

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 2152 (Mark González)
Version: May 18, 2026
Hearing Date: June 30, 2026
Fiscal: Yes
Urgency: No
AM

SUBJECT

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

DIGEST

The bill authorizes an essential local fire station project, as defined, to be eligible for a 365-day judicial review process for litigation involving the California Environmental Quality Act (CEQA).

EXECUTIVE SUMMARY

Under existing law, certain major projects that meet certain environmental standards are eligible for accelerated CEQA review. These provisions are intended to expedite beneficial development but entail potential tradeoffs with respect to the sufficiency of environmental review, the burden on courts, and access to justice for other litigants, a concern magnified by the judicial backlog arising from the COVID-19 pandemic.¹ This bill authorizes an essential local fire station project, as defined, to be eligible for a 365-day judicial review process. The author and sponsors argue that fire stations are critical infrastructure needed to combat the ongoing threat of wildfires and point to a recent analysis by the International Association of Fire Fighters found that the Los Angeles Fire Department needs 62 new fire stations and 4,000 additional firefighters to meet the needs of the community.

The bill is sponsored by the California Professional Firefighters and the United Firefighters of Los Angeles City, Local 112. The bill is supported by the Mayor of the City of San Diego, Todd Gloria and the State Building and Construction Trades Council.

¹ Joint Informational Hearing of Ass. and Sen. Comm. on Judiciary: *COVID and the Courts: Assessing the Impact on Access to Justice, Identifying Best Practices, and Plotting the Path Forward* (Feb. 23, 2021) Background Paper, https://sjud.senate.ca.gov/sites/sjud.senate.ca.gov/files/background_paper_-_ajud_and_sjud_feb_23_2021_joint_informational_hearing_-_covid_and_the_courts.pdf.

The bill is opposed by the Judicial Council of California. The bill passed the Senate Environmental Quality Committee on a vote of 7 to 0.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Requires lead agencies with the principal responsibility for carrying out or approving a proposed discretionary project to prepare a negative declaration, mitigated declaration, or environmental impact report (EIR) for this action, unless the project is exempt from CEQA (CEQA includes various statutory exemptions, as well as categorical exemptions in the CEQA Guidelines). (Pub. Res. Code §§ 21100 et seq.)²
- 2) Sets requirements relating to the preparation, review, comment, approval and certification of environmental documents, as well as procedures relating to an action or proceeding to attack, review, set aside, void, or annul various actions of a public agency on the grounds of noncompliance with CEQA. (§§ 21165 et seq.)
- 3) Established the Jobs and Economic Improvement through Environmental Leadership Act (Act), which established CEQA administrative and judicial review procedures for an “environmental leadership” project. These provisions sunset on January 1, 2034. (§§ 21178 et seq.)
 - a) These projects include, among others, certain energy infrastructure projects, a semiconductor or microelectronic project, a transportation-related project, and a water-related project, as defined. (§ 21189.81(e).)
- 4) Authorizes certain transit projects to be eligible for expedited administrative and judicial review under CEQA. (§ 21168.6.9.)
- 5) Authorizes certain environmental leadership media campus projects to be eligible for expedited administrative and judicial review under CEQA. (§ 21168.6.6.)

This bill:

- 1) Authorizes an essential local fire station project to be eligible for streamlining at the discretion of a lead agency if certain determinations are made based on substantial evidence.
- 2) Requires the Judicial Council 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

² All further references are to the Public Resources Code unless otherwise indicated.

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 365 calendar days of the filing of the certified record of proceedings with the court.

- a) The judicial streamlining shall apply only if the project applicant agrees to pay the costs of the trial court and the court of appeal in hearing and deciding any action or proceeding brought in a form and manner as provided in a rule of court that the Judicial Council adopts, that shall include, but not be limited to, the costs for the appointment of a special master if deemed appropriate by the court.
- 3) Specifies how the preparation and certification of the record must be conducted.
- 4) Specifies that the expedited judicial review provisions only apply to a project that is consistent with the applicable zoning and land use ordinances.
- 5) Specifies that the expedited judicial review provisions do not apply to a project that is proposed after the Governor rescinds the declaration of the state of emergency for that geographic area.

COMMENTS

1. Stated need for the bill

The author writes:

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.

2. CEQA

Enacted in 1970, CEQA requires state and local agencies to follow a set protocol to disclose and evaluate the significant environmental impacts of proposed projects and to adopt feasible measures to mitigate those impacts. CEQA itself applies to projects undertaken or requiring approval by public agencies, and, if more than one agency is involved, CEQA requires one of the agencies to be designated as the “lead agency.” The environmental review process required by CEQA consists of: (1) determining if the

activity is a project; (2) determining if the project is exempt from CEQA; and (3) performing an initial study to identify the environmental impacts and, depending on the findings, preparing either a Negative Declaration (for projects with no significant impacts), a Mitigated Negative Declaration (for projects with significant impacts but that are revised in some form to avoid or mitigate those impacts), or an EIR (for projects with significant impacts).

An EIR must accurately describe the proposed project, identify and analyze each significant environmental impact expected to result from the proposed project, identify mitigation measures to reduce those impacts to the extent feasible, and evaluate a range of reasonable alternatives to the proposed project. Before approving any project that has received environmental review, an agency must make certain findings pertaining to the project's environmental impact and any associated mitigation measures. If mitigation measures are required or incorporated into a project, the public agency must adopt a reporting or monitoring program to ensure compliance with those measures. To enforce the requirements of CEQA, a civil action may be brought under several code sections to attack, review, set aside, void, or annul the acts or decisions of a public agency for noncompliance with the act.

"CEQA operates, not by dictating proenvironmental outcomes, but rather by mandating that 'decision makers and the public' study the likely environmental effects of contemplated government actions and thus make fully informed decisions regarding those actions. ... In other words, CEQA does not care what decision is made as long as it is an informed one." (*Citizens Coalition Los Angeles v. City of Los Angeles* (2018) 26 Cal. App. 5th 561, 577.)

3. Expedited judicial review under CEQA

Unlike other environmental laws specific to air resources, water resources, or the control of toxic substances, there is no statewide bureaucracy charged with enforcement of CEQA. Rather, it is enforced through citizen participation and litigation if necessary. Arguably, this makes the implementation of CEQA more efficient and expeditious than if a state agency were created to administer the law. Thus, CEQA litigation could more appropriately be characterized as mere enforcement.

Several provisions streamline judicial review of challenges to projects under CEQA, including:

- discovery is generally not allowed, as CEQA cases are generally restricted to review of the record;³
- concurrent preparation of the record of proceedings to enable judicial review to occur sooner;⁴

³ See *Cadiz Land Co. v. Rail Cycle, LP* (2000) 83 Cal.App.4th 74, 122.

- counties with a population of over 200,000 must designate one or more judges to develop expertise on CEQA and hear CEQA cases (§ 21167.1 (b));
- both the Superior Court and the Court of Appeal must give CEQA lawsuits preference over all other civil actions (§ 21167.1(a)); and
- if feasible, the Court of Appeal must hear a CEQA appeal within one year of filing (§ 21167.1(a)).

Additionally, several bills have provided for a 270-day judicial review period for environmental leadership projects,⁵ as well as for specified stadium projects,⁶ a San Diego transit and transportation facilities project,⁷ and the Capitol Annex.⁸

The principal framework associated with these provisions is AB 900 (Buchanan, Ch. 354, Stats. 2011), which were extended and revised by SB 7 (Atkins, Ch. 19; Stats. 2021) and SB 149 (Caballero, Ch. 60, Stats. 2023). These provisions establish procedures for 270-day expedited judicial review for “environmental leadership” projects with a minimum investment of \$100,000,000 that are certified by the Governor and meet specified conditions. Such projects include clean renewable energy projects, clean energy manufacturing projects, and LEED Gold-certified infill site projects with transportation efficiency 15 percent greater than comparable projects and zero net additional GHG emissions, and housing development projects with a minimum investment of \$15,000,000. In 2023, SB 149 made additional infrastructure projects eligible for expedited judicial review, including an energy infrastructure project, a semiconductor or microelectronic project, a transportation-related project, and a water-related project, as defined.

A 2019 report entitled *Review of Environmental Leadership Development Projects* from the Senate Office of Research reviewed litigation under AB 900 and SB 743 (Steinberg, Ch. 386, Stats. 2013), which provided for 270-day review for the Sacramento Kings arena. The report found the following timelines, which under then-existing law began when the administrative record was certified⁹ and include the trial court, court of appeal, and the Supreme Court’s denial of review, for those cases:

Project	Business days	Calendar days
Kings arena	243	352
Warriors arena	257	376
8150 Sunset Boulevard	395	578

⁴ SB 122 (Jackson, Ch. 476, Stats. 2016).

⁵ AB 900 (Buchanan, Ch. 354, Stats. 2011); SB 7 (Atkins, Ch. 19; Stats. 2021); (Caballero, Ch. 60; Stats. 2023).

⁶ SB 292 (Padilla, Ch. 353, Stats. 2011); SB 743 (Steinberg, Ch. 386, Stats. 2013) (see *Saltonstall v. City of Sacramento* (2014) 231 Cal.App.4th 837, 855-856); AB 734 (Bonta, Ch. 959, Stats. 2018); AB 987 (Kamlager-Dove, Ch. 961, Stats. 2018).

⁷ AB 2731 (Gloria, Ch. 291, Stats. 2020).

⁸ SB 174 (Committee on Budget, Ch. 74, Stats. 2024.)

⁹ See *Id.* at pp. 6-8 (noting some uncertainties in the calculation methodology).

The report concluded that these projects were reviewed under a faster timeline than normally would apply, benefiting the developers and providing upfront financial security. The report also stated that “the impacts to the court from such a short timeline also should be taken into consideration when determining how fast the Legislature would like [AB 900] cases resolved,” and suggested a longer timeline may be appropriate.¹⁰ In 2021, the Legislature enacted SB 44 (Allen, Ch. 663, Stats. 2021) to make certain transit projects eligible for expedited administrative and judicial review under CEQA within 365 calendar days, to the extent feasible. AB 3265 (Bryan, Ch. 255, Stats. 2024) was enacted to make certain environmental leadership media campus projects eligible for expedited administrative and judicial review under CEQA within 365 calendar days, to the extent feasible. Last year, SB 676 (Limón, Ch 550, Stats. 2025) made projects that are located in a geographic area that was damaged by a fire for which the Governor declared a state of emergency on or after January 1, 2023, eligible for expedited administrative and judicial review under CEQA.

4. Expedited judicial review entails tradeoffs, including potentially burdening the courts and affecting access to justice for other litigants

As described above, the Legislature has continually expanded projects that qualify for expedited judicial review under CEQA. Additionally, the Legislature has begun applying expedited judicial review to other areas of the law as well. For example, SB 808 (Caballero, Ch. 527, Stats. 2025) established an expedited writ of mandate procedure for judicial review of a local agency decision denying approval of a housing development project, as defined.¹¹ This Committee will be considering three CEQA expedited judicial review bills this legislative session. (*see* Pending Legislation Section.)

Under existing law, certain parties are entitled to calendar preference, including a party that is at least 70 years old and in ill health, a party in a personal injury or wrongful death matter who is under the age of 14, or a party that is unlikely to survive beyond another six months. (Code Civ. Proc. § 36). Additionally, certain actions receive calendar preference, including appeals in probate proceedings, contested election cases, and actions for libel or slander by a person who holds any elective public office or a candidate for any such office alleged to have occurred during the course of an election campaign. (Code Civ. Proc. § 44.) Additionally, existing law already provides that the superior court and appeals courts are to give CEQA lawsuits preference over all other civil actions. (Gov. Code § 21167.1(a).) These expedited CEQA judicial review bills taken as one-offs may not seem to cause a major concern for the courts and are intended to expedite beneficial development. However, when taken as a whole, these bills entail potential tradeoffs with respect to not only the sufficiency of environmental review, but increasing pressure on court dockets and access to justice for other litigants. These

¹⁰ *Id.* at p. 15.

¹¹ Dept. of Finance, Delta Conveyance Project, (updated 5/14/25), available at <https://trailerbill.dof.ca.gov/public/trailerBill/pdf/1263> (as of June 24, 2025).

concerns have only been magnified by the judicial backlog arising from the COVID-19 pandemic.¹²

5. Stakeholder statements

The Judicial Council of California writes in opposition stating:

CEQA actions are already entitled to calendaring preference. The Council has previously and consistently opposed these and other unreasonable limitations on the fair administration of justice in courts. CEQA actions are already entitled to calendaring preference “over all other civil actions” in both the superior courts and the Courts of Appeal pursuant to section 21167.1(a) of the Public Resources Code. Imposing the 270-day expedited judicial review timeline on top of existing calendar preferences is arbitrary and likely to be unworkable in practice. This limited timeframe is especially restrictive if the court of appeal or the California Supreme Court must also decide some portion of a CEQA case. Even assuming that no extensions of time are granted for any aspect of the proceedings, it takes an estimated six months to get a case to hearing in the superior court, plus the additional time for the judge to decide and issue a decision.

When everything is a priority, nothing is a priority. The courts are overwhelmed with the task of managing complicated calendars with myriad cases – each of which often comes with delays due to extension requests by counsel – but with finite resources and finite hours in the day. As with other legislation creating or prioritizing calendaring preferences, the expedited judicial review requirements proposed by AB 2125 for an unknown number of fire station projects will likely have an adverse impact on other cases in the courts, so 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. This means that those other cases – including statutorily mandated calendar preferences, such as juvenile cases, criminal cases, civil cases in which a party is at risk of dying, wage theft cases, election issues – will likely take longer to be calendared and adjudicated.

The Associated General Contractors, California Chapters and the Western Electrical Contractors Association oppose the bill because it conditions the provisions of the bill on the use of project labor agreements (PLAs).

¹² Joint Informational Hearing of Ass. and Sen. Comm. on Judiciary: *COVID and the Courts: Assessing the Impact on Access to Justice, Identifying Best Practices, and Plotting the Path Forward* (Feb. 23, 2021) Background Paper, https://sjud.senate.ca.gov/sites/sjud.senate.ca.gov/files/background_paper_-_ajud_and_sjud_feb_23_2021_joint_informational_hearing_-_covid_and_the_courts.pdf.

Todd Gloria, Mayor of the City of San Diego writes in support stating:

Fire stations are critical public safety infrastructure, yet the delivery of these projects is often delayed by litigation timelines that extend far beyond my control. These delays increase construction costs, defer service improvements, and ultimately impact response times for residents in need. AB 2152 offers a carefully balanced framework to expedite judicial review while ensuring projects avoid sensitive environmental areas and adhere to robust mitigation standards.

SUPPORT

Todd Gloria, Mayor of the City of San Diego
State Budling and Construction Trades Council

OPPOSITION

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

RELATED LEGISLATION

Pending Legislation:

AB 839 (Blanca Rubio, 2025) would authorize the Governor to certify up to three sustainable aviation fuel projects making them eligible for expedited administrative and judicial review under CEQA, as provided. AB 839 is set to be heard in this Committee on the same day as this bill.

AB 2231 (Ahrens, 2026) would make an environmental leadership hospital campus project eligible for streamlined administrative review and expedited judicial review under CEQA, as provided. AB 2231 is set to be heard in this Committee on the same day as this bill.

Prior Legislation:

SB 676 (Limón, Ch 550, Stats. 2025) *see* Comment 3), above.

AB 3265 (Bryan, Ch. 255, Stats. 2024) *see* Comment 3), above.

SB 149 (Caballero, Ch. 60; Stats. 2023 *see* Comment 4), above.

SB 7 (Atkins, Ch. 19; Stats. 2021) *see* Comment 3), above.

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SB 44 (Allen, Ch. 663; Stats. 2021) *see* Comment 3), above.

AB 900 (Buchanan, Ch. 354, Stats. 2011) *see* Comment 3), above.

PRIOR VOTES

Senate Environmental Quality Committee (Ayes 7, Noes 0)

Assembly Floor (Ayes 74, Noes 1)

Assembly Appropriations Committee (Ayes 11, Noes 0)

Assembly Emergency Management Committee (Ayes 6, Noes 1)

Assembly Natural Resources Committee (Ayes 13, Noes 0)
