

ASSEMBLY THIRD READING
AB 2410 (Ellis and Gallagher)
As Amended April 22, 2026
Majority vote

SUMMARY

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

Major Provisions

- 1) Exempts from CEQA specified critical fuels reduction projects conducted in a community located in a high fire threat district as determined by the Public Utilities Commission, or very high fire hazard severity zone (VHFHSZ) as identified by the State Fire Marshal or as designated by a local government.
- 2) Provides that specified projects are eligible for the exemption only if the vegetation removed for the critical fuels reduction project meets specified requirements.
- 3) Requires projects exempt from CEQA to comply with the best management practices under the 2025 Statewide Fuels Reduction Environmental Protection Plan as prepared by the Natural Resources Agency (NRA) and the California Environmental Protection Agency (CalEPA).
- 4) Sunsets the CEQA exemption on January 1, 2030.
- 5) Provides that critical fuels projects are governed solely by the California Coastal Commission (Commission) regardless of whether there is a certified local coastal plan where the projects occur.
- 6) Requires projects exempt from CEQA to comply with the best management practices under the 2025 Statewide Fuels Reduction Environmental Protection Plan.
- 7) Exempts from the Coastal Act specified critical fuels reduction projects.
- 8) Sunsets the Coastal Act exemption on January 1, 2030.

COMMENTS

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 CalEPA and 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.

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, and projects that remove vegetation around electric utility lines, poles, and rights-of-way to reduce the risk of wildfire and fire-related service outages, until January 1, 2030.

According to the Author

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.

Arguments in Support

Rural County Representatives of California supports AB 2410 because it creates a narrow CEQA exemption for wildfire fuel reduction projects in the areas with the most acute needs. AB 2410 is narrowly crafted to provide a temporary exemption for the removal of non-native species that are 12" in diameter or less. AB 2410 supplements and enhances some of the existing exemptions and efficiencies already in place to expedite fuel management work, including CAL FIRE's Vegetation Treatment Program Environmental Impact Report (EIR). AB 2410 also builds upon the temporary exemption provided by Governor Newsom's recent emergency proclamation. CEQA compliance and documents take time and money – both of which are often in short supply for many of these types of projects. Worse yet, litigation-related risks are also a significant concern for any projects subject to CEQA both in terms of costs and delays. These permitting challenges present significant and potentially catastrophic risk for many living in rural and WUI communities. While some existing CEQA exemptions for emergency actions, existing facilities, and minor alterations to land may be useful for some fuels management projects, they may not cover all situations, including wildfire prevention projects. As such, an additional statutory exemption provides much more utility that is desperately needed.

Arguments in Opposition

Endangered Habitats League writes that authors of the bill may not be aware of the CAL FIRE Vegetation Treatment Program (VTP) programmatic EIR that already covers the full suite of activities encompassed by this bill and provides streamlined environmental review for them. The VTP is in effect and is currently being updated with the benefit of scientific input from the California Wildfire and Forest Resilience Task Force. The bill thus not only unnecessary but severely undermines the VTP process. Further, while the bill's provisions would not apply to native vegetation in some circumstances, there is a massive loophole for undefined "cultural

burning” and for “prescribed fire” of any type. CEQA review is essential for both cultural practices and prescribed burning, which will impact native vegetation and wildlife and will lead to invasion by highly flammable non-native grasses and weeds. CEQA review provides the opportunity to assess and balance such factors, and once again should defer to the VTP programmatic EIR. It is important to note that during the era of indigenous cultural burning, there were no invasive non-native species.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) NRA estimates annual General Fund costs of \$240,000 until 2030 for one senior environmental scientist specialist to help manage the regulatory suspension process, offer integrated resource management guidance, coordinate efforts across agencies, develop standardized procedures, review suspension requests, and serve as the primary point of contact for both applicants and the public.
- 2) The Commission estimates annual General Fund costs of about \$1.5 million for three years for six positions to review proposed fuels reduction projects – including project location, purpose, methods, targeted species, and plant size – throughout the coastal zone to determine and document whether each project meets the criteria for exemption from the Coastal Act and gather and review Commission and local government permit records for fuel modification or reduction projects in the coastal zone from 2020 through 2026, and synthesize data from these records for the required report to the Legislature.
- 3) The State Water Resources Control Board estimates annual costs of \$500,000 (Timber Regulation and Forest Restoration Fund or General Fund) until 2030 to review and inspect exempt critical fuels reduction projects to ensure water quality is protected from these activities, consistent with the 2025 Statewide Fuels Reduction Environmental Protection Plan.
- 4) Costs of an unknown amount to the California Department of Forestry and Fire Protection to implement this bill (General Fund or special fund).
- 5) CalEPA anticipates any costs associated with this bill are likely absorbable within existing resources.

VOTES

ASM NATURAL RESOURCES: 11-0-3

YES: Bryan, Ellis, Alanis, Garcia, Haney, Hoover, Kalra, Macedo, Pellerin, Schultz, Wicks

ABS, ABST OR NV: Connolly, Muratsuchi, Zbur

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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