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AB-623 Fire prevention projects: California Environmental Quality Act: coastal development permits: exemptions. (2025-2026)

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AMENDED IN ASSEMBLY APRIL 21, 2025

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 623

Introduced by Assembly Member Dixon

February 13, 2025

An act to amend Section 30600 of, and to add ~~Section~~ *Sections* 21080.08 *and 21080.36* to, the Public Resources Code, relating to fire prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 623, as amended, Dixon. ~~Fuel modification and reduction~~ *Fire prevention* projects: California Environmental Quality Act: coastal development permits: exemptions.

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report 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. CEQA also 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.

This bill would exempt a fuel modification project to maintain defensible space of ~~100~~ *500* feet from each side and from the front and rear of a building or structure and a fuel reduction project to prevent and contain the spread of wildfires from the requirements of CEQA. *The bill would also exempt an electrical grid resilience or hardening project from the requirements of CEQA.* Because a lead agency would be required to determine whether a project qualifies for ~~this exemption~~, *these exemptions*, the bill would impose a state-mandated local program.

(2) The California Coastal Act of 1976, among other things, requires anyone 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 from the California Coastal Commission or a local government, as provided. Existing law exempts certain emergency work and emergency projects from these requirements, as specified.

This bill would exempt a fuel modification project to maintain defensible space of ~~100~~ 500 feet from each side and from the front and rear of a building or structure and a fuel reduction project to prevent and contain the spread of wildfires from these requirements.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 21080.08 is added to the Public Resources Code, to read:

21080.08. Except as specified in Section 4799.05, this division does not apply to a fuel modification project to maintain defensible space of ~~100~~ 500 feet from each side and from the front and rear of a building or structure or a fuel reduction project to prevent and contain the spread of wildfires.

SEC. 2. *Section 21080.36 is added to the Public Resources Code, to read:*

21080.36. *This division does not apply to an electrical grid resilience or hardening project.*

~~SEC. 2.~~**SEC. 3.** Section 30600 of the Public Resources Code is amended to read:

30600. (a) Except as provided in subdivision (e), and in addition to obtaining any other permit required by law from a local government or from a state, regional, or local agency, a person, as defined in Section 21066, wishing to perform or undertake any development in the coastal zone, other than a facility subject to Section 25500, shall obtain a coastal development permit.

(b) (1) Before certification of its local coastal program, a local government may, with respect to any development within its area of jurisdiction in the coastal zone and consistent with Sections 30604, 30620, and 30620.5, establish procedures for the filing, processing, review, modification, approval, or denial of a coastal development permit. Those procedures may be incorporated and made a part of the procedures relating to any other appropriate land use development permit issued by the local government.

(2) A coastal development permit from a local government shall not be required by this subdivision for a development on tidelands, submerged lands, or on public trust lands, whether filled or unfilled, or for a development by a public agency for which a local government permit is not otherwise required.

(c) If before certification of its local coastal program, a local government does not exercise the option provided in subdivision (b), or a development is not subject to the requirements of subdivision (b), a coastal development permit shall be obtained from the commission or from a local government as provided in subdivision (d).

(d) After certification of its local coastal program or pursuant to Section 30600.5, a coastal development permit shall be obtained from the local government as provided for in Section 30519 or Section 30600.5.

(e) This section does not apply to any of the following projects, except that notification by the agency or public utility performing any of the following projects shall be made to the commission within 14 days from the date of the commencement of the project:

(1) Immediate emergency work necessary to protect life or property or immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code.

(2) Emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway, as defined in Section 360 of the Vehicle Code, except for a highway designated as an official state scenic highway pursuant to Section 262 of the Streets and Highways Code, within the existing right-of-way of the highway, damaged as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, within one year of the damage. This paragraph does not exempt from this section a project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.

(3) A fuel modification project to maintain defensible space of ~~100~~ 500 feet from each side and from the front and rear of a building or structure.

(4) A fuel reduction project to prevent and contain the spread of wildfires.

~~SEC. 3.~~**SEC. 4.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.