

CONCURRENCE IN SENATE AMENDMENTS

AB 2152 (Mark González and Wicks)

As Amended August 27, 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 270 days, to the extent feasible.

Senate Amendments

- 1) Move the fire station streamlining provisions into the existing infrastructure project streamlining process established by SB 149 (Caballero), Chapter 60, Statutes of 2023, which requires certification of eligible projects by the Governor.
- 2) Reduce the deadline for the courts to resolve lawsuits from 365 to 270 days.
- 3) Revise project labor agreement requirement to apply only to construction contracts, rather than rehabilitation and maintenance.

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 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 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, updates to old stations are 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 the Judicial Council of California, (i)mposing the 270-day expedited judicial review timeline on top of existing calendar preferences is arbitrary and likely to be unworkable in practice...setting a timeline for deciding CEQA cases has the practical effect of pushing other cases on a court's docket to the back of the line.

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 construction contracts. This requirement will increase costs, reduce competition, and ultimately result in fewer projects delivered with available public funds.

FISCAL COMMENTS

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.

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

ASSEMBLY FLOOR: 74-1-5

YES: 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

NO: DeMaio

ABS, ABST OR NV: Boerner, Dixon, Johnson, Celeste Rodriguez, Tangipa

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