



# Memorandum

**TO:** TRANSPORTATION &  
ENVIRONMENT COMMITTEE

**FROM:** Christopher A. Godley

**SUBJECT:** SEE BELOW

**DATE:** April 2, 2012

Approved

Date

3/23/12

**SUBJECT:** SAN JOSÉ ANNEX TO THE SANTA CLARA COUNTY, CA ANNEX TO THE 2010 ASSOCIATION OF BAY AREA LOCAL HAZARD MITIGATION PLAN ENTITLED "TAMING NATURAL DISASTERS."

## **RECOMMENDATION**

Review and accept this San José Annex to the Santa Clara County, CA Annex to the 2010 Association of Bay Area Local Governments (ABAG) Hazard Mitigation Plan entitled "Taming Natural Disasters" and recommend adoption of the Annex by the City Council.

## **OUTCOME**

Adoption of this San Jose Annex to the 2010 ABAG Hazard Mitigation Plan (Annex) by the full City Council meets Federal Emergency Management Agency (FEMA) compliance requirements as a condition of receiving future Hazard Mitigation Grant Program project grant funds for both pre-disaster and post-disaster mitigation.

## **BACKGROUND**

The primary purpose of hazard mitigation planning is to reduce the long-term hazardous risks impacting human life and property by taking actions to systematically identify policies, actions and tools that can be used to implement mitigation measures.

On October 20, 2000, Public Law 106-390, the Disaster Mitigation Act of 2000 (DMA 2000), was signed into law by President Clinton. The DMA amends the Robert T. Stafford Disaster Relief and Emergency Services Act to require local governments to develop and submit hazard mitigation plans as a condition of receiving Hazard Mitigation Grant Program project grants from the FEMA for both pre-disaster and post-disaster mitigation.

The City of San Jose adopted its current Local Hazard Mitigation Plan in April 2007. This proposed Annex would supersede the 2007 plan.

A hazard mitigation plan assists local governments in protecting life, property, and local communities from environmental degradation and potential disasters. A hazard mitigation plan

is essential in reducing the hazardous risks that can threaten the livelihood of a community, and effective mitigation planning efforts are necessary to protect against these hazards. The San Francisco Bay Area is prone to earthquake hazards of liquefaction, ground shaking, floods, landslides, fault surface rupture, and tsunamis. The area is also subject to wildfires and extreme summer heat and winter weather conditions.

The requirements and procedures for establishing mitigation plans are found in the Code of Federal Regulations (CFR), Title 44, Chapter 1, Part 201 and the associated Interim Final Rule changes of February 26, 2002, October 1, 2002, October 28, 2003, September 12, 2004 and October 31, 2007.

In 2010, the County of Santa Clara County received grant funding to develop a Local Hazard Mitigation Plan and hired Association of Bay Area Governments (ABAG) as a consultant. The County of Santa Clara coordinated with other local jurisdictions to participate in the development of hazard mitigation plans on a regional level. Local agencies and special districts were given the option of planning and submitting a single jurisdiction hazard mitigation plan, or participating in the development of a multi-jurisdictional plan. The City of San Jose, along with all other cities in the County, opted to participate in the collaborative hazard mitigation planning process in conjunction with 60 plus other agencies to identify mitigation priorities shared regionally. All regional plan annexes must be adopted by local jurisdictions to maintain eligibility for Hazard Mitigation Grant Program funding.

ABAG completed the regional plan with the San Jose Annex on September 1, 2011 which was then submitted to FEMA for approval. Although FEMA is unable to complete its review of all plans prior to adoption by local jurisdictions, local jurisdictions are still required to adopt the regional plan and annexes to maintain eligibility for hazard mitigation funding.

## ANALYSIS

The Annex is intended to serve many purposes including enhancing public awareness of the hazards that threaten public health, safety, and welfare; creating a decision tool for management in addressing vulnerabilities to future disasters; promoting compliance with State and Federal requirements; enhancing local policies for hazard mitigation capabilities; and ensuring mitigation-related planning is coordinated among all jurisdictions in the County of Santa Clara.

This Annex improves upon the City's 2007 Hazard Mitigation Plan in five key areas:

- 1) Establishes an inventory of critical facilities in the City;
- 2) Introduces a set of standardized hazard mitigation strategy options as adopted by the majority of Bay Area jurisdictions;
- 3) Improves the analysis of major hazards including earthquake and flooding;
- 4) Incorporates City hazard mitigation activities that have occurred since 2007; and
- 5) Provides new information on the disaster preparedness level of San Jose residents.

The Annex consists of four major sections:

- 1) The planning process, findings from the public survey on disaster preparedness, and a brief summary of the natural and manmade features of San Jose.

- 2) An assessment of current City mitigation efforts, projects, and capabilities.
- 3) Identification of current vulnerabilities the City faces in relation to its critical infrastructure and specific natural hazards such as fire, flood, and earthquake.
- 4) A list of ranked hazard mitigation strategies including three priority City mitigation actions:
  1. Upper Guadalupe River Flood Projection Project (in progress)
  2. Coyote Creek Protection Project (in progress)
  3. Santa Clara County Fire Break Construction Project (proposed)

The hazard mitigation strategies outlined in the Annex are intended to inform City mitigation efforts and are not binding.

### **PUBLIC OUTREACH / INTEREST**

**Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**

**Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: Email and Website Posting)**

**Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Community and stakeholder outreach during development of the Annex included an online survey with 144 respondents, notice in the City Manager's Weekly Report and posting to the City's website. In addition, City representatives participated simultaneously in the Santa Clara County hazard mitigation planning effort which pursued its own public education and outreach efforts.

### **COORDINATION**

Within the City of San Jose, this plan has been coordinated with the following departments: Airport; Economic Development; Environmental Services; Fire; Housing; Information Technology; Parks, Recreation and Neighborhood Services; Planning, Building and Code Enforcement; Police; Public Works; Transportation; and City Attorney's Office.

### **FISCAL / POLICY ALIGNMENT**

There is no fiscal impact to the General Fund. Adoption of the resolution and approval of the plan are requirements for future local projects to be eligible to receive federal Hazard Mitigation Grant Program funds.

TRANSPORTATION AND ENVIRONMENT COMMITTEE

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Subject: Local Hazard Mitigation Plan

Page 4

**CEQA**

Not a project, File No. PP10-069 (a), City Organizational and Administrative Activities.

/s/

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Director of Emergency Services

San Jose Fire Department

For questions, please contact Christopher Godley, Director of Emergency Services, at 277-4595.

