



Office of the City Manager

March 6, 2020

To: Honorable Mayor and Members of the City Council

From: *Dee* Dee Williams-Ridley, City Manager

Re: Technical edit to Local Hazard Mitigation Plan

The 2019 Local Hazard Mitigation Plan (LHMP) is an update to the 2014 LHMP. The 2019 LHMP identifies Berkeley's natural hazard vulnerabilities and outlines a five-year strategic plan to reduce those vulnerabilities. The 2019 LHMP underwent a thorough technical development and community review process, and was recommended for City Council adoption by the Planning Commission and the Disaster and Fire Safety Commission. The City Council adopted the 2019 LHMP on December 10, 2019. As in 2004 and 2014, the 2019 LHMP was adopted as an appendix to the General Plan's Disaster Preparedness and Safety Element.

Adoption of the LHMP is required for the City to receive mitigation grant funding. In addition, adoption of the LHMP into the General Plan's Disaster Preparedness and Safety Element (as opposed to being a stand-alone document) maximizes the City's possible post-disaster recovery funding. Per Government Code Sections 8685.9 and 65302.6, adoption of the LHMP into the Safety Element of the General Plan qualifies the City of Berkeley to receive additional post-disaster recovery funding from the State of California.

The California Office of Emergency Services (Cal OES) recently informed the City of Berkeley that the language used to adopt the 2019 LHMP into the General Plan was insufficient to qualify for the additional post-disaster recovery funding. In particular, Cal OES staff indicated that the General Plan reference to the LHMP must include the specific years of adoption for the original plan (2004) and each subsequent update (2014, 2019). This notification occurred after the 2019 LHMP's community review process, review and approval by Cal OES, adoption by the City Council, and final approval by the Federal Emergency Management Agency.

On November 6, 2019 the Planning Commission recommended and on December 10, 2019 the City Council adopted the following language as an amendment to the Disaster Preparedness and Safety Element of the General Plan (red underline indicates new 2019 text):

In 2004, the City adopted its first Hazard Mitigation Plan. It is part of the Disaster Preparedness and Safety Element of the General Plan. The City updated the Disaster Mitigation Plan in 2014 and renamed it the Local Hazard Mitigation Plan (LHMP). On 12/16/14, the City Council adopted the LHMP (by reference) into the General Plan. The LHMP will be updated periodically, as required by State and Federal regulations.

The full LHMP as adopted by Council on December 10, 2019 can be found at https://www.cityofberkeley.info/uploadedFiles/Fire/Level_3_-_General/City%20of%20Berkeley%202019%20LHMP%20-%20FINAL%2012-10-19%20-%20REDUCED%20SIZE.pdf

The 2019 amendment used the words “will be updated periodically” in order to remove the need for a future General Plan amendments, streamlining the adoption process for subsequent LHMPs. In order to comply with Cal OES’s requirement for an explicit adoption date in the Disaster Preparedness and Safety Element of the General Plan, the following insubstantial technical edit was made (red underline):

In 2004, the City adopted its first Hazard Mitigation Plan. It is part of the Disaster Preparedness and Safety Element of the General Plan. The City updated the Disaster Mitigation Plan in 2014 and renamed it the Local Hazard Mitigation Plan (LHMP). On 12/16/14, the City Council adopted the LHMP (by reference) into the General Plan. The LHMP has since been updated again in 2019 and has replaced the 2014 plan. The LHMP will continue to be updated periodically, as required by State and Federal regulations.

cc: Paul Buddenhagen, Deputy City Manager
David White, Deputy City Manager
Jenny Wong, City Auditor
Mark Numainville, City Clerk
Matthai Chakko, Assistant to the City Manager
Timothy Burroughs, Director, Planning and Development Department