

Date of Hearing: April 28, 2025

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

AB 986 (Muratsuchi) – As Amended March 24, 2025

SUBJECT: State of emergency and local emergency: landslides and climate change

SUMMARY: This bill adds “landslide” and “preexisting conditions exacerbated by climate change” to the conditions constituting a state of emergency or a local emergency.

EXISTING LAW:

- 1) Under the California Emergency Services Act, establishes the California Office of Emergency Services (Cal OES) within the office of the Governor for the purpose of mitigating the effects of natural, manmade, or war-caused emergencies. (Government Code § 8550)
- 2) Authorizes the Governor to proclaim a state of emergency, when specified disaster conditions are met (Government Code § 8625 and 8558)
- 3) Authorizes local officials and local governments to proclaim a local emergency, when specified disaster conditions are met (Government Code § 8630)
- 4) Grants the Governor or local government who have proclaimed an emergency to exercise certain powers in response to that emergency (Government Code § 8571)
- 5) Under the California Emergency Services Act, defines a state of emergency to mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions such as, among others, air pollution, fire, flood, and storm. (Government Code § 8558)
- 6) Under the California Emergency Services Act, defines a local emergency to mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by conditions such as, among others, air pollution, fire, flood, and storm. (Government Code § 8558)

FISCAL EFFECT: Unknown. A fiscal committee has not heard this bill.

COMMENTS:

Purpose of the Bill: According to the author, “In recent decades, natural disasters in California have become more frequent and severe, due in part to climate change. On the Palos Verdes Peninsula, land movement that began gradually in the 1950s has accelerated to as much as four inches per week. This increased movement has displaced residents and threatens essential infrastructure, including roads, sewer lines, and utility systems. Despite the serious risks and costs posed by accelerating land movement, current law does not explicitly recognize them as qualifying events for state emergency assistance. AB 986 adds “landslides” and “conditions

exacerbated by climate change” to the list of qualifying events to give affected communities a clearer path to declare emergencies and take action to protect public safety and infrastructure.”

Equity: According to the author’s office, “Disasters have a disproportionate effect on vulnerable populations and communities. Without disaster assistance, low-income individuals often have a difficult time finding affordable temporary shelter.”

California Emergency Services Act: The California Emergency Services Act (ESA) was enacted in 1970, and established Cal OES within the Governor’s Office. The ESA gives the Governor authority to proclaim a state of emergency in an area affected or likely to be affected when: conditions of disaster or extreme peril exist; the Governor is requested to do so upon request from a designated local government official; or the Governor finds that local authority is inadequate to cope with the emergency. Local governments may also issue local emergency proclamations, which is a prerequisite for requesting the Governor’s Proclamation of a State of Emergency.

Current statute provides multiple examples of conditions that may constitute an emergency, including, but not limited to, earthquakes, fires, and floods. This bill would add landslide to that list. However, neither the Governor, when making a state of emergency declaration, and a city or county, when making a local emergency declaration, are limited to declaring a disaster for only the examples provided in statute. A catch-all statement in Government Code § 8558 (b) and (c) authorizes state of emergency and local emergency declarations for “other conditions,” as specified.

For example, while landslides are not currently listed as an example, the Governor declared a state of emergency for the City of Rancho Palos Verdes “due to the impacts of the acute acceleration of land movement on the provision of basic utility services” on September 3, 2024 that remains active at the time this analysis was published.

Emergency Preparedness and Response: Cal OES is responsible for addressing natural, technological, or manmade disasters and emergencies, and preparing the State to prevent, respond to, quickly recover from, and mitigate the effects of both intentional and natural disasters. As part of their overall preparedness mission, Cal OES is required to develop a State Emergency Plan (SEP), State Hazard Mitigation Plan (SHMP), and maintains Standardized Emergency Management System (SEMS) and the Emergency Management Mutual Aid System (EMMA). Cal OES, in coordination with FEMA and local partners, has developed four Catastrophic Plans to augment the State Emergency Plan.

California is a Disaster Prone State: Since 2018, 28 major federal disasters have been proclaimed in the State of California due to wildfires, floods, earthquakes, a hurricane, a tropical storm and a pandemic. These major disasters have taken a heavy toll on lives, homes, communities, and public infrastructure throughout the state. In the past three years alone, severe winter storms have caused more than a billion dollars in damages and the catastrophic fires in Los Angeles caused an estimated \$250 billion in damage and economic loss. These disasters came on the heels of the Covid-19 pandemic and unprecedented wildfires that lead to the deadliest wildfire in California’s history. The impacts of these disasters cannot be understated, many lives were lost, thousands of homes were destroyed, and residents, in some cases entire communities, have been forced to relocate. Billions of dollars in damage was caused to homes, businesses, and infrastructure

throughout the state. Many communities are now feeling the cumulative impact of several years of disasters and are still engaged in comprehensive, long-term recovery planning.

Recent Efforts to Add Conditions Constituting a State of Emergency or Local Emergency: In 2024, Senator Allen ran a substantively similar bill to add “landslide” to the conditions constituting a state of emergency or a local emergency (SB 1461). This bill died on the Assembly inactive file at the end of the 2023-2024 session.

In 2021, Senator Dodd and Assemblymember Levine each ran a bill that would have added a “deenergization event” to conditions that constitute a local emergency (AB 1403) and state of emergency (SB 52), respectively. SB 52 (Dodd) was signed by the Governor, while AB 1403 (Levine) was vetoed with the following message: “This legislation is unnecessary, as existing statute provides broad emergency authority when disaster conditions are met.” The following year, SB 468 (Dodd, Chapter 537, Statutes of 2022) added “electromagnetic pulse attack” to the list of conditions constituting a state of emergency or a local emergency and was signed by the Governor.

Role of Conditions Listed in the Emergency Service’s Act: The conditions that constitute a local or state of emergency are intended as frameworks and examples. They are not intended to be the only conditions that the Governor or local governments can use to declare an emergency. The To cover all other emergencies, the Act specifically includes “other conditions, other than conditions resulting from a labor controversy or conditions causing a ‘state of war emergency,’ which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat.”

Landslides: The California Geological Survey (CGS) classifies landslides based on the type of material (rock or soil) and the type of movement (falls, topples, spreads, slides, or flows).

- Rock: Hard or firm bedrock that was intact before the landslide.
- Soil: Unconsolidated particles or poorly cemented rock.

Landslide movements are interpreted from the geomorphic features of the landslide deposit and source area:

Falls: This type occurs when masses of rock or soil detach from a steep slope and descend rapidly. This includes rocks breaking off a cliff and falling.

Topples: This involves the forward rotation and fall of a mass of material, similar to how a tall structure might tilt and fall over.

Lateral Spreads: Typically triggered by earthquakes, these involve the horizontal movement of the ground, often due to liquefaction, where the ground behaves like a fluid.

Slides: These are characterized by the movement of material along one or more defined surfaces:

- Rotational Sliding: The sliding surface is curved, causing the displaced material to rotate backwards around an axis parallel to the slope, akin to scooping with a spoon.

- **Translational Sliding:** Here, the sliding surface is more or less flat, and the material moves parallel to the ground, similar to pushing a book across a table.

Flows: This type of movement involves materials, often saturated with water, flowing downslope like a viscous fluid. An example is a mudslide, where wet soil and debris flow down similarly to a thick liquid.

Landslide Mapping and Monitoring: The California Department of Conservation monitors and maps landslides across the state, providing regular updates on their website. In the 1970s, the CGS created "Geology for Planning" and "Environmental Geological Analysis" reports and maps for urban areas to help local agencies understand and manage landslide hazards as residential areas expanded into landslide-prone regions.

After the 1982 El Nino storms in the San Francisco Bay area, the Landslide Hazard Mapping Act required new maps showing landslide risks. From 1986 to 1995, CGS produced Landslide Hazard Identification Maps for local government planners. Each study area typically included a set of three to four maps based on a USGS 7.5-minute topographic quadrangle map. Current active landslide programs at CGS include the Forest and Watershed Geology Program, the Seismic Hazards Program, and the Highway Corridor Landslide Hazard Mapping as well as any technical reports and disaster response efforts.

CGS provides technical input and advice to Cal OES during and after major landslide events and wildfires to anticipate post-fire debris flows. They produce reports for OES and local emergency agencies to help evaluate ongoing hazards and plan recovery efforts.

Climate Change: Unfortunately, it is becoming easier to anticipate warmer-than-average conditions due to climate change. The heat contributes to a thirstier atmosphere, plants, and soils, which increases demand and reduces runoff that flows into reservoirs. Record-breaking heat waves, a vanishing Sierra snowpack, and life-threatening historic wildfires demonstrate that California's climate emergencies are growing with frequency and intensity.

Arguments in Support: According to the City of Rancho Palos Verdes, "AB 986 expands the definition of disasters constituting a state of emergency or a local emergency under the California Emergency Services Act to include landslides and conditions exacerbated by climate change. By doing so, the bill gives affected communities a clearer path to declare emergencies and take action to protect public safety and infrastructure."

Prior Legislation:

SB 1461 (Allen, 2024) would have added "landslide" to the conditions constituting a state of emergency or a local emergency, as specified. (Died on Assembly inactive file.)

AB 1786 (Rodriguez, 2024) among other things, would have added "climate change" and "climate change exacerbated conditions" to the list of conditions for which a state of emergency or local emergency may be proclaimed. (Held in the Assembly Committee on Appropriations)

SB 468 (Dodd, Chapter 537, Statutes of 2022) added "electromagnetic pulse attack" to the list of conditions constituting a state of emergency or local emergency.

SB 52 (Dodd, Chapter 597, Statutes of 2021) added a “deenergization event” to the list of those conditions constituting a local emergency, with prescribed limitations.

AB 1403 (Levine, 2021) would have added “deenergization event” to the list of conditions constituting a state of emergency and local emergency, as specified. (Vetoed by Governor Newsom)

REGISTERED SUPPORT / OPPOSITION:**Support**

City of Rancho Palos Verdes (Sponsor)
League of California Cities
Los Angeles County Sanitation Districts

Opposition

None on file.

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