

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 676 (Limón) – As Amended July 9, 2025

Policy Committee:	Natural Resources	Vote:	12 - 0
	Judiciary		12 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill establishes expedited administrative and judicial review procedures under the California Environmental Quality Act (CEQA) for a project located in a geographic area that was damaged by a fire for which the Governor declared a state of emergency.

Specifically, this bill, among other things:

- 1) Provides that for a project located in a geographic area for which the Governor declared a state of emergency (on or after January 1, 2023) that is to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed by wildfire, and the project is not otherwise exempt from CEQA, both of the following apply:
 - a) The record of proceedings must be prepared concurrently with the administrative process, made available to the public in an electronic format, as specified, and be certified by the lead agency within 30 days after the filing of the notice of declaration or determination.
 - b) An action or proceeding brought to attack, review, set aside, void, or annul the certification of an environmental impact report, or the adoption of a negative declaration or mitigated negative declaration, for the project or the granting of any project approval, must, to the extent feasible, be resolved within 270 calendar days of the filing of the certified record of proceedings with the court.
- 2) Requires the Judicial Council to adopt rules of court to implement the requirements described above.
- 3) Provides the requirements described above apply only to a project consistent with the applicable zoning and land use ordinances, and does not apply to a project proposed after the Governor rescinds the declaration of the state of emergency for that geographic area.

FISCAL EFFECT:

- 1) Ongoing cost pressures (Trial Court Trust Fund (TCTF), General Fund) of an unknown but potentially significant amount, possibly in the hundreds of thousands to millions of dollars, to the courts to process and hear CEQA challenges within the timeframes prescribed by the bill. Judicial Council is unable to determine how many CEQA non-compliance challenges may be brought, but given the widespread damage wildfires can cause throughout the state in any given year, Judicial Council estimates this bill would significantly affect court calendars where a fire emergency has occurred – particularly in the state’s smallest courts in more rural

parts of the state (where wildfires are typically more common), which typically have fewer resources. Previous bills authorizing CEQA streamlining have generally been for more specific projects and have typically required a higher filing fee of \$180,000 to ensure the courts have the resources needed to timely adjudicate complicated CEQA cases. This bill does not provide the courts the authority to charge higher filing fees and does not offer the courts additional resources to handle the higher anticipated workload.

Although courts are not funded on the basis of workload, increased pressure on the TCTF may create a demand for increased funding for courts from the General Fund. The fiscal year (FY) 2025-26 state budget provides \$82 million ongoing General Fund to the TCTF for court operations. Judicial Council notes, beginning with FY 2024–25, the trial courts have an ongoing \$55 million reduction to their operational funding, which impacts their ability to provide core services, and more workload for the courts will further stretch court resources and may impact access to justice.

- 2) Judicial Council anticipates minor and absorbable costs to adopt the required rules of court. However, Judicial Council notes that while other existing CEQA judicial streamlining rules are specific to a project or designation (environmental leadership projects, for example), this bill includes such broad applicability that it will not fit within existing rules of court. Judicial Council will require more time to craft a clear and concise rule that incorporates the requirements of the bill, and anticipates needing a year delayed implementation to draft, approve, and obtain public comment on any new rules of court.

COMMENTS:

- 1) **Purpose.** According to the author:

The LA wildfires, Eaton and Palisades have reportedly caused property losses close to \$53 billion. In addition, a few weeks prior to the LA wildfires, the Mountain Fire in Camarillo destroyed 243 structures. As wildfire risks continue to rise every year, it is imperative that we ensure affected communities can be restored after a disaster. By adding consistency to the community rebuilding process, SB 676 aims to support the state's wildfire resiliency efforts.

- 2) **Background.** CEQA generally requires state and local government agencies to inform decisionmakers and the public about the potential environmental impacts of proposed projects, and to reduce those impacts to the extent feasible.

Governor Newsom waived the applicability of CEQA as it applied to properties impacted by the 2025 Los Angeles County fires (Executive Order N-4-25). However, according to the California Apartment Association (CAA), which writes in support of this bill, “for numerous reasons, property owners may choose to build a home, rental property, or commercial building that is substantially different from what was burned down, in which case they are not exempt from CEQA.” This bill provides any project to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed by a wildfire that is located in an area for which the Governor declared a state of emergency expedited judicial review if the project faces a challenge under CEQA. CAA contends, “This cap on judicial review will add certainty for project developers, ensuring that their projects will not get mired in CEQA lawsuits and communities will not remain scarred for years.”

Generally, CEQA actions taken by a public agency may be challenged in superior court once the agency approves a project or determines to carry it out. CEQA appeals are subject to relatively short statutes of limitations. Under current law, a petitioner generally has 30 to 35 days from the time a public agency makes a CEQA decision to challenge the decision in court. Current law requires courts to give CEQA actions preference over all other civil actions. 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. There is no deadline by which the court is to render a decision.

Over the past decade, the state has adopted several measures that permit cases involving CEQA to obtain preferred, fast-track treatment in the courts. CEQA cases can be highly complex, and to facilitate proper review of the cases, staff may be pulled from other judicial departments. Judicial Council notes the growing trend for proposed legislation to include an expedited judicial review for various types of litigation without clear direction to the courts on how to prioritize among these cases, which complicates civil calendars. This bill may dramatically expand the number of cases for which litigants seek judicial streamlining. Should this bill result in an influx of streamlined cases, the courts may become overwhelmed. If the trial courts are presented with multiple cases, the feasibility of resolving each case in time may diminish, as may the benefit of the bill.

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