



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Reginald D. Freeman  
Fire Chief, Oakland Fire  
Department

**SUBJECT:** 2021-2026 Oakland Local Hazard  
Mitigation Plan

**DATE:** May 17, 2021

City Administrator Approval

Date: Jun 1, 2021

## **RECOMMENDATION**

**Staff Recommends The City Council Conduct A Public Hearing To Review The 2021-2026 Oakland Local Hazard Mitigation Plan And Upon Conclusion Adopt A Resolution Adopting The 2021-2026 Oakland Local Hazard Mitigation Plan As An Amendment To The Safety Element Of The Oakland General Plan.**

## **EXECUTIVE SUMMARY**

The [City of Oakland 2021 – 2026 Local Hazard Mitigation Plan \(2021- 2026 LHMP\)](#) (**Attachment A**) is an update of the previous [hazard mitigation plan the City adopted in 2016](#). The purpose of the public hearing is for the City Council to review the 2021 – 2026 LHMP and its analysis of risks from earthquakes, wildfires, flood, and other natural and human-caused hazards; review and approve mitigation measures proposed for funding and further consideration, and as recommended by the Planning Commission, adopt the 2021 – 2026 LHMP as an Amendment to the Safety Element of the Oakland General Plan.

As the City prepares to undertake a comprehensive update to its General Plan, starting with adoption of an updated Safety Element, updated Housing Element, and new Environmental Justice Element as soon as January 2023, the 2021 – 2026 LHMP will provide critical data that informs the update process and corresponding community outreach.

Cities must update their LHMPs every five years, at minimum. Oakland's most recent LHMP was adopted in 2016 and expires on July 5, 2021. Once approved, the 2021 update will remain active until July 4, 2026. The LHMP helps guide the City and its partners to implement these strategies throughout Oakland and is a requirement to be eligible for pre- and post-disaster assistance from the U.S. Federal Emergency Management Agency (FEMA) under the California Disaster Assistance Act.

The Oakland Fire Department's Emergency Management Services Division has managed the project and will oversee its implementation and revisions.

City Council  
June 15, 2021

## **BACKGROUND / LEGISLATIVE HISTORY**

Preparation of the 2021 – 2026 LHMP continues the hazard mitigation planning process that has been in place in the City of Oakland since the early 1970s, with the adoption of the first Seismic and Safety Elements to the City's General Plan. The City of Oakland is a leader in the regional discussion of hazards, hazard mitigation, and disaster recovery. The Rockefeller Foundation pioneered 100 Resilient Cities in 2013 to help more cities, including Oakland, build resilience to the physical, social, and economic challenges that are a growing part of the 21st century.

This is the third update to the City of Oakland's initial 2006 hazard mitigation plan (previously updated in 2011 and 2016). Prior plan updates reconciled changes or enhancements made to the plan as required by FEMA for local hazard mitigation plan updates. The *Analysis and Policy Alternatives* section of this report reconciles changes and enhancements to the 2016 update.

## **ANALYSIS AND POLICY ALTERNATIVES**

A core planning team, consisting of staff from several departments of the City of Oakland and a contract consultant, facilitated the development of this plan. A 22-member steering committee of mostly City staff oversaw the plan development. Coordination with other local, state, and federal agencies involved in hazard mitigation occurred throughout the planning process.

As a key step in understanding the process, the planning team and steering committee reviewed the City's previous hazard mitigation plan (the 2016-2021 Local Hazard Mitigation Plan), the 2018 State of California Multi-Hazard Mitigation Plan, and existing programs that may support hazard mitigation actions.

Based on the review of existing plans and programs, the input received through the public involvement strategy, the direction of the steering committee, and the findings of a new, detailed risk assessment, this hazard mitigation plan meets federal hazard mitigation planning requirements.

This LHMP is organized into three primary parts:

- Part 1—Planning Process and Community Profile
- Part 2—Risk Assessment
- Part 3—Mitigation Strategy

All residents, businesses and employees of the City of Oakland are the beneficiaries of this hazard mitigation plan. The plan reduces risk for those who live in, work in, and visit the City. It provides a viable planning framework for all foreseeable natural hazards. Participation in development of the plan by key stakeholders helped to ensure that the outcomes will be mutually beneficial. The plan's goals and recommendations lay groundwork for the development and implementation of local mitigation activities and partnerships.

### Timeline of Key Dates for the Adoption of the [2021 – 2026 Local Hazard Mitigation Plan](#)

- **April 12-26, 2021:** Public Comment Period prior to State of California Office of Emergency Services (CalOES) / FEMA submission
- **April 30, 2021:** Draft submission to CalOES and FEMA
- **May 11, 2021:** Report to Public Safety Committee
- **May 14, 2021:** Receipt of Approval Pending Adoption Letter from FEMA (**Attachment B**)
- **May 19, 2021:** Report to Planning Commission
- **June 15, 2021:** City Council for adoption

The 2021 – 2026 LHMP is designed to be incorporated as an appendix to the City's Safety Element so that the City maintains the ability to receive full state cost share funding after a disaster under the California Disaster Assistance Act.

### Key changes to the content and format of the local hazard mitigation plan

The City used the current update process to make significant changes to the format and content of the hazard mitigation plan. The plan was re-packaged in its entirety to improve readability and to better align with Disaster Mitigation Act "Pub. L. No.106-390") requirements for hazard mitigation plans. A renewed effort was made to establish a plan maintenance and implementation protocol that clearly defines the City's commitment to the plan's ongoing success. Some of the major differences between the current and previous plans are as follows:

- A new mission statement and goals and objectives were identified for the updated plan to better align with existing City plans and programs and identified state priorities.
- The list of evaluated hazards was updated based on the most current community experience and concerns.
- A new review was conducted of existing plans and programs that are relevant for hazard mitigation.
- The risk assessment was updated using the best available data, including updated general building stock and critical facility databases.
- Discussion on existing land uses was included for each hazard of concern that has defined extents and locations.
- A new risk ranking methodology quantifying the net impacts on people, property, economy, and the environment exposed was employed to assist in establishing mitigation priorities.
- The action plan included direction to employ the best available local data to identify racial disparities and apply this information in the risk ranking and mitigation prioritization strategies.
- The protocol for prioritizing actions was updated and included a qualitative benefit-cost review.
- The strategy for plan maintenance and implementation was revised and updated to encourage greater coordination and planning for hazard mitigation funding opportunities.

A hazard mitigation plan must document that it has been formally adopted by the governing body of the jurisdiction requesting federal approval of the plan (44 CFR Section 201.6(c)(5)). Compliance with the Disaster Mitigation Act and its benefits cannot be achieved until the plan is adopted. This plan was submitted for a pre-adoption review to CalOES and FEMA prior to adoption. Now that pre-adoption approval was provided (**Attachment B**), the City of Oakland must formally adopt the plan.

The City of Oakland's Emergency Management Services Division Manager and the Planning and Building Department will have co-lead responsibility for overseeing the plan implementation and maintenance strategy. Plan implementation and evaluation will be a shared responsibility among all agencies identified as lead agencies in the mitigation action plan.

During the five-year implementation period for this hazard mitigation plan, the City also will be developing a comprehensive update to its General Plan, starting with adoption of the updated Safety Element, updated Housing Element, and new Environmental Justice Element, anticipated by January 2023. The City will capitalize on the assessment conducted for this hazard mitigation plan to inform the update to the Safety Element. The update to the Safety Element will serve as an extension and continuation of the community outreach process undertaken during this hazard mitigation plan's development. This will provide the public and the City with further opportunities to propose additional mitigation actions that serve to address the hazards presented.

### **FISCAL IMPACT**

Adoption of the 2021 – 2026 LHMP as an Amendment to the Safety Element of the General Plan will position the City to be eligible for pre- and post-disaster mitigation funds through federal mitigation grant programs. Adoption will also position the City to receive additional post-disaster recovery funding from the State of California, specifically the waiver of the 6.25 percent local match for Public Assistance money following a disaster (as described in California Government Code section 8685.9).

### **PUBLIC OUTREACH / INTEREST**

This plan was drafted during the COVID-19 pandemic, limiting in-person public outreach events, and under an expedited project timeline. Therefore, the planning team implemented a multi-media public involvement strategy that was approved by the Steering Committee. Public outreach efforts included a hazard mitigation survey administered electronically, virtual town hall meetings, a project website, social media, and message dissemination through city-wide newsletters.

The public comment period for the Draft LHMP was completed on April 26, 2021, followed by concurrent review by CalOES and FEMA. Additional comments received after the formal public comment period will be used by the City to inform the upcoming Safety Element Update process.

## **COORDINATION**

A core planning team consisting of staff from the Oakland Fire Department, Planning and Building Department, City Administrator's Office, and Public Works Department facilitated the development of this plan and City staff oversaw the plan development. Coordination with the Oakland City Attorney's Office and other local, state, and federal agencies involved in hazard mitigation occurred throughout the planning process.

## **SUSTAINABLE OPPORTUNITIES**

***Economic:*** By adopting the 2021 – 2026 LHMP, the City can begin to seek funding for and implement the 21 separate mitigation measures during the years 2021-2026. With the completion of these mitigation measures, Oakland residents, business, and the essential civic functions of government will be sustained following a disaster due to natural and human-caused hazards. The economy will recover from a disaster more readily if the identified mitigation measures are implemented.

***Environmental:*** Adoption of the 2021 – 2026 LHMP, and funding and completing its mitigation measures, will aid in mitigating potential damage to natural resources from safety hazards and disasters. The LHMP additionally builds on the City's efforts in preparing and adapting to the effects of climate change, including from sea level rise and severe weather events. Implementing the mitigation actions included in the LHMP's mitigation strategy will help protect the City's natural and built environment.

***Race & Equity:*** The planning process for this hazard mitigation plan was designed to stimulate better, more effective, sustainable, and vital connections between stakeholders, toward the common objective of mitigating hazard risks to the community. The plan emphasizes equity to empower the City's most vulnerable people to play a role in building resilience. This is referred to as the application of an equity lens, which is defined as a critical thinking approach to undoing institutional and structural biases by evaluating burdens, benefits, and outcomes on underserved communities. An equity lens was applied throughout the public outreach process, in the evaluation of risk, and in the development of mitigation actions.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The City's adoption of the 2021 – 2026 LHMP as an amendment to the Safety Element of the Oakland General Plan is exempt from CEQA pursuant to the following CEQA Guidelines sections each as a separate and independent basis: 15183 (projects consistent with a community plan, general plan or zoning), 15162 (feasibility and planning studies), 15306 (data, research, and information collection) and 15061(b)(3) (common sense exemption).

The 2021 – 2026 LHMP identifies potential natural and human-caused hazards in Oakland and includes a five-year strategy of possible actions the City may take to reduce the risks from the identified hazards. Some of the actions are studies or collaborations with other agencies, where

Oakland may not be the lead agency as defined by CEQA. Other actions that may be undertaken could require their own independent CEQA review.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends The City Council Conduct a Public Hearing to Review the 2021-2026 Oakland Local Hazard Mitigation Plan And Upon Conclusion Adopt A Resolution Adopting The 2021 – 2026 Oakland Local Hazard Mitigation Plan As An Amendment To The Safety Element Of The Oakland General Plan.

For questions regarding this report, please contact Michael Hunt, Chief of Staff, Oakland Fire Department at (510) 238-6563.

Respectfully submitted,



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Attachments (2):

- A: 2021-2026 Oakland Local Hazard Mitigation Plan
- B: Approval Pending Adoption Letter dated May 14, 2021