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 *The Tiara Group vs. City of Los Angeles*, a group of residents successfully delayed a fire station from being built for over two years – placing lives on the line and wasting nearly \$2 million of valuable taxpayer dollars. With the International Association of Fire Fighters determining that the Los Angeles Fire Department (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."

**Arguments in Support**

According to sponsors California Professional Firefighters and United Firefighters of Los Angeles City Local 112, AB 2152 will create a process in CEQA to establish best practices and streamlined legal proceedings for the construction of fire stations. These facilities are not only critical to ensure community safety, but updates to old stations are also necessary to protect firefighter health and safety. New stations are constructed with the dangers of firefighting as profession in prime consideration, ensuring strong separation between work and living facilities, modern decontamination equipment, and numerous measures in place to ensure that exposure to toxic substances are reduced as much as possible. When the construction of new facilities is delayed, the impact is felt not only by the department's budget but by every firefighter who must continue to live in an older, unsafe station for years. Further, this measure includes a requirement that any projects that utilize this exemption have a project labor agreement in place, which ensures professional, safe construction occurs on these sites.

**Arguments in Opposition**

According to Western Electrical Contractors Association, while AB 2152 is offered by the author to accelerate fire station construction through judicial streamlining, it conditions that benefit on the use of a project labor agreement (PLA) for contracts exceeding \$50,000. This requirement will increase costs, reduce competition, and ultimately result in fewer projects delivered with available public funds.

**FISCAL COMMENTS**

According to the Assembly Appropriations Committee, potential cost pressure (Trial Court Trust Fund, General Fund) of an unknown amount to the courts to process and hear challenges to essential local fire station projects on an expedited timeline. Expedited cases generally create costs and staffing pressures on the courts, as each review typically requires a judicial officer, research attorneys, and staff. However, under existing rules of court (that Judicial Council may amend to reference the specific projects in this bill), these reviews would be subject to a \$180,000 filing fee. With this filing fee, Judicial Council does not anticipate increased costs as a result of this bill.

**VOTES****ASM NATURAL RESOURCES: 13-0-1**

**YES:** Bryan, Ellis, Alanis, Connolly, Garcia, Haney, Hoover, Kalra, Muratsuchi, Pellerin, Schultz, Hart, Zbur

**ABS, ABST OR NV:** Macedo

**ASM EMERGENCY MANAGEMENT: 6-1-0**

**YES:** Ransom, Hadwick, Arambula, Bains, Bennett, Calderon

**NO:** DeMaio

**ASM APPROPRIATIONS: 11-0-4**

**YES:** Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

**ABS, ABST OR NV:** Hoover, Dixon, Ta, Tangipa

**UPDATED**

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CONSULTANT: Lawrence Lingbloom / NAT. RES. / (916) 319-2092

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