

AMENDED IN SENATE APRIL 21, 2014

SENATE BILL

No. 1155

Introduced by Senator Lieu

February 20, 2014

An act to add Section 2623.5 to the Public Resources Code, relating to geological hazards.

LEGISLATIVE COUNSEL'S DIGEST

SB 1155, as amended, Lieu. Geological hazards: approval of projects.

Under the Alquist-Priolo Earthquake Fault Zoning Act, prior to approving a project within an earthquake fault zone, a city or county is directed to require the preparation of a geologic report, subject to certain exceptions. The act authorizes cities and counties to, among other things, establish stricter policies and criteria, and impose and collect specified additional fees. *Existing law prohibits a structure for human occupancy from being placed across the trace of an active fault.*

This bill would require a city or county, prior to approval of a project ~~within a delineated earthquake fault zone, where mapping to identify seismic hazard zones has not been completed, as described,~~ to determine that either the project ~~has a minimum setback of 75 feet from any mapped active trace fault~~ *is in compliance with existing law relating to the location of structures for human occupancy near active faults, as provided,* or the project is not located on an active trace fault as determined by a geological site investigation. By expanding the duties of local officials in the process of approving a project, this bill would impose a state-mandated local program.

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. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2623.5 is added to the Public Resources
2 Code, to read:

3 2623.5. (a) This section shall apply to a project ~~within a~~
4 ~~delineated earthquake fault zone, as determined pursuant to Section~~
5 ~~2622, where mapping to identify seismic hazard zones located~~
6 *where (1) faults that have broken, or are likely to break, the ground*
7 *surface have been mapped, (2) sufficient geologic or seismic data*
8 *exists indicating that the faults are generally accepted to be active*
9 *faults, as defined in subdivision (a) of Section 3601 of Title 14 of*
10 *the California Code of Regulations, and (3) earthquake fault zone*
11 *maps, pursuant to Sections 2695 and 2696 has this chapter, have*
12 *not been completed.*

13 (b) A city or county shall determine, prior to approval of a
14 project *in a location* described in subdivision (a), either of the
15 following:

16 (1) ~~The project has a minimum setback of 75 feet from any~~
17 ~~mapped active trace fault identified in the 2010 Fault Activity Map~~
18 ~~of California, completed~~ *If the project is located within 500 feet*
19 *of a major active fault, or 300 feet of a well-defined minor fault,*
20 *as identified in published reports or maps by the California*
21 *Geological Survey, the United States Geological Survey, or in*
22 *peer-reviewed journals published by academic or professional*
23 *institutions and organizations, that the project is in compliance*
24 *with subdivision (a) of Section 3603 of the California Code of*
25 *Regulations.*

26 (2) The applicant has performed, or caused to be performed, a
27 geological site investigation that ~~has~~ determined that there is no
28 active trace fault beneath the ~~footprint~~ of the project.

29 SEC. 2. No reimbursement is required by this act pursuant to
30 Section 6 of Article XIII B of the California Constitution because
31 a local agency or school district has the authority to levy service
32 charges, fees, or assessments sufficient to pay for the program or

- 1 level of service mandated by this act, within the meaning of Section
- 2 17556 of the Government Code.

O