



RESOURCE GUIDE #5

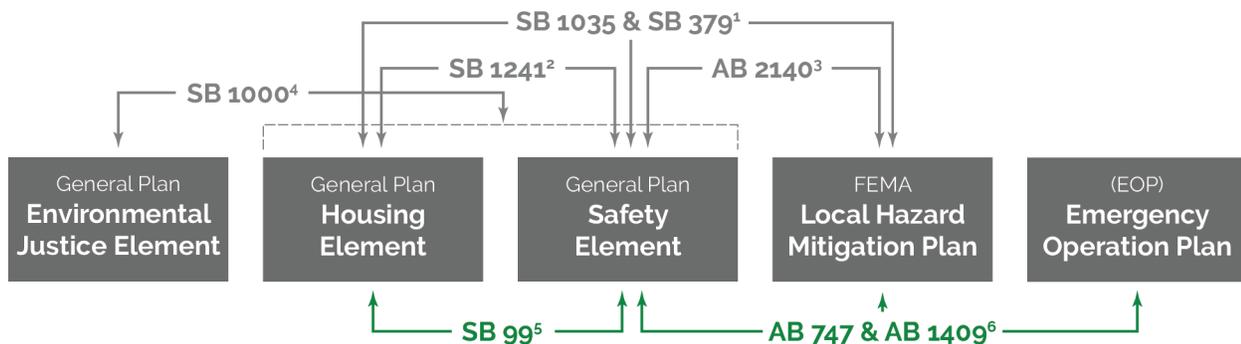
New Evacuation Laws, Key Considerations, and Planning Resources

With an increase in the frequency and severity of wildfires and other hazards, the State has developed new requirements for evacuation planning. The resource guide includes information on three recent laws SB 99, AB 747, and AB 1409 and considerations for jurisdictions working to navigate the new requirements. The information is built off examples from other California jurisdictions and interviews with evacuation professionals. A list of grant programs and background on the ABAG consulting bench is included to support strategic thinking on how to advance evacuation planning to meet multiple goals. The guide includes five sections:

- (1) Overview of California evacuation planning legislation,*
- (2) Key considerations for approaching evacuation planning requirements,*
- (3) Ways jurisdictions are integrating evacuation planning,*
- (4) Possible grant sources for evacuation planning, and*
- (5) How a jurisdiction can use the Regional Planning Consultant Bench.*

SECTION 1: Overview of California Evacuation Planning Legislation

In May, [ABAG posted a brief describing SB 1035, SB 379, SB 1241, AB 2140, and SB 1000 and opportunities for plan integration](#). Resource Guide #5 focuses narrowly on three evacuation planning bills, that like the others, create linkages, triggers, and opportunities for plan alignment. The new evacuation laws shift the arena of evacuation planning to include more traditional land use planning documents (Safety Element of a General Plan) and create linkage opportunities to the Local Hazard Mitigation Plans. The Governor’s Office of Planning and Research (OPR) is drafting administrative guidelines for these new laws which will be available in 2022.



¹ Required in all jurisdictions. Safety Element must address climate change adaptation.

² Required in 44 Bay Area jurisdictions. Safety Element must address wildfire risk.

³ Not required but incentivizes the incorporation of the LHMP in the Safety Element.

⁴ Required in at least 70 Bay Area jurisdictions. EJ element is triggered when any 2 other elements are concurrently updated.

⁵ Required in all jurisdictions. Housing Element triggers Safety Element to identify areas with fewer than 2 evacuation routes.

⁶ Required in all jurisdictions. LHMP update triggers Safety Element to identify and study evacuation routes against scenarios.

[Gov. Code § 65302](#)) requires city or county governments to identify in their Safety Element residential developments that do not have at least two emergency evacuation routes.

Timing Trigger: Housing Element Update



AB 747 and **AB1409** ([Gov. Code § 65302.15](#)) require jurisdictions to identify evacuation routes and their capacity, safety, and viability under various emergency scenarios as well as identify evacuation locations in the jurisdiction’s safety element. The jurisdiction may use its LHMP or emergency operations plan to comply with this law by incorporating descriptions of the evacuation routes’ capacity, safety, and viability into those documents, provided that the jurisdiction’s Safety Element references the document.

Timing Trigger: LHMP Update (after January 1, 2022)

For jurisdictions with no LHMP, a Safety Element update is the trigger.

SECTION 2: Key Considerations for Approaching Evacuation Planning

The new evacuation requirements are likely to broaden who is involved in evacuation planning, when it occurs, and which city or county plans it may inform. Jurisdictions should consider the sequence of their planning work, leveraging and integrating efforts when possible. Below are considerations when scoping evacuation planning.

WHO? Cross Departmental Team	WHEN? Timeline linked to Plans	WHERE? Multi-Jurisdictional Boundaries	WHAT? LHMP, EOP, Safety Element, Other?
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WHO – Hold a cross-department meeting to discuss status and approach to evacuation efforts.

When done well, evacuation planning can inform policies and procedures across multiple departments. As the state laws expand evacuation planning into the general plan, city planners and public works may play a greater role or be more significant users of evacuation planning and plans that have typically been developed and managed by an office of emergency services, fire department, or law enforcement. Holding a cross-department meeting can answer questions of what already exists or is underway, the timing for city requirements (see WHEN section), and answers to other considerations below.

WHEN – Determine a timeline for meeting new planning requirements.

The timing of the Local Hazard Mitigation Plan update may determine whether efforts to meet SB 99 and AB 747 are done in parallel or sequentially. All Bay Area cities have the same Housing Element trigger for SB 99 but the LHMP trigger differs across the region (see the Figure on the next page).

For jurisdictions with an LHMP update in 2022 or 2023, it may be best to meet both SB 99 and AB 747 requirements together to streamline the evacuation planning process as well as subsequent updates to the Safety Element.

For jurisdictions with an LHMP update well after January 2023, there is more flexibility in the approach a jurisdiction can take. A jurisdiction could choose to complete SB 99 and AB 747 evacuation planning requirements together, or delay work on AB 747 if there is a strategic reason (e.g. using an LHMP update to develop emergency scenarios). By delaying AB 747, a jurisdiction would need to consider the possible downside of multiple Safety Element updates and undergoing two evacuation efforts instead of one.

In addition to weighing these elements, a city/county should also consider the range of other laws described in the [prior brief on other bills that link climate adaptation and hazard mitigation planning](#).

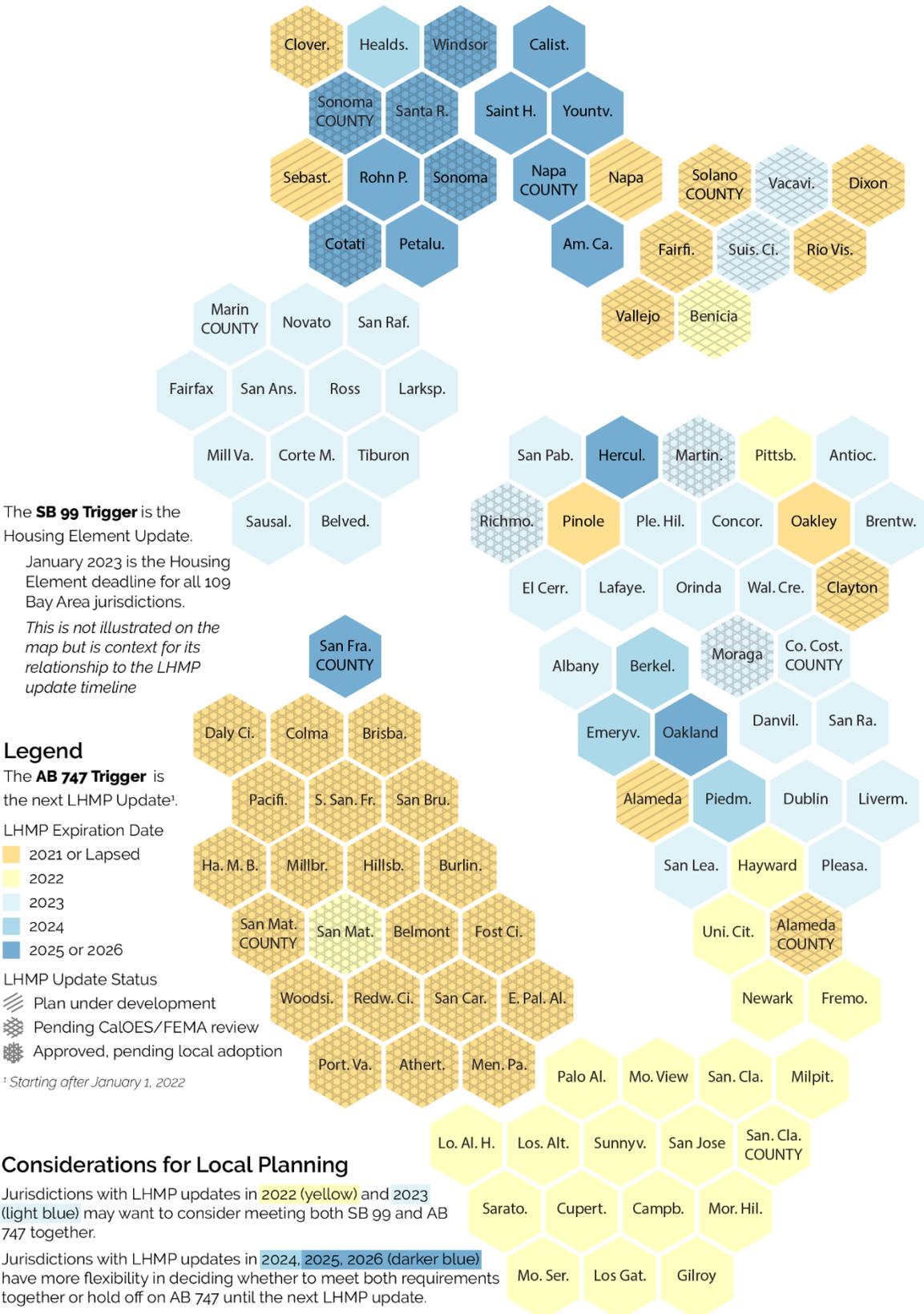
WHERE – Consider multi-jurisdiction approaches to evacuation planning.

Depending on the unique circulation constraints for each community, a multi-jurisdictional approach may be beneficial to align evacuation planning and practice. If sequenced with the Local Hazard Mitigation Plan, County-wide efforts may provide an opportunity where many communities are already working on a multi-jurisdictional planning effort involving numerous departments.



Framing Evacuation Planning in the San Francisco Bay Area

When LHMPs expire and the timing of SB 99 and AB 747 requirements.



The **SB 99 Trigger** is the Housing Element Update. January 2023 is the Housing Element deadline for all 109 Bay Area jurisdictions. *This is not illustrated on the map but is context for its relationship to the LHMP update timeline*

Legend

The **AB 747 Trigger** is the next LHMP Update¹.

LHMP Expiration Date

- 2021 or Lapsed
- 2022
- 2023
- 2024
- 2025 or 2026

LHMP Update Status

- Plan under development
- Pending CalOES/FEMA review
- Approved, pending local adoption

¹ Starting after January 1, 2022

Considerations for Local Planning

Jurisdictions with LHMP updates in 2022 (yellow) and 2023 (light blue) may want to consider meeting both SB 99 and AB 747 together.

Jurisdictions with LHMP updates in 2024, 2025, 2026 (darker blue) have more flexibility in deciding whether to meet both requirements together or hold off on AB 747 until the next LHMP update.

Sources

LHMP expiration date is determined using a FEMA Region IX database (updated October 2021). Update status may be less certain.



WHAT – Identify which city/county plans will be updated and how they will relate.

A key shift in direction for these recent laws is the connection to more traditional land use planning documents. Previously, Emergency Operation Plans (EOPs) or an appendix to the EOP were the likely way a jurisdiction would document evacuation plans. Now, both SB 99 and AB 747 allow a community to either document the evacuation planning requirements directly in the General Plan Safety Element or by reference to another plan like the EOP or Local Hazard Mitigation Plan. With any approach taken, by reference or otherwise, the evacuation planning must be consistent with all other portions of the General Plan.

When deciding where to publish evacuation planning agencies may want to consider:

- Plan Type – Policy Plan (General Plan), Operations (LHMP/EOP), Tactical Plans (Playbooks/Annexes), and
- Long-term Flexibility – Approval Authority, Operational Nimbleness.

Agencies have different plans for different purposes.

- For example, a General Plan (with housing and safety elements) are policy guiding documents with programs identified.
- A Local Hazard Mitigation Plan is an assessment of the various hazard risks with future plans and infrastructure needs outlined which enables access to federal grants.
- An Emergency Operations Plan (EOP) outlines how an agency will be organized and respond to emergencies with key policy and operational parameters articulated. Behind an EOP are more detailed operational and tactical plans that are regularly exercised and updated by professional staff, such as Pandemic Playbook, EOC Operating Guidelines, Business Continuity Plan, etc.

Each of these planning documents (General Plan, LHMP, EOP) are typically approved by an elected body. With this elected board policy approval, the public agency has clear direction. However, these approved documents are not dynamic and don't change on a regular basis. ***When thinking about your evacuation planning documents, it is important to reflect on what is policy, what is programmatic, what is operations, and what is tactical. Based on this, different levels of information should be considered in different documents so that an agency doesn't find itself hindered and unable to be nimble.***

SECTION 3: How Jurisdictions are Integrating Evacuation Planning

The field of evacuation planning is actively evolving, but some cities are already working to incorporate AB 747 and SB 99 into their planning processes and documents. Even though each jurisdiction has its own unique hazards and populations, jurisdictions may be able to borrow and learn from the work of these communities.

City of Watsonville Emergency Evacuation Route Analysis (January 2021) – [Link](#)

This Emergency Evacuation Route Analysis was developed during the City of Watsonville's 2020 Local Hazard Mitigation Plan (LHMP) Update and was prepared to address AB 747 and SB 99. The evacuation analysis is located as an Appendix to the City of Watsonville's General Plan and was incorporated at the same time that the LHMP was incorporated by reference into the Safety Element. This is one way a jurisdiction can integrate evacuation planning into the Safety Element. When determining how to incorporate evacuation planning into local plan documents, cities should balance what belongs where (see the "What" portion of Section 2).

Watsonville conducted a geospatial analysis of several hazard scenarios to produce evacuation vulnerability scores for residential parcels. The analysis used publicly available parcel and road data to assess proximity of parcels to evacuation routes, and capacity of roads based on their designated road type (ex. Freeway, arterial road, collector road). Other cities can consider building on this methodology and consider approaches to add in layers of social vulnerability or an evacuation time-based analysis to bolster the findings.



Moreno Valley Safety Element Update (May 2021) – [Link](#)

Moreno Valley recently integrated wildfire hazard and evacuation planning into their Safety Element as part of their General Plan Update. The plan includes a hazard assessment, as well as some evacuation mapping using GIS tools. The plan also outlines strategies to improve evacuation times, like using painted medians to allow for reversible lanes to create additional outbound capacity.

Mendocino County Evacuation Plan (July 2020) – [Link](#)

The Mendocino County Evacuation Plan outlines strategies for preparing for and managing evacuations, especially for wildfire hazard events. Mendocino County annexed this document to their Emergency Operations Plan (EOP). This Plan articulates Planning Areas within the county and includes information specific to each Planning Area. This allows the County to consider the specific climates, populations, and wildfire risks in different areas of the county, which all have different needs. Planning Areas are split up into different Zones, which are mapped and analyzed for traffic control points, critical infrastructure risks, transportation assets, refuge areas, and vulnerable population locations. It does not appear that Plan was produced to directly address SB 99 or AB 747.

How are cities framing RFP's when working with consultants on evacuation planning?

The following examples of RFP's may help cities draft their own RFP to engage a consultant on evacuation planning work. These examples may be a starting point for others interested in evacuation consultant support.

Marin Wildfire Prevention Authority (MWPA) RFP: Evacuation – Ingress – Egress Risk Assessment (September 2021) – [Link](#)

MWPA released an RFP to hire a consultant to create a product that will present a visual risk assessment of Marin County's roadways. This tool will be integrated into the county's evacuation planning activities and will consider a variety of risk factors, including traffic behavior, accessibility to fire responders, vulnerable populations, and defensible space conditions, among others.

The Scope of Work includes a review of literature and existing data, a risk factor inventory, a risk assessment with corresponding delivery, trainings, and documentation.

Portola Valley RFP: Emergency Evacuation Planning Traffic Engineering Services (May 2021) – [Link](#)

Portola Valley released an RFP to hire a consultant to provide traffic engineering services that would support the Town's efforts to design and emergency evacuation plan that would comply with SB 99 and AB 747. They plan to use these services to update their Safety Element in tandem with the existing simulations they have created using Zonehaven with San Mateo County.

The Scope of Work focuses on compliance with SB 99 and AB 747 through updating the General Plan Safety Element. To do this, the consultant will develop risk assessments and evacuation modeling products, engage with city staff and the community, and evaluate current inputs to Zonehaven data to support evacuation planning and implementation efforts.

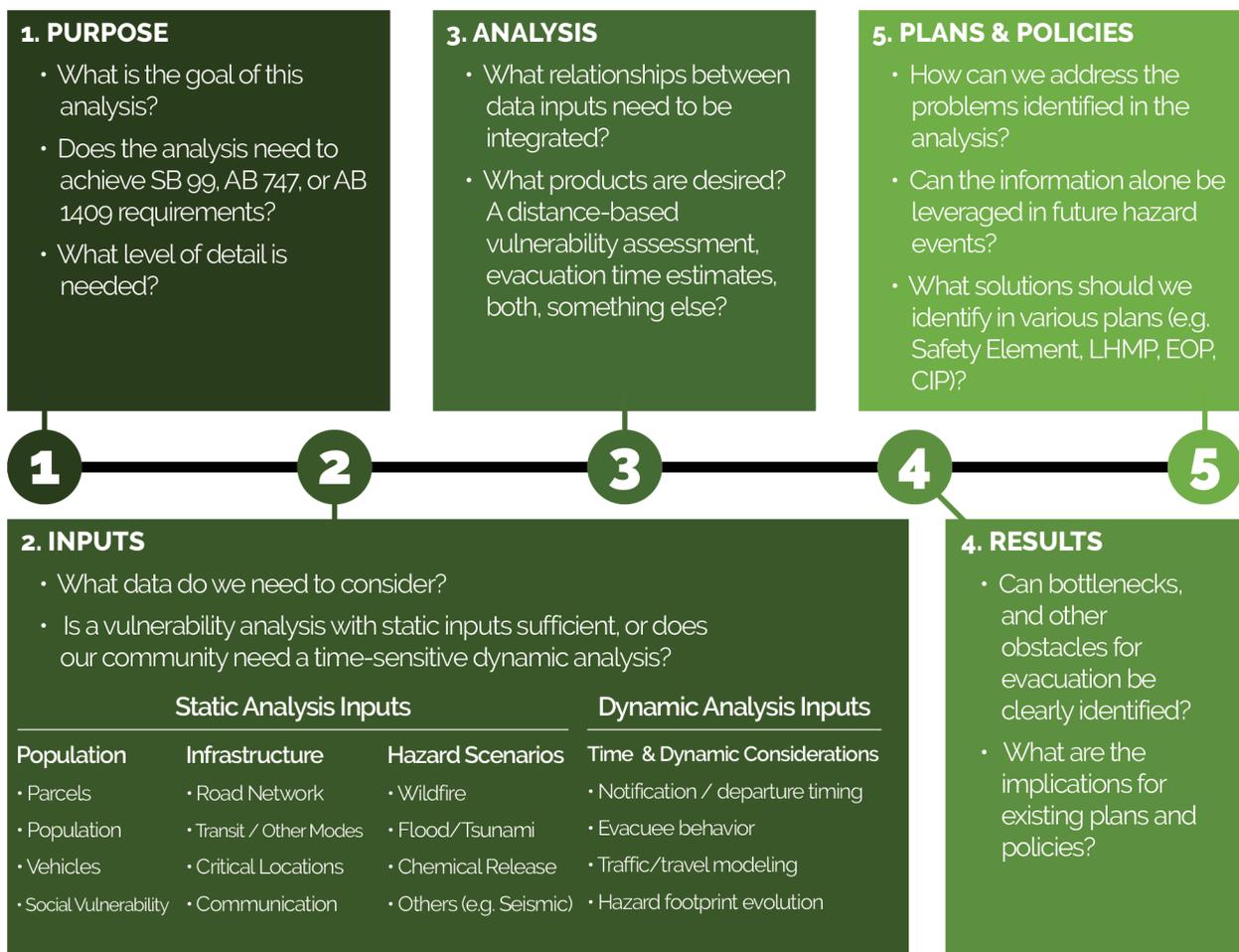


Roadmap: Evacuation Model Development

The figure below details a possible evacuation model development process from start to finish and identifies key questions to consider along the way. MTC/ABAG assessed the plans, RFPs, and evacuation models detailed above to identify common process elements of evacuation analysis. The documents were reviewed to identify evacuation model purposes, data inputs, analysis techniques, results, and takeaways. In reviewing the documents, various static data input categories were identified including population, infrastructure, and hazard scenarios. When using static data inputs, an analysis may be performed to identify location-based hazard vulnerability. Various models also considered dynamic analysis inputs, like traffic modeling, which enhance the model by producing evacuation time estimates, and therefore assessing time- and location-sensitivities. Practitioners should consider consulting with staff in other departments who deal with evacuation during each stage of the model development.

Figure: A Roadmap with Common Evacuation Analysis Steps

This Figure is not comprehensive – it uses common elements used in the above examples and is suggested as a starting point.



SECTION 4: Possible Grant Sources for Evacuation Planning

MTC explored which state and federal grant programs include evacuation planning as an allowable use of grant funds. Below is a running list of existing and anticipated sources that were identified.

CAL FIRE Fire Prevention Grants - [Link](#)

- \$150-200M annually for competitive grants. Evacuation planning is an eligible expense along with many other wildfire risk reduction measures like vegetation management, defensible space, and home hardening. [Prior allocations](#) have distributed the majority of funds to vegetation management efforts. In FY 2020-2021, San Luis Obispo County was awarded \$385k for evacuation planning and a portion of Solano County's \$900k award was for an evacuation plan and software.

California Fire Safe Council County Evacuation Route Grant - [Link](#)

- \$1.9M in 2021 program. Counties are the eligible applicant, with the ability to contract with partners. Applications open on November 1, 2021 and close November 30, 2021.

FHWA PROTECT Grant (in development & contingent on Federal infrastructure legislation)

- As currently written in the federal infrastructure package, FHWA would administer a \$140M in nationwide competitive grants over the next five years for evacuation planning.

Caltrans Sustainable Communities Grants - [Link](#)

- \$29.5M annually to encourage local and regional planning that furthers state goals, including, but not limited to, the goals and best practices cited in the Regional Transportation Plan Guidelines adopted by the California Transportation Commission. [Prior allocations](#) have distributed funds for evacuation plans to identify vulnerabilities in transportation, communication, and water networks. In FY 2021-22 El Dorado County Transportation Commission was awarded \$250k to create a wildfire evacuation, community safety, and resiliency plan.

SECTION 5: The Regional Planning Consulting Bench

What is the Regional Planning Consulting Bench?

The Regional Planning Bench provides one option that Bay Area jurisdictions may use to select qualified consultants to provide a wide range of planning activities on an as-needed basis. MTC and ABAG have qualified 92 planning consultants across 11 service categories. Service Category 8, Environment and Resilience, includes consultants who list evacuation planning as one of their many services.

Consultants were evaluated by MTC/ABAG based on the [RFQ](#). The minimum qualifications included, but were not limited to, two years of experience and two projects in the last five years relevant to each Service Category for which they wished to provide qualifications. Desired qualifications included, but were not limited to, familiarity with the unique challenges and opportunities facing the San Francisco Bay Area's diverse communities, and experience working for Bay Area agencies or governments. A [Frequently Asked Questions resource](#) can help answer additional questions about the Bench.

Using the Consulting Bench

The first step to utilizing the Consulting Bench is to identify the funds that will be used to pay for the consultant. Although PDA and LEAP/REAP Grants are easily integrated into the Regional Planning Bench process, these grant funds are not typically available for evacuation planning. The ability to use funds other than PDA and LEAP/REAP Grants to hire a consultant using the Regional Planning Bench depends on your local procurement rules. Depending on your local rules and funding stipulations for any other grants being used, you



may be allowed to simply select one vendor or request informal quotes, instead of doing a full, competitive RFQ because MTC/ABAG has already conducted a competitive RFQ to seat the Consulting Bench.

Once funding and work parameters have been determined, reach out to MTC/ABAG Contract Specialist, Noah Cohen (ncohen@BayAreaMetro.gov) to obtain access to the Regional Planning Bench’s consultant information and discuss the most efficient way to proceed with your procurement. MTC/ABAG has created an online platform in which you can browse consultants’ profiles, search based on keywords such as “evacuation,” or narrow based on service categories. MTC/ABAG recommends sending your RFP/RFQ to all consultants within the Service Category of your work. Each jurisdiction will be given one profile to utilize the online platform. If you are unable to access the online platform, please contact MTC/ABAG to determine who in your jurisdiction has access.

As evacuation planning is not eligible for PDA or LEAP/REAP funding and will therefore be funded by local funds or other grant programs, you will need to contract with the Bench consultant directly. It is important to use language in your contract to distinguish that you are working with your consultant through the Regional Planning Consulting Bench. MTC/ABAG can assist you with ensuring that this language is correct. Contact ncohen@BayAreaMetro.gov for more information about Cooperative Use, contract language, and next steps.

Rules and Limitations

Included are some, but not all, rules/limitations to utilizing the Consultant Bench:

- Consultants can only work in the Service Categories for which they have been approved and the corresponding scopes of work must also be in the pre-approved category. For evacuation planning, only firms in Service Category 8 Environment and Resilience, can be used.
- Contracts must only be with Primes. You cannot directly contract with a subconsultant unless they are also on the Regional Planning Bench as a Prime. Primes can add new subconsultants as needed.
- Each consultant must charge no more than rates (plus the annual escalation rate) quoted in their response to the MTC/ABAB RFQ. Jurisdictions can negotiate for lower rates.

Association of Bay Area Governments: November 2021

Version 1; Draft 11/04/21 -- This Resource Guide was built from information on agencies web sites and other resources.

