

Date of Hearing: April 28, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

AB 1409 (Levine) – As Introduced February 19, 2021

Policy Committee:	Local Government	Vote:	8 - 0
	Emergency Management		6 - 0

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

SUMMARY:

This bill requires each local jurisdiction to review the safety element of a local hazard mitigation plan and update the plan as necessary to identify evacuation locations. Specifically, this bill:

- 1) Requires, upon the next revision of a local hazard mitigation plan on or after January 1, 2022, or, if a local jurisdiction has not adopted a local hazard mitigation plan, beginning on or before January 1, 2022, the safety element be reviewed and updated as necessary to identify evacuation locations under disasters scenarios.
- 2) Allows a county or city that has adopted a local hazard mitigation plan, emergency operations plan or other document that fulfills commensurate goals and objectives to use the information from the document in the safety element to comply with this section and, in that case, summarize and incorporate the other plan or document into the safety element.

FISCAL EFFECT:

No state costs. Local costs associated with this bill are not reimbursable by the state because local agencies have the authority to levy fees to cover general plan updates.

COMMENTS:

- 1) **Purpose.** This bill seeks to improve safety during local emergencies by requiring local jurisdictions to review and update the safety elements of their general plans to proactively identify viable evacuation locations under a range of emergency scenarios.
- 2) **Background.** The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries that bears a relation to the city's or county's planning. Existing law requires the general plan to include a safety element that addresses, among other things, evacuation routes related to identified fire and geologic hazards.

The safety element of the general plan is the major tool for identifying hazards that should be considered in preparing the land use element and the other elements of the general plan. These policies and plans are usually supported by detailed maps of fault zones, mudslides, flooding, dam collapse inundation areas, ground subsidence, vegetation density/slope combinations for fire risk, and other safety-related concerns.

Every county containing a State Responsibility Area (SRA) and any city or county containing a Very High Fire Hazard Severity Zone (Zone) must submit its safety element for review and comment by the State Board of Forestry and Fire Protection and any local agencies that provide fire protection to the city or county.

This bill builds on recent legislation requiring cities and counties to identify evacuation routes in their safety elements by requiring every city and county to also identify viable evacuation locations where residents can shelter in place during an emergency.

- 3) **Prior Legislation.** AB 747 (Levine), Chapter 681, Statutes of 2019, required each city or county to review and update its safety element to identify evacuation routes and their capacity, safety and viability under a range of emergency scenarios.

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