



State Mining and Geology Board

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING ACT REGULATIONS

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ARTICLE 3. Policies and Criteria of the State Mining and Geology Board With Reference to the Alquist-Priolo Earthquake Fault Zoning Act

3600. Purpose

It is the purpose of this subchapter to set forth the policies and criteria of the [State Mining and Geology Board](#), hereinafter referred to as the "Board," governing the exercise of city, county, and state agency responsibilities to prohibit the location of developments and structures for human occupancy across the trace of active faults in accordance with the provisions of [Public Resources Code Section 2621 et seq. \(Alquist-Priolo Earthquake Fault Zoning Act\)](#). The policies and criteria set forth herein shall be limited to potential hazards resulting from surface faulting or fault creep within earthquake fault zones delineated on maps officially issued by the State Geologist.

Authority cited: [Section 2621.5, Public Resources Code](#)
Reference: [Sections 2621-2630, Public Resources Code](#)

3601. Definitions

The following definitions as used within the Act and herein shall apply:

- An "active fault" is a fault that has had surface displacement within Holocene time (about the last 11,000 years), hence constituting a potential hazard to structures that might be located across it.
- A "fault trace" is that line formed by the intersection of a fault and the earth's surface, and is the representation of a fault as depicted on a map, including maps of earthquake fault zones.

(c) A "lead agency" is the city or county with the authority to approve projects.

(d) "Earthquake fault zones" are the areas delineated by the State Geologist, pursuant to the [Alquist-Priolo Earthquake Fault Zoning Act \(Public Resources Code Section 2621 et seq.\)](#) and this subchapter, which encompass the traces of active faults.

(e) A "structure for human occupancy" is any structure used or intended for supporting or sheltering any use or occupancy, which is expected to have a human occupancy rate of more than 2,000 person-hours per year.

(f) "Story" is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. For the purpose of the Act and this subchapter, the number of stories in a building is equal to the number of distinct floor levels, provided that any levels that differ from each other by less than two feet shall be considered as one distinct level.

Authority cited: [Section 2621.5, Public Resources Code](#)

Reference: [Sections 2621-2630, Public Resources Code](#)

3602. Review of Preliminary Maps

(a) Within 45 days from the issuance of proposed new or revised preliminary earthquake fault zone map(s), cities and counties shall give notice of the Board's announcement of a ninety (90) day public comment period to property owners within the area of the proposed zone. The notice shall be by publication, or other means reasonably calculated to reach as many of the affected property owners as feasible. Cities and counties may also give notice to consultants who may conduct geologic studies in fault zones. The notice shall state that its purpose is to provide an opportunity for public comment including providing to the Board geologic information that may have a bearing on the proposed map(s).

(b) The Board shall also give notice by mail to those California Registered Geologists and California Registered Geophysicists on a list provided by the [California Board for Geologists and Geophysicists](#). The notice shall indicate the affected jurisdictions and state that its purpose is to provide an opportunity to present written technical comments that may have a bearing on the proposed zone map(s) to the Board during a 90-day public comment period.

(c) The Board shall receive public comments during the 90-day public comment period. The Board shall conduct at least one public hearing on the proposed zone map(s) during the 90-day public comment period.

(d) Following the end of the 90-day public comment period, the Board shall forward its comments and recommendations with supporting data received to the State Geologist for consideration prior to the release of the official earthquake fault zone map(s).

Authority cited: [Section 2621.5, Public Resources Code](#)

Reference: [Section 2622, Public Resources Code](#)

3603. Specific Criteria

The following specific criteria shall apply within earthquake fault zones and shall be used by affected lead agencies in complying with the provisions of the Act:

(a) No structure for human occupancy, identified as a project under [Section 2621.6](#) of the Act, shall be permitted to be placed across the trace of an active fault. Furthermore, as the area within fifty (50) feet of such active faults shall be presumed to be underlain by active branches of that fault unless proven otherwise by an appropriate geologic investigation and report prepared as specified in [Section 3603\(d\)](#) of this subchapter, no such structures shall be permitted in this area.

(b) Affected lead agencies, upon receipt of official earthquake fault zone maps, shall provide for disclosure of delineated earthquake fault zones to the public. Such disclosure may be by reference in the general plan, specific plans, property maps, or other appropriate local maps.

(c) No change in use or character of occupancy, which results in the conversion of a building or structure from one not used for human occupancy to one that is so used, shall be permitted unless the building or structure complies with the provisions of the Act.

(d) Application for a development permit for any project within a delineated earthquake fault zone shall be accompanied by a geologic report prepared by a geologist registered in the State of California, which is directed to the problem of potential surface fault displacement through the project site, unless such report is waived pursuant to [Section 2623](#) of the Act. The required report shall be based on a geologic investigation designed to identify the location, recency, and nature of faulting that may have affected the project site in the future. The report may be combined with other geological or geotechnical reports.

(e) A geologist registered in the State of California, within or retained by each lead agency, shall evaluate the geologic reports required herein and advise the agency.

(f) One (1) copy of all such geologic reports shall be filed with the State Geologist by the lead agency within thirty (30) days following the reports acceptance. The State Geologist shall place such reports on open file.

Authority cited: [Section 2621.5, Public Resources Code](#)

Reference: Sections [2621.5](#), [2622](#), [2623](#), and [2625\(c\)](#), Public Resources Code