

Bulletin #6

This issue was released on February 2, 1998.

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Legislature Revises Disclosure Requirements for Earthquake Fault Zones and Seismic Hazard Zones

Disclosure requirements for real estate transactions affected by the [Alquist-Priolo Earthquake Fault Zoning Act \(Public Resources Code, Chapter 7.5\)](#) and the [Seismic Hazards Mapping Act \(Public Resources Code, Chapter 7.8\)](#) are changing, effective March 1, 1998.* Assembly Bill 6x received Legislature approval in the 1997 extended session and was signed by Governor Wilson. Other governmental flood and fire hazard programs are also affected.

* Note: On February 28, 1998, SB 71 was enacted to postpone the March 1 effective date of AB 6x until June 1, 1998.

Both the old and new versions of the laws (Public Resources Code §2621.9, §2694, and §2696) require property owners (or their agents) to disclose the fact that a property is located in a seismic hazard zone or an Alquist-Priolo earthquake fault zone. Until March 1, the law permits the use of either of two forms: (1) a Real Estate Transfer Disclosure Statement or (2) the Real Estate Contract and Receipt for Deposit.

As of March 1, either the Local Option Real Estate Transfer Disclosure Statement (Civil Code, §1102.6a) or The Natural Hazard Disclosure Statement (Civil Code, §1102.6c) are required for disclosures.

The change in the law requires disclosure only when one of two conditions is met: (1) the seller, or the seller's agent has actual knowledge that the property is within a seismic hazard zone, or (2) a map that includes the property has been provided to the city and county by the state geologist, and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency.

Changes to Section 2696 correct a minor typographical error, changes "county planning commission" to read "county planning agency," and clarifies the requirements local agencies must follow when posting notices of maps.

To obtain a copy of the full text of Assembly Bill 6x, contact:

Capitol Bill Room
State Capitol
Sacramento, CA 95814
(916) 445-2323

The sections of the bill affecting the Earthquake Fault Zoning Program and the Seismic Hazards Mapping program are provided [below](#).

Five New Seismic Hazard Zone Maps Now in Effect, More to Come

Five new seismic hazard zone maps covering parts of Los Angeles and Ventura counties will become official on February 2, 1998. The new maps cover the Canoga Park, Calabasas, Oat Mountain, Newhall and Van Nuys quadrangles. The maps were released on August 1, 1997 for a six-month technical review and revision period by the Department of Conservation.

The new maps affect the cities of Agoura Hills, Calabasas, Hidden Hills, Los Angeles, Santa Clarita, and Simi Valley, and the counties of Los Angeles and Ventura. Each of the five maps covers approximately 60 square miles.

Another five preliminary seismic hazard zone maps and two revised official maps covering portions of Los Angeles and Orange counties (see index map, page 2) are undergoing technical review. These maps cover the La Habra, Orange, Tustin, Laguna Beach and Yorba Linda quadrangles. The Anaheim and Newport Beach quadrangle maps, first released as official maps in April 1997, are being revised.

The deadline for review and comment on these maps was January 15, 1998. After possible revisions to address comments, the maps will become official on April 15, 1997.

Twenty-three additional preliminary maps will be released for review in June 1998.

Seismic Hazard Evaluation and Mitigation Short Course

A short course for geotechnical professionals on evaluation and mitigation of seismic hazards associated with slope instability and soil liquefaction was held in Los Angeles on January 22-24, 1998. The Department of Conservation, in partnership with the Southern California Earthquake Center and UC Berkeley's Department of Civil and Environmental Engineering, sponsored the event.

The course was limited to local government reviewers of the seismic hazard reports mandated by the Seismic Hazards Mapping Act. Dr. Ray Seed, course organizer and head of the Civil and Environmental Engineering group at Berkeley, said the course was designed to present a concise, but practical perspective with an even-handed discussion of alternative approaches and controversial topics related to hazard evaluation and mitigation. The instructors were asked to clearly communicate uncertainties and reliability issues and to cover any inherent pitfalls.

On the first day, speakers covered the selection and use of strong motion data, including an overview of the Statewide Probabilistic Ground Motion Maps, along with seismic/dynamic soil properties and their evaluation. The second and third days were devoted to the evaluation and mitigation of soil liquefaction hazard and seismic slope instability and deformation, respectively.

A second course designed for consultants and geotechnical practitioners is being planned for UC Berkeley in June 1998. Anyone interested in attending may contact the UC Berkeley Geotechnical Engineering Program at (510) 642-1262.

Color Maps Not Yet Available

Each month the Division of Mines and Geology gets dozens of requests for color copies of the seismic hazard zone maps. Presently, only a blueline version is available through BPS Reprographics in San Francisco.

Division of Mines and Geology staff are testing production of copies of the color maps and we hope to have them available later this year. Availability will be announced in a future bulletin.

Meanwhile, images of the color maps are available at DMG's web site: <http://www.conservation.ca.gov/cgs/>

Free List of Publications Available

The Department of Conservation's Division of Mines and Geology has revised its List of Publications, effective September 1997. The 42-page booklet contains lists of bulletins, special reports and publications, geologic maps and atlases, open-file reports, and earthquake data reports and their cost.

The free publication is available from:

Division of Mines and Geology

Seismic Trivia

An earthquake swarm in the Long Valley area of Mono County, near Mammoth Lakes, may be early signals for a volcanic eruption. The most recent volcanic eruption in this area occurred on August 23, 1890 at the southern end of Mono Lake.

Amendments Enacted via AB6x

Per Section 14 of AB6x, the following changes are effective March 1, 1998.

The following excerpts taken from Assembly Bill 6x, are the sections that affect implementation of the Earthquake Fault Zoning Act and the Seismic Hazards Mapping Act.

SEC. 8. Section 2621 of the Public Resources Code is amended to read:

2621.9 A person who is acting as an agent for a seller of real property which is located within a delineated earthquake fault zone, or the seller if he or she is acting without an agent, shall disclose to any prospective purchaser the fact that the property is located within a delineated earthquake fault zone.

(b) In all transactions that are subject to Section 1102 of the Civil Code, the disclosure required by subdivision (a) of this section shall be provided by either of the following means:

- (1) The Local Option Real Estate Transfer Disclosure Statement as provided in Section 1102.6a of the Civil Code.
- (2) the Natural Hazard Disclosure Statement as provided in Section 1102.6c of the Civil Code.

(c) Disclosure is required pursuant to this section only when one of the following conditions is met:

- (1) The seller, or the seller's agent, has actual knowledge that the property is within a delineated earthquake fault zone.
- (2) A map that includes the property has been provided to the city or county pursuant to Section 2622, and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the county.

(d) If the map or accompanying information is not of sufficient accuracy or scale that a reasonable person can determine if the subject real property is included in a delineate earthquake fault hazard zone, the agent shall mark "Yes" on the Natural Hazard Disclosure Statement. The agent may mark "No" on the Natural Hazard Disclosure Statement if he or she attaches a report prepared pursuant to subdivision (c) of Section 1102.4 of the Civil Code that verifies the property is not in the hazard zone. Nothing in this subdivision is intended to limit or abridge any existing duty of the seller or the sellers' agents to exercise reasonable care in making a determination under this subdivision.

(e) For purposes of the disclosures required by this section, the following persons shall not be deemed agents of the seller:

- (1) Persons specified in Section 1102.11 of the Civil Code.
- (2) Persons acting under a power of sale regulated by Section 2924 of the Civil Code.

(f) For purposes of this section, Section 1102.13 of the Civil Code shall apply.

(g) The specification of items for disclosure in this section does not limit or abridge any obligation for disclosure created by any other provision of law or that may exist in order to avoid fraud, misrepresentation, or deceit in the transfer transaction.

SEC. 9 Section 2694 of the Public Resources Code is amended to read:

2694. (a) A person who is acting as an agent for a seller of real property which is located within a seismic hazard zone, as designated under this chapter, or the seller if he or she is acting without an agent, shall disclose to any prospective purchaser the fact that the property is located within a seismic hazard zone.

(b) In all transactions that are subject to Section 1102 of the Civil Code, the disclosure required by subdivision (a) of this section shall be provided by either of the following means:

(1) The Local Option Real Estate Transfer Disclosure Statement as provided in Section 1102.6a of the Civil Code.

(2) The Natural Hazard Disclosure Statement as provided in Section 1102.6c of the Civil Code.

(c) Disclosure is required pursuant to this section only when one of the following conditions is met:

(1) The seller, or the seller's agent, has actual knowledge that the property is within a seismic hazard zone.

(2) A map that includes the property has been provided to the city or county pursuant to Section 2622, and a notice has been posted at the offices of the county recorder, county assessor, and the county planning agency that identifies the location of the map and any information regarding changes to the map received by the county.

(d) If the map or accompanying information is not of sufficient accuracy or scale that a reasonable person can determine if the subject real property is included in a seismic hazard zone, the agent shall mark "Yes" on the Natural Hazard Disclosure Statement. The agent may mark "No" on the Natural Hazard Disclosure Statement if he or she attaches a report prepared pursuant to subdivision (c) of Section 1102.4 of the Civil Code that verifies the property is not in the hazard zone. Nothing in this subdivision is intended to limit or abridge any existing duty of the seller or the seller's agents to exercise reasonable care in making a determination under this subdivision.

(e) For purposes of the disclosures required by this section, the following persons shall not be deemed agents of the seller:

(1) Persons specified in Section 1102.11 of the Civil Code.

(2) Persons acting under a power of sale regulated by Section 2924 of the Civil Code.

(f) For purposes of this section, Section 1102.13 of the Civil Code applies.

(g) The specification of items for disclosure in this section does not limit or abridge any obligation for disclosure created by any other provision of law or that may exist in order to avoid fraud, misrepresentation, or deceit in the transfer transaction.

SEC. 10. Section 2696 of the Public Resources Code is amended to read:

2696. (a) The State Geologist shall compile maps identifying seismic hazard zones, consistent with the requirements of Section 2695. The maps shall be compiled in accordance with a time schedule developed by the director and based upon the provisions of Section 2695 and the level of funding available to implement this chapter.

(b) The State Geologist shall, upon completion, submit seismic hazard maps compiled pursuant to subdivision (a) to the board and all affected cities, counties, and state agencies for review and comment. Concerned jurisdictions and agencies shall submit all comments to the board for review and consideration within 90 days. Within 90 days of board review, the State Geologist shall revise the maps, as appropriate, and shall provide copies of the official maps to each state agency, city, or county, including the county recorder, having jurisdiction over lands containing an area of seismic hazard. The county recorder shall record all information transmitted as part of the public record.

(c) In order to ensure that sellers of real property and their agents are adequately informed, any county that receives an official map pursuant to this section shall post a notice within five days of receipt of the map at the office of the county recorder, county assessor, and county planning agency, identifying the location of the map and any information regarding changes to the map and the effective date of the notice.

To Order Seismic Hazard Zone Maps

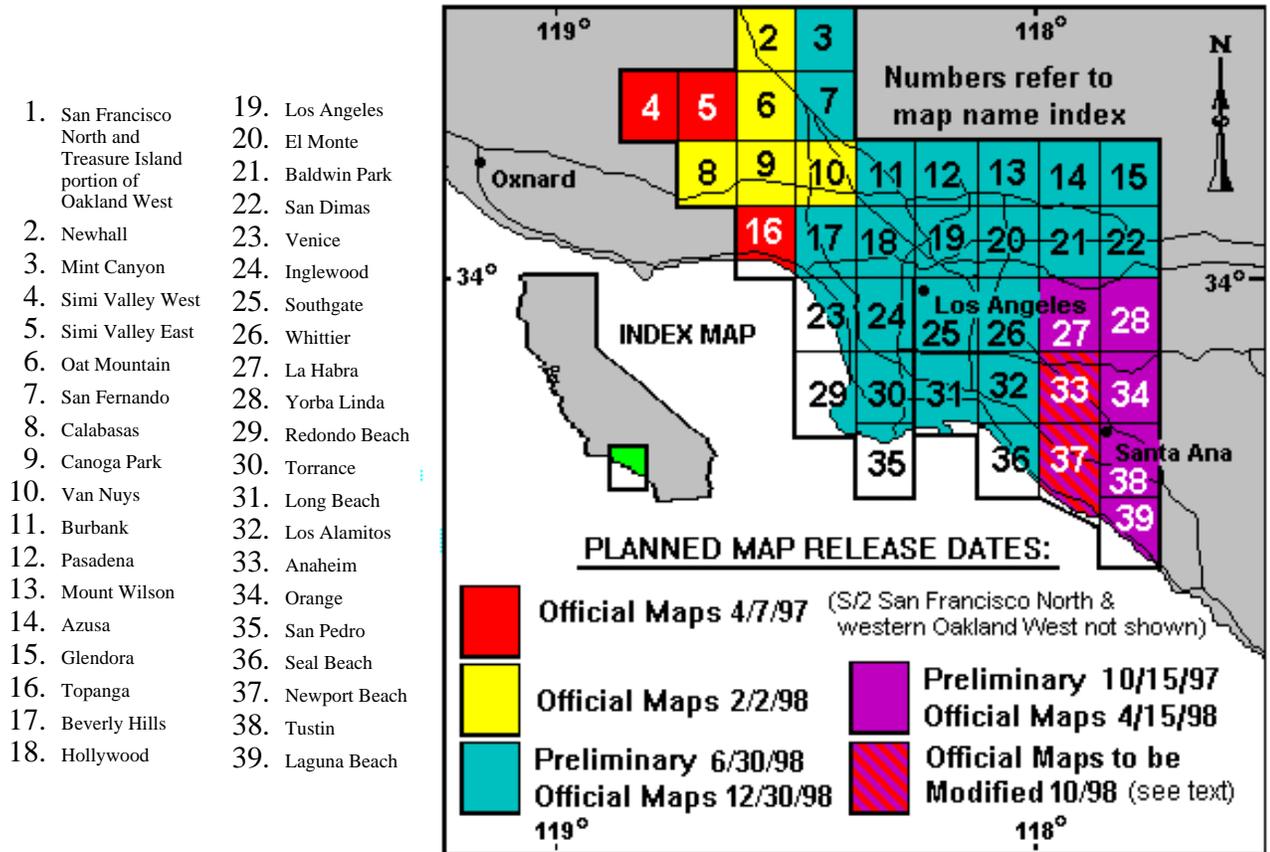
Seismic hazard zone maps for liquefaction and/or landslide potential are available from:

BPS Reprographic Services
149 Second Street
San Francisco, CA 94103
(415) 512-6550

Contact BPS for price information.

Note: The image below is as it appeared in Bulletin #6.

[A more up-to-date schedule may be available.](#)



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|--|-------------------|
| 1. San Francisco North and Treasure Island portion of Oakland West | 19. Los Angeles |
| 2. Newhall | 20. El Monte |
| 3. Mint Canyon | 21. Baldwin Park |
| 4. Simi Valley West | 22. San Dimas |
| 5. Simi Valley East | 23. Venice |
| 6. Oat Mountain | 24. Inglewood |
| 7. San Fernando | 25. Southgate |
| 8. Calabasas | 26. Whittier |
| 9. Canoga Park | 27. La Habra |
| 10. Van Nuys | 28. Yorba Linda |
| 11. Burbank | 29. Redondo Beach |
| 12. Pasadena | 30. Torrance |
| 13. Mount Wilson | 31. Long Beach |
| 14. Azusa | 32. Los Alamitos |
| 15. Glendora | 33. Anaheim |
| 16. Topanga | 34. Orange |
| 17. Beverly Hills | 35. San Pedro |
| 18. Hollywood | 36. Seal Beach |
| | 37. Newport Beach |
| | 38. Tustin |
| | 39. Laguna Beach |

For More Information...

The **Department of Conservation's Division of Mines and Geology** posts information pertaining to the Seismic Hazard Mapping Program at the Department of Conservation's Web site:

<http://www.consrv.ca.gov/>. For information about outreach services available to local governments, contact:

Candace Hill, Assoc. Planner
Voice: (916) 324-1407
Fax: (916) 445-3334
E-mail: bhill@consrv.ca.gov

For assistance with guideline and/or map interpretation, questions or comments about the home page, or availability of data and data services, contact:

Jack McMillan, Senior Geologist
Voice: (916) 323-8569
Fax: (916) 445-3334
E-mail: jmcmilla@consrv.ca.gov

For information about the **Fault Evaluation and Zoning Program**, contact:

Bill Bryant, Senior Geologist
Voice: (916) 323-9672
Fax: (916) 445-3334
E-mail: bbryant@consrv.ca.gov