



Updates to County Emergency Plan Legislation

Content, Submission, and Review

Fact Sheet

Planning and Preparedness Branch

October 2022

Overview

Between 2016 and 2022, there have been seven bills amending or adding to Government Code (Gov. Code) regulating county emergency plans:

AB 2311 (Brown, Ch. 520, Stats. 2016)	AB 2386 (Bigelow, Ch. 254, Stats. 2020)
AB 477 (Cervantes, Ch. 218, Stats. 2019)	AB 2968 (Rodriguez, Ch. 257, Stats. 2020)
SB 160 (Jackson, Ch. 402, Stats. 2019)	AB 580 (Rodriguez, Ch. 744, Stats. 2021)
AB 2645 (Rodriguez, Ch. 247, Stats. 2022)	

These bills introduce new requirements regarding county emergency plan (1) submission, (2) content and planning process, and (3) review.

Plan Submission (AB 580)

“A county shall send a copy of its emergency plan to the [California Governor’s] Office of Emergency Services [(Cal OES)] on or before March 1, 2022, and upon any update to the plan after that date.” (Gov. Code, § 8593.3.2, subd. (a).) For the purposes of this requirement and subsequent review, counties will submit their Operational Area (OA) plans if the OA plan serves as the county plan. Counties will submit their plans to their Cal OES Regional Office.

Content and Planning Process

Access and Functional Needs (AFN) (AB 2311, AB 477, AB 2645)

Upon the next update of a county emergency plan, AFN must be integrated into emergency plans by addressing, at a minimum, how the population with AFN is served by the following (Gov. Code, § 8593.3, subd. (a)(1), (2) & (3)):

1. Emergency communications, including the integration of interpreters, translators, and assistive technology.
2. Emergency evacuation, including all of the following:
 - a. The identification of transportation resources and resources that are compliant with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) for individuals who are dependent on public transportation.
 - b. Integrating evacuation and transportation plans to account for local community resilience centers.

Counties are advised to conduct an independent review of the cited legislation and consult their local legislative and legal resources.

- c. Ensuring that local community resilience centers are prepared to serve as community-wide assets during extreme heat events and other disasters.
 - d. Designating available locations that may be necessary to provide respite to individuals during emergencies, including, but not limited to, extreme heat, cold, or unhealthy air incidents.
 - e. Integrating evacuation plans to account for the following:
 - i. Community resilience center programs, as specified.
 - ii. Fairground resilience center programs, as specified.
3. Emergency sheltering, including both of the following:
- a. Ensuring that designated shelters are compliant with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) or can be made compliant through modification and that showers and bathrooms are fully accessible to all occupants.
 - b. Integrating sheltering and transportation plans to account for transportation between community resilience centers and shelters.

Additionally, counties shall include representatives from the AFN population when updating the emergency plan to integrate AFN needs. These representatives include, but are not limited to, members of the community, social service agencies, nonprofit organizations (e.g., Independent Living Centers), and transportation providers. (Gov. Code, § 8593.3 (c).)

Cultural Competence (SB 160)

In the next update of a county emergency plan, counties must include cultural competence into emergency plans by addressing, at a minimum, how culturally diverse communities within a county are served by the following (Gov. Code, § 8593.3.5, subd. (a)(1), (2), (3), (4) & (5)):

1. Emergency communications, including the integration of interpreters and translators.
2. Emergency evacuation and sheltering.
3. Emergency mitigation and prevention.
4. Emergency planning, including drawing on community-based values and customs, and incorporating qualified representatives from diverse population groups in the community, during the planning process.
5. Emergency preparedness, including the use of culturally appropriate resources and outreach techniques to educate and prepare community members for emergencies or disasters.

Additionally, during the update process, counties “shall provide a forum for community engagement in geographically diverse locations to engage with culturally diverse communities within its jurisdiction.” (Gov. Code, § 8593.3.5, subd. (b).)

Plans Review

Schedule (AB 580 and AB 2386)

Cal OES will review emergency plans from at least 10 counties every year, beginning in 2022. Priority will be given to counties with a high risk for wildfire disaster (AB 580 and AB 2386). The office will review all county emergency plans by January 1, 2028. Cal OES will determine a yearly emergency plan review schedule and share it with the counties.

Content (AB 2386, AB 2968, AB 580)

In addition to SEMS/NIMS compliance, Cal OES will include the following in the review of emergency plans:

1. Whether the plan substantially conforms to or exceeds the recommendations in the Federal Emergency Management Agency Comprehensive Preparedness Guide 101 (CPG 101) (Gov. Code, § 8610(c)(2)).
2. Whether the plan is consistent with the Cal OES proposed best practices. (Gov. Code, § 8593.9, subd. (b)(1).)
3. Whether the plan protects and accommodates vulnerable populations during natural disasters. (Gov. Code, § 8593.9, subd. (b)(2).)
4. Whether the plan has established procedures for alerting, evacuating, and sheltering individuals during an emergency. (Gov. Code, § 8593.9, subd. (b)(3).)
5. The status of the county emergency alert system, including the different alerting systems used and the number of individuals signed up for each system. (Gov. Code, § 8593.3.2, subd. (b)(1).)
6. Evacuation routes and plans and shelter-in-place plans, including preparations for evacuating or caring for individuals with access and functional needs. (Gov. Code, § 8593.3.2, subd. (b)(2).)
7. Efforts at community outreach to prepare communities and individuals to take action in the event of an emergency or a disaster. (Gov. Code, § 8593.3.2, subd. (b)(3).)
8. Large animal evacuation plans. (Gov. Code, § 8593.3.2, subd. (b)(4)).
9. Plans to ensure the health and safety of citizens during power outages. (Gov. Code, § 8593.3.2, subd. (b) (5).)
10. Any other necessary and appropriate element, as determined by Cal OES. (Gov. Code, § 8593.9, subd. (b)(4).)

Upon the conclusion of the review process, Cal OES "shall provide technical assistance and feedback regarding the sufficiency of the county's emergency plan." (Gov. Code, § 8593.9, subd. (b).)

AFN Consultation (AB 580)

Upon request, Cal OES will review county emergency plans "in consultation with representatives of people with a variety of access and functional needs. . . to determine whether the plans are consistent with best practices and guidance issued by the Federal

Counties are advised to conduct an independent review of the cited legislation and consult their local legislative and legal resources.

Emergency Management Agency (FEMA), including those practices that relate to adequately addressing the needs of those individuals with access and functional needs, including people with disabilities.” (Gov. Code, § 8593.3.2, subd. (b).)

Following the review, “the county shall develop and revise its emergency plan to address the issues that [Cal OES] identified in its review.” (Gov. Code, § 8593.3.2, subd. (d))

Summary

Submission

Recent legislation required all counties to submit their emergency plans to Cal OES for review by March 1, 2022.

Content and Planning Process

Upon the next update to county emergency plans, counties should incorporate the newest requirements regarding populations with access and functional needs and culturally diverse communities.

Review

Cal OES began reviewing existing (and updated) plans in 2022 and will review a minimum of 10 plans each year, prioritizing plans from counties with a high wildfire risk. Cal OES will continue to review emergency plans for alignment with the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). NIMS concepts are met by following FEMA CPG 101 which provides guidelines on developing emergency plans. Cal OES has added the following to its review process: (1) consistency with best practices, (2) protection and accommodation of vulnerable populations, (3) procedures to alert and warn, evacuate, and shelter individuals during an emergency, (4) county emergency alert systems, (5) evacuation routes and plans and shelter-in-place plans, (6) community outreach, (7) large animal evacuation plans, and (8) plans to ensure the health and safety of citizens during power outages. A county may request consultation to advance the integration of access and functional needs within its emergency plans. The Cal OES Office of Access and Functional Needs (OAFN) facilitates this consultation. This AFN Evaluation process has been integrated into the Emergency Plan Review Crosswalk and the Cal OES emergency plan review process.

For more information, contact the Community Planning Unit at communityplanning@caloes.ca.gov.

Counties are advised to conduct an independent review of the cited legislation and consult their local legislative and legal resources.