

Date of Hearing: June 30, 2025

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

SB 629 (Durazo) – As Amended May 1, 2025

SENATE VOTE: 29-3

SUBJECT: Wildfires: fire hazard severity zones: defensible space, vegetation management, and fuel modification enforcement

SUMMARY: This bill requires fire hazard severity zones (FHSZ), in addition to existing criteria, to be based on areas burned by wildfires and areas at risk for urban conflagration, as specified, and requires local agencies to adopt ordinances with the FHSZ map updates, as specified. Additionally, this bill requires an enforcement entity, as specified, to ensure annual compliance with defensible space, vegetation management, and fuel mitigation requirements. Specifically, **this bill:**

- 1) Requires the SFM, when identifying areas in the state as moderate, high, and very high FHSZs based on fuel loading, slope, fire weather, and other relevant factors such as winds, as specified, to also consider areas burned in a wildfire and areas beyond an ember cast where structures may serve as the fuel source, as specified.
- 2) Requires the SFM to, at least 60 days before finalizing the designations described above, publish the model and methodology used to develop the FHSZs on its internet website, as specified.
- 3) Defines “area burned in a wildfire” as any land area included within the perimeter of a wildfire, as shown on an incident map posted on the internet website of Cal FIRE, that burned 1,000 or more acres, destroyed more than 10 structures, or resulted in one or more fatalities.
- 4) Defines “state fire protection standards” to include a list of codes and regulations, as specified.
- 5) Requires a city or county to designate, by ordinance, any area burned in a wildfire after the year 2024, in its jurisdiction as a very FHSZ within 120 days of the wildfire reaching 100% containment, or by May 1, 2026, whichever is later.
- 6) Authorizes, as part of the ordinance adopted, a city or county to, at its discretion, do any of the following:
 - a) Include areas within the jurisdiction of the city and county that were not burned in a wildfire as a very high FHSZ if the city or county makes a finding supported by substantial evidence in the record that any of the state fire protection standards are necessary for fire protection within the area.
 - b) Include areas within the jurisdiction of the city and county that were burned in a wildfire as moderate and high FHSZs, respectively.

- c) Exclude areas within the jurisdiction of the city and county that were burned in a wildfire and that would otherwise be designated within the very high FHSZ following a finding supported by clear and convincing evidence in the record that none of the state fire protection standards are necessary for effective fire protection within the area, as specified.
- 7) Requires a city or county, at least 60 days before adopting an ordinance to transmit a draft of the ordinance to the Office of the SFM and to every local agency that provides fire protection to any area within the jurisdiction of the city or county, as specified.
- 8) Requires the SFM to review the draft ordinance and authorizes the office to recommend changes within 60 days of its receipt regarding whether the ordinance is in compliance, as specified.
- 9) Authorizes a local agency that provides fire protection to any area within the jurisdiction of the city or county to review the draft ordinance and authorizes recommended changes to the city or county within 60 days of its receipt regarding whether the ordinance is in compliance, as specified.
- 10) Requires a city or county, before adopting a draft ordinance, to consider any recommendations made by the SFM and any local agency that provides fire protection to any area within the jurisdiction of the city or county, as specified, and communicate in writing to the SFM or local agency its reasoning if any recommendations are not accepted, as specified.
- 11) Authorizes the SFM, if a city or county does not adopt recommended changes from the office concerning its draft ordinance, to, within 15 days of receipt of the city's or county's written response, request in writing, a consultation with the city or county to discuss the recommendations and the city's or county's response, as specified.
- 12) Prohibits a city or county from adopting the draft ordinance if the SFM requests a consultation pursuant to above until the consultation occurs, as specified.
- 13) Authorizes a city or county to act without those recommendations from the SFM or a local agency that provides fire protection to any area within the jurisdiction, as specified, if the recommendations are not available within the above time limits, as specified.
- 14) Requires a city or county to send a copy of an ordinance adopted pursuant to this bill to the SFM within 30 days of adoption.
- 15) Authorizes the SFM, if, following the consultation described above, a city or county adopts the draft ordinance without the changes proposed by the SFM, to allege to the Attorney General (AG) that the city or county is in violation of state law, as specified.
- 16) Requires a city or county to amend a map, as specified, pursuant to the adopted ordinance and to post a notice at the office of the county recorder, county assessor, and county planning agency identifying the location of the amended map, as specified.
- 17) Specifies that nothing in this bill shall be construed to authorize a city or county to exclude any area designated as a FHSZ, as specified.

- 18) Requires an enforcing agency, beginning January 1, 2027, to establish, fund, and implement an enforcement program to verify ongoing compliance, within the enforcing agency's jurisdiction, with the defensible space, vegetation management, and fuel modification requirements established, as specified.
- 19) Authorizes the enforcing agency to charge a fee sufficient to cover the costs of administering the program and providing any inspection conducted by the enforcing agency.
- 20) Requires the enforcing agency to, at a minimum, annually inspect and document compliance for each affected property or structure.
- 21) Requires the enforcing agency to submit data on defensible space inspections and compliance pursuant to this bill to the defensible space and home hardening assessment reporting platform established by the Director of Forestry and Fire Protection (Cal FIRE), as specified.
- 22) Authorizes an enforcing agency that adopts a finding, based on substantial evidence in the record and before January 1, 2027, that demonstrates adequate progress to delay compliance with the requirement to document compliance annually until no later than January 1, 2029.

EXISTING LAW:

- 1) Establishes the State Fire Marshal (SFM) as a component of the Department of Forestry and Fire Protection (CAL FIRE) to foster, promote, and develop ways and means of protecting life and property against fire and panic. (Health & Safety Code Section 13100 – 13100.1)
- 2) Requires the SFM to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. (Government Code Section 51178 & Public Resources Code Section 4202)
- 3) Establishes the Board of Forestry and Fire Protection (Board) to determine, establish, and maintain an adequate forest policy for the state, and protect all wildland forest resources in California that are not under federal jurisdiction. (Public Resources Code Section 740)
- 4) Requires the Board to classify all lands within the state, without regard to any classification of lands made by or for any federal agency or purpose, for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state, commonly referred to as the "State Responsibility Area." (Public Resources Code Section 4125 (a))
- 5) Provides that the following areas are not to be included in the State Responsibility Area:
 - a) Lands owned or controlled by the federal government or any agency of the federal government; and
 - b) Lands within the exterior boundaries of any city, except a city and county with a population of less than 25,000 if, at the time the city and county government is established, the county contains no municipal corporations, typically referred to as a local responsibility area. (Public Resources Code Section 4127)

- 6) Requires the SFM, by regulation, to designate FHSZs and assign to each zone a rating reflecting the degree of severity of fire hazard that is expected to prevail in the zone. Provides that no designation of a zone and assignment of a rating shall be adopted by the SFM until the proposed regulation has been transmitted to the board of supervisors of the county in which the zone is located at least 45 days before the adoption of the proposed regulation and a public hearing has been held in that county during that 45-day period. (Public Resources Code Section 4203)
- 7) Requires the SFM to periodically review zones designated and rated pursuant to current law and, as necessary, revise FHSZs or their ratings or repeal the designation of FHSZs. (Public Resources Code Section 4204)
- 8) Requires the Board to establish standards, based upon its determination of conditions which create an unreasonable hazard to life or property from fire, for what constitutes a hazardous condition in those instances not covered by state law. Such standards shall be established for each of CAL FIRE's administrative districts after public hearing for which ample publicity is given. (Public Resources Code Section 4173)
- 9) Authorizes the Board, upon the written petition of the owners or authorized agents of more than 50% of the land, including public land, within the exterior boundaries of any area of not less than 10,000 acres in size, upon which a fire hazard exists due to the presence of flammable material or cover, to designate such area as a hazardous fire area, and requires the Board to declare the period of time during which the area shall be so designated. (Public Resources Code Section 4251)
- 10) Requires the Board to adopt regulations implementing minimum fire safety standards related to defensible space that are applicable to SRA lands under the authority of CAL FIRE, and to lands classified and designated as VHFHSZs. (Public Resources Code Section 4290)
- 11) Requires the Board to develop and maintain a "Fire Risk Reduction Community" list of agencies, communities, and neighborhoods located in the SRA or a VHFHSZ that meet best practices for fire hazard planning. (Public Resources Code Section 4290.1)
- 12) Requires a person who owns or operates a building or structure in specified lands with flammable materials to maintain defensible space of 100 feet from each side of the structure. Requires the Board to develop and update guidance for fuels management for defensible space compliance. Requires the SFM to make recommendations to the Board on vegetation management, and make reasonable efforts to provide notice to affected residents. (Public Resources Code Section 4291)
- 13) Requires CAL FIRE to establish a local assistance grant program for fire prevention and home hardening education activities in California, requires the local assistance grant program to establish a robust year-round fire prevention effort in and near fire-threatened communities that focuses on increasing the protection of people, structures, and communities. (Public Resources Code Section 4124.5)

FISCAL EFFECT: According to the Senate Committee on Appropriations:

The Department of Forestry and Fire Protection (CAL FIRE) reports total costs of \$146 million in year one, \$125 million in year two, and \$116 million in year three and ongoing (General Fund) for a significant number of additional staff and equipment to conduct defensible space inspections of private property within state responsibility areas (SRAs) and to collect and analyze data on damaged and destroyed structures. Other costs include contracting costs with risk modeling vendors and staff time to review and respond to local ordinances.

Unknown state reimbursable mandate costs ranging from minor to potentially significant (General Fund). By requiring cities or counties to designate, by ordinance, any area burned in a wildfire in its jurisdiction as a very high FHSZ within a specified timeframe, this bill creates a state-mandated local program. To the extent the Commission on State Mandates determines that the provisions of this bill create a new program or impose a higher level of service on local agencies, local agencies could claim reimbursement of those costs.

Unknown, potentially significant costs for local enforcing agencies to ensure compliance with defensible space, vegetation management, and fuel modification requirements. However, the bill authorizes enforcing agencies to charge a fee sufficient to cover their administrative and investigatory costs, so these costs are not considered reimbursable by the state.

COMMENTS:

Purpose of the bill: According to the author, “SB 629 is one of the 13 bills in the Senate’s fire response, recover, rebuilding and prevention package. Following the devastating Los Angeles firestorm and as California continues to face a year-round fire season it is clear that we must harden California’s defenses against future disasters. To help do that, SB 629 does three things:

- 1) It requires cities and counties to designate areas that burned in a wildfire within a post-wildfire safety area which triggers the Wildland Urban Interface (WUI) building code and defensible space maintenance requirements, as well as other fire safety regulations.
- 2) It directs the State Fire Marshal to include modeling for urban conflagrations in the next update of the fire maps.
- 3) It mandates that defensible space inspections occur annually for each property in the State Responsibility Area, Very High Fire Hazard Severity Zone and post-wildfire safety area to ensure that property owners are taking action to protect their community.”

Equity Impact: According to the author’s office, “Wildfires disproportionately impact low-income communities and communities of color due to a combination of factors including pre-existing health and economic vulnerabilities, and system barriers. These communities often face greater exposure to wildfire smoke, limited access to resources for preparedness and recovery, and are more likely to experience job loss and displacement.”

Background: Throughout California’s history the state has contended with destructive wildfires impacting communities that were constructed amongst or adjacent to timber and chaparral forests. These areas, commonly referred to as the “wildland urban interface,” have long been

considered some of the most fire-prone areas in the state. In the last decade, unprecedented wildfires led to the deadliest wildfire in California's history. The impacts of these wildfires 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.

The confluence of a changing climate, urbanization, and constraints on forest management has added urgency to the need to enhance our strategy to address this threat. The Legislature has made substantial investments to continue strengthening forest and wildfire resilience statewide to mitigate the ongoing impact of climate change on California's wildlands, as it continues to drive critically dry fuel conditions and longer, more severe fire seasons. The 2021 and 2022 Budget Acts committed \$2.8 billion over four years to continue strengthening forest and wildfire resilience statewide to mitigate the ongoing impact of climate change on California's wildlands continues to drive critically dry fuel conditions and longer, more severe fire seasons.

In recent years, an increasing number of wildfires have burned outside of wildland areas and into more urban settings. While persons living in forested areas and those in the wildland urban interface, have long faced significant risks from wildfires, as a result of climate change, more Californians face wildfire risks than ever before.

Many of these areas have been classified by the Department of Forestry and Fire Protection as belonging to "very high fire hazard severity zones." As a result of this designation, the properties within a very high fire hazard zone are subject to the strictest requirements from the building codes, "Fire Safe" regulations, and defensible space requirements. Properties not immediately in the wildland urban interface but subject to fire risks are now characterized as being in "high fire hazard severity zones."

Wildfires: Wildfires are a severe and growing threat to lives, property, and infrastructure in California. The confluence of a changing climate, urbanization, and constraints on forest management has added urgency to the need to enhance our strategy to address this threat. California's Fourth Climate Change Assessment projects that by 2100, if climate change continues on this trajectory, the frequency of extreme wildfires would increase, and the average area burned statewide would increase by 77 percent.

Wildfires that threaten thousands of homes are now an annual occurrence, as autumn days with severe fire-weather prone weather have more than doubled in California since the 1980s. Over the last four decades, the wildfires have increased in size and intensity with five of the eight largest fires in California history occurring in 2020 alone. Of the remaining three, two of the largest fires occurred since 2020. Additionally, 15 of California's 20 most destructive fires have occurred in the past decade. Collectively, these most recent fires have resulted in 180 deaths and the loss of 57,483 structures (homes, outbuildings, and commercial properties).

In Cal FIRE's 2020 Fire Siege Report, the Director states, "at the end of 2020, we closed the book on, arguably, the worst fire year ever experienced on the west coast, and specifically in California. Since 2015, the term "unprecedented" has been used year over year as conditions have worsened, and the operational reality of a changing climate sets in. In California, the 2020 Fire Siege claimed the lives of 28 civilians and three firefighters, destroyed 9,248 structures and consumed 4.2 million acres. While fewer wildfires threatened California in 2023 due to the increased number of weather events and atmospheric rivers, the vegetative growth from the

significant rainfall contributed to devastating wildfires in 2024 and 2025. In 2024, the Park Fire became the fourth-largest fire in California's history. Despite aggressive initial attack suppression efforts, the fire rapidly expanded, ultimately consuming 429,603 acres across Butte and Tehama counties. The Park Fire led to the destruction of 709 structures and damage to 54 others, prompting widespread evacuations and the temporary closure of Lassen Volcanic National Park. In 2025, Los Angeles County experienced two of the most destructive wildfires in history (discussed below).

Palisades and Eaton Fires: At its height, the fires placed an estimated 331,335 people on an evacuation advisory, with nearly 192,000 residents facing mandatory evacuation and roughly 140,000 subject to warnings. The blazes burned a combined 37,469 acres and leveled entire communities in the Pacific Palisades and Altadena neighborhoods of LA County.

The Eaton Fire became the second most destructive fire in California history after destroying 9,418 buildings. The Palisades Fire is the third most destructive fire in state history with 6,837 structures destroyed. As firefighters were battling the largest conflagrations, additional fires broke out in the Los Angeles area. Crews were able to stop the forward spread and contain the blazes. These fires included the Lidia, Archer, Woodley, Sunset, Kenneth, Hurst and Auto fires, which burned close to 2,400 acres between them.

Two weeks after the initial fires, the Hughes Fire began near Castaic Lake in northern Los Angeles County on January 22 and quickly grew to over 10,000 acres. It was fully contained on January 30 after covering 10,425 acres.

Fire Hazard Severity Zones (FHSZ): As referenced above, Public Resource Code 4202 requires the SFM to classify lands within state responsibility areas into fire hazard severity zones. Each zone shall embrace relatively homogeneous lands and shall be based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the department as a major cause of wildfire spread. Under Government Code 51178, the SFM is required to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the SFM as a major cause of wildfire spread.

How are FHSZs determined?: According to CAL FIRE, "the best available science and data were used to develop and field test a model that now serves as the basis of zone assignments. The model evaluated the probability of the area burning and potential fire behavior in the area. Many factors were included such as fire history, vegetation, flame length, blowing embers, proximity to wildland, terrain, and weather."

Committee Amendments:

These Committee Amendments were drafted in consultation with the author's office. The primary changes to this bill include:

- 1) Instead of requiring a VHFHSZ map be amended, now requires the SFM to designate any area within a wildfire burn scar as a post-wildfire safety area and transmit the new map to a local agency, as specified.

- 2) Requires the state fire protection standards, as specified, to now apply to the post-wildfire safety areas.
- 3) Removes the ordinance requirement as well as the associated recommendations and consultation process.
- 4) Requires a local agency to, upon receipt of the new map, post a notice at the office of the county recorder, county assessor, and city or county planning agency identifying the location of the post-wildfire safety area within 10 business days
- 5) Requires the new map to be posted to the local agency's Internet website, as specified.
- 6) Requires the safety element of a local agency's general plan to be reviewed and updated, as necessary, to address the risk of fire for land classified as a post-wildfire safety area.
- 7) Replaces the enforcement program with a wildfire community safety program tasked with educating community members in addition to verifying ongoing compliance, as specified.

The amendments are as follows:

Amendment 1

In the title, in line 1, strike out "Section" and insert:
Sections

Amendment 2

In the title, in line 1, after "51178" insert:
and 65302

Amendment 3

On page 5, between lines 9 and 10, insert:

(4) Areas where agricultural land affects fire hazard.

Amendment 4

On page 5, between lines 28 and 29, insert:

(2) "Post-wildfire safety area" means an area burned in a wildfire as designated pursuant to subdivision (b).

Amendment 5

On page 5, in line 29, strike out "(2)" and insert:

(3)

Amendment 6

On page 6, in line 3, after "(b)" insert:

(1)

Amendment 7

On page 6, in lines 3 and 4, strike out “a city or county shall designate, by ordinance,” and insert:
the State Fire Marshal shall designate

Amendment 8

On page 6, in line 5, strike out “in its jurisdiction”

Amendment 9

On page 6, in line 5, strike out “very high fire hazard severity zone” and insert:
post-wildfire safety area and shall transmit a map of the post-wildfire safety area to any local
agency with jurisdiction over territory in the designated area

Amendment 10

On page 6, in line 6, strike out “120” and insert:
90

Amendment 11

On page 6, strike out lines 8 to 40, inclusive, strike out page 7, on page 8, strike out lines 1 to 5,
inclusive, and insert:

(2) The designation of a post-wildfire safety area by the State Fire Marshal pursuant to this
subdivision shall be exempt from the rulemaking provisions of Chapter 3.5 (commencing with
Section 11340) of Part 1 of Division 3 of Title 2.

(c) The local agency shall, within 10 business days of receiving the map transmitted pursuant to
subdivision (b), and in a manner consistent with subdivision (g) of Section 51179, post a notice
at the office of the county recorder, county assessor, and city or county planning agency
identifying the location of the post-wildfire safety area. The map of the post-wildfire safety area
shall also be posted on the internet website of the local agency.

(d) The designation of a post-wildfire safety area pursuant to subdivision (b) shall trigger the
application of the state fire protection standards in a post-wildfire safety area 30 days following
the transmission of the map by the State Fire Marshal pursuant to subdivision (b).

(e) A city or county with territory in a post-wildfire safety area shall comply with paragraph (3)
of subdivision (g) of Section 65302 according to the schedule provided in that subdivision.

Amendment 12

On page 8, in line 11, strike out “concrete” and insert:
Progressive

Amendment 13

On page 8, in line 12, strike out “enforcement” and insert:
wildfire community safety

Amendment 14

On page 8, in line 18, strike out “an enforcement” and insert:
a wildfire community safety

Amendment 15

On page 8, in line 18, after “to” insert:
educate community members and

Amendment 16

On page 8, in line 38, after “shall” insert:
educate community members and

Amendment 17

On page 8, in line 40, after the period insert:
If access to an affected property is limited or an inspection is deemed an act of trespassing on private property, the enforcing agency may provide notice to the affected property and may use alternative methods to conduct the inspection, including, but not limited to, the use of aerial imagery or other technologies.

Amendment 18

On page 9, in line 1, after “submit” insert:
information on the implementation of the wildfire community safety program, including

Amendment 19

On page 9, in line 2, strike out “section” and insert:
section,

Amendment 20

On page 9, between lines 11 and 12, insert:

SEC. 5. Section 65302 of the Government Code is amended to read:

65302. The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

(a) A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, greenways, as defined in Section 816.52 of the Civil Code, and other categories of public and private uses of land. The location and designation of the extent of the uses of the land for public and private uses shall consider the identification of

land and natural resources pursuant to paragraph (3) of subdivision (d). The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify and annually review those areas covered by the plan that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources. The land use element shall also do both of the following:

(1) Designate in a land use category that provides for timber production those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982 (Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5).

(2) Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace.

(A) In determining the impact of new growth on military readiness activities, information provided by military facilities shall be considered. Cities and counties shall address military impacts based on information from the military and other sources.

(B) The following definitions govern this paragraph:

(i) "Military readiness activities" mean all of the following:

(I) Training, support, and operations that prepare the members of the military for combat.

(II) Operation, maintenance, and security of any military installation.

(III) Testing of military equipment, vehicles, weapons, and sensors for proper operation or suitability for combat use.

(ii) "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States Department of Defense as defined in paragraph (1) of subsection (e) of Section 2687 of Title 10 of the United States Code.

(b) (1) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

(2) (A) Commencing January 1, 2011, upon any substantive revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.

(B) Upon any substantive revision of the circulation element on or after January 1, 2025, the legislative body shall do all of the following:

(i) Incorporate the principles of the Federal Highway Administration's Safe System Approach, in the circulation element by including policies that aim to eliminate fatal and serious injuries for all road users through a holistic view of the roadway system, including provisions that account for human error, recognize vulnerable road users, and promote redundant and proactive safety measures.

(ii) Develop bicycle plans, pedestrian plans, and traffic calming plans based on the policies and goals in the circulation element that shall address all of the following for any urbanized area within the scope of the general plan:

(I) Identify safety corridors and any land or facility that generates high concentrations of bicyclists or pedestrians.

(II) Use evidence-based strategies, including strategies identified in the United States Department of Transportation's Strategic Highway Safety Plan to develop safety measures specific to those areas that are intended to eliminate traffic fatalities, with an emphasis on

fatalities of bicyclists, pedestrians, and users of any other form of micromobility device in the areas identified in subclause (I).

(III) Set goals for initiation and completion of all actions identified in the plans within 25 years of the date of adoption of the modified circulation element based upon projected development activities within urbanized areas within the scope of the general plan and projected availability of revenues.

(C) (i) A county or city shall begin implementation of the modified circulation element plan specified in subparagraph (B) within two years of the date of adoption of the plan.

(ii) A county or city shall regularly review the progress towards and identify impediments to completing implementation of the plan for a multimodal transportation network, including all bicycle plans, pedestrian plans, and traffic calming plans iterated in the modified circulation element, and the construction of any related infrastructure.

(iii) A county or city shall consider revising the circulation element if, following the review under clause (ii), the county or city determines it will not reach the goals of the bicycle, pedestrian, or traffic calming plans within 25 years of the date of adoption of the modified circulation element.

(D) For the purposes of this paragraph, the following definitions shall apply:

(i) “Business activity district” has the same meaning as defined in Section 22358.9 of the Vehicle Code.

(ii) “Land facilities that generate high concentrations of bicyclists or pedestrians” has the same meaning as described in Section 22358.7 of the Vehicle Code.

(iii) “Micromobility device” means a bicycle, electric bicycle, or motorized scooter as those terms are defined and described in Division 1 (commencing with Section 100) of the Vehicle Code.

(iv) “Safety corridor” has the same meaning as defined in Section 22358.7 of the Vehicle Code.

(v) “Urbanized area” has the same meaning as defined in Section 21071 of the Public Resources Code.

(E) For purposes of this paragraph, “users of streets, roads, and highways” mean bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.

(c) A housing element as provided in Article 10.6 (commencing with Section 65580).

(d) (1) A conservation element for the conservation, development, and utilization of natural resources, including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on the movement of wildlife and habitat connectivity. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies, including flood management, water conservation, or groundwater agencies that have developed, served, controlled, managed, or conserved water of any type for any purpose in the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county.

(2) The conservation element may also cover all of the following:

(A) The reclamation of land and waters.

(B) Prevention and control of the pollution of streams and other waters.

- (C) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
- (D) Prevention, control, and correction of the erosion of soils, beaches, and shores.
- (E) Protection of watersheds.
- (F) The location, quantity, and quality of the rock, sand, and gravel resources.
- (3) Upon the next revision of the housing element on or after January 1, 2009, the conservation element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.
- (4) Upon the adoption or next revision of one or more elements on or after January 1, 2028, the conservation element shall be updated to:
 - (A) Identify and analyze connectivity areas, permeability, and natural landscape areas within the jurisdiction, as those terms are defined in Section 158 of the Streets and Highways Code.
 - (B) Identify and analyze existing or planned wildlife passage features, as defined in Section 158 of the Streets and Highways Code, including, but not limited to, wildlife passage features included in the inventory of connectivity needs on the state highway system, as described in Section 158.1 of the Streets and Highways Code, to ensure that planned development does not undermine the effectiveness of existing and potential wildlife passage features, as defined in Section 158 of the Streets and Highways Code.
 - (C) (i) Consider the impacts of development and the barriers caused by development to wildlife and habitat connectivity.
(ii) For the purposes of this subparagraph, “wildlife” has the same meaning as defined in Section 89.5 of the Fish and Game Code.
 - (D) Avoid, minimize, or mitigate impacts and barriers to wildlife movement to the extent feasible.
 - (E) Analyze and consider opportunities to remediate existing barriers to wildlife connectivity and restore degraded habitat and open space.
- (5) If a city, county, or city and county has already included policies in existing plans, including its certified local coastal plan, that meet the requirements of paragraph (4), the city, county, or city and county may incorporate the plan by reference into the general plan to comply with this section.
- (6) In preparing to update the conservation element, the city, county, or city and county may do any of the following:
 - (A) Consider incorporating appropriate standards, policies, and feasible implementation programs such as wildlife-friendly fencing and lighting, buffers from sensitive resources, prohibitions on invasive plants, habitat connectivity overlay zones, and compact development standards, or consider whether adoption of ordinances is necessary to feasibly implement these standards, policies, and implementation programs, and include goals to adopt any necessary ordinances.
 - (B) Consult with the Department of Fish and Wildlife, any California Native American tribe that is on the contact list maintained by the Native American Heritage Commission and that has traditional lands located within the city, county, or city and county’s jurisdiction, and any open-space district that owns lands designated for conservation within the city, county, or city and county’s jurisdiction. Upon receiving a request for consultation, the department, tribe, or district may, in its sole discretion, accept or refuse to consult, based on the priority of natural resources impacted or other factors.
 - (C) Consider relevant best available science as appropriate, including, but not limited to, peer-reviewed literature, citable publicly available datasets, publicly sourced online datasets, and information and reports from government agencies, California Native American tribes, and academic institutions.

(D) Consider the most appropriately scaled scientific information on linkages, corridors, and other locations that are essential to maintain landscape connectivity, including, but not limited to, any of the following:

(i) Habitat linkages and wildlife corridors, such as those identified and summarized in the Areas of Conservation Emphasis, as defined by subdivision (a) of Section 1851 of the Fish and Game Code, and in regional habitat connectivity assessments.

(ii) Wildlife corridors, such as migration corridors identified by global positioning system collar studies.

(iii) Wildlife movement barriers, such as connectivity areas, as defined by subdivision (a) of Section 158 of the Street and Highways Code, and barriers identified by the Department of Fish and Wildlife's Restoring California's Wildlife Connectivity report.

(iv) Other connectivity considerations, such as those outlined in the State Wildlife Action Plan, habitat conservation plans approved pursuant to Section 1539 of Title 16 of the United States Code, natural community conservation plans approved pursuant to Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code, regional conservation investment strategies approved pursuant to Chapter 9 (commencing with Section 1850) of Division 2 of the Fish and Game Code, and other relevant plans, policies, and ordinances adopted by neighboring jurisdictions.

(7) In preparing to update the conservation element, the city, county, or city and county may consult with other appropriate local, state, or federal agencies, or academic institutions, as deemed appropriate by the city or county.

(8) The city, county, or city and county may meet the requirements in paragraphs (4) through (6), inclusive, in a separate component or section of the general plan entitled a wildlife connectivity element.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560).

(f) (1) A noise element that shall identify and appraise noise problems in the community. The noise element shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

(A) Highways and freeways.

(B) Primary arterials and major local streets.

(C) Passenger and freight online railroad operations and ground rapid transit systems.

(D) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.

(E) Local industrial plants, including, but not limited to, railroad classification yards.

(F) Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment.

(2) Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average sound level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in subparagraphs (A) to (F) of paragraph (1), inclusive.

(3) The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise.

(4) The noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards.

(g) (1) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground

failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wildland and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.

(2) The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following:

(A) Identify information regarding flood hazards, including, but not limited to, the following:

(i) Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by FEMA. The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.

(ii) National Flood Insurance Program maps published by FEMA.

(iii) Information about flood hazards that is available from the United States Army Corps of Engineers.

(iv) Designated floodway maps that are available from the Central Valley Flood Protection Board.

(v) Dam failure inundation maps prepared pursuant to Section 6161 of the Water Code that are available from the Department of Water Resources.

(vi) Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.

(vii) Maps of levee protection zones.

(viii) Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.

(ix) Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.

(x) Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.

(xi) Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.

(B) Establish a set of comprehensive goals, policies, and objectives based on the information identified pursuant to subparagraph (A), for the protection of the community from the unreasonable risks of flooding, including, but not limited to:

(i) Avoiding or minimizing the risks of flooding to new development.

(ii) Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.

(iii) Maintaining the structural and operational integrity of essential public facilities during flooding.

(iv) Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.

(v) Establishing cooperative working relationships among public agencies with responsibility for flood protection.

(C) Establish a set of feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to subparagraph (B).

(3) Upon the next revision of the housing element on or after January 1, 2014, the safety element shall be reviewed and updated as necessary to address the risk of fire for land classified as state responsibility areas, as defined in Section 4102 of the Public Resources Code, and land classified as very high fire hazard severity zones, as defined in Section 51177. 51177, and land classified as a post-wildfire safety area, as defined in Section 51179.5. This review shall consider the advice included in the Office of Planning and Research's most recent publication of "Fire Hazard Planning, General Plan Technical Advice Series" and shall also include all of the following:

(A) Information regarding fire hazards, including, but not limited to, all of the following:

(i) Fire hazard severity zone maps available from the Office of the State Fire Marshal.

(ii) Any historical data on wildfires available from local agencies or a reference to where the data can be found.

(iii) Information about wildfire hazard areas that may be available from the United States Geological Survey.

(iv) General location and distribution of existing and planned uses of land in very high fire hazard severity zones and in state responsibility areas, including structures, roads, utilities, and essential public facilities. The location and distribution of planned uses of land shall not require defensible space compliance measures required by state law or local ordinance to occur on publicly owned lands or open-space designations of homeowner associations.

(v) Local, state, and federal agencies with responsibility for fire protection, including special districts and local offices of emergency services.

(B) A set of goals, policies, and objectives based on the information identified pursuant to subparagraph (A) for the protection of the community from the unreasonable risk of wildfire.

(C) A set of feasible implementation measures designed to carry out the goals, policies, and objectives based on the information identified pursuant to subparagraph (B), including, but not limited to, all of the following:

(i) Avoiding or minimizing the wildfire hazards associated with new uses of land.

(ii) Locating, when feasible, new essential public facilities outside of high fire risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in a state responsibility area or very high fire hazard severity zone.

(iii) Designing adequate infrastructure if a new development is located in a state responsibility area or in a very high fire hazard severity zone, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression.

(iv) Working cooperatively with public agencies with responsibility for fire protection.

(D) If a city or county has adopted a fire safety plan or document separate from the general plan, an attachment of, or reference to, a city or county's adopted fire safety plan or document that fulfills commensurate goals and objectives and contains information required pursuant to this paragraph.

(4) Upon the next revision of a local hazard mitigation plan, adopted in accordance with the federal Disaster Mitigation Act of 2000 (Public Law 106-390), on or after January 1, 2017, or, if a local jurisdiction has not adopted a local hazard mitigation plan, beginning on or before January 1, 2022, the safety element shall be reviewed and updated as necessary to address

climate adaptation and resiliency strategies applicable to the city or county. This review shall consider advice provided in the Office of Planning and Research's General Plan Guidelines and shall include all of the following:

(A) (i) A vulnerability assessment that identifies the risks that climate change poses to the local jurisdiction and the geographic areas at risk from climate change impacts, including, but not limited to, an assessment of how climate change may affect the risks addressed pursuant to paragraphs (2) and (3).

(ii) Information that may be available from federal, state, regional, and local agencies that will assist in developing the vulnerability assessment and the adaptation policies and strategies required pursuant to subparagraph (B), including, but not limited to, all of the following:

(I) Information from the internet-based Cal-Adapt tool.

(II) Information from the most recent version of the California Adaptation Planning Guide.

(III) Information from local agencies on the types of assets, resources, and populations that will be sensitive to various climate change exposures.

(IV) Information from local agencies on their current ability to deal with the impacts of climate change.

(V) Historical data on natural events and hazards, including locally prepared maps of areas subject to previous risk, areas that are vulnerable, and sites that have been repeatedly damaged.

(VI) Existing and planned development in identified at-risk areas, including structures, roads, utilities, and essential public facilities.

(VII) Federal, state, regional, and local agencies with responsibility for the protection of public health and safety and the environment, including special districts and local offices of emergency services.

(B) A set of adaptation and resilience goals, policies, and objectives based on the information specified in subparagraph (A) for the protection of the community.

(C) A set of feasible implementation measures designed to carry out the goals, policies, and objectives identified pursuant to subparagraph (B), including, but not limited to, all of the following:

(i) Feasible methods to avoid or minimize climate change impacts associated with new uses of land.

(ii) The location, when feasible, of new essential public facilities outside of at-risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in at-risk areas.

(iii) The designation of adequate and feasible infrastructure located in an at-risk area.

(iv) Guidelines for working cooperatively with relevant local, regional, state, and federal agencies.

(v) The identification of natural infrastructure that may be used in adaptation projects, where feasible. Where feasible, the plan shall use existing natural features and ecosystem processes, or the restoration of natural features and ecosystem processes, when developing alternatives for consideration. For purposes of this clause, "natural infrastructure" means using natural ecological systems or processes to reduce vulnerability to climate change related hazards, or other related climate change effects, while increasing the long-term adaptive capacity of coastal and inland areas by perpetuating or restoring ecosystem services. This includes, but is not limited to, the conservation, preservation, or sustainable management of any form of aquatic or terrestrial vegetated open space, such as beaches, dunes, tidal marshes, reefs, seagrass, parks, rain gardens, and urban tree canopies. It also includes systems and practices that use or mimic natural processes, such as permeable pavements, bioswales, and other engineered systems, such

as levees that are combined with restored natural systems, to provide clean water, conserve ecosystem values and functions, and provide a wide array of benefits to people and wildlife.

(D) (i) If a city or county has adopted the local hazard mitigation plan, or other climate adaptation plan or document that fulfills commensurate goals and objectives and contains the information required pursuant to this paragraph, separate from the general plan, an attachment of, or reference to, the local hazard mitigation plan or other climate adaptation plan or document.

(ii) Cities or counties that have an adopted hazard mitigation plan, or other climate adaptation plan or document that substantially complies with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions, climate adaptation plan or document, specifically showing how each requirement of this subdivision has been met.

(5) Upon the next revision of the housing element on or after January 1, 2020, the safety element shall be reviewed and updated as necessary to identify residential developments in any hazard area identified in the safety element that do not have at least two emergency evacuation routes.

(6) After the initial revision of the safety element pursuant to paragraphs (2), (3), (4), and (5), the planning agency shall review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every eight years, to identify new information relating to flood and fire hazards and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element.

(7) Cities and counties that have flood plain management ordinances that have been approved by FEMA that substantially comply with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions or the flood plain ordinance, specifically showing how each requirement of this subdivision has been met.

(8) Before the periodic review of its general plan and before preparing or revising its safety element, each city and county shall consult the California Geological Survey of the Department of Conservation, the Central Valley Flood Protection Board, if the city or county is located within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code, and the Office of Emergency Services for the purpose of including information known by and available to the department, the agency, and the board required by this subdivision.

(9) To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.

(h) (1) An environmental justice element, or related goals, policies, and objectives integrated in other elements, that identifies disadvantaged communities within the area covered by the general plan of the city, county, or city and county, if the city, county, or city and county has a disadvantaged community. The environmental justice element, or related environmental justice goals, policies, and objectives integrated in other elements, shall do all of the following:

(A) Identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity.

(B) Identify objectives and policies to promote civic engagement in the public decisionmaking process.

(C) Identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities.

(2) A city, county, or city and county subject to this subdivision shall adopt or review the environmental justice element, or the environmental justice goals, policies, and objectives in other elements, upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018.

(3) By adding this subdivision, the Legislature does not intend to require a city, county, or city and county to take any action prohibited by the United States Constitution or the California Constitution.

(4) For purposes of this subdivision, the following terms shall apply:

(A) “Disadvantaged communities” means an area identified by the California Environmental Protection Agency pursuant to Section 39711 of the Health and Safety Code or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

(B) “Public facilities” includes public improvements, public services, and community amenities, as defined in subdivision (d) of Section 66000.

(C) “Low-income area” means an area with household incomes at or below 80 percent of the statewide median income or with household incomes at or below the threshold designated as low income by the Department of Housing and Community Development’s list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code.

Amendment 21

On page 9, in line 12, strike out “SEC. 5.” and insert:

SEC. 6.

Double referral: This bill was referred to this committee and the Committee on Natural Resources.

Arguments in Opposition: The City of La Verne writes in opposition, “While the City of La Verne supports meaningful strategies to increase wildfire resilience and protect communities in Very High Fire Hazard Severity Zones, SB 629 introduces problematic criteria and enforcement provisions that are not sufficiently grounded in fire science. Specifically, the bill’s trigger for reclassification of hazard severity zones, any fire over 1,000 acres, resulting in more than 10 structures destroyed, or one fatality, fails to recognize that these thresholds are not inherently tied to wildfire behavior in the Wildland-Urban Interface (WUI). Fires meeting these metrics can and do occur in densely populated urban areas, where vegetation management and defensible space strategies are neither relevant nor effective.”

They continue, “This bill also imposes significant local obligations, mandating the reclassification of areas and establishing a costly new inspection and enforcement regime, without assurances of full state reimbursement. The cumulative impact would be an unfunded mandate on local fire and planning agencies, creating administrative burdens that divert resources from actual fire mitigation and emergency preparedness.”

Prior and Related Legislation: AB 261 (Quirk-Silva) of this session. Would authorize the State Fire Marshal (SFM) to confer with, and receive documentation from, entities, as specified, on actions that may impact the degree of fire hazard in an area or the area's recommended fire hazard severity zone (FHSZ) designation and authorizes the SFM to provide a written response to an entity, which must be posted on the SFM's website along with any related documentation provided by an entity.

AB 300 (Lackey) of this session. Would require the SFM to review and update the following statutorily required actions every 5 years: identify areas as moderate, high, and very high severity zones, as specified; review the areas identified very high severity zones and make recommendations, as specified; classify lands within state responsibility areas into fire hazard severity zones; and review, and revise as necessary, zone designations, as specified. (Assembly Emergency Management Committee)

AB 3150 (Quirk-Silva, 2024). This bill would have revised existing fire safety laws by requiring the State Fire Marshal (SFM) to review and update fire hazard severity zones every five years, involve public agencies and other entities in fire hazard assessments, and adopt updated regulations for defensible space and fuel management. In addition, this bill would have shifted responsibilities for maintaining fire safety standards from the State Board of Forestry and Fire Protection (BOF) to the SFM and expand the definition of a person responsible for maintaining defensible space to include certain public agencies. (Held in Senate Appropriations)

SB 610 (Wiener, 2024) would have eliminated the state's fire hazard severity mapping for the state responsibility area (SRA) and local responsibility area (LRA) and requires the State Fire Marshal to designate Wildfire Mitigation Area (WMA), through regulations, for fire mitigation across the state. (Held in the Senate Appropriations Committee).

AB 9 (Wood), Chapter 225, Statutes of 2021. Established the Deputy Director of Community Wildfire Preparedness and Mitigation in the Office of the SFM to be responsible for fire preparedness and mitigation missions of CAL FIRE.

SB 63 (Stern), Chapter 382, Statutes of 2021. Made multiple changes in state law to enhance fire prevention efforts by CAL FIRE, including, among other things, improved vegetation management and expanding the area where fire safety building standards apply.

AB 3074 (Friedman), Chapter 259, Statutes of 2020. Establishes, upon appropriation, an ember-resistant zone within five feet of a structure as part of the defensible space requirements for structures located in specified high fire hazard areas. This bill requires removal of material from the ember-resistant zone based on the probability that vegetation and fuel will lead to ignition of the structure by embers.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

City of La Verne

Analysis Prepared by: Ryan Fleming / E.M. / (916) 319-3802