
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2152 (Mark González) - California Environmental Quality Act: essential local fire station projects: judicial streamlining

Version: August 3, 2026

Urgency: No

Hearing Date: August 10, 2026

Policy Vote: E.Q. 7 - 0, JUD. 13 - 0

Mandate: No

Consultant: Ashley Ames

Bill Summary: This bill would establish 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 270 days, to the extent feasible.

Fiscal Impact:

- This bill could result in potential cost pressure (Trial Court Trust Fund, General Fund) of an unknown amount to the courts to process and hear challenges to environmental reviews for 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. Cost pressures would likely be offset by the higher filing fee. 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.

Background: CEQA is an environmental planning law designed to make government agencies and the public aware of the environmental impacts of a proposed project, ensure the public can take part in the review process, and identify and implement measures to mitigate or eliminate any negative impact the project may have on the environment. CEQA is enforced by civil lawsuits that can challenge any project's environmental review, and it is the only state environmental law that allows civil suits. Unless a project has a specific exemption, it must undergo environmental analysis, beginning with an initial study that determines what level of further review is needed. If a project has no significant effects on the environment, or if those effects can be fully mitigated, the project can move forward with a negative declaration or mitigated negative declaration. If the initial study finds potential significant effects, a full environmental impact report (EIR) is conducted, analyzing the significant direct and indirect environmental impacts of the project and proposing mitigation measures.

A project is exempt from CEQA if it is ministerial, or if a specific statutory or categorical exemption applies. Statutory exemptions are created by the Legislature and apply even if a project has the potential to significantly affect the environment. Categorical exemptions, listed in the CEQA guidelines, generally do not apply if there are significant environmental impacts associated with the project.

Proposed Law: This bill would:

1. Make an essential local fire station project, at the discretion of a lead agency, eligible for judicial streamlining and administrative streamlining wherein the lead

agency concurrently prepares the record of proceedings with the EIR, for projects meeting the following criteria based upon substantial evidence in the record:

- a. The project is not located on any of the following sensitive sites:
 - i. Prime farmland, farmland of statewide importance, or unique farmland as designated by the Department of Conservation.
 - ii. Wetlands, as defined in specified federal regulations.
 - iii. A hazardous waste site included on any list compiled pursuant to Government Code §65962.5 (the "Cortese List").
 - iv. A floodplain, as mapped by the Federal Emergency Management Agency, unless the project includes adequate flood protection as determined by the lead agency.
 - v. Within a delineated earthquake fault zone, as determined by the State Geologist, unless the development complies with applicable seismic protection building code standards.
 - vi. Lands identified for conservation in an adopted natural community conservation plan, a habitat conservation plan, or other adopted natural resource protection plan.
 - vii. 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.
 - viii. Lands under conservation easement.
 - 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 from noise, traffic, and hazardous materials.
 - c. The project's construction contracts are covered by a project labor agreement, as defined.
2. Authorize the lead agency to rely on publicly available maps and data from state or federal agencies in making eligibility determinations, and specify that the lead agency is not required to prepare biological surveys, geotechnical studies, or other technical analyses.
 3. Require the lead agency to maintain documentation supporting its determination as part of the record of proceedings, and to file a notice of determination with the Office of Land Use and Climate Innovation that includes a brief description of how the project satisfies the eligibility criteria.

4. Require 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 270 calendar days of the filing of the certified record of proceedings with the court.
5. Require the project applicant to pay the costs of the trial court and the court of appeal in hearing and deciding any case, including 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.
6. Specify that an environmental impact report for a qualifying essential local fire station project is not required to include any discussion of alternatives to the project or the growth-inducing impacts of the project.
7. Define an "essential local fire station project" as a project undertaken by a city, county, or local fire agency to plan, design, and acquire property for, and construct or replace, a fire station.

Related Legislation:

AB 2231 (Ahrens, 2026) would create expedited administrative and judicial review procedures under CEQA for "environmental leadership hospital campus projects" in the cities of Emeryville and Santa Clara, requiring the courts to resolve lawsuits within 270 days, to the extent feasible.

SB 149 (Caballero, 2023) established expedited judicial and administrative CEQA processes for a broad swath of energy, transportation, water, and semiconductor projects eligible for expedited judicial review under CEQA. The bill also included an equity provision requiring that projects both minimize significant environmental impacts in disadvantaged communities and take mitigation measures that directly benefit the affected community.

SB 7 (Atkins, 2021) extended and modified the Environmental Leadership Development Project program established by the Jobs and Economic Improvement Through Environmental Leadership Act.

AB 900 (Buchanan, 2011) established the Jobs and Economic Improvement Through Environmental Leadership Act, which created CEQA streamlining for residential, retail, commercial, sports, and recreational use projects certified as Environmental Leadership Development Projects by the Governor.

Staff Comments: This bill would define an "essential local fire station project" as a project undertaken by a city, county, or local fire agency to plan, design, and acquire property for, and construct or replace, a fire station. Eligibility for judicial streamlining would rest with the lead agency's discretion, based on determinations that the project is not located on specified sensitive sites, will employ best practices to avoid or mitigate significant environmental effects, and has construction contracts covered by a project labor agreement.

This bill would remove a requirement for an EIR for a qualifying project to include the alternatives analysis or growth-inducing impacts. The lead agency could make eligibility determinations from publicly available maps and data without preparing technical studies, and lawsuits would be resolved, to the extent feasible, within 270 days, including appeals. The fiscal implications would run in both directions: cities, counties, and local fire agencies would avoid litigation delay and a portion of environmental document costs, and project applicants would pay the trial and appellate court costs, while any effects that the omitted analyses would have identified are unknown and would depend upon the specific projects.

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