

Date of Hearing: April 20, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Isaac G. Bryan, Chair

AB 2410 (Ellis) – As Amended April 13, 2026

SUBJECT: Wildfire safety: fuels reduction projects: California Environmental Quality Act: California Coastal Act

SUMMARY: Exempts specified critical wildfire prevention projects from the California Environmental Quality Act (CEQA) and the California Coastal Act (Coastal Act).

EXISTING LAW:

- 1) Pursuant to CEQA (Public Resources Code (PRC) 21000 *et seq.*):
 - a) Requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect.
 - b) Requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.
 - c) Defines “project” as an activity that may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.
- 2) Pursuant to the California Coastal Act (PRC 30000 *et seq.*):
 - a) Requires any person wishing to perform or undertake any development in the coastal zone, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit (CDP).
 - b) Requires, after a local coastal plan (LCP) is certified, all development review to be delegated to the local government, except for development on any tidelands, submerged lands, or on public trust lands; any development proposed or undertaken within ports; or, any development within any state university or college within the coastal zone.
 - c) Defines “development” to mean, among other things, the placement or erection of any solid material or structure on land or in water. “Structure” includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.
 - d) Provides specified CDP exemptions for emergency work. Provides further specified CDP exemptions for specific categories of projects.

- e) Authorizes, to promote greater efficiency with planning, public works plans (PWP) as an alternative to project-by-project CDP review for public works projects carried out by public agencies.
- 3) Defines “high fire threat district” as areas identified as tier 2 (elevated) or tier 3 (extreme) fire risk on the fire-threat map maintained by the Public Utilities Commission (PUC). (Public Utilities Code 3280 (j))

THIS BILL:

- 1) Exempts from CEQA a critical fuels reduction project conducted in a community located in a high fire threat district as determined by the PUC, or very high fire hazard severity zone (VHFHSZ) as identified by the State Fire Marshal or as designated by a local government that does at least one of the following:
- a) Removes hazardous, dead, or dying trees.
 - b) Removes vegetation for the creation of strategic fuel breaks as identified by approved fire prevention plans, including CAL-FIRE Unit Fire Plans or community wildfire protection plans.
 - c) Removes vegetation along roadways, highways, and freeways for the creation of safer ingress and egress routes for the public and first responders and to reduce roadside ignitions.
 - d) Removes vegetation around electric utility lines, poles, and rights-of-way to reduce the risk of wildfire and fire-related service outages.
 - e) Removes vegetation using cultural traditional ecological knowledge for cultural burning or prescribed fire treatments or both of those types of treatments for fuels reduction projects.
 - f) Maintains previously established fuel breaks or fuel modification projects.
- 2) Provides that specified projects are eligible for the exemption only if the vegetation removed for the critical fuels reduction project meets all of the following requirements:
- a) The vegetation is a nonnative species;
 - b) The vegetation is 12 inches or less in diameter; and,
 - c) The vegetation is a common species.
- 3) Sunsets the CEQA exemption on January 1, 2030.
- 4) Provides that critical fuels projects are governed solely by the California Coastal Commission (Commission) regardless of whether there is a certified LCP where the projects occur.
- 5) Exempts from the Coastal Act a critical fuels reduction project that does at least one of the following:

- a) Removes hazardous, dead, or dying trees.
 - b) Removes vegetation for the creation of strategic fuel breaks as identified by approved fire prevention plans, including CAL-FIRE Unit Fire Plans or community wildfire protection plans.
 - c) Removes vegetation along roadways, highways, and freeways for the creation of safer ingress and egress routes for the public and first responders and to reduce roadside ignitions.
 - d) Removes vegetation using cultural traditional ecological knowledge for cultural burning or prescribed fire treatments or both of those types of treatments for fuels reduction projects.
 - e) Removes vegetation around electric utility lines, poles, and rights-of-way to reduce the risk of wildfire and fire-related service outages.
 - f) Maintains previously established fuel breaks or fuel modification projects.
 - g) Provides that specified projects are eligible for the exemption only if the vegetation removed for the critical fuels reduction project meets all of the following requirements:
 - i) The vegetation is a nonnative species;
 - ii) The vegetation is 12 inches or less in diameter; and,
 - iii) The vegetation is a common species.
- 6) Sunsets the Coastal Act exemption on January 1, 2030.
- 7) Provides that no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution.

FISCAL EFFECT: Unknown

COMMENTS:

1) Author's statement:

With California facing increasingly devastating wildfires year after year, timely wildfire prevention projects have never been more important. CEQA and the Coastal Act have consistently proven to be roadblocks for effective fuels reduction projects, causing costly and time-consuming delays. AB 2410 will exempt targeted fuels reduction projects from the requirements of CEQA and the Coastal Act, ensuring that California is able to prevent and mitigate future wildfires.

- 2) Existing CEQA exemptions for vegetation management.** There are more than a dozen statutory exemptions to CEQA in PRC 21080 (among other stand-alone statutory exemptions), including the following exemptions approved in SB 131 (Committee on Budget and Fiscal Review), Chapter 24, Statutes of 2025:

- A project consisting of “defensible space” fire clearance of up to 100 feet, as measured from the center line of the roadway, for a public roadway identified as an egress and evacuation route for a subdivision or community of 30 or more dwelling units, to remove flammable vegetation or trees of less than 12 inches in diameter as measured at chest height.
- A project consisting of the establishment or enhancement of residential home hardening or defensible space for wildfire risk reduction within 200 feet of a legal structure located in a high or VHFHSZ.
- A project consisting of a fuel break that extends up to 200 feet from structures, including the clearance of flammable vegetation and trees less than 12 inches in diameter as measured at chest height.

The CEQA guidelines (Title 14, Division 6, Chapter 3 of the California Code of Regulations (CCR)), provide categorical exemptions for vegetation management projects, including:

- Class 1 exemption covers the repair, maintenance, or minor alteration of existing public or private facilities, or topographical features, such as maintenance of existing landscaping, and involving negligible or no expansion of existing or former use. (CCR 15301)
- Class 4 exemption is for minor public or private alterations which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. This includes, but is not limited to, fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation. (CCR 15304)

Additionally, the California Vegetation Treatment Program (CalVTP) – a CEQA-compliant program for wildfire resilience projects— was developed by the Board of Forestry to reduce hazardous vegetation around communities in the wildland-urban interface, to construct fuel breaks, and to restore healthy ecological fire regimes. This streamlined CEQA compliance program is only available to public agencies.

- 3) **Vegetation management in the Coastal Zone.** To complement CalVTP, the Commission developed the use of PWP to streamline fuel reduction projects in the Coastal Zone. The PWP functions like an overlay to CalVTP, so that following the PWP guarantees both CEQA and Coastal Act compliance. This approach allows applicants to safeguard sensitive biological resources and improve forest health without having to apply for individual CDPs. PWP authorize projects with streamlined review and without the need for additional coastal permits over 10 years. PWP can be completed in less time than a typical local CDP, and once certified, work can proceed within 30 days and no local review is required. Since 2021, approximately 350,000 acres in the Coastal Zone has been certified for wildfire vegetation treatment under PWP across the coastal zone.
- 4) **Governor’s emergency proclamation.** In response to the January 2025 wildfires that burned multiple communities in Los Angeles, Governor Newsom issued an

emergency proclamation ordering a suspension of all laws, regulations, rules, and requirements that fall within the jurisdiction of boards, departments, and offices within the California Environmental Protection Agency (CalEPA) and the California Natural Resources Agency (NRA) for expediting critical fuels reduction projects initiated in 2025. On December 31, 2025, Governor Newsom extended the emergency proclamation from March 1, 2026, and through this extension, project streamlining applications are being accepted through May 1, 2026.

Critical fuels reduction projects included:

- Removal of hazardous, dead, and/or dying trees;
- Removal of vegetation for the creation of strategic fuel breaks as identified by approved fire prevention plans, including without limitation CAL FIRE Unit Fire Plans or Community Wildfire Preparedness Plans;
- Removal of vegetation for community defensible space;
- Removal of vegetation along roadways, highways, and freeways for the creation of safer ingress and egress routes for the public and responders and to reduce roadside ignitions;
- Removal of vegetation using cultural traditional ecological knowledge for cultural burning and/or prescribed fire treatments for fuels reduction; or,
- Maintenance of previously-established fuel breaks or fuels modification projects.

Under the proclamation's exemptions, there is a process established for use of the exemptions. Entities are required to ask NRA to make a determination that the activities are eligible under the proclamation, and all of the departments and agencies under NRA and CalEPA will post on their respective websites the approved CEQA and Coastal Act exemptions. Further, any activity conducted under the temporary exemptions is still required to comply with the state Environmental Protection Plan.

In 2025, the Legislature assigned the California Earthquake Authority (CEA) the task of conducting a study and reporting on options to enhance natural catastrophe resiliency while meeting California's climate change and clean energy goals. The CEA's report, *Enhancing California's Resiliency to Natural Catastrophes: Senate Bill 254 (2025) Study Report*, released April 7, recommends establishing in statute the authority to facilitate ongoing fast-track environmental permitting for critical, short-term projects covered under the Governor's emergency proclamation.

This bill codifies those exemptions under CEQA and the Coastal Act until January 1, 2030.

- 5) **Electric grid projects.** Electrical infrastructure is a common ignition point for wildfires, as evidenced by some of the most destructive wildfires in California's very recent wildfire history. California's investor-owned utilities (IOUs) (private electrical corporations regulated by the PUC) are responsible and accountable for ensuring safe operations of their transmission and distribution infrastructure, which includes vegetation management around that electrical infrastructure. There are various laws requiring an electric utility in the state responsibility areas to maintain vegetation management around and adjacent to any pole or tower that supports a switch, fuse, transformer, lightning arrester, line junction, or dead end or corner pole, a firebreak that consists of a clearing of not less than 10 feet in each direction

from the outer circumference of such pole or tower. Utilities are also required to cut, trim, or fell any dead trees, trees weakened by decay or disease, and trees or portions thereof that are leaning toward a line that can contact the line from the side, or may fall on the line. Many vegetation management activities conducted by utilities are treated as maintenance of existing facilities, which can fall under a CEQA categorical exemption.

This bill exempts projects that remove vegetation around electric utility lines, poles, and rights-of-way to reduce the risk of wildfire and fire-related service outages from CEQA and the Coastal Act.

6) **Committee amendments.** The *Committee may wish to consider* amending the bill as follows:

- a) Link the exemption from LCP review to the Coastal Act exemptions in PRC 30610 (j).
- b) Require the critical fuels reduction projects exempt from CEQA and the Coastal Act to comply with the environmental program akin to the critical fuels reduction projects exempt under the Governor's emergency proclamation.
- c) Require the Commission to report to the Legislature on CDP approvals for fuel modification projects and use of PWP's for fuel modification projects, and the average time it takes under each process for a project to be approved.

7) **Related legislation:**

AB 1227 (Ellis, 2025) was amended last year in the Assembly Natural Resources Committee to contain language identical to the language in sections 1 and 3 of this bill. It was held in the Senate Appropriations Committee.

AB 623 (Dixon, 2025) provides exemptions from CEQA and the Coastal Act for fuel modification projects that maintain defensible space. Additionally exempts electrical grid resilience projects from CEQA. This bill was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Farm Bureau Federation
Orange County Fire Authority
Pacific Gas and Electric Company

Opposition

California Chaparral Institute
California Native Plant Society
Center for Biological Diversity
Endangered Habitats League
Planning and Conservation League

Sierra Club
State Alliance for Firesafe Road Regulations

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