
THIRD READING

Bill No: AB 2152

Author: Mark González (D) and Wicks (D), et al.

Amended: 8/13/26 in Senate

Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 7-0, 6/24/26

AYES: Blakespear, Valladares, Allen, Dahle, Gonzalez, Hurtado, Menjivar

SENATE JUDICIARY COMMITTEE: 13-0, 6/30/26

AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, Laird, Reyes, Stern,
Valladares, Wahab, Weber Pierson, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 74-1, 5/27/26 - See last page for vote

SUBJECT: California Environmental Quality Act: essential local fire station
projects: judicial streamlining

SOURCE: Author

DIGEST: This bill 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 270 days, to the extent feasible.

ANALYSIS:

Existing law:

- 1) Requires, via CEQA, lead agencies with the principal responsibility for carrying out or approving a project to prepare a negative declaration (ND), mitigated negative declaration (MND), or environmental impact report (EIR)

for the project, unless the project is exempt from CEQA. (Public Resources Code (PRC) §21000 et seq.). If a project may have a significant effect on the environment, the lead agency must prepare a draft EIR. (CEQA Guidelines §15064(a)(1), (f)(1))

- 2) Establishes processes and timelines for lawsuits that challenge a public agency's compliance with the requirements of CEQA including:
 - a) Challenges must be filed in the superior court within 30 days of filing the notice of approval;
 - b) The courts are required to give CEQA actions preference over all other civil actions;
 - c) Requires the court to regulate the briefing schedule so that, to the extent feasible, hearings commence within 1 year of the filing of the appeal;
 - d) Requires the plaintiff to request a hearing within 90 days of filing the petition; and
 - e) 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 the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (AB 900, Buchanan, Chapter 354, Statutes of 2011), which established CEQA administrative and judicial review procedures for an "environmental leadership" project. The Act was later extended and modified in 2021 (SB 7, Atkins, Chapter 19, Statutes of 2021). Establishes expedited judicial and administrative CEQA processes for a broad swath of energy, transportation, water, and semiconductor projects eligible for expedited judicial review under CEQA in SB 149 (Caballero, Chapter 60, Statutes of 2023). (PRC §21178 et seq.)

This bill:

- 1) Makes an essential local fire station project, at the discretion of a lead agency, eligible for judicial streamlining of 270 days as feasible, and administrative

streamlining wherein the lead agency concurrently prepares the record of proceedings with the EIR for projects meeting the following criteria:

- a) The project is not located on 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 that is included on any list compiled pursuant to Section 65962.5 of the Government Code (i.e., 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, 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;
 - 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; or
 - 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 environmental effects from noise, traffic, and hazardous materials; and

- c) The project's construction, rehabilitation, and maintenance contracts in excess of \$50,000 are subject to a project labor agreement, as defined.
- 2) Authorizes the lead agency to rely on publicly available maps and data from state or federal agencies in making determinations that the project meets the eligibility criteria for streamlining, and specifies 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) File a notice of determination with the Office of Land Use and Climate Innovation (LCI), upon making a determination that a project is eligible for judicial streamlining.
- 4) 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 270 calendar days of the filing of the certified record of proceedings with the court.
- 5) 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.
- 6) 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.

Background

The A, B, C's of CEQA. CEQA is designed to (a) make government agencies and the public aware of the environmental impacts of a proposed project, (b) ensure the public can take part in the review process, and (c) 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. Nonprofits, private individuals, public agencies, advocacy groups, and other organizations can all file lawsuits under CEQA.

Under CEQA, projects (unless they have a specific exemption) must undergo environmental analysis. This process starts with an initial study which determines what level of further environmental review is needed for a given project. If a project has no significant effects on the environment, or if those effects can be fully mitigated, the project can move forward with an ND or MND. If the initial study finds that the project has potential significant effects on the environment, then a full EIR is conducted. An EIR provides thorough environmental review of a proposed project, analyzing the significant direct and indirect environmental impacts of a proposed project on water quality, transportation, air quality and greenhouse gas emissions, terrestrial and aquatic biological resources, surface and subsurface hydrology, land use and agricultural resources, aesthetics, geology and soils, recreation, public services and utilities such as water supply and wastewater disposal, and cultural resources, among other factors. The EIR also includes proposed mitigation measures for any significant effects that it identifies and considers alternatives to the proposed project.

CEQA timelines. Under CEQA, state and local agencies must complete and adopt a ND in 180 days, and certify an EIR within a year. If there is a compelling circumstance to extend this timeline, agencies may take longer, but only if the project applicant consents. After the environmental review is completed, the case may be subject to litigation. Judicial Council asserts that it takes over six months just for a CEQA case to get a hearing, let alone reach a decision. To help speed CEQA cases through the court system, current law provides several measures to prioritize CEQA cases and speed up judicial review, including:

- a) The Superior Court and the Court of Appeal must give CEQA lawsuits preference over all other civil actions;
- b) If feasible, the Court of Appeal must hear a CEQA appeal within 1 year of filing;
- c) Discovery is generally not allowed, as CEQA cases are generally restricted to review of the record; and
- d) Counties with a population of over 200,000 must designate one or more judges to develop expertise on CEQA and hear CEQA cases.

CEQA judicial and administrative streamlining. The Legislature has developed streamlining measures to speed CEQA lawsuits against specified projects through the courts. In current law, CEQA streamlining entails both judicial and administrative streamlining. Judicial streamlining requires that a CEQA lawsuit be heard in 270 days, including all appeals, as feasible. Administrative streamlining requires projects to prepare the administrative record, the comprehensive document at the heart of a CEQA case, at the same time as the environmental review documents are prepared. Preparing these documents concurrently, instead of sequentially, saves time if there is a lawsuit. These streamlining measures shorten what is potentially the lengthiest portion of the CEQA process—litigation—while retaining the full environmental review and public engagement offered under CEQA.

In 2011, the Legislature passed the first CEQA streamlining certification program with the Jobs and Economic Improvement Through Environmental Leadership Act (Leadership Act), which created CEQA streamlining for residential, retail, commercial, sports, and recreational use projects that were certified as Environmental Leadership Development Projects (ELDP) by the Governor (AB 900, Buchanan, Chapter 354, Statutes of 2011). The ELDP program was further extended and modified in 2021 with (SB 7, Atkins, Chapter 19, Statutes of 2021).

In 2023, The Legislature expanded these same streamlining provisions for certain energy, transportation, and water infrastructure projects (SB 149, Caballero, Chapter 60, Statutes of 2023).

The specific criteria that projects must meet to be eligible for CEQA streamlining varies by project and process, but all are intended to ensure that projects meet high environmental and labor standards. In current law environmental criteria for streamlining includes requirements such as achieving Leadership in Energy and Environmental Design (LEED) Gold certification and being greenhouse gas neutral. SB 149 (Caballero, Chapter 60, Statutes of 2023) also includes a specific equity provision which requires that projects both minimize significant environmental impacts in disadvantaged communities and take mitigation measures that directly benefit the affected community. In offering CEQA streamlining for projects that meet these high standards, California has been able to promote projects that align with the State's environmental, climate, and labor goals.

Increasing Need for Fire Stations. According to this bill's sponsors, California fire agencies have seen significantly increased call volume and population growth, but

no corresponding 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. National rates suggest most cities are operating at 1.54 to 1.81 firefighters per 1,000 residents. But that is not the trend everywhere, a prominent example of this is the city of Los Angeles, which is operating at .88 firefighters per 1000 residents. In 1960, the Los Angeles Fire Department (LAFD) had 112 fire stations that serviced 2.5 million residents; they now only have 106 stations servicing 3.9 million residents.

Comments

Purpose of Bill. 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 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.”

Streamlining CEQA for Fire Stations. According to CEQAnet, the State’s database of CEQA documents, the vast majority of fire stations are subject to CEQA exemptions or short environmental review through an ND/MND. However, some fire stations are subject to full EIRs. Occasionally, fire stations are subject to lawsuits under CEQA. According to the author’s office, LAFD station 39 in Van Nuys was subject to court challenge over CEQA, delaying the project over three years and costing the City more than \$1.9 million.

AB 2152 addresses the issue directly by authorizing CEQA judicial streamlining for fire stations. This retains important environmental review, public transparency, and mitigation measures required under CEQA while also ensuring that essential fire station projects are not delayed in lengthy lawsuits.

Related/Prior Legislation

AB 2231 (Ahrens, 2026) would create expedited administrative and judicial review procedures under the 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. This bill is pending hearing in this committee.

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

According to the Senate Appropriations committee:

- 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.

SUPPORT: (Verified 8/14/26)

California Professional Firefighters
Mayor Todd Gloria, City of San Diego
State Building and Construction Trades Council
United Firefighters of Los Angeles City

OPPOSITION: (Verified 8/14/26)

Associated General Contractors, California Chapters
Judicial Council of California
Western Electrical Contractors Association

ASSEMBLY FLOOR: 74-1, 5/27/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle

Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins,
Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
NOES: DeMaio

NO VOTE RECORDED: Boerner, Dixon, Johnson, Celeste Rodriguez, Tangipa

Prepared by: Brynn Cook / E.Q. / (916) 651-4108
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