



DATE: March 28, 2023

TO: Mayor and City Council

FROM: Fire Chief

SUBJECT: Adopt a Resolution Updating the Hayward Local Resilience Plan, Formerly Known as the Hayward Local Hazard Mitigation Plan, and Finding that the Action is Exempt from CEQA Review

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) adopting the 2021 update to the Hayward Local Resilience Plan, formerly known as the Hayward Local Hazard Mitigation Plan and finds that the action is exempt from CEQA Review.

SUMMARY

Staff is recommending that Council adopt the City's Local Resilience Plan (LRP) 2021 Update (Attachment III). The Local Hazard Mitigation Plan was renamed as part of Hayward's forward-thinking resilience planning and serves as a guiding document for that strategy and the City's hazard mitigation activities. Updates to the LRP are required by the Federal Emergency Management Agency (FEMA) every 5 years to remain eligible to receive hazard mitigation grants and fully funded federal post-disaster Public Assistance. Local jurisdictions, including special districts, that participate in the planning process and are seeking FEMA approval must adopt the mitigation plan. The LRP update was prepared by the Hayward Fire Department, with input from the Planning Department, and the public via a survey.

Local Resilience Plans must be reviewed and approved by the Governor's Office of Emergency Services (CalOES) and the Federal Emergency Management Agency (FEMA). The plan approval date begins the five-year approval period and sets the expiration date for the plan. The previous plan dated 2016 was set to be updated in 2021. The reason why staff is bringing the 2021 Update to Council in 2023 is because of the State and Federal review and approval process.

The updated LRP has been reviewed and approved by CalOES and is currently being reviewed by FEMA. Per FEMA's Local Mitigation Planning Policy Guide, a single jurisdiction

is allowed to adopt the plan prior to final FEMA approval, recognizing that the state and/or FEMA may require revisions to the plan that will change the plan's final content.

The attached updated LRP contains minimal changes from the 2016 adopted version, as no substantial natural disasters occurred in the 5-year period from 2017-2021 and minimal changes occurred in the City's disaster mitigation environment and priorities. Staff is seeking Council adoption before April 19, 2023, because FEMA is issuing new requirements, which may warrant major document revisions and temporary loss of funding opportunities if adopted after that date.

BACKGROUND

The Disaster Mitigation Act of 2000 calls for localities to produce and adopt Local Hazard Mitigation Plans (LHMP) to receive hazard mitigation grants and fully funded federal post-disaster Public Assistance. Previously, the City of Hayward was included in the Association of Bay Area Governments (ABAG's) 2010 Regional Hazard Mitigation Plan, which was adopted as an Appendix to the previous General Plan. The 2016 LHMP was developed in coordination with other East Bay jurisdictions and ABAG staff, and replaces the Multi-Jurisdictional Hazard Mitigation Plan, which has expired and will not be updated. Developing the City's 2016 Local Hazard Mitigation Plan also fulfilled several General Plan policies. In the Hazards Element, Goal 1: Regional Coordination, addresses the 2010 Multi-Jurisdictional Hazard Mitigation Plan and the regional plan update process.

2016 Hayward LHMP Adoption

After being approved by CalOES, the City's 2016 LHMP received final approval from FEMA on September 14, 2016. On November 29, 2016, the City Council adopted the City's 2016 Hayward Local Hazard Mitigation Plan.

DISCUSSION

Per FEMA, hazard mitigation is "sustained action taken to reduce or eliminate the long-term risk to human life and property from hazards." Mitigation is action taken now that reduces risk to life and property, including existing structures and future construction, before, during, and after a disaster. The outcome of successful mitigation is a safer community that is less vulnerable to natural hazards. In addition to increasing community safety, local governments that develop and adopt Local Hazard Mitigation Plans are eligible for the following programs and benefits:

- Eligibility for waiver of the 6.25% matching requirement for FEMA Public Assistance: Following a Presidential disaster declaration, FEMA provides Public Assistance (PA) grants for the repair, replacement, and restoration of public assets. Localities with an approved and adopted hazard mitigation plan can be exempt from the 6.25% cost-sharing that is usually required of PA recipients.
- Eligibility for hazard mitigation grants: The Pre-Disaster Mitigation, Flood Mitigation Assistance, and Hazard Mitigation grant programs all require recipients

to have an approved and adopted LRP. Furthermore, grant funding for mitigation will only be awarded for projects that are consistent with the plan.

- Points for the National Flood Insurance Program Community Rating System (NFIP CRS): Jurisdictions with approved and adopted LRPS are eligible for flood insurance discounts through participation in the NFIP CRS. (Hayward does not participate in the Community Rating System)

The purpose of this Local Hazard Mitigation Plan update is to assess hazard risk and asset vulnerability in the City of Hayward and use that information to identify strategies to reduce future losses from natural hazards. The LRP serves as a guiding document for the City's hazard mitigation activities and was developed in fulfillment of and alignment with the City Council's "Safe" priority and informed by General Plan Safety Element and Hazards Element goals.

To prepare the 2021 LRP update, team members completed the following tasks:

- *Reviewed the previous 2016 LHMP:* Team members reviewed the 2016 Hayward Local Hazard Mitigation Plan and reported on the City's progress on implementing the plan's mitigation strategies.
- *Community Engagement:* Staff worked to engage the community in the update, through the internet, social media, and via public surveys.
- *Evaluated the City's risk by mapping hazard exposure and vulnerable assets:* Using GIS data, the team re-mapped the City's exposure to hazards and identified vulnerable assets in the affected areas.
- *Reviewed mitigation strategies:* Based on the risk and vulnerability analysis and careful consideration of each strategy, the team reviewed and added updates to the list of mitigation strategies for the City of Hayward to implement over the next five years.

For further information about the plan update process, please see Section 2 of the LRP 2021 Update (Attachment III).

Risk Assessment & Asset Exposure

Hazard mitigation planning is based on reliable, relevant data about the probability and location of potential hazards in the City of Hayward. Using data from state and federal agencies provided by ABAG, staff created maps of the City's exposure to earthquake, fire, landslide, flooding, tsunami, sea level rise, drought, and hazardous materials hazards. These maps and a detailed discussion of Hayward's exposure to risk and specific vulnerabilities are included in Section 5 of the LRP (Attachment III). A summary of the City's exposure to each hazard is available below.

Earthquake

Hayward is exposed to ground shaking, liquefaction, surface rupture, and landslides from seismic activity along the Hayward Fault, San Andreas Fault, San Gregorio Fault, and other Bay Area faults. The hills are susceptible to earthquake-induced landslides, while the flatlands are at risk of liquefaction. Tsunami and fire following an earthquake also threaten the City.

A major earthquake along the Hayward Fault, predicted to have a greater than 70% probability of occurrence in the next 30 years, would be particularly catastrophic.

Fire

The Hayward hills are at risk of wildland-urban interface fire. Dry grassland adjacent to residential properties and the seasonal Diablo winds can result in large, rapidly-spreading fires that cause widespread damage to hillside properties.

Landslide

Rain-induced and earthquake-induced landslides may occur on Hayward's hillsides. Extreme wet-dry cycles expected as a result of climate change may exacerbate the risk of these landslides.

Flood, Tsunami, and Sea Level Rise

Hayward's shoreline, while protected by extensive wetlands, is at risk of inundation from tsunamis, rare floods, and rising sea levels. Infrastructure along the shoreline will be more frequently, and eventually permanently, inundated as the sea level rises. In especially severe floods and at sea levels above five feet, residential and industrial parts of South Hayward adjacent to Don Edwards National Wildlife Preserve and Ward Creek are also at risk of flooding.

Drought

While Hayward is not directly at risk of drought, regional and statewide droughts affect the entire City and are likely to become much more common as climate change progresses.

Hazardous Materials

Hayward is home to nearly 1,000 businesses throughout the City that house various hazardous materials. Hazardous materials have the potential to become a crucial complicating factor in emergency situations. Flooding, earthquakes, and fires can all cause or be exacerbated by hazardous materials release.

Mitigation Strategies

Hazard Mitigation Planning enables the City of Hayward to fulfill its responsibility to protect the health, safety, and welfare of its residents before a disaster occurs, creating a safer, more resilient community. Using the Hayward Annex from the 2010 Multi-Jurisdictional Hazard Mitigation Plan, the General Plan, the Climate Adaptation Plan, and a FEMA Mitigation Strategies publication, staff compiled a list of mitigation strategies to address the City's vulnerability to various hazards.

The mitigation strategies are ranked by priority level. The result of this analysis is available in Section 6 of the LRP 2021 Update and summarized in Table 1 below. For the 2021 LRP Update, staff re-evaluated and updated each strategy based on feasibility, social benefits, economic benefits, environmental impacts, and community objectives.

Table 1: Mitigation Strategies by Priority Level

Priority Level	Strategy Group	Strategies
Very High	Organizational Preparedness	Employee Education Emergency Management Plan Update Tabletop & Field Exercises
High	Fragile Housing Retrofits	Single-Family Home Retrofits Soft Story Retrofits
	Public Programs	Public Education Community Emergency Response Teams Defensible Space Programs
	Organizational Preparedness	Communications redundancy Diversify partnerships & MOUs Acquire Equipment Participate in the ABAG Regional Lifelines Council
	Collaboration to Mitigate Sea Level Rise	Implement Adapting to Rising Tides Multiagency Support SR-92 Study
	Planning	Recovery Plan Shoreline Realignment Plan Hayward Executive Airport Seismic Evaluation
Moderate	Hazardous Materials Programs	Hazardous Materials Response Team Hazardous Materials Fee Study
	Fragile Housing Retrofits	Mobile Home Retrofits
	Environmental Programs	Expand Hayward Area Shoreline Protection Agency (HASPA) Renewable Emergency Energy Sources Watershed Analysis Hillside Landslide Mitigation
	Organizational Preparedness	Mobile Command Center
Low	Administrative Programs	Building Occupancy Resumption Program 911 Registry Priority Inspection List

Several of these mitigation strategies are already in the process of implementation or completed. As staff works to implement mitigation measures over the next five years leading up to the next LHMP update, the mitigation strategies identified in the table above may be eligible for FEMA Hazard Mitigation Grant Program funding as applicable and as it becomes available.

Environmental Review

The LRP 2021 Update identifies, analyzes, and addresses natural hazards in the City of Hayward as well as identifying strategies to mitigate, prepare for, and respond to those hazards. The LRP identified strategies that include collaboration and cooperation with other entities where Hayward may not be the Lead Agency as defined by CEQA. Some of the strategies entail projects or actions that may require CEQA review as a part of their future implementation.

Adoption of the LHMP is exempt from CEQA pursuant to the following sections of the CEQA guidelines:

- 15183 – Projects Consistent with a Community Plan or Zoning
- 15262 – Feasibility and Planning Studies
- 15306 – Information Collection
- 15061(b)(3) – General Rule/No Significant Environmental Effect

FISCAL IMPACT

Adopting the LRP 2021 Update will have no immediate fiscal impact. Implementing the projects, programs, and policies listed in the Plan will have associated costs. More information on cost estimates for each mitigation strategy can be found in Section 6 of the LRP 2021 Update. Adoption of the Plan makes the City eligible to apply for mitigation grants to support and off-set the cost of implementing mitigation strategies.

SUSTAINABILITY FEATURES

The following mitigation strategies included in the LRP 2021 Update increase sustainability in addition to mitigating the effects of a natural disaster:

- Renewable Emergency Energy Sources – Relying on renewable energy sources in the event of an emergency not only prepares the City for a potential loss of power in an emergency, but ensures that long-term operation of generators does not result in excessive emissions and consumption of fossil fuels.
- Communications Redundancy - Develop hardened/redundant technology and communications systems to ensure ability to communicate internally, with the public, and with other jurisdictions in an emergency.

PUBLIC CONTACT

Throughout the development of the Local Resilience Plan, the City has worked to engage the community in the update, through the internet, social media, and via public surveys. During development of the LRP engagement activities included:

- Distributing bilingual Local Hazard Mitigation Planning flyers and initiating conversations with attendees at community events (see flyer and list of events in Appendix G and Appendix I)
- Creating a bilingual Local Hazard Mitigation Planning website explaining the update process and providing a contact form. The website was closed following completion of the 2015 update and related survey.
- Running an updated bilingual hazard mitigation priority survey (see survey questions and results in Appendix E and Appendix F)
- Engaging community leaders in conversation during community meetings throughout the planning period (see list of meetings in Appendix I)
- Conducting a social media campaign through the City of Hayward Twitter, Facebook, and Nextdoor platforms, as well as through existing City mailing lists (see examples of social media posts in Appendix D)
- Flyers were made available at various locations in City Hall, at the Hayward Library, and in local schools

Staff used public feedback to determine the mitigation priorities identified in this document (see Section 6.3, Table 8). Feedback came in the form of survey results, which were reviewed by the Hayward Project Manager and the City's consultant, Ganey Science. These results did not differ from previous 2015 public comment and resulted in no change in priorities for Hayward mitigation projects. This was likely due in part to the period of no natural disasters in the City since the previous plan.

NEXT STEPS

Should the LRP 2021 Update be adopted, staff will work to implement the mitigation strategies identified in the LRP 2021 Update. Additionally, in the year before the adopted LRP 2021 Update would expire, staff would execute the LRP update and approval process per CalOES and FEMA guidelines. The updated LRP will also be amended into Hayward's General Plan 2040, in the Hazards Element.

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Approved by:



Kelly McAdoo, City Manager