

BILL: AB 986 (Muratsuchi, D-Torrance)
Introduced February 20, 2025
Amended March 24, 2025

SUBJECT: AB 986 would expand the definition of events qualifying for a state or local emergency to include landslides and preexisting conditions exacerbated by climate change

STATUS: Pending in Assembly Committee on Appropriations
Passed Assembly Committee on Emergency Management (6-0)

SUMMARY AS OF APRIL 30, 2025:

AB 986 would expand the definition of events qualifying for a state or local emergency to include landslides and preexisting conditions exacerbated by climate change. Under existing law, the California Emergency Services Act outlines when emergencies can be declared but does not explicitly identify landslides or climate change impacts as qualifying conditions. AB 986 addresses this gap by ensuring that emergencies tied to environmental instability and climate-driven disasters are clearly covered under California's emergency response framework.

This bill does not create new authorities or mandates but clarifies that state and local governments have the ability to respond proactively when landslides or climate-exacerbated conditions threaten public safety, property, or critical infrastructure. This clarification would allow local agencies to access emergency resources, streamline response efforts, and coordinate more effectively across jurisdictions when facing these types of natural disasters.

EFFECTS ON ORANGE COUNTY:

Orange County's coastal region, particularly along the Los Angeles–San Diego–San Luis Obispo (LOSSAN) Rail Corridor in San Clemente, has experienced repeated disruptions due to landslides worsened by climate change impacts such as sea level rise, heavy rainfall, and coastal erosion. The Orange County Transportation Authority (OCTA), which owns and maintains over 40 miles of the LOSSAN Rail Corridor in Orange County—including a vulnerable seven-mile stretch along the shoreline—has declared multiple emergencies in recent years in response to ongoing threats.

Since 2021, landslides have forced extended service suspensions and emergency stabilization work. Major incidents include track movement at Cyprus Shore in 2021 and 2022, a landslide at Casa Romantica in April 2023 that prompted construction of a 250-foot-long catchment wall, and a January 2024 landslide at Mariposa Point that damaged infrastructure and required the installation of a 200-foot wall to resume service. Despite these efforts, debris continues to accumulate behind existing barriers, and additional slides between January 2024 and 2025 signal persistent instability.

The effects of these disruptions are wide-ranging: over eight million annual passengers on Amtrak Pacific Surfliner, Metrolink, and COASTER trains are affected, along with \$1 billion in freight traffic and Department of Defense military logistics. Cumulatively, rail service has been shut down for more than a year, resulting in over \$14 million in lost revenue for the LOSSAN Rail Corridor Agency and \$37 million in emergency response costs by OCTA. In addition to the financial impact, service unreliability has eroded public confidence in the rail system.

To address this urgent threat, OCTA completed a Coastal Rail Resiliency Study in 2023, identifying four high-risk areas in San Clemente requiring immediate reinforcement through slope stabilization, sand nourishment, and armoring. Although OCTA has secured \$305 million in state and federal funds, regulatory delays—particularly around emergency permitting—have significantly hindered timely project implementation.

AB 986 directly supports Orange County’s ability to respond to these threats by clarifying that landslides and climate change-induced hazards qualify as emergencies under California law. This clarification strengthens the legal foundation for emergency declarations and streamlines the ability of local agencies to obtain expedited permits, unlock emergency resources, and implement life- and infrastructure-saving measures before catastrophic failures occur. By eliminating ambiguity in emergency definitions, AB 986 enables OCTA and similar agencies to act more decisively in the face of escalating climate risks, protect critical rail infrastructure, and maintain regional mobility and economic continuity.

This legislation is sponsored by the City of Rancho Palos Verdes. A SUPPORT position is consistent with OCTA’s 2025-26 State Legislative Platform principle to “Seek support for adaptation and resiliency efforts related to the environment for critical transportation infrastructure.”

OCTA POSITION:

Staff recommends: SUPPORT

AMENDED IN ASSEMBLY MARCH 24, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 986

Introduced by Assembly Member Muratsuchi

February 20, 2025

An act to amend Section 8558 of the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL’S DIGEST

AB 986, as amended, Muratsuchi. State of ~~emergency~~: *emergency and local emergency: landslides and climate change*.

Existing law, the California Emergency Services Act, authorizes the Governor to declare a state of emergency, and local officials and local governments to declare a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. Existing law defines 3 conditions or degrees of emergency for purposes of these provisions.

This bill would ~~make nonsubstantive changes to those provisions~~. *additionally include a landslide and preexisting conditions exacerbated by climate change among those conditions constituting a state of emergency or local emergency*.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: no.

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

SECTION 1. Section 8558 of the Government Code is amended to read:

8558. Three conditions or degrees of emergency are established by this chapter:

(a) "State of war emergency" means the condition that exists immediately, with or without a proclamation by the Governor, whenever this state or nation is attacked by an enemy of the United States, or upon receipt by the state of a warning from the federal government indicating that an enemy attack is probable or imminent.

(b) "State of emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions, including air pollution, fire, flood, storm, epidemic, riot, drought, *landslide*, cyberterrorism, sudden and severe energy shortage, electromagnetic pulse attack, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, *or preexisting conditions exacerbated by climate change*, or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," that by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the Public Utilities Commission.

(c) (1) "Local emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by conditions, including air pollution, fire, flood, storm, epidemic, riot, drought, *landslide*, cyberterrorism, sudden and severe energy shortage, deenergization event, electromagnetic pulse attack, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, *or preexisting conditions exacerbated by climate change*, or other conditions, other than conditions resulting from a labor controversy, that are or are likely to be beyond the control

1 of the services, personnel, equipment, and facilities of that political
2 subdivision and require the combined forces of other political
3 subdivisions to combat, or with respect to regulated energy utilities,
4 a sudden and severe energy shortage or deenergization event that
5 requires extraordinary measures beyond the authority vested in
6 the Public Utilities Commission.

7 (2) A local emergency proclaimed as the result of a
8 deenergization event does not trigger the electric utility obligations
9 set forth in Public Utilities Commission Decision 19-07-015 or its
10 successor decisions as related to deenergization events. A local
11 emergency proclaimed as the result of a deenergization event does
12 not alter the electric utilities' Public Utilities Commission-approved
13 cost-recovery mechanisms for their own costs associated with
14 deenergization events.