



Special/Regular Meeting Agenda
City Council

Mark Turner - Mayor
Marilyn Librers - Mayor Pro Tem
Gino Borgioli - Council Member
Rene Spring - Council Member
Yvonne Martínez Beltrán - Council Member

Wednesday, September 4, 2024 5:00 PM

Council Chamber Building
17555 Peak Avenue, Morgan Hill, CA 95037

MEETING PARTICIPATION

Morgan Hill City Council meetings are held in person. The community may attend in person or via Zoom (video/teleconference). The meetings are also live-streamed on the City's website, Facebook page, and Channel 17.

Those wishing to participate in the meetings remotely must register in advance at <https://bit.ly/CityCouncilZoomRegistration>. Additionally, Zoom participants must be running the latest version or will be required to update to the latest version before being able to join the meeting remotely.

Remote participation is also available by calling (669) 900-9128 and entering webinar id: 873 3200 8380#. Dial *9 to raise your hand, and be called upon to speak for up to 3 minutes. Dial *6 to unmute.

PUBLIC COMMENT

Public comment may be offered verbally at the meeting or in writing before the meeting.

Those attending remotely may only offer public comment for items on the agenda in one of four categories:

- Consent Calendar
- Other Business
- Public Hearings
- Closed Session

Public comment will be heard from those attending in person first with the submission of a speaker card. Once that is complete, we will move to those on Zoom that have their hand raised. Following public comment from Zoom, we will close the public comment period for that item.

Remote public comment for items not on the agenda will not be accepted.

Written public comment may be submitted to the City Clerk:

- In person at the City Council Meeting;
- Via email to ccpubliccomment@morganhill.ca.gov; or
- Hand delivered or mailed to the City Clerk at 17575 Peak Avenue, Morgan Hill, CA 95037

Please email your comments to the City Clerk no later than 3:00 p.m. on Tuesday (the day before the City Council meeting) so that your comments can be submitted to the members of the City Council with sufficient time to review them. You may continue to provide written comments up to noon on Wednesday (the day of the meeting), although Council Members may not have sufficient time to review them before the meeting. Public comments submitted to the City Clerk after noon (12:00 p.m.) the day of the meeting will be provided to the City Council as time allows.

Written comments WILL NOT be read aloud during the City Council Meeting. Please note that written comments are posted on the City's website. It is recommended that you do not include any personal information that you do not want to be posted on the web. Please be advised that communications directed to the City Council are public records and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under the applicable law. Communications will NOT be edited for redactions and will be printed/posted as submitted.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259 or by email at cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two full business days before the start of the meeting.

SPECIAL/REGULAR MEETING

A special meeting of the City Council is called at 5:00 p.m. for the purpose of conducting Library, Culture, and Arts Commission interviews and conducting a closed session.

SPECIAL MEETING

5:00 p.m. Library, Culture, and Arts Commission interviews and Closed Session

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

COMMISSION INTERVIEWS

1. INTERVIEW CANDIDATES TO FILL ONE (1) SEAT ON THE LIBRARY, CULTURE, AND ARTS COMMISSION (LCAC)

Recommendation:

1. Mayor shares the characteristics/traits that a successful applicant would possess;
2. Conduct Interviews;
3. Council Members identify the top applicant(s) and provide recommendations to the Mayor; and
4. Discuss and/or appoint an applicant.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Authority: Pursuant Government Code Section 54957.6

City Negotiators: Christina Turner, City Manager; Donald Larkin, City Attorney; Michael Horta, Human Resources Director; Dat Nguyen, Finance Director

Employee Organization: Morgan Hill Police Officers Association; AFSCME Local 101 Morgan Hill; Community Service Officers Association; Employees Covered under Management Resolution #23-051

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

REGULAR MEETING

6:00 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Proclaiming the month of September as National Preparedness Month
Proclaiming the month of September as Childhood Cancer Awareness Month
Proclaiming September 17-23 as Constitution Week

PRESENTATIONS

Caltrain Presentation

CITY COUNCIL REPORTS

Council Member Librers

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

This opportunity for public comment is for items that are not on the agenda. If you would like to make comments on an item that is on the agenda, please wait until we get to that item to offer your comments. Members of the public are entitled to address the City Council concerning any item within the Morgan Hill City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda. Public comment is intended for comments. Questions posed during public comment are not generally answered. If you have questions, please send them to the City Clerk at ccpubliccomment@morganhill.ca.gov to receive a response. (See additional noticing at the end of this agenda)

ADOPTION OF AGENDA

CONSENT CALENDAR

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Pursuant to City Council Policies and Procedures (CP 97-01), any member of the Council or public may request to have an item removed from the Consent Calendar for comment and action.

2. **ADOPT RESOLUTION ACCEPTING THE SANTA CLARA COUNTY
MULTIJURISDICTIONAL LOCAL HAZARD MITIGATION PLAN UPDATE
INCLUDING THE CITY OF MORGAN HILL'S ANNEX**

Recommendation:

Adopt resolution accepting the Santa Clara County Multijurisdictional Local Hazard Mitigation Plan Update including the City of Morgan Hill's Annex.

3. **AMEND CONFLICT OF INTEREST CODE REPORTING CATEGORIES**

Recommendation:

Adopt resolution amending the list of positions subject to the City's Conflict of Interest Code.

4. **APPROVE CONSULTANT AGREEMENT WITH JAYSON ARCHITECTURE IN
THE AMOUNT OF \$375,000 FOR DESIGN OF VILLA MIRA MONTE PHASE 1
IMPROVEMENTS**

Recommendation:

Authorize the City Manager to execute a consultant agreement for design services totaling \$375,000 for the Phase 1 Villa Mira Monte Improvements.

5. **APPROVE COST SHARE AGREEMENT WITH THE CITY OF GILROY FOR
JOINT WASTEWATER TRUNK LINE REPAIRS**

Recommendation:

Authorize the City Manager to execute and administer a cost sharing agreement with the City of Gilroy for the design and repairs to the jointly owned wastewater trunk line for \$1,814,455.

6. **APPROVE THE AUGUST 28, 2024 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve minutes.

7. **APPROVE CONSULTANT AGREEMENT WITH SCHAAF & WHEELER
CONSULTING CIVIL ENGINEERS IN THE AMOUNT OF \$74,472 FOR
BUTTERFIELD BASIN FEASIBILITY STUDY**

Recommendation:

Authorize the City Manager to execute and administer a consultant agreement in the amount of \$74,472 with Schaaf & Wheeler Consulting Civil Engineers for feasibility design work at the Butterfield Basin.

PUBLIC HEARINGS

8. ADOPT RESOLUTION TO ESTABLISH NEW AND UPDATED FEES FOR PLANNING, BUILDING, AND LAND DEVELOPMENT ENGINEERING

Recommendation:

1. Open/Close Public Hearing; and
2. Adopt resolution to establish new and updated Planning, Building, and Land Development Engineering fees as proposed.

9. ADOPT RESOLUTION TO ESTABLISH NEW CARRY CONCEALED WEAPON (CCW) LICENSE RENEWAL FEE, FINGERPRINT ROLL AND LIVE SCAN FEE, AND UPDATE LIVE ENTERTAINMENT ANNUAL PERMIT FEE

Recommendation:

Adopt resolution to establish new CCW license renewal fee, Fingerprint Roll and Live Scan fee, and update Live Entertainment Annual Permit fee.

OTHER BUSINESS

10. INTRODUCE ORDINANCE PROHIBITING SMOKING IN MULTIUNIT RESIDENTIAL BUILDINGS

Recommendation:

1. Waive first and second reading of the Ordinance; and
2. Introduce new Ordinance prohibiting smoking in multiunit residential buildings.

11. APPROVE SUPPORT OF THE CAL CITIES RESOLUTION TO BE CONSIDERED AT THE 2024 ANNUAL CONFERENCE

Recommendation:

1. Confirm "support" for the resolution to be considered on "Fair and Equal Treatment of All Government Officials at All Levels of Government"; and
2. Authorize the City's voting delegate(s) to vote on the resolution to be considered at the Cal Cities annual conference.

FUTURE COUNCIL INITIATED AGENDA ITEMS

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT

September 4, 2024

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NOTICE

Any documents produced by the City and distributed to the majority of the City Council less than 72 hours prior to an open meeting, will be made available for public inspection at the City Clerk's Counter at City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 and at the Morgan Hill Public Library located at 660 West Main Avenue, Morgan Hill, California, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the City Council concerning any item described in the notice of this meeting during consideration of that item. If you wish to address the Council on any item on this agenda, please complete a speaker request card located in the foyer of the Council Chambers and deliver it to the Minutes Clerk before the City Council discussion on the item. You are not required to give your name on the speaker card to speak to the Council, but it is very helpful. When you are called, proceed to the podium, and the Mayor will recognize you. If participating via Zoom, please raise your virtual hand to be called. When called, you will be unmuted and recognized for speaking. If you wish to address the City Council on any other item of interest to the public, you may do so during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less. Please note that public comment for items not on the agenda are not accepted virtually.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the City Council.

Persons interested in proposing an item for the City Council agenda should contact a member of the City Council who may request an item on the agenda for a future City Council meeting. Council discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the City Council, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of City Council Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email cityclerk@morganhill.ca.gov.

SUSTAINABLE MORGAN HILL



Vision

To sustain a safe, inclusive, socially responsible, environmentally conscious, and economically sound community.

Choose Morgan Hill

The City of Morgan Hill is the best community for people to live, work, visit, and operate their businesses.

Strategic Priorities 2024-2025

- Fiscal Sustainability
- Affordable Housing and Homelessness
- Community Engagement
- Economic Development and Tourism
- Transportation
- Healthy Community

City Council Ongoing Priorities

- Enhancing Public Safety and Quality of Life
- Protecting the Environment and Preserving Open Space and Agricultural Land
- Maintaining and Enhancing Infrastructure
- Supporting our Youth, Seniors, and Entire Community
- Fostering a Positive Organizational Culture
- Preserving and Cultivating Public Trust
- Preserving our Community History
- Enhancing Diversity and Inclusiveness
- Advocating for Local, Regional, and State Legislative Initiatives

CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Kim Mancera, Deputy City Clerk

APPROVED BY: City Manager

INTERVIEW CANDIDATES TO FILL ONE (1) SEAT ON THE LIBRARY, CULTURE, AND ARTS COMMISSION (LCAC)

RECOMMENDATION(S)

1. Mayor shares the characteristics/traits that a successful applicant would possess;
2. Conduct Interviews;
3. Council Members identify the top applicant(s) and provide recommendations to the Mayor; and
4. Discuss and/or appoint an applicant.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Supporting our Youth, Seniors, and Entire Community

Fostering a Positive Organizational Culture

Preserving and Cultivating Public Trust

Preserving our Community History

REPORT NARRATIVE:

The City Council is recruiting to fill one (1) unexpired term on the Library, Culture, and Arts Commission with a term ending April 1, 2026. Jake Thompson notified us on June 25, 2024, that he would be resigning effective September 3, 2024. The recruitment resulted in a total of three (3) new applicants; Mark Fiorenza, Kendra O'Donoghue, and Nadia Suleman.

All applicants have been invited to interview before the City Council on September 4, 2024. They have confirmed their availability. Their applications are attached for Council consideration.

COMMUNITY ENGAGEMENT:

Involve

Recruitment efforts were undertaken to encourage citizens to apply for City Council appointment consideration via the Morgan Hill Times, City Website, Government Access Channel, Facebook, NextDoor, outreach to community groups, and the weekly 411 emails.

ALTERNATIVE ACTIONS:

The City Council may choose not to make an appointment to fill the vacant seat. If it desires, it could reopen the application process to solicit more applicants to fill the seat not appointed at the September 4, 2024, meeting.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

Library, Culture, and Arts Commissioners serve four-year terms with possible reappointment consideration. Recruitment efforts are conducted every two years to maintain the seven (7) member commissions.

FISCAL AND RESOURCE IMPACT:

There is no fiscal impact associated with the actions to interview and appoint, as the recruitment and appointment process is accommodated in the Administrative Services operating budget.

CEQA (California Environmental Quality Act):

Not a Project.

The interview and appointment of commissioners is not a project, as defined in Section 15378 of the State CEQA guidelines.

Chapter 2.22 MASTER PROVISIONS FOR BOARDS AND COMMISSIONS*

Sections:

[2.22.010 Establishment of boards and commissions.](#)

[2.22.030 Clerk and secretary.](#)

[2.22.040 Rules of procedure.](#)

[2.22.050 Rules of attendance.](#)

[2.22.060 Meetings.](#)

[2.22.070 Compensation.](#)

[2.22.080 Effect.](#)

* Prior ordinance history: Ords. 811 N.S., 890 N.S., 891 N.S., 1607 N.S. and 1719 N.S.

2.22.010 Establishment of boards and commissions.

A. There are established within the city the following boards and commissions:

1. Planning commission;
2. Parks and recreation commission;
3. Library, culture and arts commission; and
4. Disaster council.

B. Unless otherwise set forth, all members of boards, commissions and committees shall be residents of the city and shall continue to be residents of the city during their terms of office. Notwithstanding the foregoing, individuals who reside within the Morgan Hill Unified School District boundary and who do not otherwise reside in any city other than Morgan Hill may be appointed to boards, commissions and committees provided that no more than thirty percent of the members of any board, commission or committee shall be non-Morgan Hill residents.

C. Members shall be appointed by the mayor subject to approval of a majority vote of the city council and may be removed without cause by vote of any three members of the city council.

D. The appointment terms of members may be extended, at the discretion of the city council, until such time as a successor member may be appointed and take office.

E. Vacancies in the commission occurring other than by expiration of term shall be filled for the unexpired term in the same manner as original appointments.

F. The members of the commission shall organize the commission and shall elect from its members a chair and vice-chair and such other officers as may be necessary in accordance with adopted city council policy.

(Ord. 1778 N.S. § 2 (part), 2006)

(Ord. No 1930 N.S., § 2, 4-22-2009; Ord. No. 1935 N.S., § 1, 6-3-2009)

2.22.030 Clerk and secretary.

The city clerk or designate shall also act as clerk for each of the boards and commissions and shall have authority to sign any official notices and also to certify any resolution of the commissions or boards. The city council may appoint a person not a member of the commission or board to act as secretary of the commission or board. The secretary shall keep a record of all proceedings of said board or commission, its resolutions, its findings and actions, which records shall be a public record and kept with the city clerk in the City Hall building.

(Ord. 1778 N.S. § 2 (part), 2006)

2.22.040 Rules of procedure.

A. The chair shall preside at all meetings of the board or commission. The vice chair shall assume the duties of the chair in the absence of or in case of inability of the chair.

B. A majority of the members of the commission or board shall constitute a quorum for the transaction of business.

C. Unless otherwise specified herein, each board or commission may adopt its own rules and regulations for the transaction of its business. Such rules shall be subject to approval of the city council before becoming effective.
(Ord. 1778 N.S. § 2 (part), 2006)

2.22.050 Rules of attendance.

If any member is absent from three of any six consecutive regular board or commission meetings, unless such absence is with the permission of the chair, or vice chair in absence of the chair, expressed in the official minutes, the member's seat shall be deemed vacated. The city manager shall so notify the city council and the council shall take action to fill the seat within a reasonable period of time.
(Ord. 1778 N.S. § 2 (part), 2006)

2.22.060 Meetings.

Unless otherwise specified, the commission shall hold regular meetings once every two months at a designated time and place which shall be fixed and determined by the commission and entered upon in its minutes. Special meetings of the commission may be called at any time by the chair or by a majority of the members of the board upon notice being given to all members of the board and to all news media at least twenty-four hours in advance of the meetings, as required by the laws of the state of California.
(Ord. 1778 N.S. § 2 (part), 2006)
(Ord. No. 1930 N.S., § 3, 4-22-2009)

2.22.070 Compensation.

Members of the boards and commissions shall serve without compensation but may receive reimbursement for actual and necessary expenditures made or incurred in the performance of their prescribed duties in accordance with state law and the Municipal Code and policies of the city of Morgan Hill.
(Ord. 1778 N.S. § 2 (part), 2006)

2.22.080 Effect.

Nothing in this chapter shall be construed as restricting or curtailing any of the powers of the city council or city officers as defined by the laws of the state of California or by this Municipal Code. Except as otherwise set forth in Chapter 2.36, the city council declares that the public interest and convenience require the appointment of the boards and commissions established pursuant to Section 2.22.010 to act purely in an advisory capacity to the city council.
(Ord. 1778 N.S. § 2 (part), 2006)

Chapter 2.68

LIBRARY, CULTURE AND ARTS COMMISSION

Sections:

- 2.68.010** **Created.**
- 2.68.020** **Membership—Terms of office.**
- 2.68.030** **Powers and duties.**

2.68.010 **Created.**

There is established a new commission which is entitled the "library, culture and arts commission" to serve in an advisory capacity to the city council. (Ord. 1778 N.S. § 9 (part), 2006: Ord. 1374 N.S. § 1 (part), 1998)

2.68.020 **Membership—Terms of office.**

The commission shall consist of seven members. Members shall not be officials or employees of the city, county library employees nor paid members of any organization receiving financial support from the city for library and art services. (Ord. 1778 N.S. § 9 (part), 2006: Ord. 1559 N.S. § 1, 2002: Ord. 1407 N.S. § 5, 1998; Ord. 1382 N.S. § 1, 1998; Ord. 1374 N.S. § 1 (part), 1998)

2.68.030 **Powers and duties.**

The powers and functions of the commission shall be as follows:

- A. To act in an advisory capacity to the city council in all matters pertaining to library, culture and arts in the community;
- B. To serve as a liaison between the city and the Santa Clara County library;
- C. To consult with private community groups supportive of library, culture and art programs and serve as a liaison between such groups and the city;
- D. To provide advice and recommendations regarding the adequacy of existing library facilities and operations;
- E. To look for opportunities for participation of artists and performers in city-sponsored activities, and ways to encourage community involvement in the arts;

F. To work cooperatively with city boards and commissions and other public and private organizations in creating and promoting art and cultural programs and activities within the city;

G. To coordinate and strengthen existing organizations in the arts and develop cooperation with regional organizations;

H. To make recommendations to the city council regarding the funding of community art projects, including the search for private and public grants, and regarding the disbursement of revenues consistent with the needs of the community;

I. To review and make recommendations to the city council upon all works of art to be acquired by the city, either by purchase, gift or otherwise, and exterior works of art installed in the city on public property;

J. To recommend to the city council the adoption of such ordinances or policies as it may deem necessary for the administration and preservation of the arts and cultural development of the city;

K. To perform such other tasks as may be expressly requested of it by the city council;

L. To conduct such other hearings as are necessary and in accordance with its own rules and regulations for the transaction of its business, or rules for conduct; and

M. To report its decisions and recommendations relating to the above matters, in writing to the city council. (Ord. 1778 N.S. § 9 (part), 2006: Ord. 1374 N.S. § 1 (part), 1998)

Print

Commission Application - Submission #53867

Date Submitted: 8/22/2024

First Name	Last Name
Mark	Fiorenza

Address1

Address2

City	State	Zip
Morgan Hill	CA	95037

Home Phone Number	Cell Phone Number

email address

Occupation	Are you a registered voter?
Designer and Producer	yes

Please list any properties you own in Morgan Hill

Do you have any relatives currently employed by the City of Morgan Hill?

No

If yes, please provide name

Commission Webpages

Please visit the links for each commission's webpage for more info:

- [Planning Commission](#)
- [Parks & Recreation](#)
- [Library, Culture, & Arts](#)

Please select the commission you are interested in serving on

Library, Culture, and Arts Commission

Please select the commission that would be your second choice. If you do not have a second choice, please move on to the next question.

Parks and Recreation Commission

Please upload a letter of interest or cover letter*

2024-08-21-Letter-of-Intent-City-of-Morgan-Hill-Arts-Commission-Mark-Fiorenza.pdf

Please upload a resume*

Mark-Fiorenza-Resume-2024-UX-PM-DETAILED.pdf

Have you ever served on any other citizen advisory commission or committee? If yes, please list and briefly explain the purpose of each one.*

No, I have not served on any other citizen advisory commissions or committees.

What skills and/or experience do you possess that would be important to your role as a commissioner?*

I am an artist, painter, builder, and designer. I have a background in modelmaking, moldmaking, and fabrication in the special effects industry for films and commercials. I have led small to medium teams working on installations for large events and participated in building props and installations for events. I have managed budgets for commercials and product launches. I understand what needs to be in place to support artists and encourage artists participation at events and shows. I have a network of artists and designers that may be able to contribute to projects and programs in Morgan Hill. I also understand elements of supporting and promoting art and events, such as digital photography, video, website, social media promotion and campaigns, project management programs such as Trello, Airtable, Jira, and Sheets, and creative design programs such as Adobe Creative Cloud, Figma, Premiere. I currently work in tech as a design program manager, design producer, and program manager (depending on the role).

What do you understand the role of the commission to be and why would you like to serve on this commission?*

The committee helps to source, promote, fund, and organize art and related events in the community of Morgan Hill. I would like to contribute to the arts and culture of Morgan Hill.

What would you like to accomplish as a commissioner?*

I would like to contribute to the arts - through its direct creation or its managing & promotion - and inspire others through art. I am looking for something with more permanence and legacy that could tell positive stories, educate and inform, and generally delight people for decades. My goals are to make a cultural and educational impact in Morgan Hill through art, history, engineering, science, and education. I am hoping that being on the Library, Culture, and Arts commission will be an introduction to those steps and goals.

What are the greatest opportunities facing the community in regards to this commission?*

Creating art districts within areas of Morgan Hill where art is visible and connects people to parks, shops, and events. I see open spaces and areas, such as empty lots and building walls, where art could be integrated and displayed. I see the opportunity to engage and educate children and adults on local unique wildlife (animals, insects, fish, reptiles, etc) through ongoing art projects and themed art for wildlife awareness campaigns. I can visualize iconic art that could be painted, built, sculpted, or installed in Morgan Hill to engage with people and promote Morgan Hill (similar to what I have seen in Austin, TX, Philadelphia, PA, and Redding, CA). And I see the need to invest Morgan Hill's current art, sculpture, and installations through repair, repainting, and maintenance. The committee could also source donors and volunteers framed around specific art needs and events.

If you are an incumbent seeking reappointment:**Are you next in line to serve as Chair or Vice-Chair?**

- ☐ Yes
☐ No

Are you currently serving on a committee

- ☐ Yes
☐ No

Are you assigned to a special project?

- ☐ Yes
☐ No

If you are assigned to a special project, please describe the project.**Please review the City Council Ethics Policy**

[City Council Ethics Policy](#)

Please type name to sign. By my signature, I agree to comply with all government regulations, should I be appointed to serve on a City of Morgan Hill Commission or Committee and confirm that I have read the attached Ethics Policy and that I do subscribe to this Policy; that I will apply it to the specific responsibilities s which I may be assigned; and that I will practice the core values set forth in this Policy in my public service for the City of Morgan Hill. Additionally, I commit to attend and participate in all Commission and Committee meetings to which I am appointed, unless excused by the Chair.*

Mark Fiorenza

Date*

8/22/2024

04:30 PM

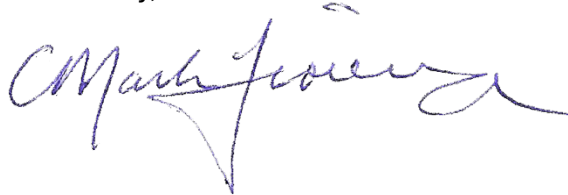
August 21, 2024

Hello City of Morgan Hill!

My name is Mark Fiorenza. I am a long-time resident of Morgan Hill. I grew up here, starting at the age of 4 when my parents moved our family here to the Holiday Lakes area. As a young kid and teenager, attended Live Oak High School (class of 1989) and I worked at the local coffee shop and the Granada Theater back in the day. I have lived in many parts of the United States and eventually moved back to Morgan Hill and into the Victorian home I purchased from my parents, Vincent and Marjorie Fiorenza. I would like to engage and contribute more to the community and arts of Morgan Hill. That is why I am applying to be on the commission for Library, Culture, and Arts committee. I will bring my knowledge and experience as an artist, builder, and designer to help, inform, plan, assist, organize, fundraise, and create art projects and engaging creative initiatives in Morgan Hill. I can see myself working in many capacities to promote and create art and I see being on the Library, Culture, and Arts committee as positive step in that direction.

I will include some photos of my artwork and some of the projects I have worked on in my career starting on page 2 of this letter. Please consider me as a positive, active, and contributing member of the Library, Culture, and Art committee of Morgan Hill. If you have any questions or comments, please reach out to me at [REDACTED] or my mobile number, [REDACTED]

Sincerely,

A handwritten signature in blue ink that reads "Mark Fiorenza". The signature is fluid and cursive, with a large, stylized "M" and "F".

Mark Fiorenza



Portrait of Claudine 12"x16"
Oil on board



Portrait of Vulcan 20"x20" – SOLD
Oil on board



Portrait of Jeff Rassier 12"x16" – SOLD
Oil on canvas



Portrait of Jenny 12"x16" – SOLD
Oil on board



Building and molding the 'Edgar Bug' spaceship for Men In Black 1999 – ILM Modelshop



Building and molding the 'Edgar Bug' spaceship for Men In Black 1999 – ILM Modelshop



Casting large scale fiberglass rocket for Cool Rockets custom rocket models & props



Casting droid tank turret for Star Wars The Phantom Menace 1997 – ILM Modelshop



Construction, fabrication, and electrical wiring for Nunquam Dormio (Never Sleep) tea temple sign and installation at Burning Man 2005 -2009



Illuminated sign for Nunquam Dornio tea temple at Burning Man 2005 -2009

CAREER SUMMARY

UX Program Manager • Design Operations Lead • Creative Producer

- UX Program Manager & Design Ops Lead with 15+ years' experience owning outcomes and solving ambiguous problems.
- Experience managing remote work streams and supporting teams and partners across multiple time zones.
- A proactive manager, coach, and contributor. Able to operate independently, create transparency, make iterative improvements, who excels in delivering the right tools and resources – at the right time – with little or no direction.
- Proven track record of building out design infrastructure and end-to-end plans to scale services and experience with multi-disciplinary teams (Design, Engineering, Business, R&D, and others) to launch successful projects and products.
- Able to anticipate possible outcomes on projects and dependencies and then respond in a timely and impactful manner.

CORE COMPETENCIES

- | | | |
|------------------------------|--------------------------------|--------------------------------------|
| ▪ Design Operations | ▪ Stakeholder Reviews | ▪ Resource Allocation |
| ▪ Program Management | ▪ Streamlining Workflows | ▪ Airtable, Jira, Confluence, Trello |
| ▪ Process Documentation | ▪ Design Systems and CMS | ▪ Figma, Adobe CS, Mural, Miro |
| ▪ Team Management | ▪ Vendor & Contract Management | ▪ HTML, CSS, Javascript |
| ▪ Design Critiques & Reviews | ▪ Communications & Reporting | ▪ Agile methodologies |

PROFESSIONAL EXPERIENCE

Self Employed / Freelance / Consultant

Morgan Hill, CA / Remote

March 2018 – Present

Design Manager and Creative Producer

Creative production, design, and project management for independent clients and contract design agencies (self-employed)

Google

Mountain View, CA (100% remote role)

December 2022 – August 2023

UX Design Operations Program Manager

Contract role through Synergis with Google. Hired on as UX Design Ops Manager as part of the Next Billion Users (NBU) team and then UX Payments & Operations supporting UX Design and UX Research global teams. Developed vertical and horizontal team project trackers and dashboards using internal Google tools that enabled accurate H1 & H2 planning. Improved reporting through alignment of operational strategy, data automation, team capacity, and allocation. Enabled teams to track incoming requests and focus on priority initiatives. Streamlined and managed UXR reporting tools and processes.

- **Saved 3 days per quarter.** Created unified process workflows on global Payments teams using internal Google tools that reduced quarterly reporting time for leadership by 3 days (saving 12 days per year).
- **Automated processes for 25% faster prioritization.** Implemented linked reporting sheets with shared data elements, reducing manual data entry, which improved transparency and allocation of resources across global initiatives.
- **20% reduction in meeting time.** Built custom project dashboards with visual timelines to meet team reporting needs that allowed managers to comment and review projects for direct reports without requiring weekly meeting.
- **Be a positive, proactive liaison.** Connect the dots across UX, Engineering, and Product Management teams on project priorities and inter-dependencies. Lead design critiques that improved team cohesion and knowledge sharing.

Cision

Chicago, IL (100% remote role)

May 2022 – December 2022

Product Design & Research Operations Program Manager

Contract role with TDA Creative with Cision. Hired on as Product Design Operations Manager within Cision's Product Design & Research team in May of 2022. I built trust, consensus, and alignment across product designers, design researchers, and cross functional business partners.

- **\$17,000 saved in Q2 – Q4 through planning and streamlining operations.** Took ownership of tools and software shared across Product Managers, Engineering, and Design teams to effectively reduce costs each quarter.
- **60% improvement to UX Research.** Removed silos. Established foundational tools, software, templates, forms, and processes. Efforts led to an improved and increased interview candidate pool, reporting, and impact of research.
- **80% improved goal alignment and planning.** Co-lead standardized and centralized Product Requirements Documentation across PM, Design, and Engineering. New protocol significantly improved clarity and collaboration.
- **75% increase in new employee readiness with improved onboarding protocols and immediate access to tools, internal systems.** Partnered with IT to re-build workflow, standardize software provisioning, remove bottlenecks, and clarified roles. Efficiencies gained with new services continued to improve through each iteration.
- **40% increased design team engagement.** Integrated new small steps of recognition, awareness, and collaboration on non-work projects. Provided an outlet for individual and team needs to be heard that reduced friction and built trust.
- **Align team capacity and availability with quarterly Product Increment (PI) Planning.** Act as a strategic solutions provider, managing engineering, design, and research deliverables to align with sprints and business objectives. Created P0, P1, P2, etc., prioritizations for design team projects as part of managing team backlogs.
- **Build project dashboards and manage UX Operations Confluence pages and JIRA boards.** Created a central, accessible repository of best practices, tools, forms, and reporting templates that improved visibility and clarity.
- **Proactively engage and drive technical discussions between Design, Engineering, and Product Managers.**
- **Build and manage new vendor partnerships, software licensing, tools, and opportunities.**

Marvell Technology

Santa Clara, CA

September 2019 – March 2022

Web Creative Director, Brand Experience and UX Ops

Full time role. Hired as Web Creative Director and responsible for Marvell's identity and user experience across digital, web, social media, video, and animation. Responsibilities expanded in 2020 to also drive outcomes for Brand Experience and Operations where I supported worldwide teams and agencies for internal and external campaigns.

- **27% increased engagement from effective design strategy.** Managed end-to-end redesign of Marvell.com website with focus on user research that improved interaction, content, voice, and visual design. Designed new website from concept wireframes to coded product. Rebrand and redesign success won Marvell a gold Stevie Award® in 2020.
- **Saved \$288,000 through optimized services.** Through a 4-month process of user research, prototyping, design strategy, and collaboration, I re-launched our digital asset management (DAM) to over 6,000+ global users. Data collected in 2021 showed \$24,000 per month saved from new time saving efficiencies & self-service templates.
- **Launched new web app contact form for Marvell.com that increased sales leads by 30% and reduced exit traffic from product pages by 60%.** Simplified experience and design built on user research, journey maps, auditing, interviews, and heat map data and achieved month over month improved results and feedback.
- **Work with Product Owners to translate research and data into near term tactics to deliver measurable successes.** Effective and defined success metrics improved social media presence and impressions quarter over quarter.
- **Partner with and support groups (HR, IT, Product, M&A, Diversity & Inclusion) to launch program initiatives.**
- **On-board new vendors and tools. Manage timelines and budgets for external agencies and outside vendors.**

Charles Schwab

San Francisco, CA

September 2018 – September 2019

UX Design Operations Program Lead and Communications Designer

Contract role with PRO Unlimited (now Magnit) with Charles Schwab. I supported and tracked team needs, onboarding, and resources across design, research, content, and operations. My visual and presentation design skills also were instrumental in communicating best UX practices, influencing stakeholders, reporting, and evangelizing UX and UXR to business units.

- **Streamlined new hire orientation that onboarded employees 50% faster (from weeks to days).** New process greatly improved efficiency and enabled new employees to begin training and working on Day 1 (as opposed to weeks).
- **Improved User Research methods and data collection.** Utilized LucidChart and Confluence to translate real-time journey map findings into digital data, allowing for next day use of insights for business partners and UX teams.
- **Be a trusted partner, resource, and solutions provider.** Remain positive, adaptive, and willing to help.
- **Manage UX Operations JIRA board.** Act as liaison with design, research, engineering, and product teams.
- **Collaborate with SVPs, VPs, and Directors to create compelling narratives for C-suite presentations.**

Polycom (now Poly/Hewlett Packard)

Santa Clara, CA

April 2018 – September 2018

Visual Designer, Web & Marketing Operations

Contract role with Envision Technology Marketing Group (ETMG) with Polycom. Hired on as 3-month contract designer and was extended to 6 months for exceptional design, support, and creation of improved workflows and efficiencies for the in-house marketing department.

- **30% faster asset delivery.** Developed new collateral web templates for B2B partners that improved production.
- **Implemented new shared server folder structure across teams that improved collaboration and consistency.**
- **Design effective marketing campaign materials across events, digital, web, video, and print.**

Charles Schwab

Austin, TX

November 2014 – March 2018

Sr. Staff, Product Management and Design Operations

Full time role. Lead Form Designer and Technical Design Operations Manager. My direct contributions as an ADA subject matter expert defined standards for accessibility across Schwab's apps and forms and improved usability for digital services.

- **60% faster task completion.** Streamlined workflows and centralized tools, guides, and templates that improved team performance by 60%. Allowed Forms Design team to take on additional projects without an increase in staffing.
- **Lead engagement activities and projects outside of work for our in-house Creative Center teams that improved collaboration, inclusion, and culture across teams.** Ask me about Trail of Treats, Coffee Wednesdays, and TechShop.
- **Overhauled hiring and on-boarding process that improved candidate pool and new hire retention by 50%.**
- **Co-developed standardized form field database in SQL that unified data across apps, web forms, and digital PDFs. Enabled multiple new client applications and customer features that improved CSAT score by 15%.**

EDUCATION

Product Management Immersion Course - General Assembly

Master of Art, Fine Art Drawing and Painting

Academy of Art University, San Francisco, CA

Bachelors in Art - Conceptual Design w/Computer Applications

San Francisco State University, San Francisco, CA

Magna Cum Laude

Print

Commission Application - Submission #53707

Date Submitted: 8/16/2024

First Name

Kendra

Last Name

O'Donoghue

Address1

Address2

City

Morgan Hill

State

CA

Zip

95037

Home Phone Number

Cell Phone Number

email address

Occupation

Executive Director

Are you a registered voter?

yes

Please list any properties you own in Morgan Hill

Do you have any relatives currently employed by the City of Morgan Hill?

No

If yes, please provide name

Commission Webpages

Please visit the links for each commission's webpage for more info:

- [Planning Commission](#)
- [Parks & Recreation](#)
- [Library, Culture, & Arts](#)

Please select the commission you are interested in serving on

Library, Culture, and Arts Commission

Please select the commission that would be your second choice. If you do not have a second choice, please move on to the next question.

Please upload a letter of interest or cover letter*

LCAC LOI.pdf

Please upload a resume*

Resume.pdf

Have you ever served on any other citizen advisory commission or committee? If yes, please list and briefly explain the purpose of each one.*

I have supported multiple organizations on their advisory boards including the San Jose Sharks Youth Advisory Board (fundraising capacity), Juma Ventures San Jose (fundraising capacity), and currently, the South County Community Advisory Board for TRUST (advisory, community outreach). I recently received an invitation to sit on the Opportunity Youth Academy Governing Board at the Santa Clara County Office of Education.

What skills and/or experience do you possess that would be important to your role as a commissioner?*

I bring a strong blend of skills and experience that align with the responsibilities of a commissioner on the LCAC. My career in nonprofit management, education, and community engagement has equipped me with the following key qualifications:

Leadership and Strategic Vision: As the founder and executive director of Envision Your Pathway (EYP), I have successfully led an organization focused on empowering youth through education. My experience in strategic planning, program development, and team leadership has honed my ability to set and achieve goals that align with an organization's mission. This skill will be invaluable in helping the Commission shape and advance its initiatives.

Fundraising and External Relations: My role as the Vice President of External Affairs at the San Jose Public Library Foundation involved leading fundraising campaigns, cultivating donor relationships, and securing critical funding to support library programs. This experience has given me a deep understanding of the importance of resource development and advocacy in sustaining and expanding library services, which will be crucial in supporting the Commission's work.

Community Engagement and Partnership Building: Throughout my career, I have been committed to building strong community partnerships that enhance educational opportunities and access to resources. At EYP, the Mayor's Office, and during my time with Reading Partners, I worked closely with schools, community organizations, and local government to create programs that address community needs. This ability to engage diverse stakeholders and foster collaboration will be essential in ensuring that the Commission's initiatives are inclusive and responsive to the community's needs.

Passion for Libraries and Literacy: My personal and professional experiences have instilled in me a deep passion for libraries and their role in promoting literacy and lifelong learning. Having grown up with a mother who has been a school librarian for nearly 30 years, I understand the transformative impact that libraries can have on individuals and communities. My work with literacy initiatives at Reading Partners further solidified my commitment to advancing educational equity through access to library resources.

Advocacy for Educational Equity: My work in both education and nonprofit sectors has been driven by a commitment to educational equity. I believe that libraries play a critical role in leveling the playing field for all community members by providing free access to knowledge, technology, and cultural resources. As a commissioner, I would advocate for initiatives that ensure our libraries are accessible, inclusive, and reflective of the diverse needs of our community.

These skills and experiences uniquely position me to contribute effectively as a commissioner, supporting the LCAC in its mission to enrich the cultural and educational fabric of Morgan Hill

What do you understand the role of the commission to be and why would you like to serve on this commission?*

The role of the LCAC is to act as a steward of the cultural and educational assets of Morgan Hill, particularly as they pertain to the city's libraries and public arts.

Serving on this Commission represents an opportunity to contribute to the ongoing enrichment of our community through the promotion of literacy, lifelong learning, and cultural engagement. Libraries are more than just repositories of books; they are dynamic community hubs that provide essential resources, foster connections, and promote inclusivity. As someone who is passionate about the transformative power of libraries, I am eager to support initiatives that enhance their role in our community.

My desire to serve on the Commission is rooted in my deep commitment to educational equity and community development. I believe that by serving on the LCAC, I can help ensure that Morgan Hill's libraries and public arts programs remain vibrant, accessible, and responsive to the evolving needs of our residents. I am particularly motivated by the opportunity to advocate for initiatives that promote literacy, support creative expression, and provide all community members with the tools they need to thrive.

In summary, I view the Commission as a vital platform for advancing the cultural and educational life of Morgan Hill, and I am eager to contribute my skills, experience, and passion to this important work.

What would you like to accomplish as a commissioner?*

As a commissioner on the Library, Culture & Arts Commission, I would like to accomplish several key objectives that align with my commitment to education, community engagement, and cultural enrichment:

Enhance Access to Library Services: I aim to work towards expanding access to library resources for all members of the community, particularly underserved populations. This includes advocating for programs that address digital literacy, language barriers, and other challenges that may prevent individuals from fully utilizing library services.

Promote Literacy and Lifelong Learning: I am passionate about fostering a love of reading and learning across all age groups. I would like to support initiatives that promote early literacy, encourage youth engagement with libraries, and provide opportunities for adult education and lifelong learning. By doing so, we can help ensure that our libraries continue to be centers of knowledge and growth.

Strengthen Community Partnerships: One of my goals is to build stronger partnerships between the library, local schools, community organizations, and businesses. By creating collaborative programs and events, we can amplify the impact of the library and arts initiatives and create a more connected and engaged community.

Champion Public Art and Cultural Expression: I believe that public art plays a crucial role in reflecting the identity and diversity of our community. I would like to support the development of public art projects that celebrate Morgan Hill's unique culture and heritage while also providing a platform for local artists to showcase their work.

Advocate for Sustainable Funding: Securing sustainable funding for library services and public art programs is essential for their continued success. I would work to identify and advocate for funding opportunities that ensure the long-term vitality of these programs, whether through grants, partnerships, or community-driven fundraising efforts.

Engage the Community in Shaping Library and Arts Programs: I believe in the importance of community input in shaping the programs and services offered by our libraries and public arts initiatives. I would like to initiate regular community engagement efforts, such as surveys and town hall meetings, to ensure that the Commission's work is reflective of the community's needs and aspirations.

In summary, my primary goal as a commissioner is to contribute to the enrichment of Morgan Hill by supporting library and arts programs that are inclusive, innovative, and reflective of our community's diverse voices. I am committed to working collaboratively with fellow commissioners, city officials, and community members to achieve these objectives.

What are the greatest opportunities facing the community in regards to this commission?*

I see several significant opportunities that can greatly benefit the Morgan Hill community:

Fostering Cultural Inclusion and Diversity: Morgan Hill is a diverse community with a rich cultural heritage. The Commission has the opportunity to celebrate this diversity by continue to promote public arts initiatives that reflect the varied backgrounds and experiences of our residents. Critical to this opportunity is the outreach and engagement of the community to ensure that residents and families KNOW about what the City is offering.

Strengthening Community Connections: Libraries and public art have the unique ability to bring people together. As mentioned above, opportunities and partnerships are more powerful and palpable when the information reaches parts of the community that have previously been unaware of the LCAC's work.

Supporting Economic Development through the Arts: Public art and cultural initiatives can contribute to the economic vitality of Morgan Hill by attracting visitors, boosting local businesses, and enhancing the city's identity. The Commission has the opportunity to support projects that not only beautify public spaces but also stimulate economic growth and tourism.

If you are an incumbent seeking reappointment:

Are you next in line to serve as Chair or Vice-Chair?

- ☐ Yes
☒ No

Are you currently serving on a committee

- ☐ Yes
☒ No

Are you assigned to a special project?

- ☐ Yes
☒ No

If you are assigned to a special project, please describe the project.

Please review the City Council Ethics Policy

[City Council Ethics Policy](#)

Please type name to sign. By my signature, I agree to comply with all government regulations, should I be appointed to serve on a City of Morgan Hill Commission or Committee and confirm that I have read the attached Ethics Policy and that I do subscribe to this Policy; that I will apply it to the specific responsibilities s which I may be assigned; and that I will practice the core values set forth in this Policy in my public service for the City of Morgan Hill. Additionally, I commit to attend and participate in all Commission and Committee meetings to which I am appointed, unless excused by the Chair.*

Kendra Fujino ODonoghue

Date*

8/16/2024

08:56 AM

Kendra Fujino O'Donoghue

[REDACTED]
Morgan Hill, CA 95037

August 16, 2024

Library, Culture & Arts Commission
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Dear Members of the Library, Culture & Arts Commission,

I am writing to express my strong interest in joining the Library, Culture & Arts Commission of Morgan Hill. As someone deeply committed to libraries, education, and community development, I am enthusiastic about the opportunity to contribute to the vital work of this Commission.

With over 15 years of experience in education and nonprofit management, I have dedicated my career to fostering educational opportunities and community engagement. I am the founder and executive director of Envision Your Pathway (EYP), a Silicon Valley-based organization that empowers youth to achieve their full potential through pathways of their own design. Our work at EYP aligns closely with the values and mission of public libraries, as we strive to create accessible pathways for lifelong learning and civic engagement.

Prior to founding EYP, I served as the Vice President of External Affairs at the San Jose Public Library Foundation. In this role, I had the privilege of leading initiatives that supported library programs, expanded community outreach, and secured critical funding to enhance library services. My work there deepened my understanding of the transformative power of libraries and solidified my commitment to ensuring that libraries remain vibrant and inclusive spaces for all.

In addition to my professional experience, I have a personal connection to libraries that has profoundly influenced my career. My mother has been a school librarian for nearly 30 years, instilling in me a lifelong passion for literacy and the role that libraries play in building strong, informed communities. This passion also led me to work with Reading Partners, a national literacy nonprofit, where I had the opportunity to advance literacy initiatives that empowered students to achieve academic success.

I believe that my background in nonprofit leadership, education, and community engagement uniquely positions me to contribute to the LCAC's mission. I am eager to bring my experience,

passion, and dedication to this role, and I am confident that I can make a meaningful impact on the Commission's efforts to enrich the cultural and educational life of Morgan Hill.

Thank you for considering my application. I look forward to the possibility of contributing to the important work of the Library, Culture & Arts Commission and to the continued growth and vitality of our community's libraries.

Sincerely,

Kendra Fujino O'Donoghue

Kendra Fujino O'Donoghue

Workforce development is my love language.

EXPERIENCE

Envision Your Pathway, Morgan Hill, CA — *Founder/Executive Director*

July 2020 - PRESENT

EYP's mission is to develop and empower young people with dynamic skills. We've built a model that fosters self-determination, cooperative critical thinking, and humanitarianism through civic engagement. EYP serves between 120-140 youth annually.

San José Public Library Foundation, San José, CA — Vice President of External Affairs

January 2022 - October 2023

Led all partner development efforts focused on institutional funders, primarily corporate philanthropy and foundation in support of Library initiatives and programs; developed opportunities for companies and organizations to partner with Library programs through outreach, community engagement, volunteerism.

Innovate Public Schools, San José, CA — *Consultant/Vice President of Development*

May 2021 - March 2022

Managed and led the reorganization of Development team; designed and implemented fundraising for Bay Area tutoring initiative

City of San José, Mayor's Office, San José, CA — *Senior Policy Advisor, Chief Advancement and Impact Officer*

December 2019 - June 2021

Supported Mayor Liccardo's education and workforce initiatives, ensuring the impact and sustainability of each across the City of San José.

Juma Ventures, San José, CA — *Site Director, San José Region*

April 2018 - December 2019

Chief fundraiser for San José region; Oversaw Juma San José's operations, including partnership development, youth recruitment, and its social enterprises at Levi's Stadium, SAP Center, and PayPal Stadium

Morgan Hill, CA 95037

SKILLS

Relationship Ranger

Partnership Development

Fundraising

Partner Cultivation

Program Development

Education

University of the Pacific, Stockton

—

2021

Certificate in Nonprofit Management

Cal State University, Long Beach — 2004-2008

BA, Broadcast Journalism

Graduated Cum Laude

Kappa Tau Alpha National Honor Society

Outstanding Broadcast Graduate Award

Print

Commission Application - Submission #53752

Date Submitted: 8/18/2024

First Name	Last Name
Nadia	Suleman

Address1

Address2

City	State	Zip
Morgan Hill	CA	95037

Home Phone Number	Cell Phone Number

email address

Occupation	Are you a registered voter?
Lawyer	yes

Please list any properties you own in Morgan Hill

Do you have any relatives currently employed by the City of Morgan Hill?

No

If yes, please provide name

Commission Webpages

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- [Planning Commission](#)
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- [Library, Culture, & Arts](#)

Please select the commission you are interested in serving on

Library, Culture, and Arts Commission

Please select the commission that would be your second choice. If you do not have a second choice, please move on to the next question.

Please upload a letter of interest or cover letter*

Nadia Suleman Cover Letter LCAC.pdf

Please upload a resume*

Nadia Suleman Resume LCAC.docx.pdf

Have you ever served on any other citizen advisory commission or committee? If yes, please list and briefly explain the purpose of each one.*

No

What skills and/or experience do you possess that would be important to your role as a commissioner?*

As a commissioner, I would bring a unique blend of legal expertise and a strong commitment to community service. My experience in navigating complex regulatory landscapes and creating policies will be valuable in advising on the adequacy of library facilities and ensuring that they meet necessary standards. I am adept at building relationships with diverse stakeholders, which will help me effectively act as a liaison between the city and the Santa Clara County Library, as well as consult with community groups. Additionally, my background in managing cross-functional projects prepares me to contribute to organizing city-sponsored artistic and performance opportunities and reviewing works of art for public spaces. My approach is always grounded in ensuring that initiatives are inclusive, compliant, and aligned with community goals.

What do you understand the role of the commission to be and why would you like to serve on this commission?*

I see the role of the Library, Culture, and Arts Commission as a vital bridge between the community and the vibrant cultural and artistic life we aspire to foster in Morgan Hill. The Commission plays a crucial role in ensuring that our library facilities are not only adequate, but truly enriching community spaces that serve the needs of all residents. The Commission also plays a key role in bringing people together whether by collaborating with the Santa Clara County Library, consulting with community groups, or creating opportunities for local artists.

I am excited about the prospect of serving on this commission because it aligns with my deep connection to Morgan Hill and my desire to give back to the community that has shaped who I am. Through my work, I have developed the ability to tackle complex issues with a collaborative approach, ensuring that we bring together the right people and resources to create initiatives that benefit the community. I am committed to seeing our city thrive, and I believe that supporting the library, arts, and culture is essential to that vision. Serving on this commission would allow me to contribute meaningfully to a community that has been an integral part of my life.

What would you like to accomplish as a commissioner?*

As a commissioner, I would focus on several key areas for the library. The library already excels in hosting diverse events such as free summer lunches, dance classes, toddler programs, and book clubs. I would like to see additional classes that address crucial skills for youth, including financial literacy, coding, and mental wellness.

Financial literacy is a fundamental skill not always covered in schools, but is essential for lifelong success. Introducing classes on this topic would help young people build a strong financial foundation.

Coding classes are another valuable addition. These classes not only teach programming skills, but also foster logical thinking, problem-solving, creativity, teamwork, and communication.

Furthermore, expanding mental wellness programs is important. While meditation classes are beneficial, I envision a broader range of classes on nutrition, sleep, and exercise for both youth and adults. Offering culturally sensitive training to caregivers could help them identify signs that youth may need mental wellness support.

What are the greatest opportunities facing the community in regards to this commission?*

The city has an excellent opportunity to build on the momentum of downtown revitalization by integrating more cultural and artistic elements into this vibrant area. Downtown Morgan Hill has transformed remarkably since my childhood, and I'm excited by the restaurants, coffee shops, weekly farmers' market, and monthly Sidewalk Saturdays. The commission could spearhead projects that beautify public spaces and create new gathering areas, such as art installations, performance spaces, and community art projects. These initiatives would further establish downtown as a central hub for community engagement.

Regarding the library, there's an opportunity to enhance its role as a technology center. Many libraries across the U.S. have successfully evolved into key resources for digital equity and technological literacy. I would love to collaborate with other commissioners and community members to explore how our library can enhance its relevance and service, particularly in bridging the digital divide. For instance, I recently read an inspiring article about OT Park, a pediatric occupational therapy program in Morgan Hill using AI to support children with developmental disabilities. The article states that OT Park will be the only company in California offering this service to its patients, highlighting the potential for local innovation. I envision our library becoming a model for other public libraries by expanding its technology offerings. We can learn from successful examples in Santa Clara County and beyond to implement classes and technologies that will benefit our community.

If you are an incumbent seeking reappointment:

Are you next in line to serve as Chair or Vice-Chair?

- ☐ Yes
☐ No

Are you currently serving on a committee

- ☐ Yes
☐ No

Are you assigned to a special project?

- ☐ Yes
☐ No

If you are assigned to a special project, please describe the project.

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Nadia Suleman

Date*

8/18/2024

10:00 PM

August 18, 2024

Dear Mayor Turner; Morgan Hill City Council; and Library, Culture, and Arts Commission Members:

I am writing to express my interest in the vacancy on the Library, Culture, and Arts Commission. I moved to Morgan Hill when I was seven years old and fondly remember visiting the Morgan Hill public library multiple times per week, every week, with my grandfather. His love for reading, storytelling, drawing, and writing fostered my own passion for learning and the arts. Even after his passing, the library remained a cherished place where I could escape into different worlds. I am grateful to now share this love for our public library with my children.

After leaving Morgan Hill for college and law school, I lived in various Bay Area cities while deciding where to settle. When my husband and I started our family, we knew moving back to Morgan Hill to be close to my parents (who still reside here) was the best decision for us. I have a deep connection to this community and a strong passion for its cultural and artistic development.

While Morgan Hill has evolved in many wonderful ways, it has retained the strong sense of community I experienced growing up. I am eager to give back by contributing my professional skills and personal passion to the Library, Culture, and Arts Commission.

In my professional career, I have developed a strong ability to collaborate with diverse stakeholders and provide strategic guidance on complex regulatory and compliance matters. These skills are directly transferable to the work of the Library, Culture, and Arts Commission, where thoughtful planning and community engagement are crucial. My experience in guiding cross-functional teams and my passion for fostering equitable access to resources will enable me to contribute effectively to the Commission's efforts to enhance Morgan Hill's cultural and artistic landscape.

I am excited about the opportunity to contribute to the Library, Culture, and Arts Commission and help shape the cultural landscape of Morgan Hill. Thank you for considering my application. I look forward to the possibility of discussing how my background, skills, and passion align with the needs of the Commission.

Sincerely,

Nadia Suleman

NADIA N. SULEMAN

San Francisco Bay Area [REDACTED] [REDACTED]
Bar Admission: California, 2010 • <https://www.linkedin.com/in/nadiagangani>

SUMMARY: Passionate about equitable access to affordable, quality healthcare. Strategic product counsel with extensive experience in guiding cross-functional teams through complex regulatory and transactional matters in technology and healthcare. Expertise in AI/ML, digital health, data privacy, and product marketing with a proven track record in managing global compliance and legal risks for innovative product platforms. Skilled at delivering actionable legal guidance that supports product development, drives business goals, and ensures regulatory compliance.

SKILLS: Digital Health | Artificial Intelligence (AI) & Machine Learning (ML) | Data Privacy & Security | Ethics & Compliance | Clinical Trials | Healthcare Transactions | Fraud, Waste, & Abuse | Medical Device Regulation | Advertising & Marketing Laws | Clinical Decision Support Software | Telehealth & Remote Care

PROFESSIONAL EXPERIENCE

Helix, San Mateo, CA (Hybrid)

December 2023 – Present

Senior Regulatory & Product Counsel

Lead legal oversight for developing and deploying new technology platforms, including AI tools, ensuring alignment with regulatory requirements and mitigating legal risks.

- Spearhead the development of a comprehensive product launch review process, establishing criteria, tools, and assessments to ensure global regulatory compliance and effective review for all products, including AI-powered ones.
- Build and maintain close relationships with product teams, integrating legal risk management into product development and ensuring successful outcomes for new products.
- Monitor and analyze U.S. and global regulatory developments affecting AI, technology, and clinical platforms, presenting key findings and strategic insights to executive leadership and business teams.
- Provide strategic legal guidance on AI-related issues, including data privacy, security, and ethics, to cross-functional teams, proactively identifying and mitigating risks.

Hims & Hers, Remote, CA

June 2023 – December 2023

Product Counsel

Counseled teams on regulatory compliance for marketing and advertising initiatives related to prescription generic and compounded drugs, including television ads, social media campaigns, product naming, and product packaging, ensuring alignment with global healthcare regulations.

- Appointed as legal team lead for all AI/ML initiatives, including MedMatch, technology designed to predict diagnoses and appropriate treatment to help providers make more informed and clinically appropriate decisions. Developed and executed legal strategies for AI/ML initiatives to address regulatory risks and ensure compliance with relevant regulations.
- Provided critical legal guidance on user experience research proposals, focusing on user consent and privacy issues.
- Advised cross-functional teams on legal requirements for substantiating claims in advertising and promotional materials for prescription compounded drugs.
- Launched Hims & Hers' first television spot in the UK, navigating UK advertising regulations.

Google, Mountain View, CA

July 2021 – March 2023

Product Counsel

Collaborated with cross-functional teams to provide forward-thinking guidance on clinical trials and Fitbit features, balancing business needs with legal risks related to sensitive health information.

- Served as the primary legal advisor for the development and deployment of Fitbit mobile app and wearable features, including oxygen saturation, blood glucose, and a health metrics dashboard. Provided comprehensive legal support to ensure compliance with global regulatory commitments and facilitated the international expansion of these features.
- Led the legal review and drafting of critical documents, including informed consent forms, privacy policies, and terms of service for new health features, ensuring alignment with regulatory requirements.
- Introduced process improvements within the legal team by developing scalable tools for workflow management and creating a dashboard to streamline tracking and visibility of high-priority legal reviews, increasing operational efficiency by 80%.

Verily Life Sciences, South San Francisco, CA

August 2018 – July 2021

Associate Product Counsel

Advised business leadership on data privacy, regulation of medical devices, and compliance with fraud, waste, and abuse laws for a diverse portfolio of technology-enabled health care products and medical devices.

- Served as primary counsel for various health-related products, including a virtual care model for chronic condition management (Onduo), a sleep care platform (Primasun), and a smart baby monitor system (Lumi by Pampers). Provided legal guidance on all aspects of these products, from development through commercialization.

- Led the legal review and support for Onduo, ensuring compliance with applicable regulations for medication integration, hypertension management, mental health services, and language offerings.
- Guided the development and launch of Primasun, advising on clinical trials, clinical pathways, and commercial strategy to ensure regulatory compliance and successful market entry.
- Advised on the hiring of the first physician to practice medicine as a Verily employee, navigating compliance with fraud, waste, and abuse laws, as well as the corporate practice of medicine doctrine.
- Managed the legal aspects of Verily's first homegrown consumer product, Lumi by Pampers, including internal testing and successful partner hand-off, ensuring compliance with relevant health and safety regulations.

Sutter Health, Emeryville, CA

May 2013 – August 2018

Counsel

Provided legal counsel on healthcare fraud, waste, and abuse laws, supporting senior hospital executives on compliance and risk management for physician compensation, duties, and quality initiatives.

- Appointed to lead legal efforts on a complex physician matter involving data privacy, health ethics, and compliance based on problem-solving and crisis management skills.
- Partnered with the compliance team on audits, investigations, and regulatory matters, ensuring adherence to fraud, waste, and abuse laws. Provided actionable insights to improve hospital compliance strategies.
- Collaborated with the strategy team and senior hospital executives to create new hospital service lines, offering legal advice on licensure, credentialing, and regulatory requirements to support successful implementation.

Verity Health System, Los Altos Hills, CA

First lawyer hired by the General Counsel. Drafted and negotiated physician agreements, prepared Board memoranda, and provided guidance regarding HIPAA compliance obligations.

Counsel

February 2011 – May 2013

- Drafted and negotiated physician agreements, including call coverage agreements, medical directorships and physician recruitments.
- Trained hospital contract personnel in the legal review process for contracts and the most effective way to use in-house legal resources.
- Reviewed clinical trial agreements for compliance with FDA regulations and informed consent requirements.
- Negotiated non-physician clinical staff agreements, services agreements, and business associate agreements.

Law Clerk

August 2010 – February 2011

- Reviewed physician contracts for compliance with Stark and Anti-Kickback regulations.
- Drafted system-wide policies, such as advertising/marketing and external communications.

VOLUNTEERING

Co-Chair - Early Childhood Education (PSA Board), Oakwood School

August 2024 - Present

Mentor, The Peninsula College Fund

June 2022 - Present

Mentor, Tech Edge JD, Santa Clara University School of Law

August 2023 - Present

EDUCATION

Santa Clara University School of Law, Santa Clara, CA

Juris Doctor

May 2010

- President, Health Care Law Society (August 2009 - May 2010)
- Public Interest & Social Justice Law Certificate with Emphasis in Health Law
- Comments Editor, Computer & High Technology Law Journal, Volume 26

University of California, Davis, Davis, CA

Bachelor of Science, Neurobiology, Physiology, & the Study of Behavior; Minor: Women & Gender Studies

June 2006

CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Jennifer Ponce, OES Coordinator

APPROVED BY: City Manager

ADOPT RESOLUTION ACCEPTING THE SANTA CLARA COUNTY MULTIJURISDICTIONAL LOCAL HAZARD MITIGATION PLAN UPDATE INCLUDING THE CITY OF MORGAN HILL'S ANNEX

RECOMMENDATION(S)

Adopt resolution accepting the Santa Clara County Multijurisdictional Local Hazard Mitigation Plan Update including the City of Morgan Hill's Annex.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Enhancing Public Safety

Preserving and Cultivating Public Trust

2024-2025 Strategic Priorities

Fiscal Sustainability

Guiding Documents

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

The City participates with other public agencies in planning for and coordinating cooperative interagency responses to natural disasters. The Local Hazard Mitigation Plan (LHMP) describes the disasters likely to affect the City. The document compiles and summarizes the capabilities for implementing hazard mitigation actions designed to reduce future damage from natural hazards. The City must have, or be a part of, a LHMP in order to be eligible for mitigation funding from the Federal Emergency Management Agency (FEMA), according to FEMA guidelines. Following the adoption of this updated annex, the annex and adoption resolution will be submitted to FEMA for final approval.

It's important to note that the updates to the LHMP were made at a point in time a couple of years ago, and since then, the City has made significant progress in completing several of the action items.

COMMUNITY ENGAGEMENT:

Inform

This staff report informs the Community of the update to the Plan.

ALTERNATIVE ACTIONS:

If this updated plan is not approved, the City of Morgan Hill will not be eligible for mitigation funding from FEMA.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The LHMP was last adopted by the City Council on October 4, 2017.

FISCAL AND RESOURCE IMPACT:

None

CEQA (California Environmental Quality Act):

Not a project.

Santa Clara County has sought exemption from CEQA for the Hazard Mitigation Plan based on four different sections of the CEQA Guidelines:

-Section 15183(d): "The project is consistent with...a general plan of a local agency, and an EIR was certified by the lead agency for the...general plan."

-Section 15262: "A project involving only feasibility or planning studies for possible future actions which the agency, board or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities."

-Section 15306: "(Categorical Exemption) Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded."

-Section 15601(b)(3): "...CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."



2023

SANTA CLARA COUNTY MULTIJURISDICTIONAL HAZARD MITIGATION PLAN

Volume 1: Base Plan



Office of Emergency Management
County of Santa Clara
55 W. Younger Ave., San Jose, CA

Santa Clara County Multijurisdictional Hazard Mitigation Plan

This work was sponsored by the Santa Clara County Office of Emergency Management.

The research was conducted by IEM, incorporating data provided by Santa Clara County Office of Emergency Management.

IEM is a global consulting house for safety, security, strategic performance, and sustainability. We combine objective, scientific analysis with a broad spectrum of experience to provide practical, effective solutions for public and private sectors. IEM's publications do not necessarily reflect the opinions of its research clients and sponsors.

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Acknowledgements

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- Samuel Gutierrez, Santa Clara County Department of Planning and Development, Principal Planner

Planning Partners

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- Ron Taormina, City of Campbell, Acting Superintendent
- Bob Lennen, City of Campbell, Building Official
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- Chad Mosley, City of Cupertino, Acting Director of Public Works
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- Sharon Goei, City of Gilroy, Community Development Director
- Daryl Jordan, City of Gilroy, Public Works Director/Floodplain Administrator
- Kathryn Krauss, City of Los Altos, Captain of Operations, Police Department
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- Irene Silipin, City of Los Altos, HR Manager
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- Veronica Tinoco, City of Los Altos, Building Official
- Stephanie Williams, City of Los Altos, Planning Services Manager/ Floodplain Manager
- Franklin Wong, City of Los Altos, Public Works. CIP Manager

Santa Clara County Multijurisdictional Hazard Mitigation Plan

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- Michael Silveira, City of Milpitas, CIP Manger
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- Jennifer Ponce, City of Morgan Hill, Emergency Services Coordinator
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Santa Clara County Multijurisdictional Hazard Mitigation Plan

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- Steve Choy, City of San Jose, Acting Division Manager/ Division Manager Capital Improvement Project Program Manager
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- Kevin Kolnowski, City of Santa Clara, Electric Utility Chief Operating Officer
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Santa Clara County Multijurisdictional Hazard Mitigation Plan

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- Crystal Bothelio, City of Saratoga, Assistant City Manager
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Santa Clara County Multijurisdictional Hazard Mitigation Plan

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- Casey Garnett, IEM, Planner
- Krystian Murray, IEM, Planner
- Alayna Payne, IEM, Planner
- Sabrina Lunsford, IEM, Planner

Acronyms

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ADA	Americans with Disabilities Act
AELR	Annualized Earthquake Loss Ratio
AFN	Access and Functional Needs
APA	Approvable-Pending-Adoption
APG	California Climate Adaptation Planning Guide
ARES	Amateur Radio Emergency Service
BAWSCA	Bay Area Water Supply Conservation Agency
BRIC	Building Resilient Infrastructure and Communities
CAL FIRE	California Department of Forestry and Fire Protection
Cal OES	California Office of Emergency Services
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CARAS	Community Agency for Resources, Advocacy, and Services
CCR	California Code of Regulations
CDBG-DR	Urban Development Community Development Block Grant Disaster Recovery
CDBG-MIT	Community Development Block Grant Mitigation
CDC	U.S. Centers for Disease Control and Prevention
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CERCLA	California Emergency Planning and Community Right-to-Know Act
CERT	Community Emergency Response Team
CFR	Code of Federal Regulations
CGS	California Geological Survey
C-MIST	Communication, Maintaining Health, Independence, Safety, Support Services, and Self-Determination, and Transportation
COOP	Continuity of Operations Plan
COVID-19	Coronavirus Disease of 2019
CPAD	California Protected Area Database
CPUC	California Public Utilities Commission
CRS	Community Rating System
CSZ	Cascadia Subduction Zone
CWA	Clean Water Act
CWPP	Community Wildfire Protection Plan
CWSRF	Clean Water State Revolving Fund
CZM	Coastal Zone Management
DFIRM	Digital Flood Insurance Rate Map
DHS	U.S. Department of Homeland Security
DMA	Disaster Mitigation Act of 2000
DR	Disaster Declaration
DSOD	Division of Dam Safety

Santa Clara County Multijurisdictional Hazard Mitigation Plan

DSOD	Division of Safety of Dams
DWR	Department of Water Resources
DWR	Department of Water Resources
EAP	Emergency Action Plan
EBB	Earthquake Brace + Bolt Program
EIR	Environmental Impact Report
EM	Emergency Declaration
EMAP	Emergency Management Accreditation Program
EOC	Emergency Operations Center
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FBI	Federal Bureau of Investigation
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FHSZ	Fire Hazard Severity Zones
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
FMA	Flood Mitigation Assistance
FMAG	Fire Mitigation Assistance Grants
FRMP	Flood Risk Management Program
GIS	Geographic Information Systems
HHPD	High Hazard Potential Dam
HMGP	Hazard Mitigation Grant Program
HMGP-PF	Hazard Mitigation Grant Program Post Fire
HMP	Hazard Mitigation Plan
HUD	U.S. Department of Housing and Urban Development
Hwy	Highway
IBC	International Building Code
ICARP	Integrated Climate Adaptation and Resiliency Program
IED	Improvised Explosive Device
IEM	Innovative Emergency Management
IID	Improved Incendiary Device
IPCC	Intergovernmental Panel on Climate Change
IT	Information Technology
JTTF	Joint Terrorism Task Force
LEWS	Landslide Early Warning Systems
LOMA	Letter of Map Amendment
LOMR	Letters of Map Revision
MJHMP	Multijurisdictional Hazard Mitigation Plan
MMI	Modified Mercalli Intensity Scale
NASA	National Aeronautics and Space Administration
NBS	Nature Based Solutions
NCRIC	Northern California Regional Intelligence Center
NEHRP	National Earthquake Hazard Reduction Program
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NGO	Non-Governmental Organization
NHD	Natural Hazard Disclosure
NID	National Inventory of Dams

Santa Clara County Multijurisdictional Hazard Mitigation Plan

NIMS	National Incident Management System
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conversation Services
NSI	National Structure Inventory
NTHMP	National Tsunami Hazard Mitigation Program
NWS	National Weather Service
OA	Operational Area
OEM	Office of Emergency Management
PAL	Provisionally Accredited Levee
PCA	Project Cooperation Agreement
PDM	Pre-Disaster Hazard Mitigation
PG&E	Pacific Gas and Electric
PGA	Peak Ground Acceleration
PHMSA	Pipeline and Hazardous Materials Safety Administration
PTSD	Post Traumatic Stress Disorder
Risk MAP	Risk Mapping, Assessment and Planning
SAFRR	Science Application for Risk Reduction
SAR	Suspicious Activity Report
SCCFD	Santa Clara County Fire Department
SCCOEM	Santa Clara County Office of Emergency Management
SCVWD	Santa Clara Valley Water District
SEMS	Standardized Emergency Management System
SFHA	Special Flood Hazard Area
SHMO	State Hazard Mitigation Officer
SHMP	State Hazard Mitigation Plan
SR	State Route
SRA	State Responsibility Area
STORM	Safeguarding Tomorrow through Ongoing Risk Mitigation
SVACA	Silicon Valley Animal Control Authority
TRI	Toxic Release Inventory
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USDM	U.S. Drought Monitor
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VHF	Viral Hemorrhagic Fever
VTA	Santa Clara Valley Transportation Authority
WHO	World Health Organization
WNV	West Nile Virus
WUI	Wildland Urban Interface
WVFPD	Watershed and Flood Prevention Operations Program

Executive Summary

Hazard Mitigation Planning Background

Hazard mitigation involves the use of long-term and short-term policies, programs, projects, and other activities to alleviate the death, injury, and property damage that can result from a disaster. Santa Clara County and a partnership of local governments and special districts within the county have developed a multijurisdictional hazard mitigation plan to reduce risks from natural disasters in the Santa Clara County Operational Area (OA)—defined as the unincorporated county and incorporated jurisdictions within the geographical boundaries of the county. The plan reaffirms the planning partners commitment to implementing cost-effective, environmentally sound, technically feasible mitigation actions. It also complies with federal and state hazard mitigation planning requirements to establish eligibility for funding under Federal Emergency Management Agency (FEMA) grant programs.

The whole community of the Santa Clara County OA—including individual and families, businesses, community and nonprofit organizations, schools and academia, and all levels of government—is the ultimate beneficiary of this MJHMP. Implementing the plan will reduce risk for those who live in, work in, and visit the OA. The plan provides a viable planning framework for natural hazards of concern for the area. Participation in development of the plan by key stakeholders helped ensure outcomes will be mutually beneficial. The resources and background information in the plan are applicable across the OA, and the plan's goals and recommendations can lay the groundwork for the development and implementation of local mitigation activities and partnerships for years to come.

History of Regional Planning Efforts for Hazard Mitigation

The Association of Bay Area Governments (ABAG) provides communities in the San Francisco Bay area with planning and research resources related to land use, housing, environmental and water resource protection, disaster resilience, energy efficiency, hazardous waste mitigation, risk management and financial services. In 2004, ABAG led a regional effort to address hazard mitigation planning for Bay Area jurisdictions. ABAG's regional template was used by numerous counties and cities to meet federal hazard mitigation planning requirements. The ABAG process enabled individual planning processes to meet local government needs, while pooling resources and eliminating redundant planning efforts.

In 2010, ABAG conducted its second regional planning effort. Municipalities that used the 2010 updated ABAG tools to meet federal hazard mitigation planning requirements included the County of Santa Clara and the cities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San José, Santa Clara, Saratoga, and Sunnyvale. ABAG discontinued its full support of the regional planning concept in 2015, so jurisdictions that were covered under the regional plan must initiate individual or reformed multijurisdictional planning efforts to continue to comply with federal mitigation planning requirements.

In 2016, Santa Clara County, the Santa Clara County Fire Department, and all incorporated cities in Santa Clara County teamed together to prepare an updated Multijurisdictional Hazard Mitigation Plan tailored to the local needs and capabilities of the Santa Clara County Operational Area. The planning partnership developed a new plan from scratch, using lessons learned from the earlier ABAG planning efforts. Compared to previous planning efforts, the plan focused on more localized concerns, newly available data and tools to enhance the risk assessment, considering FEMA's Community Rating System (CRS) for flood insurance, and identifying cost-effective actions.

The 2023 Santa Clara County Operational Area Planning Effort

In 2022, Santa Clara County reconvened the planning team and a consultant was hired to support the planning process. This allowed participants to focus on ongoing hazard events including multiple atmospheric rivers and a winter storm while ensuring that mitigation planning effort continued moving forward. Additional ways the 2023 plan differs from previous plans includes:

- The risk assessment includes further considerations of emerging hazards, like the impact of wildfire smoke, which have recently threatened the OA.
- A concentrated effort to ensure plan integration between the County Community Wildfire Protection Plan and County Safety Element of the County General Plan updates as well as other approved plans.
- The incorporation of the additional special district planning partners of Midpeninsula Regional Open Space District, Santa Clara County Fire Department, and Santa Clara Valley Water District, which are involved in hazard mitigation in the OA.
- The plan was developed in accordance with EMAP standards.
- The risk assessment has been formatted to provide information on risk and vulnerability that will allow a measurement of cost-effectiveness.
- Mitigation goals and objectives and criteria for mitigation action item prioritization have been updated to include climate change, resiliency, and benefits to populations that are underserved and/or socially vulnerable.
- The update gave the planning partners an opportunity to engage residents, particularly those who are underserved and/or socially vulnerable and gauge their perception of risk and support for risk reduction through mitigation.
- The update also gave planning partners an opportunity to engage community stakeholders, particularly those that assist underserved and/or socially vulnerable and gauge their perception of risk and support for risk reduction through mitigation.
- Climate change has been added as a hazard for the planning area.
- Each planning partner has a minimum of one mitigation action per a hazard that can impact them.
- Expanded information about planning partner participation and compliance in the National Flood Insurance Program.

Plan Development Approach

Phase 1: Schedule of Work

A Core Planning Team consisting of staff from the Santa Clara County Office of Emergency Management, Office of Sustainability, and Department of Planning and Development, and a contract consultant, Innovative Emergency Management (IEM), was assembled to facilitate the update of this plan. This team then formed a planning partnership with local governments, special districts, and other County departments within the OA. Planning partners were also requested to identify additional stakeholders, both internal and external to their community or organization, were invited to participate in the planning process. Some of types of stakeholders identified by partners included representatives from academia, nonprofits, businesses, and other agencies involved in Hazard Mitigation like the California Office of Emergency Services (Cal OES). The Core Planning Team oversaw the plan update, compliance with FEMA hazard mitigation planning guidelines, and the plan update schedule. Stakeholders were frequently engaged through meetings, one-on-one calls, and emails including meeting notes to ensure they understood their role in the plan update.

The plan schedule was updated to reflect the needs of the stakeholders and committing priorities as multiple disaster events occurred during the update process. This phase also included a review of the existing MJHMP, the current and draft California statewide hazard mitigation plan, and other existing programs and resources that support hazard mitigation actions in the OA.

Phase 2: Determine the Planning Area and Resources

The scale of the plan can determine the level of detail that may be included. In this case, the County lead a county-wide planning effort. Planning partners were provided the space to input even more localized data in their sections of the plan as well. New and updated resources and data sources were identified throughout the planning process. FEMA's Hazus tool for natural hazard analysis was utilized where possible to assess risk and estimated building damage impacts.

Phase 3: Build the Planning Team

The Core Planning Team invited stakeholders to participate in a series of planning meetings on each of the components of the planning process. After each meeting, planning partners had the opportunity to add their input through forms such as Capability Assessment, Risk Assessment and Mitigation Project Worksheet. The planning team update was additionally supported by input from the public. This input was garnered through several collaborative public meetings, a digital survey, and the utilization of social media and a project website.

Phase 4: Create an Outreach Strategy

The opportunity for public participation is an important step of the hazard mitigation planning process. For this plan update, the Core Planning Team developed and implemented a whole community, multi-lingual, in-person, and virtual approach to public outreach. Since the County was already working on updating the County's Safety Element, which includes different but similar hazard risk and disaster response and recovery considerations, the two planning teams collaborated to share information on this Multijurisdictional Hazard Mitigation Plan (MJHMP). Two in-person listening sessions were held and one virtual town hall meeting was held to inform the public about the Safety Element and MJHMP update and to garner feedback about hazards of concern and levels of preparedness in the community.

The Santa Clara County Community Wildfire Protection Plan (CWPP) was also being updated simultaneously with the MJHMP, and the two project teams collaborated to share information. Four in-person meetings were held to share information about the CWPP and MJHMP and solicit feedback from the public about the plans.

The County and planning partners also requested public participation through a digital survey posted on the Santa Clara County Office of Emergency Management's website available in English, Spanish, Chinese, Vietnamese, and Tagalog. This survey received almost 600 responses. Finally, the public was provided the opportunity to review and provide input on the draft MJHMP.

Phase 5: Review Community Capabilities

A thorough understanding of community capabilities can help decision makers identify feasible hazard mitigation actions. The planning team evaluated each jurisdiction's existing authorities, policies, programs, and resources including staff and funding resources. Applicable opportunities to expand upon on and improve these policies and programs were identified in the Mitigation Strategy. The main point of contact for each planning partner successfully engaged and utilized their planning teams as subject matter experts and planning support throughout the MJHMP process.

Phase 6: Risk Assessment

Risk assessment is the process of measuring the potential loss of life resulting from natural hazards, as well as personal injury, economic injury, and property damage, in order to determine the vulnerability of people, buildings, and infrastructure to natural hazards. The risk assessment provides the scientific basis for mitigation actions. It begins with hazard identification and profiling. Each hazard that may impact the planning area was profiled utilizing the best available data from local, state, and federal resources including other plans, studies, and databases. Each hazard profile includes risk information such as the location, extent, previous occurrences, future probability of each hazard, and estimated cost of potential damage. Furthermore, a vulnerability assessment was incorporated into each profile to show the expected impacts on people, buildings, critical infrastructure, and future development. The role of climate change and potential cascading impacts is also described.

As part of a comprehensive risk assessment, planning partners used a hazard risk index to evaluate the probability of occurrence, potential life impact, property impact, percentage of planning area impacted, and extent for each applicable hazard. The overall hazard risk index results based on an average of partner indices is shown in Table 1. These results show which hazards pose the highest overall risk to the Operational Area.

Table 1: Average Overall Hazard Risk Index Results

Hazard Risk Order	Hazard	Average Overall Hazard Risk Index Result
1	Earthquake	2.13
2	Wildfire, wildfire smoke, and air quality	1.71
3	Heavy precipitation, heavy winds, extreme temperatures	1.45
4	Drought	1.25
5	Climate change, including sea-level rise	1.19
6	Dam and levee failure	.83
7	Flood	.79
8	Landslide and mass movement	.41
9	Tsunami	.03

Based on the average overall hazard risk index results from planning partner risk indices:

- The earthquake hazard has the highest risk results, followed by wildfire/smoke/air quality.
- The inclement weather, drought, climate change hazards were a moderate risk to the Operational Area.
- The dam failure, flood, and landslide/mass movement hazards were a lower risk to the Operational Area.
- The tsunami hazard poses the lowest risk to the Operational Area, as not all planning partners can be impacted by this hazard due to geographic location.

Phase 7: Develop a Mitigation Strategy

The Mitigation Strategy is often referred to as the heart of the plan, or the blueprint for breaking the cycle of disaster response and recovery. A risk-based, capabilities-informed mitigation strategy outlines the framework for short-term and long-term community resilience. A guiding principle as well as overarching goals and objectives were established for the Mitigation Strategy. In order to facilitate this important part of the plan update, a Mitigation Projects Working Group was convened. This group was responsible for coming up with suggestions for mitigation actions and reviewing and updating the 2017 Goals and Objectives to align with the changed hazard landscape and the new guidelines. Other plans previously approved by the planning partners were also evaluated for potential mitigation actions. Planning partners then assessed their mitigation actions from the past plan and updated them where needed as well as developed new mitigation actions. These actions were then compiled in their annexes in an action plan which included information on the time, cost, funding source, and lead agency.

Phase 8: Draft Multijurisdictional Hazard Mitigation Plan with Public Input and Maintenance Procedures

The Core Planning Team and Working Group assembled a document to meet federal hazard mitigation planning requirements for all partners. The updated plan contains two volumes. Volume 1 contains components that apply to all partners and the broader Operational Area and the unincorporated areas of the County. Volume 2 contains all components that are planning partner specific. Each planning partner has a dedicated annex in Volume 2. A plan maintenance strategy which included annual progress reporting, a strategy for continued public involvement, a commitment to plan integration with other relevant plans and programs, and a recommitment from the planning partnership to actively maintain the plan over the five-year performance period. The Planning Team and the public were each provided opportunities to review the draft plan and inputs were incorporated into the final draft.

Phase 9: Develop and Adopt Final Multijurisdictional Hazard Mitigation Plan

The final draft will be submitted to Cal OES and FEMA for approval. Once pre-adoption approval has been granted by the California Office of Emergency Services and FEMA Region 9, the final adoption phase will begin. Each planning partner will individually adopt the updated plan. Plan implementation will occur over the next five years as the planning partners begins to implement the countywide and jurisdiction-specific actions identified in this plan.

Each planning partner main point of contact is responsible for the maintenance of their annex and partner-specific information in this MJHMP. This includes documenting successes and lessons learned, researching new or updated data, laws, policies, regulations, or initiatives that can contribute to future iterations of the MJHMP, reviewing potential funding availability, and monitoring and tracking the progress of action items identified in their annex and submitting a status summary to the County's project manager annually.

Mitigation Goals and Objectives

Hazard mitigation plans must identify goals for reducing long-term vulnerabilities to identified hazards (44 CFR Section 201.6(c)(3)(i)). A guiding principle, a set of goals and measurable objectives for this plan were reviewed and approved by the larger Planning Team based on data from the preliminary risk assessment and updates to mitigation priorities since the previous MJHMP. The guiding principle, goals, objectives, and actions in this plan all support each other. Goals were selected to support the guiding principle. Objectives were selected that met multiple goals. Actions were prioritized based on the action meeting multiple objectives.

Guiding Principle

A guiding principle focuses the range of objectives and actions to be considered. This is not a goal because it does not describe a hazard mitigation outcome, and it is broader than a hazard-specific objective. The guiding principle for this MJHMP is as follows:

To equitably reduce risk and increase resilience by establishing and promoting a comprehensive mitigation program and efforts to protect the Whole Community and environment from identified natural and human-induced hazards.

Goals

The following are the mitigation goals for this plan:

1. Actively develop community awareness, understanding, and interest in hazard mitigation and empower the Operational Area to engage in the shaping of associated mitigation policies and programs.
2. Minimize potential for loss of life, injury, social impacts, and dislocation due to hazards.
3. Minimize potential for damage to property, economic impacts, and unusual public expense due to hazards.
4. Minimize likelihood and impact of hazards causing environmental damage or damaging open space/nature preserves in the County and preserving ecological connectivity in the region and by working with residents to help build community capacity to respond and adapt to hazards and emergencies.
5. Effectively deliver essential information to the whole community that promotes personal preparedness and includes advice to reduce personal vulnerability to hazards.
6. Encourage programs and projects that promote community resiliency by maintaining the functionality of critical Operational Area resources, facilities, and infrastructure.
7. Pursue feasible, cost-effective, grant eligible, and environmentally sound hazard mitigation measures.
8. Increase adaptive capacity to reduce risk from hazard impacts that stem from a changing climate.
9. Remove barriers for local governments to access mitigation funding (broad vs. specific) and reduce the administrative pain points to recipient agencies during the project deployment and auditing phases.

The effectiveness of a mitigation strategy is assessed by determining how well these goals are achieved.

Objectives

Each selected objective meets multiple goals, serving as a stand-alone measurement of the effectiveness of a mitigation action, rather than as a subset of a goal. The objectives also are used to help establish priorities and have been reviewed and approved by the Mitigation Strategy Working Group, and the larger Planning Team. The objectives are as follows:

1. Establish and maintain partnerships in the identification and implementation of mitigation measures in the Operational Area.
2. Implement hazard mitigation programs and projects that protect life, property, and the environment.

3. Develop and provide updated information about threats, hazards, vulnerabilities, and mitigation strategies to state, regional, and local agencies, as well as private sector groups, community-based organizations, and non-profits.
4. Improve understanding of the locations, potential impacts, and linkages among threats, hazards, vulnerability, and measures needed to protect life, property, and the environment.
5. Encourage the incorporation of mitigation best management measures into plans, codes, and other regulatory standards for public, private, and non-governmental entities within the Operational Area.
6. Inform the public on the risk exposure to natural hazards and ways to increase the public's capability to prevent, prepare, respond, recover, and mitigate impacts of these events.
7. Advance community and natural environment sustainability and resilience to future impacts through preparation and implementation of state, regional, and local projects.
8. Reduce repetitive property losses from all hazards.
9. Where feasible and cost-effective, encourage property protection measures for vulnerable structures located in hazard areas.
10. Improve the process on how public agencies select systems that provide warning and emergency communications for a broad array of agencies. This includes improving the selection process and ensuring warning and emergency communications processes are effective and accessible.
11. Partner with educational institutions that provide research, case studies and the like to help bolster agency communication that demonstrates the value of hazard mitigation.

Implementation

Full implementation of the recommendations of this plan will require time and resources. The measure of the plan's success will be its ability to adapt to changing conditions. The County of Santa Clara and its planning partners will assume responsibility for adopting the recommendations of this plan and committing resources toward implementation. The framework established by this plan commits all planning partners to pursue actions when the benefits of a project exceed its costs. The planning partnership developed this plan with extensive public input, and public support of the actions identified in this plan will help ensure the plan's success.

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1 Introduction to Hazard Mitigation Planning

1.1 Why Prepare This Plan?

1.1.1 The Big Picture

Hazard mitigation is a key component of community resilience. There is no one definition of resilience; however, the Urban Sustainability Directors Network defines resilience as the ability of people and their communities to anticipate, accommodate and positively adapt to or thrive amidst changing climate conditions and hazard events.¹ The Federal Emergency Management Agency (FEMA) defines hazard mitigation as any sustainable action that reduces or eliminates long-term risk to people and property from future disasters.² It involves long- and short-term actions implemented before, during, and after disasters. Hazard mitigation activities include planning and regulations, structure and infrastructure projects, natural system protection, and education and awareness programs as well as other steps to reduce the impact of hazards.

For many years, federal disaster funding focused on relief and recovery after disasters occurred, with limited funding for hazard mitigation planning in advance. The Disaster Mitigation Act (DMA; Public Law 106-390), passed in 2000, shifted the federal emphasis toward planning for disasters before they occur.³ The DMA requires state and local governments to develop hazard mitigation plans as a condition for federal disaster grant assistance. Regulations developed to fulfill the DMA's requirements are included in Title 44 of the Code of Federal Regulations (44 CFR).

FEMA advocates for a "whole community" approach to hazard mitigation. This approach calls for everyone, from private property owners to commercial interests to nonprofits and local, state, and federal governments to be involved in preparing the nation for the next disaster event. By going through the local planning process outlined in the DMA, communities are able to articulate their needs for mitigation more easily, based on their understanding of their capabilities and risk. This can enhance their ability to develop projects and take mitigation actions, resulting in faster allocation of funding and more cost-effective risk-reduction projects.

The DMA also promotes sustainability in hazard mitigation. To be sustainable, hazard mitigation needs to incorporate sound management of natural resources and consider the wider social and economic implications.

¹ Urban Sustainability Directors Network. (n.d.). Resilience Hubs.

[USDN%20Resilience%20Hubs%20Guidance%20Document](#)

² Federal Emergency Management Agency. (n.d.). Hazard Mitigation Assistance Grants.

<https://www.fema.gov/grants/mitigation#:~:text=FEMA%27s%20hazard%20mitigation%20assistance%20provides%20ofunding%20for%20eligible,cycle%20of%20disaster%20damage%2C%20reconstruction%20and%20repeated%20damage.>

³ Federal Emergency Management Agency. (2020, October 19). The Disaster Mitigation Act of 2000.

<https://www.fema.gov/blog/disaster-mitigation-act-2000-20-years-mitigation-planning>

To further enhance the planning process and the guidelines set by DMA, the Santa Clara County Office of Emergency Management follows a specific emergency management planning process. This locally developed process incorporates various nationally recognized best practices and concepts, like the whole community planning approach, with standard program management principles that can be easily integrated into the County's existing governmental structure. This process brings together stakeholders, builds lasting community relationships, and results in a stronger and more comprehensive mitigation plan. This process is key to building community resilience and was followed in the 2023 MJHMP update.

1.1.2 Purposes for Planning

Hazard mitigation planning is the foundation for mitigation investments. Hazard mitigation plans are required to be updated, approved, and adopted every five years in order to maintain eligibility for multiple federal mitigation grant programs. Through the update process, mitigation actions are developed as a part of a community-based, risk-informed decision-making process.⁴

Fourteen jurisdictions and three special districts within the Santa Clara County Operational Area (OA)—defined as the unincorporated county, incorporated jurisdictions, and special districts within the geographical boundaries of Santa Clara County—participated in the Multijurisdictional Hazard Mitigation Plan (MJHMP) prepared in 2023 by the Santa Clara County Office of Emergency Management with support from the consulting firm IEM. Participating jurisdictions and districts are referred to in this plan as planning partners. Elements and strategies in the MJHMP were selected because they meet a program requirement and because they meet the needs of the planning partners and their residents. One of the benefits of multijurisdictional planning is the ability to pool resources and support partnerships to reduce redundant activities within the OA that have similar risk exposure and vulnerabilities. FEMA encourages multijurisdictional planning under its guidance for the DMA. This MJHMP will help guide and coordinate mitigation activities throughout the OA. Additionally, it was developed to meet the following objectives:

- Meet or exceed requirements of the DMA.
- Comply with the requirements outlined in FEMA's *Local Mitigation Policy Planning Guide* (April 2022), the requirements of which apply to all plans seeking agency approval on or after April 19, 2023.
- Enable all planning partners to continue using federal grant funding to reduce risk through mitigation.
- Meet the planning requirements of FEMA's Community Rating System (CRS), allowing planning partners that participate in the CRS program to maintain or enhance their CRS classifications.
- Utilize EMAP standards for strategic planning.
- Coordinate existing plans and programs so high priority projects to mitigate possible disaster impacts have an increased opportunity to be funded and implemented.

The planning partners discussed using this plan to meet Community Rating System (CRS) requirements as well. Ultimately, it was decided that Santa Clara Valley Water will lead the development of a separate Floodplain Management Plan specifically dedicated towards this goal, allowing planning partners that participate in the CRS program to maintain or enhance their CRS classifications. Relevant information from this MJHMP will be incorporated into the Floodplain Management Plan.

⁴ Federal Emergency Management Agency. (2022, April 19). Local Mitigation Planning Policy Guide. https://www.fema.gov/sites/default/files/documents/fema_local-mitigation-planning-policy-guide_042022.pdf

1.2 Who Will Benefit from This Plan?

The whole community of the Santa Clara County OA—including individual and families, businesses, community and nonprofit organizations, schools and academia, and all levels of government—is the ultimate beneficiary of this MJHMP. Implementing the plan will reduce risk for those who live in, work in, and visit the OA. The plan provides a viable planning framework for natural hazards of concern for the area. Participation in development of the plan by key stakeholders helped ensure outcomes will be mutually beneficial. The resources and background information in the plan are applicable across the OA, and the plan's goals and recommendations can lay the groundwork for the development and implementation of local mitigation activities and partnerships for years to come. Mitigation projects, particularly large projects with cascading impacts, will also benefit neighboring jurisdictions.

1.3 Contents of This Plan

This plan has been set up in two volumes so that elements that are planning partner-specific can easily be distinguished from those that apply to the overall Santa Clara County OA:

- Volume 1: Volume 1 includes all federally required elements of a disaster mitigation plan that apply to the OA and the unincorporated areas of the County. This includes the description of the planning process, public involvement strategy, goals and objectives, hazard risk assessment, mitigation actions, and a plan maintenance strategy.
- Volume 2: Volume 2 includes all federally required participant-specific elements, in annexes for each participating entity. It includes a description of the participation requirements established for participants in this plan.

Both volumes include elements required under federal guidelines. DMA compliance requirements are cited at the beginning of subsections as appropriate to illustrate compliance.

The following appendices provided at the end of Volume 1 include information or explanations to support the main content of the plan:

- Appendix A: Public outreach information used in preparation of this update.
- Appendix B: Plan adoption resolutions from planning partners.

All planning partners will adopt the MJHMP once it has been reviewed by FEMA and reaches Approvable-Pending-Adoption (APA) status.

1.3.1 *Emergency Management Accreditation Program (EMAP)*

This plan incorporates elements of the Emergency Management Standard set by the Emergency Management Accreditation Program (EMAP). A consequence analysis of the potential for detrimental impacts of hazards is included in this 2023 plan update for the EMAP. Each hazard identified in this plan is followed by the Consequence Analysis result. The methodology of this analysis and the results can be found in the Risk Assessment portion in Volume 1 of this plan.

2 Plan Update: What Has Changed

2.1 The Previous Plan

Santa Clara County, 15 jurisdictions, and the Santa Clara County Fire Department were covered under the 2017 Santa Clara County Operational Area (OA) Hazard Mitigation Plan. The planning process used to develop the 2017 plan was as follows:

- Definition of the planning area and establishment of a working group of participating stakeholders which oversaw all phases of the plan update.
- Promotion of focused outreach to individuals identified for the working group as well as other individuals, agencies, and jurisdictions that had a vested interest in the recommendations in the hazard mitigation plan.
- Development of a strategy for public involvement in the plan update which included inviting members of the public to serve on the working group, conducting a public survey, utilizing multiple media avenues, and actively identifying and involving OA stakeholders.
- Assessment of existing programs including plans, studies, reports and technical information and all planning and regulatory, administrative, and technical, public outreach and education, and financial capabilities of planning partners to implement hazard mitigation actions.
- Reevaluation of the 2010 plan update to ensure planning partners had the opportunity to provide comment.

Santa Clara Valley Water District had a 2017 Local Hazard Mitigation Plan independent of the 2017 Santa Clara County Operational Area Hazard Mitigation Plan. The district joined the OA Mitigation Plan as part of the 2023 Multijurisdictional Hazard Mitigation Plan (MJHMP) update. The Midpeninsula Regional Open Space and Santa Clara County Fire Department also joined the 2023 plan update.

2.2 Why Update?

2.2.1 *Federal Eligibility*

Hazard mitigation plans are updated on a five-year cycle. A jurisdiction or special district covered by a plan that has expired is not able to pursue elements of federal funding under the Robert T. Stafford Act for which a current hazard mitigation plan is a prerequisite. Title 44 of the Code of Federal Regulations (44 CFR) stipulates that hazard mitigation plans must present a schedule for monitoring, evaluating, and updating the plan. This provides an opportunity to reevaluate recommendations, monitor the impacts of actions that have been completed, and determine if there is a need to change the focus of mitigation strategies. This update meets the requirements for hazard mitigation plans in order to maintain the eligibility for federal grant funding for Planning Participants.

Additionally, on April 19, 2022, FEMA updated the Local Mitigation Planning Policy Guide. This means that all plans updated and approved after April 19, 2023, must adhere to the new mitigation planning policy requirements. The 2023 update of the Santa Clara MJHMP has incorporated all changes and is in compliance with all elements of the updated Local Mitigation Planning Policy Guide. The Santa Clara County Multijurisdictional Hazard Mitigation Plan is proud to be one of the only MJHMPs in the state to incorporate the updated guidance. Some of these elements include:

- Incorporating a broad range of representatives in the planning process, including organizations that support underserved communities.
- Incorporating the effects of climate change and future conditions in the risk assessment.
- Emphasizing the importance of building codes, land use ordinances, and developmental regulations in local capabilities.
- Emphasizing the alignment of FEMA related mitigation programs, such as the NFIP.

2.2.2 Plan Integration

Since the last plan update, the Santa Clara County Office of Emergency Management has worked diligently to incorporate the 2023 MJHMP into other county wide planning initiatives.

Santa Clara County Safety Element (the Safety Element): The County is undergoing the 2023 Safety Plan update, which is part of the Santa Clara County General Plan. The purpose of the Santa Clara County Safety Element is to identify and include safety considerations during the decision-making and planning process by establishing goals and policies as they relate to future developments within the County. These goals and policies aim to reduce personal injury and loss of life, prevent property destruction, and reduce environmental damage throughout the community. The Safety Element focuses on addressing potential hazards such as earthquakes, flooding, wildfire, and more. The Safety Element, which will be completed in the Fall of 2023, incorporates risk and hazard data developed during the 2017 MJHMP update. It also strategically aligns with the mitigation goals and actions from the MJHMP. Integration between the Safety Element and the MJHMP+ ensures the County is maximizing their future funding opportunities to reduce risk in the County and comply with Assembly Bill 2140 (2006), which affords the county additional benefits under the California Disaster Assistance Act.

Santa Clara County Community Wildfire Protection Plan (CWPP): In addition, the Santa Clara County Office of Emergency Management collaborated with the Santa Clara Fire Safe Council to integrate the MJHMP and the Santa Clara County Community Wildfire Protection Plan (CWPP). The CWPP identifies potential priority areas where mitigation measures are needed to protect from wildfire the irreplaceable life, property, and critical infrastructure within the County. The CWPP directly aligns with the MJHMP mitigation strategy and provides an even more in depth look at the County's wildfire risk.

2.2.3 Changes in Development

Hazard mitigation plan updates must reflect changes in development within the OA since the previous plan (44 CFR Section 201.6(d)(3)). The plan must describe development changes in hazard-prone areas that increased or decreased vulnerability for each planning partner since the last plan was approved. If no changes in development impacted the partner's overall vulnerability, plan updates may validate the information in the previously approved plan. The intent of this requirement is to ensure the plan's mitigation strategy continues to accurately address the risk and vulnerability of existing and potential development and takes into consideration possible future conditions that could impact vulnerability.

According to data from the California Department of Finance, the OA decreased in population by .5 percent between 2015 and 2022.⁵ The COVID-19 pandemic, relocation of remote workers, and rising cost of housing likely contributed to some of this change. Other large urban centers around the nation experienced similar trends during the pandemic.

⁵ California Department of Finance. (n.d.). Demographic Reports. <https://dof.ca.gov/reports/demographic-reports/>

Participating planning partners have adopted General Plans that govern land-use decisions and policymaking, as well as building codes and specialty ordinances based on state and federal mandates..⁶

Information on planning partner-specific changes in development is included in the participant annexes in Volume 2.

2.3 Why Update? — What is Different?

This update seeks to capitalize on some of the successes of the prior plan update, including the good participation rates and format changes. The Santa Clara County OA's 2010 Hazard Mitigation Plan Update was prepared under the ABAG process however, the County OEM determined that the new format established in the 2017 multijurisdictional hazard mitigation plan update would be best to use moving forward as it better suits the needs and capabilities of the planning partners.

The plan update process included a greater focus on public involvement that concentrated on targeted public engagement instead of simply opening technical workshops to the public. A renewed effort was made to establish a plan maintenance and implementation protocol that clearly defines ongoing commitment to the plan's success. Some of the major differences between the current and previous plans are as follows:

- The plan has been totally restructured as an Operational Area plan, focusing only on the geographic area of Santa Clara County. The risk assessment is not a subset of a larger regional effort. Instead, it is isolated to the Santa Clara County OA and focuses on the hazards of concern for the OA.
- The risk assessment has been prepared to best support future grant applications by providing information on risk and vulnerability that will directly support the measurement of "cost-effectiveness" required under FEMA mitigation grant programs.
- Newly available data and tools provide for a more detailed and accurate risk assessment using means such as FEMA's Hazards U.S. (Hazus) Multi-Hazard computer model or new data such as FEMA's countywide Digital Flood Insurance Rate Maps.
- The planning process creates the opportunity for all municipal planning partners to prepare to meet the requirements of California Senate Bill 379 during the next plan update. That bill will require integration of quantitative climate change risk assessment in the development of climate change related initiatives as part of the safety element of general plans.
- The plan is more user-friendly because it is confined to one package.
- The update created an opportunity for the County of Santa Clara, local cities and towns, and other planning partners to engage citizens directly in a coordinated approach to gauge their perception of risk and support of the concept of risk reduction through mitigation.

⁶ San José Spotlight. (2022, April 2). Silicon Valley Residents Left in Doves During Pandemic. <https://sanjosespotlight.com/silicon-valley-san-jose-santa-clara-sunnyvale-residents-left-in-doves-exodus-during-covid-19-pandemic/>

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- While priorities have remained the same, the plan's goals objectives and actions are more clearly defined. The plan identifies actions rather than strategies as was the case with the prior plans. Strategies provide direction, but actions are fundable under grant programs. This plan replaces strategies with a guiding principle, goals, and objectives. The actions identified meet multiple objectives that are measurable, so that each planning partner can measure the effectiveness of its mitigation actions, which was difficult prior to this plan update.

Below is a table comparing the 2017 MHJMP and 2023 MJHMP. Changes to the plan's format and contents involved a multistep process that included best practices research and an assessment of jurisdiction and special district planning needs.

Table 2: Summary of Changes in the 2023 MJHMP

Changes Throughout the Plan	
• Comprehensive review and update of hazard history, risk and vulnerability data and information • New hazards of climate change, sea-level rise, wildfire smoke, and air quality added • Expanded outreach to vulnerable and historically underserved populations • Lens of planning for climate change and equitable outcomes used to create a comprehensive and inclusive plan • Integrated MJHMP planning process with the planning processes of the Community Wildfire Protection Plan and Safety Element of the General Plan update • It was determined that all CRS requirements will be met in a forthcoming floodplain management plan created by Santa Clara Valley Water District • City of Monte Sereno was not an active participant in this plan update, but is referenced in the plan as applicable • Santa Clara Valley Water District and Midpeninsula Regional Open Space District joined as Planning Partners • Plan was updated to meet 2023 FEMA hazard mitigation plan guidance and requirements	

Volume I: Base Plan	
Section	Changes
Section 1: Introduction to Hazard Mitigation Planning	• Updated explanation of importance and purpose of hazard mitigation planning
Section 2: Plan Update: What Has Changed	• Summary list of plan changes and updates included
Section 3: Planning for Climate Change and Equitable Outcomes	• Section added to highlight Santa Clara County's goal of continuing to integrate equity into all aspects of emergency management
Section 4: Plan Update Approach	• Information added to highlight the concentrated effort to ensure plan integration between the County Community Wildfire Protection Plan and County Safety Element of the County General Plan updates as well as other approved plans • Explanation of the ways planning partners engaged residents, particularly those who are underserved and/or socially vulnerable,

Volume I: Base Plan	
Section	Changes
	and gauged their perception of risk and support for risk reduction through mitigation • Explanation of the ways planning partners engaged community stakeholders, particularly those that assist underserved and/or socially vulnerable, and gauged their perception of risk and support for risk reduction through mitigation • Updated plan development chronology and milestones
Section 5: Santa Clara County Operational Area Profile	• All information updated using the most recent data available
Sections 6-16: Identified Hazards of Concern and Risk Assessment	• The risk assessment includes further considerations of emerging hazards, like the impact of climate change, wildfire smoke, and air quality, which have recently impacted the OA with increasing frequency since the 2017 plan • Hazard risk ranking updated and is now hazard risk index criteria • Wildfire, drought, and climate change are now considered to have higher average overall hazard risk by Planning Partners when compared to their hazard risk ranking scores in the 2017 plan • Updated and expanded information on hazard history, location, extent, frequency, and severity; exposure, vulnerability, cascading hazards, and how climate change may impact the frequency, extent, and severity of each hazard • The risk assessment has been formatted to provide information on risk and vulnerability that will allow a measurement of cost-effectiveness • Severe weather terminology updated to inclement weather • Updated maps and graphics • Hazus data and findings updated • The plan was developed in accordance with the most recent EMAP standards • Latest disaster declaration data added • High Hazard Potential Dam Grant Program (HHPD) requirements were considered and referenced
Section 17: Mitigation Strategy	• Mitigation goals and objectives and criteria for mitigation action item prioritization have been updated to include climate change, resiliency, and benefits to populations that are underserved and/or socially vulnerable. • Expanded detail on plan monitoring, evaluating, and updating to include roles and responsibilities and description of specific methods and schedules

Volume 2: Planning Partner Annexes

- Each Planning Partner has a minimum of one mitigation action per a hazard that can impact them
- Actions and project identified in the Santa Clara County Community Wildfire Protection Plan included in annexes, as applicable
- Expanded information about Planning Partner participation and compliance in the National Flood Insurance Program
- All data and information updated, including Local Planning Team members, jurisdiction or special district profile, capability assessment, opportunities to integrate the mitigation plan into other local planning initiatives, hazard event history, jurisdiction- or special district-specific vulnerabilities, future development trends, hazard risk index, future needs to better understand risk and vulnerability, status of previous action items, and maps.
- Mitigation successes highlighted, as applicable
- Risk and vulnerability assessment expanded to include climate change, wildfire smoke, and air quality
- Local floodplain managers identified by name in each annex, as applicable
- Development trends since the 2017 plan identified
- Sea-level rise map added to the City of Palo Alto's annex

Appendices

- Appendix B updated from progress report template to adoption resolutions from all participating jurisdictions.

3 Planning for Climate Change and Equitable Outcomes

Local jurisdictions have a responsibility to ensure that the plan's mitigation strategy complies with all applicable legal requirements related to civil rights, to ensure nondiscrimination. Such compliance can help achieve equitable outcomes through the mitigation planning process for all communities, including underserved communities and socially vulnerable populations.

To ensure that the planning process and outcomes of the local mitigation plan benefit the whole community, equity must be central in its development. Climate change increases the frequency, duration, and intensity of natural hazards, such as wildfires, extreme heat, drought, storms, heavy precipitation, and sea level rise. Communities are feeling the impacts of a changing climate now.

Respecting and leveraging the diversity of cultures in Santa Clara County ensures that mitigation planning is fair and equitable by applying a race and social justice framework to analyzing situations, evaluating options, and implementing solutions.

The Santa Clara County Office of Emergency Management (SCCOEM) has adopted the FEMA's equity definition of "the consistent and systematic fair, just and impartial treatment of all individuals." In addition, SCCOEM acknowledges that historically underserved communities and individuals are often overburdened by systemic injustices/disparities, and these are amplified during the disaster cycle including mitigation.

Therefore, the County of Santa Clara's goal is to continue integrating equity into all aspects of emergency management by:

- Leveraging the Access and Functional Needs (AFN) and Cultural Competency Working Group that regularly meets with members of the entire Operational Area, including the community.
- Involving members from a variety of groups represent the diverse community living in the County, as well as representatives from historically marginalized groups in the planning process.
- Conducting outreach events that focus on the county's diverse population and most vulnerable community members like people with access and functional needs.
- Providing multilingual outreach and communication to residents of the County.
- Adopting Communication, Maintaining Health, Independence, Safety, Support Services, and Self-Determination, and Transportation (C-MIST) Framework. C-MIST is a function-based perspective composed of the five (5) functions that delineate areas where preparedness intervention can reduce disaster vulnerability and risk to the whole community.
- Building, engaging, and sustaining partnerships with groups that have experienced inequities. For example, individuals experiencing communication, health, independence, safety, support services, self-determination, and transportation barriers during disasters.
- Developing assessments and plans that prioritize assistance to those with the greatest needs and include vulnerable populations in the planning process.
- Identifying needs and assets, as well as pre-existing vulnerability and resilience.
- All community members can exercise their agency through free and informed choice(s).

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Through these strategies, SCCOEM will continue to lay the foundation for closing gaps identified through lessons learned from previous EOC activations such as COVID-19, Wildfires, and Inclement Weather Episodes, and Active Shooter events that have impacted Santa Clara County.

Mitigation decisions and actions strive to provide benefit for all residents equally. SCCOEM Mitigation Program is designed to identify and remove social and institutional barriers that hinder or preclude people with disabilities and all those in the community historically subjected to unequal treatment from full and equal enjoyment of the programs, goods, services, activities, facilities, privileges, advantages, and accommodations provided. Additionally, during mitigation planning and applying for mitigation funding, the County will identify opportunities to increase equity and create new opportunities for the post-disaster state of the County.

An equitable community mitigation rests on the foundation of a “complete community” that applies equitable and fair practices in all the County’s planning and implementation. The concept demonstrates local government’s commitment to inclusion and fairness while managing a recovery process that links regional, state, and federal practices.

4 Plan Update Approach

This plan update process had the following primary objectives:

- Secure grant funding.
- Form a planning group.
- Identify stakeholders.
- Establish a planning partnership.
- Define the Santa Clara County OA.
- Identify and coordinate with other agencies involved in hazard mitigation activities.
- Review and integrate existing plans, policies, and programs.
- Engage the public.

These objectives are discussed in the following sections.

4.1 Grant Funding

This planning effort was supplemented by a FEMA Hazard Mitigation Grant Program (HMGP) grant under DR-4569 California Wildfires. The County of Santa Clara Office of Emergency Management (OEM) was the sub-applicant for the grant. OEM applied in 2021 and was awarded the grant in 2022. It covered 75 percent of the cost for the development of this plan.

4.2 Formation of the Core Planning Team

Santa Clara County OEM hired IEM to assist with the development and implementation of the plan. The lead IEM planner reported directly to the Santa Clara County Operational Area Mitigation Program Manager and the project manager for the plan update. Meetings were held on a weekly and biweekly basis to discuss the plan update status, outreach and engagement strategies, and planning milestones. A Core Planning Team was formed to lead the planning effort, made up of the following members:

- Santa Clara County Office of Emergency Management
- Santa Clara County Office of Sustainability
- Santa Clara County Department of Planning and Development
- IEM

This planning team—designated the Santa Clara County Operational Area Multijurisdictional Hazard Mitigation Plan (MJHMP) Core Planning Team (or the Core Planning Team)—coordinated regularly over the course of this project to track plan development milestones, brainstorm outreach and engagement strategies, and identify meeting content to help with development of the update. The Core Planning Team also consisted of members of the County Safety Element update, ensuring visibility between plans.

4.3 Defining Stakeholders

For this planning process, “stakeholder” was defined as: *any person or public or private entity that owns or operates facilities that would benefit from the mitigation actions of this plan, and/or has an authority or capability to support mitigation actions identified by this plan.* This includes, but is not limited to, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development, neighboring communities, representatives of businesses, academic, and other private organizations such as those that sustain community lifelines, and representatives of nonprofit organizations including community-based organizations that work directly with and/or provide support to underserved communities and socially vulnerable populations.

For the sake of clarity, when developing outreach materials, stakeholders were separated into two categories:

- **Internal Stakeholders:** Stakeholders identified and engaged by participants to enhance the planning process and the update of the MJHMP. These stakeholders are subject matter experts within the participating jurisdictions or special districts who impact or may be impacted by a mitigation action or policy. This included people in positions who had the authority to regulate development of the plan. These stakeholders informed the planning teams about specific topics and offered different points of view while providing data, reviewing the MJMP draft, attending planning workshops, and advocating for mitigation measures. Internal stakeholders for each planning partner are identified in the participant annexes in Volume 2.
- **External Stakeholders:** Planning partners identified stakeholders outside their jurisdiction or special district who impact or can be impacted by a mitigation action or policy. These stakeholders were not necessarily involved in all stages of the planning process, but as subject matter experts, they informed the planning teams on specific topics and offered different points of view while providing data, reviewing the MJHMP draft, and advocating for mitigation measures.

At the beginning of the planning process, planning partners identified a list of stakeholders to engage during the development of the Santa Clara County Operational Area Hazard Mitigation Plan. The following stakeholders were invited to play a role in the planning process via email:

Table 3: External Stakeholders Invited to Be Involved in Planning Process

Agency or Organization	Point of Contact
American Red Cross	Ann Herosy, Disaster Services
American Red Cross – Silicon Valley Chapter	Ginny Ortiz, Disaster Program Manager
Amateur Radio Emergency Service (ARES)	Barton Smith, Coordinator
Avenidas	John Sink, Vice President
CADRE - Collaborating Agencies' Disaster Relief Effort	Marsha Hovey, Executive Director
California Office of Emergency Services (Cal OES)	Victoria LaMar-Haas, Chief, Mitigation Planning Division
Cal OES	Brian Buckhout, Emergency Services Coordinator
California Department of Forestry and Fire Protection	Edgar Orre, Division Chief
California Department of Transportation	Shawn Casteel, Acting Senior Environmental Supervisor
Campbell Community Emergency Response Team	Mark Dunkle, President

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Agency or Organization	Point of Contact
Campbell Union School District	Rosana Palomo, Director, Student Services
Cattlemen's Association	Brent Kirk, President
City of East Palo Alto	Melvin Gaines, City Manager
City of Menlo Park	Justin Murphy, City Manager
Cooper-Garrod Estate Vineyards	Bill Cooper, Vintner
Cupertino Sanitation District	Benjamin Porter, District Manager
Department of Homeland Security	Staff, Transportation Security Administration Coordination Center
Department of Toxic Substances	Claude Jemison, Regulator for Los Lagos Golf Course and SAP Center (former landfill and cleanup site)
Department of Toxic Substances	Sagar Bhatt, Regulator for Watson Park (former landfill)
Department of Toxic Substances	Jovanne Villamater, Regulator for Vista Montana Parks
Department of Toxic Substances	Julie Pettijohn, Manager for all regulatory sites except Watson Park
Downtown Streets Team	Jim Rettew, Interim Executive Director
Emergency Medical Services	Michael Cubano, Duty Chief
Emergency Services Volunteer Representative	Annette Glanckopft, Volunteer
Emergency Services Volunteer Representative	Esther Nigenda, Volunteer
Federal Aviation Administration	David Zakaski, Airport Tower Manager
Fellowship Plaza	Shreya Shah, Senior Project Manager
Foothill - De Anza Community College District	Simon Pennington, Associate Vice President, College and Community Relations, Marketing, and Communications
Foothill - De Anza Community College District	Joel Cadiz, Executive Director, Facilities
Foothill - De Anza Community College District Police Department	Daniel Acosta, Police Chief
Gavilan College	Jaime Mata, Interim Vice President, Administrative Services
Gilroy Unified School District	Aurelio Rodriguez Coordinator, Safety and Emergency Preparedness
Gilroy/Hollister California Highway Patrol	Phil Cooper, Captain
Google	Katherine Williams, Corporate Communications
Hidden Villa farm	Lukas Wiborg, Assistant Property Manager
Intel Corporation	Stacy Sher, Crisis Manager
Kaiser Permanente—Santa Clara	Brendan Gadd, Safety Specialist
Kaiser Permanente—Santa Clara	Charles L. Smith, Support Services Administrator
Life Moves	Philip Dah, Opportunity Center Manager
Loma Prieta Volunteer Fire Department	Alex Leman, Chief
Los Altos Hills County Fire District	J. Logan, General Manager

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Agency or Organization	Point of Contact
Los Altos Hills County Fire District	Captain (Ret.) Denise Gluhan
Los Altos Hills County Fire District	Eugenia Woods, Programs, Planning and Grants Manager
Los Altos School District	Erik Walukiewicz, Assistant Superintendent, Business Services
Loma Prieta Resource Conservation District	Dina Iden, Executive Director
Morgan Hill Unified School District	Carmen Garcia, Superintendent
Moffett Field Ames Research Center, National Aeronautics and Space Administration (NASA)	Anastasiya Maynich, Emergency Management Specialist
National Weather Service, National Oceanic and Atmospheric Administration (NOAA)	Brian Garcia, Meteorologist
Pacheco Pass Water District	Neelima Palacherla, Executive Officer
Palo Alto Chamber of Commerce	Charlie Weidanz, Executive Director
Palo Alto Medical Foundation	Richard Stilleke, Director, Environmental Health and Safety
Palo Alto Planning and Transportation Commission	Doria Summa, Vice Chair
Palo Alto Unified School District	Mike Jacobs, Emergency Manager
Pacific Gas and Electric (PG&E)	Kevin Conant, Senior Public Safety Specialist
Purissima Water District	Phil Witt, General Manager
Purissima Water District	Anthony Stoloski, Operations Manager
Ravenswood Family Health Center	Daisy Garcia, Associate, Disaster Preparedness and Project Management
Regional Water Quality Control Board	Ava Castanha, Regulator, Environmental Innovation Center
Regional Water Quality Control Board	Celina Hernandez, Regulator, Fire Training
Regional Water Quality Control Board	Alyx Karpowicz, Regulator, Roberts and Story Road Landfills
Regional Water Quality Control Board	Vic Pal, Regulator, Singleton Landfill
Rotating Safe Car Park	Norman Puck, Program Director
San Francisquito Creek Joint Powers Authority	Margaret Bruce, Executive Director
San José Water	John Tang, Vice President, Regulatory Affairs and Government Relations
Santa Clara County CERT	President
Santa Clara County FireSafe Council	Seth Schalet, Chief Executive Officer
Santa Clara County FireSafe Council	Amanda Brenner, Program Director, Hazardous Fuel Reduction
Santa Clara County FireSafe Council	Dede Smullen, 2 nd Vice President
Santa Clara County Local Oversight Program	Gerald O'Regan, Regulator for Fire Training
Santa Clara County Local Oversight Program	Joe Muzzio, Regulator for Fire Station at 1138 Olinder Road
Santa Clara County Local Oversight Program	Shalom Marquardt, Regulator for Fire Station 8

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Agency or Organization	Point of Contact
Santa Clara County Parks	Don Rocha, Director
Santa Clara County Planning & Development	Samuel Gutierrez, Principal Planner
Santa Clara County Planning & Development	Michael Alvarez, Deputy Director
Santa Clara County Sheriff's Office	Neil Valenzuela, Commander, West Valley Patrol Division
Santa Clara University	Tyler Masamori, Emergency Planning Manager
Santa Clara Valley Open Space Authority	Derek Newman, Manager, Field Operations
Santa Clara Valley Open Space Authority	Megan Robinson, Supervising Open Space Technician
Santa Cruz County	David Reid, Director, Office of Emergency Management
Saratoga Amateur Radio Association	Jack Griswold, President
Saratoga Area Senior Coordinating Council	Tylor Taylor, Executive Director
Saratoga CERT	Charles Rader, Volunteer Lead
Saratoga Fire Protection District	Commissioner Joseph Long Jr.
Saratoga Fire Protection District	Commissioner Ernest Kraule
Saratoga Fire Protection District	Commissioner Eugene Zambetti
Saratoga Fire Protection District	Trina Whitley, Business Manager
Saratoga Retirement Community	Sarah Stel, Executive Director
Silicon Valley Animal Control Authority (SVACA)	Heidi Springer, Executive Assistant
Silicon Valley Clean Energy	Girish Balachandran, Executive Director
San José Fire Department, San José Mineta International Airport	Brendan Buller, Battalion Chief
San José Police Department, San José Mineta International Airport	Jason Pierce, Lieutenant
Spring Valley Volunteer Fire Department	Mike Hacke, Chief
St. Louise Hospital (Santa Clara County Hospital System)	Geoff Tull, Emergency Management Coordinator
Stanford Healthcare	Kathy Harris, Emergency Manager
Stanford Healthcare	Laura Jackson, Senior Manager, Office of Emergency Management
Stanford Healthcare	Monica Plumb, Project Coordinator, Office of Emergency Management
Stanford Healthcare	Taylor Wyatt, Project Coordinator, Office of Emergency Management
Stanford University	Cody Hill, Associate Director, Stanford Resiliency and Emergency Response
Stanford University Board of Trustees	Staff, Board of Trustees Office
Stanford University Office of Emergency Management	Keith Perry, Assistant Director and Emergency Manager
Stanford University, IT Facilities, Infrastructure, and Resilience	Matthew Ricks, Senior Director

Agency or Organization	Point of Contact
Stanford University, Water Resources and Civil Infrastructure	Tom Zigterman, Senior Director
Stanford University/Real Estate	Mark Smith, Manager
Stanford University/Real Estate	Ramsey Shuayto, Director, Asset Management
The Villas	Scott Clawson, Manager
Valley Water Flood Information Team	Greg Meamber, Senior Engineer
Vista Center for the Blind and Visually Impaired	Karae Lisle, Chief Executive Officer
West Valley Clean Water Program Authority	Sheila Tucker, Executive Director
West Valley College	Stephanie Kashima, President
West Valley Sanitation District	Jon Newby, District Manager
Westwind Barn	Tori Dye, Barn Manager

4.4 Establishment of the Planning Partnership

Santa Clara County OEM opened this planning effort to all eligible local governments and special districts within the OA. Each jurisdiction or special district wishing to join the planning partnership was asked to provide a “letter of intent to participate” that designated a point of contact and confirmed the organization’s commitment to the process and understanding of expectations. All planning partners provided this letter of intent. The planning partners covered under this plan are listed below.

Table 4: Planning Partner Main Points of Contact

Planning Partner	Main Point of Contact
County of Santa Clara	Dr. Parastou Najaf, Senior Emergency Manager – Mitigation/Recovery, Santa Clara County Office of Emergency Management
City of Campbell	Dan Livingston, Captain of Support Services Division, Police Department
City of Cupertino	Meredith Gerhardt, Emergency Management Analyst, Office of Emergency Management
City of Gilroy	Andrew Young, Emergency Services and Volunteer Coordinator, Office of Emergency Services
City of Los Altos	Kathryn Krauss, Captain of Operations, Police Department
Town of Los Altos Hills	Ann Hepenstal, Emergency Preparedness Consultant, Town of Los Altos Hills
Town of Los Gatos	Nicolle Burnham, Director, Parks and Public Works Department
City of Milpitas	Toni-Lynn Charlop, Manager, Office of Emergency Services
City of Morgan Hill	Jennifer Ponce, Coordinator, Office of Emergency Services
City of Mountain View	Robert Maitland, Emergency Services Coordinator, Office of Emergency Services
City of Palo Alto	Nathaniel Rainey, Emergency Services Coordinator, Office of Emergency Services

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Planning Partner	Main Point of Contact
City of San José	Jay McAmis, Deputy Director, Office of Emergency Management
City of Santa Clara	Jennifer Guzman, Emergency Management Analyst, Office of Emergency Services
City of Saratoga	Crystal Bothelio, Assistant City Manager, City Manager's Department
City of Sunnyvale	Daniel Moskowitz, Lieutenant, Office of Emergency Services, Department of Public Safety
Midpeninsula Regional Open Space District	Brandon Stewart, Land and Facilities Department Manager, Midpeninsula Regional Open Space District
Santa Clara County Fire Department	Louay Toma, Senior Emergency Manager, Santa Clara County Fire Department
Santa Clara Valley Water District	Juan Ledesma, Program Administrator Supervisor, Office of Emergency Services

One-on-one planning meetings were held with planning partners throughout the planning process. A total of 43 individual meetings were held with plan participants to gather information and to provide guidance for the jurisdictions and special districts throughout the planning stages. Each meeting is described in Table 5.

Table 5: One-on-One Meetings with Planning Partners

Planning Partner	Date	Discussion Topic(s)
City of Campbell	February 13, 2023	- Planning process contacts - Capabilities assessment
	May 15, 2023	Planning documentation review
City of Cupertino	February 6, 2023	- Planning process contacts - Capabilities assessment
	April 20, 2023	Mitigation strategy
City of Gilroy	February 14, 2023	- Planning process contacts - Capabilities assessment
City of Los Altos	February 14, 2023	- Planning process contacts - Capabilities assessment
	April 27, 2023	- Capabilities assessment - Mitigation strategy
	May 9, 2023	Planning documentation review
City of Milpitas	March 17, 2023	- Planning process contacts - Capabilities assessment - Risk assessment
	May 1, 2023	- Risk assessment - Mitigation strategy
City of Morgan Hill	February 14, 2023	- Planning process contacts - Capabilities assessment

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Planning Partner	Date	Discussion Topic(s)
City of Mountain View	January 31, 2023	- Planning process contacts - Capabilities assessment
	March 15, 2023	Risk assessment
	April 13, 2023	Mitigation action items
	May 1, 2023	Mitigation strategy
City of Palo Alto	February 7, 2023	- Planning process contacts - Capabilities assessment - Planning process timeline
City of Santa Clara	February 8, 2023	- Planning process contacts - Capabilities assessment - Planning process timeline
	March 16, 2023	Risk assessment with local planning team
	March 17, 2023	Risk assessment with water and sewer team
	March 26, 2023	Mitigation strategy
	May 10, 2023	Planning documentation review
City of San José	February 13, 2023	- Planning process contacts - Capabilities assessment
	April 27, 2023	- Capabilities assessment - Mitigation strategy
	May 16, 2023	Planning documentation review
City of Saratoga	February 9, 2023	- Planning process contacts - Capabilities assessment
	March 14, 2023	Risk assessment
City of Sunnyvale	January 26, 2023	- Planning process contacts - Capabilities assessment
	March 3, 2023	Risk assessment
	April 7, 2023	- Risk assessment - Mitigation strategy
Midpeninsula Regional Open Space District	March 6, 2023	- Planning process contacts - Capabilities assessment - Risk assessment - Planning process timeline
Santa Clara County and Santa Clara County Fire Department*	February 10, 2023	- Planning process contacts - Capabilities assessment
	March 2, 2023	- Planning process contacts - Capabilities assessment
	March 8, 2023	- Capabilities assessment - Risk assessment
	March 28, 2023	- Capabilities assessment - Risk assessment - Mitigation strategy

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Planning Partner	Date	Discussion Topic(s)
Santa Clara Valley Water District	January 23, 2023	- Annex layout and contents - Community Rating System
	February 21, 2023	Community Rating System
	March 13, 2023	Community Rating System
	April 21, 2023	- Mitigation strategy - GIS and mapping
Town of Los Altos Hills	March 17, 2023	Risk assessment
	April 25, 2023	- Risk assessment - Mitigation strategy
	June 20, 2023	Annex draft review
Town of Los Gatos	February 13, 2023	- Planning process contacts - Capabilities assessment
	April 27, 2023	- Capabilities assessment - Mitigation strategy

*Santa Clara County and Santa Clara County Fire Department held meeting together due to shared staff and resources.



Figure 1: Planning Partners Meeting

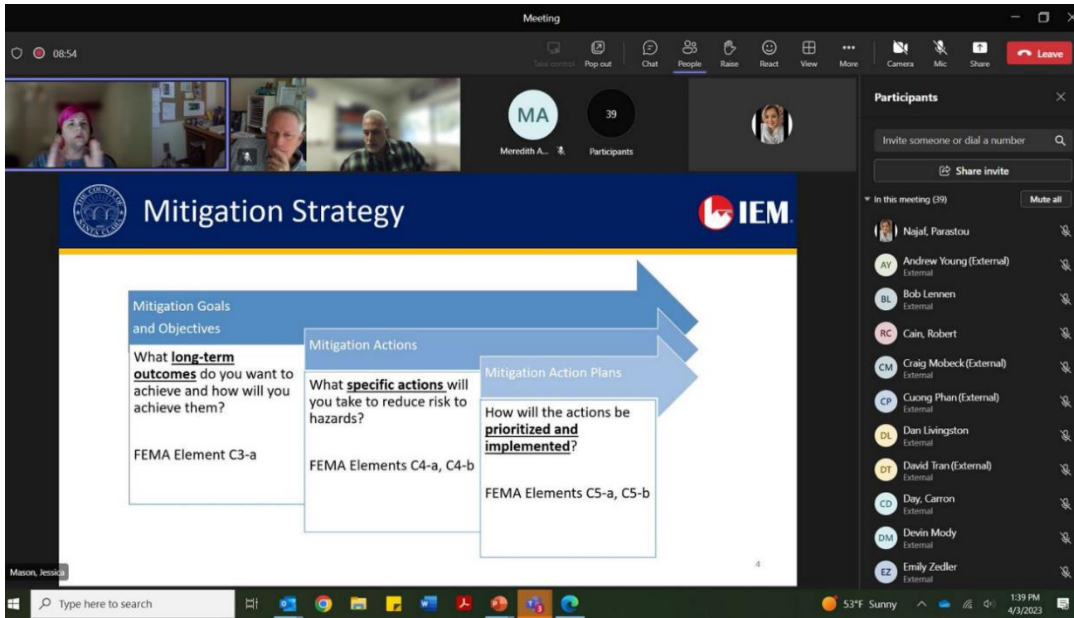


Figure 2: Planning Partners Mitigation Strategy Meeting

4.5 Defining the Planning Area

The defined planning area for this update has been defined as the Santa Clara County Operational Area (OA). The OA is defined as the unincorporated county and incorporated cities within the geographical boundary of Santa Clara County. Relevant OA characteristics are described in Section 5. The City of Monte Sereno did not actively participate in this MJHMP and does not have a planning partner annex; however, information and data related to the city are included throughout the plan as appropriate and relevant.

4.6 Review of Existing Programs

Hazard mitigation planning must include review and incorporation, if appropriate, of existing plans, studies, reports, and technical information (44 CFR, Section 201.6(b)(3)). Section 5.9 of this plan provides a review of laws and ordinances in effect within the OA that can affect hazard mitigation actions. In addition, the following programs can affect mitigation within the OA:

- California Fire Code.
- 2016 California Building Code.
- California State Hazard Mitigation Forum.
- Local Capital Improvement Programs.
- Local Emergency Operations Plan.
- Local General Plans.
- Housing Element.
- Safety Element (prior and 2023 draft components).
- Community Wildfire Protection Plan (2016 version and components of the 2023 draft).
- Local Zoning Ordinances.

- Local Coastal Program Policies.

An assessment of all planning partners' regulatory, technical, and financial capabilities to implement hazard mitigation actions is presented in the individual planning partner-specific annexes in Volume 2. Many of these relevant plans, studies and regulations are cited in the capability assessment.

4.7 Public Involvement

Broad public participation in the planning process helps ensure that diverse points of view about the OA's needs are considered and addressed. Additionally, the plan must document how the public had an opportunity to be involved in the planning process, including underserved communities and vulnerable populations within the planning area were provided an opportunity to be involved. The public must have opportunities to comment on disaster mitigation plans during the drafting stages and prior to plan approval (44 CFR, Section 201.6(b)(1)).

4.7.1 Strategy

The planning team developed a robust public outreach process within the very short project timeline, attempting to reach as many Santa Clara County community members and stakeholders as possible through the following activities:

- Development of a public outreach plan approved by the Core Planning Team.
- Partner with planners updating the Safety Element and Community Wildfire Protection Plan planning processes to expand public outreach efforts.
- Attendance at advertised public outreach events and virtual meetings with live interaction.
- Development and advertisement of a public survey posted on the SCCOEM's webpage to collect pertinent information from residents and the business community.
- Publication of the survey in Santa Clara County's most spoken languages: English, Spanish, Chinese, Tagalog, and Vietnamese.
- Use of social media, such as Nextdoor, Facebook, and Twitter to publicize the survey.

4.7.1.1 Stakeholder Outreach

Stakeholders are the individuals, departments, agencies, and jurisdictions that have a vested interest in the recommendations of the hazard mitigation plan. The effort to include stakeholders in this process included stakeholder participation on the Steering Committee. The following federal, state, regional, and local stakeholders also played a role in the planning process:

- FEMA Region IX provided planning guidance throughout the planning process.
- The California Office of Emergency Services (Cal OES) provided planning guidance throughout the planning process. Cal OES also reviewed the draft and final version of the MJHMP as part of the hazard mitigation planning process required by DMA.
- Many local external stakeholders, including state agencies, local agencies, universities, and non-profit organizations, were given the opportunity to review the draft plan and provide input. A list of these stakeholders is included in Table 3.

The strategy to involve the public and external stakeholders in this plan include the following:

- Utilize a survey to determine if the public's perception of risk and support of hazard mitigation has changed since the initial planning process.

- Utilize social media and local media to share information about the MJHMP process and inform OA citizens about opportunities to participate.
- Identify and involve a comprehensive range of OA stakeholders.
- Partner with planners updating both the Safety Element and the Community Wildfire Protection Plan to expand public outreach efforts.

4.7.1.2 Public Survey

The planning team relied on the community survey (available in English, Spanish, Tagalog, Chinese, and Vietnamese) as the primary method for gathering information and feedback from the public. The secondary method was multiple in-person combined planning meetings which participants were introduced to hazard mitigation and invited to take the survey. The survey was approved by the Core Planning Team and was available to complete via the Santa Clara County Office of Emergency Management's website. Flyers were also posted around the County and on participating jurisdiction's official websites and social media pages.

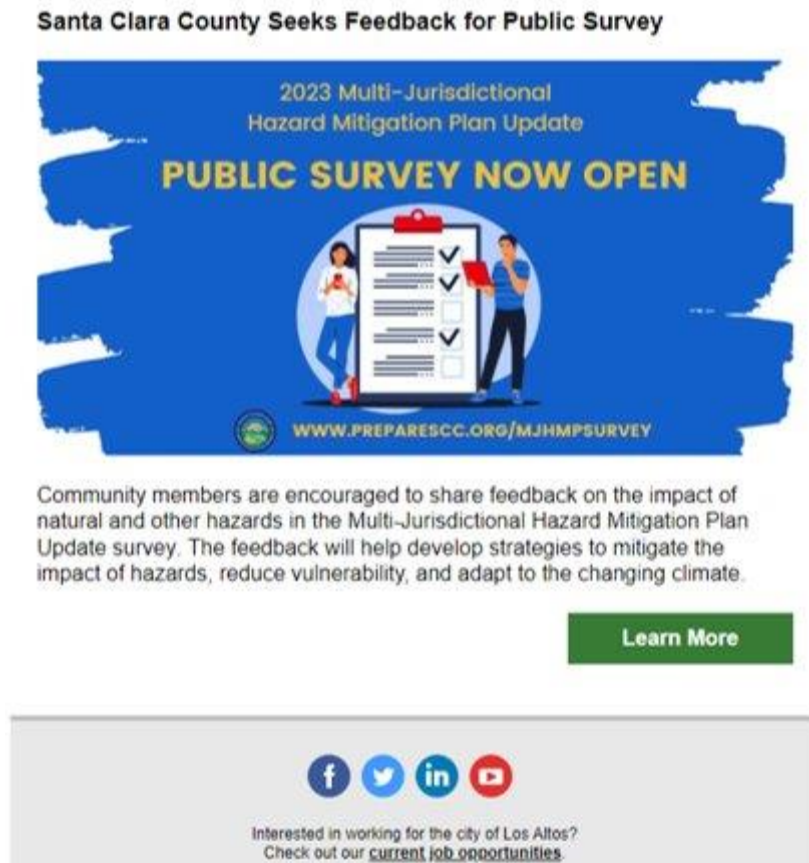


Figure 3: Picture of Public Survey Announcement



Figure 4: Public Survey Media Announcement

The survey included 35 questions to:

- Gauge the public's perception of risk and identify what citizens are concerned about;
- Identify the best ways to communicate with the public;
- Determine the level of public support for the different mitigation strategies; and
- Understand the public's willingness to invest in hazard mitigation.

4.7.1.3 Social Media

At the beginning of the plan development process, a website hosted on the Santa Clara County OEM main website was utilized to keep the public posted on plan development milestones and to solicit relevant input. The website was publicized in all press releases and public meetings. Information on the plan development process, the survey, and phased drafts of the plan was made available to the public on the site throughout the process. Santa Clara County OEM intends to keep a website active after the plan's completion to keep the public informed about successful mitigation projects and future plan updates.

The website can be accessed at this link: <https://emergencymanagement.sccgov.org/multi-jurisdictional-hazard-mitigation-plan-mjhmp>.

Many of the participating local jurisdictions also promoted the website on social media and used social media platforms to share public meeting information, notice of the public survey, and notice of the public comment period. Valley Water, for example, posted to Twitter five times and Facebook 4 times as part of a multi-prong strategy. An example of the social media outreach is provided below.

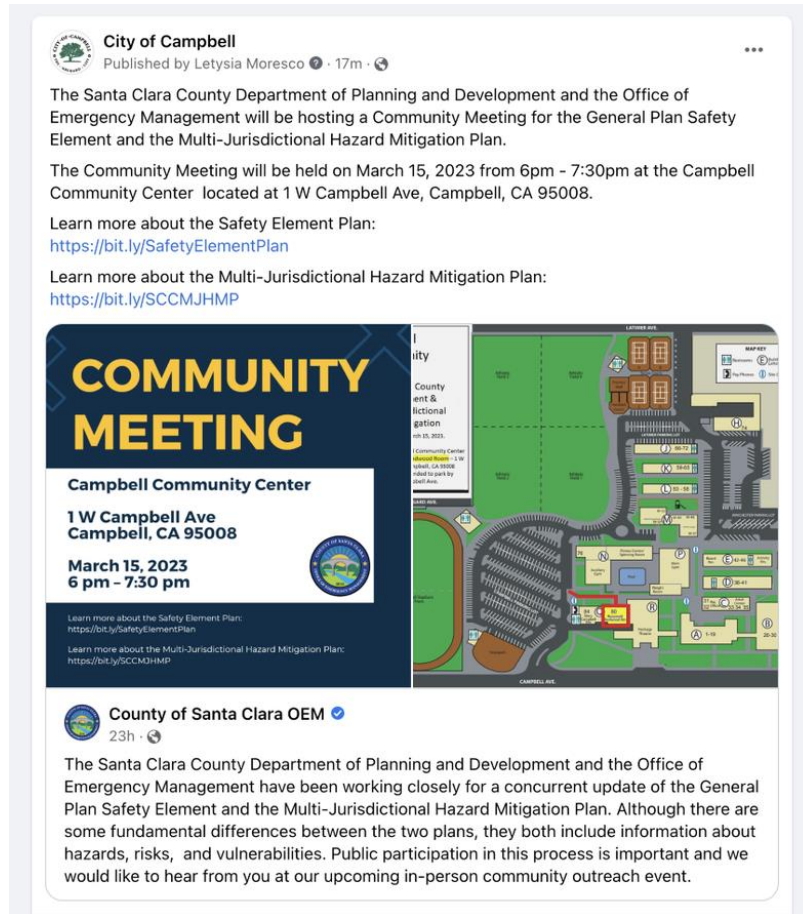


Figure 5: City of Campbell Social Media Outreach

4.7.1.4 Local Media and Press Releases

The Planning Team conducted a wide range of outreach activities in local media. The County developed three key messages to highlight the significance of the Public Survey Period:

1. Announcement of the Public Survey Period: Informing the community about the survey's availability.
2. Planning for the Future: Emphasizing the importance of proactive hazard mitigation planning.
3. Your Participation Matters: Encouraging community members to participate and contribute to the planning process by taking the survey.

During the Public Survey Period for the MJHMP, Santa Clara County disseminated one press release to the various media outlets and utilized a specific media monitoring service to report media coverage for the MJHMP. Unfortunately, despite the County's best efforts, no major media outlets covered the event. However, Sing Tao Dailey, a prominent Chinese media outlet, published the information on their website on April 17, 2023. This media outlet boasts a wide-reaching presence across the United States, maintaining offices in major markets which includes New York, Los Angeles, and San Francisco. The press release was also published to the Office of Emergency Management's website as part of the Newsroom page.

Valley Water also reached out to communities via local media, including Chinese News, El Observador, Mercury News, Metro, Nextdoor, and Vietnam Daily.

Information was posted to the County's social media sites including Facebook, Instagram, Twitter, as well as the Department of Planning and Development's website and the County's main website during the public survey period. To amplify public messaging, the County encouraged key stakeholders, including the Operational Area Joint Information System, the Access and Functional Needs & Cultural Competency Work Group, and the Operational Area Emergency Managers to amplify messaging with their served community members.

To simplify access to the survey and increase participation, the County established a user-friendly vanity URL. This URL received significant traction, directing 74% of community members to the Hazard Mitigation Webpage, resulting in 880-page views and 767 visits. Additionally, 81% of users who accessed the Hazard Mitigation Page were successfully redirected to the actual survey page. The Hazard Mitigation page was the second most popular site for the period.

The strategic use of local communication channels successfully enhanced community engagement, ensuring a more robust Multi-Jurisdictional Hazard Mitigation Plan.

4.7.1.5 Joint MJHMP Outreach

Plan integration was considered throughout the development of a public outreach approach for this plan update. As the Safety Element was being updated at the same time as the Santa Clara County Operational Area HMP, the Core Planning Team members coordinated to include hazard mitigation planning components during outreach for the Safety Element. At this meeting, members of the public were presented with interactive boards and polling questions to gauge their hazard concerns, personal preparedness measures, public outreach and education needs, and support for common infrastructure enhancements. The Hazard Mitigation Plan update was discussed, and the public was provided with information on hazard mitigation and hazard mitigation planning including a link to the public survey. This meeting was conducted at the Campbell Community Center, targeting vulnerable populations in the City of San Jose and central Santa Clara valley. The county geographically designed this approach to ensure that those residence who could not travel to the South County community outreach event in Gilroy (mentioned below) still had an opportunity to have their voices heard. Valley Water had staff representation in the audience to respond to and capture inquiries pertaining to Valley Water's jurisdictions. More than 40 residents from across the county, including vulnerable pockets in the City of San Jose and the Santa Cruz mountain range, interacted and worked with the MJHMP to voice their concerns.

In determining which vulnerable communities to target for outreach, planning partners referenced the California Hazard Exposure and Social Vulnerability map, Figure 6 below. Two underserved or socially vulnerable communities were identified according to their estimated hazard exposure and social vulnerability. The largest area in San Jose is east of Highway 87 and a much smaller area is in South Santa Clara County, specifically the City of Gilroy. In addition, by using the CalEMA GIS dashboard, these two areas are also recognized for having a median household income of less than 80% of the statewide average and for having significant earthquake ground shaking potential.

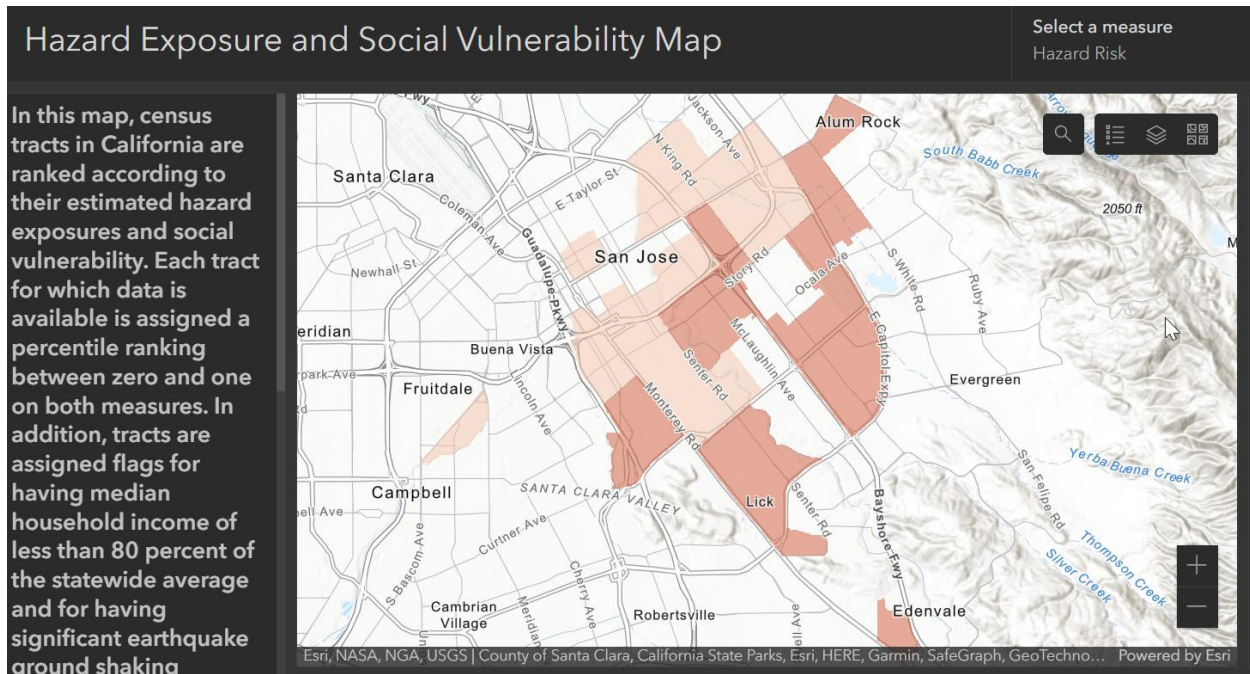


Figure 6: Hazard Exposure and Social Vulnerability Map for Santa Clara Valley

The County also actively facilitated meetings and coordinated outreach between the team working on the HMP and the Community Wildfire Protection Plan (CWPP). Like the HMP, the CWPP includes recommendations for mitigation measures across the OA. It also includes annexes for the many of the same planning partners which highlight their unique wildfire history and considerations. These similarities presented a valuable opportunity for the two teams to solicit input from the public together. Four joint in-person Public Outreach meetings were conducted in remote, access and functional needs (AFN) areas of the incorporated County as well as an in-person meeting in the Gilroy/South County area where there are pre-identified vulnerable populations. All were welcome to attend. For those that could not make it in person, an additional online outreach meeting was held.

4.7.1.6 Draft Plan Final Public Comment Period

A public comment period was conducted to allow the public to provide feedback on the proposed draft of the plan prior to submittal to Cal OES for pre-adoption review and approval. This public comment period ran for 14 days from July 14 to July 28, 2023. The draft plan was shared by participating jurisdictions via their social media sites and emails to external stakeholders. The posted plan was accompanied by a narrative explaining to the public the purpose and content of the plan and was available to view on the County's website.

The Planning Team received 17 comments from the public during the comment period. These comments were reviewed by the Planning Team and incorporated in the plan as appropriate.

4.7.2 Public Involvement Results

4.7.2.1 Survey Results

The survey received 588 responses. There were 576 responses to the English survey, 10 responses to the Chinese survey, and 2 responses to the Spanish survey. The use of multi-lingual outreach material proved to be valuable in providing the opportunity for more participation and in receiving a

broader range of feedback. The results of the survey were presented to the planning partners and will be used in all future decisions making regarding mitigation, risks, and hazards. The survey results regarding respondent's concern for hazards are summarized in Appendix A of this volume.

4.7.2.2 Public Outreach Events

As mentioned, many joint planning efforts occurred between the Santa Clara County MJHMP, Safety Element, and Community Wildfire Protection Plan. This is the first time in Santa Clara County history that this kind of planning effort and coordination has occurred. There were several public meetings for each planning initiative, and each meeting included presentations about the Multijurisdictional Hazard Mitigation Plan.

By engaging the public both virtually and in person, the concept of mitigation was widely shared, and the public was provided the opportunity to review the draft plan. Participants at each meeting were encouraged to participate via the public survey. Table 6 summarizes each public outreach meeting that occurred across the OA.

Recordings of each meeting can be found at <https://sccfiresafe.org/cwpp/>

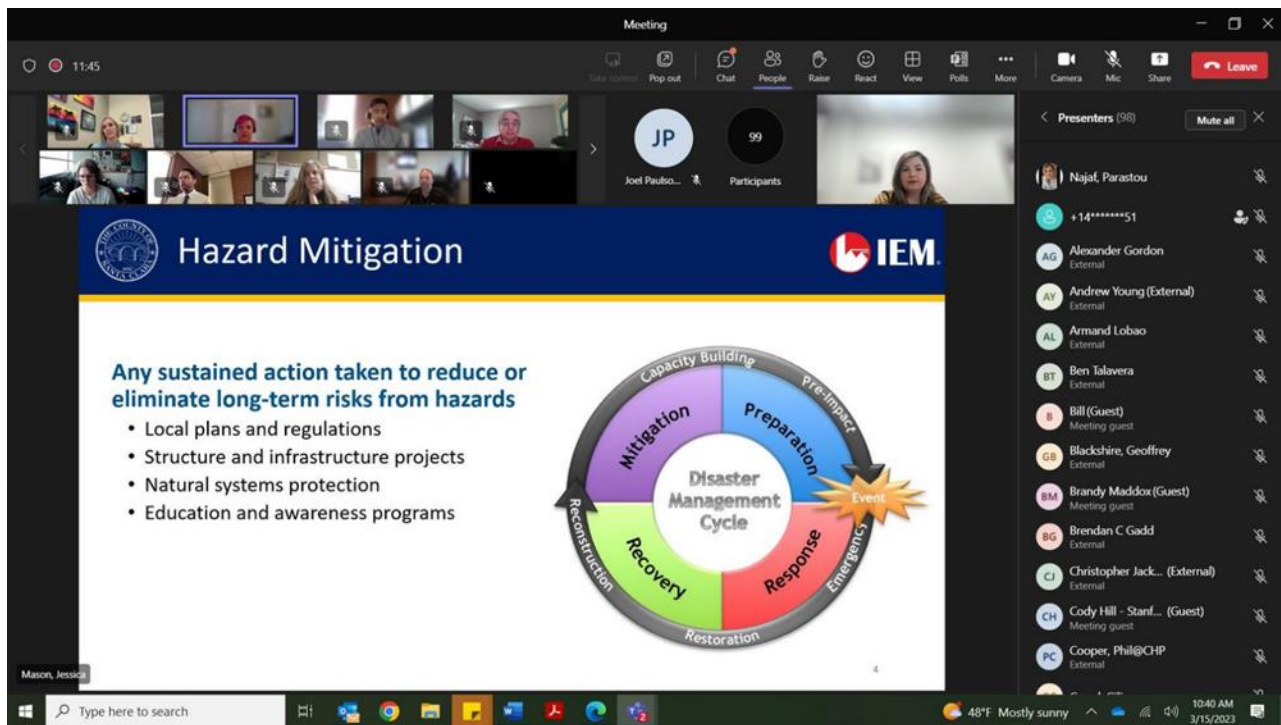


Figure 7: Public and Stakeholder Meeting with 99 Participants

Santa Clara County Multijurisdictional Hazard Mitigation Plan

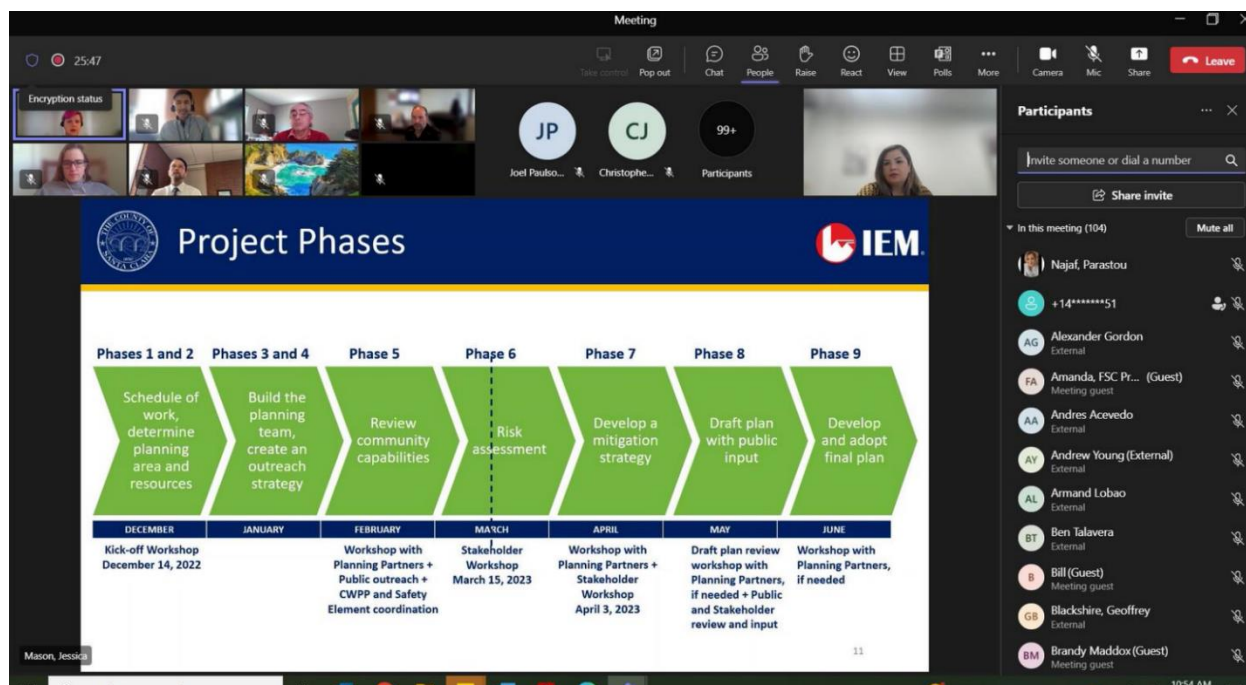


Figure 8: Public and Stakeholder Meeting with 104 Participants

Table 6: Summary of Public Outreach

Date	Summary of Outreach
November 10, 2022	MJHMP presentation and invitation for public comment and feedback at the joint Safety Element Virtual Town Hall (virtual)
December 6, 2022	MJHMP presentation and invitation for public comment and feedback at the joint CWPP Community Outreach Meeting Campbell (in-person) 59 fliers distributed, 24 individual risk assessments conducted, 75+ contacts made regarding the plan
December 7, 2022	MJHMP presentation and invitation for public comment and feedback at the joint CWPP Community Outreach Meeting San Jose (in-person)
December 13, 2022	MJHMP presentation and invitation for public comment and feedback at the joint CWPP Community Outreach Meeting Milpitas (in-person)
December 15, 2022	MJHMP presentation and invitation for public comment and feedback at the joint CWPP Community Outreach Meeting Morgan Hill (in-person)
December 15, 2022	MJHMP presentation and invitation for public comment and feedback at the joint Safety Element CARAS South County Community Listening Meeting (in-person)
March 15, 2023	MJHMP presentation and invitation for public comment and feedback at the joint Safety Element Listening Session
June 14-28, 2023	Draft MJHMP published online and a public comment period was in place for two weeks. Comments were considered and implemented where applicable.

4.7.2.3 Draft MJHMP Public Comment Period

During the development of the MJHMP, the public had the opportunity to review the Draft and make final comments. Every participating jurisdiction advertised this public comment period by using multiple online resources, including official social media accounts, websites, and online newsletters. These comments were taken into consideration and implemented where applicable.

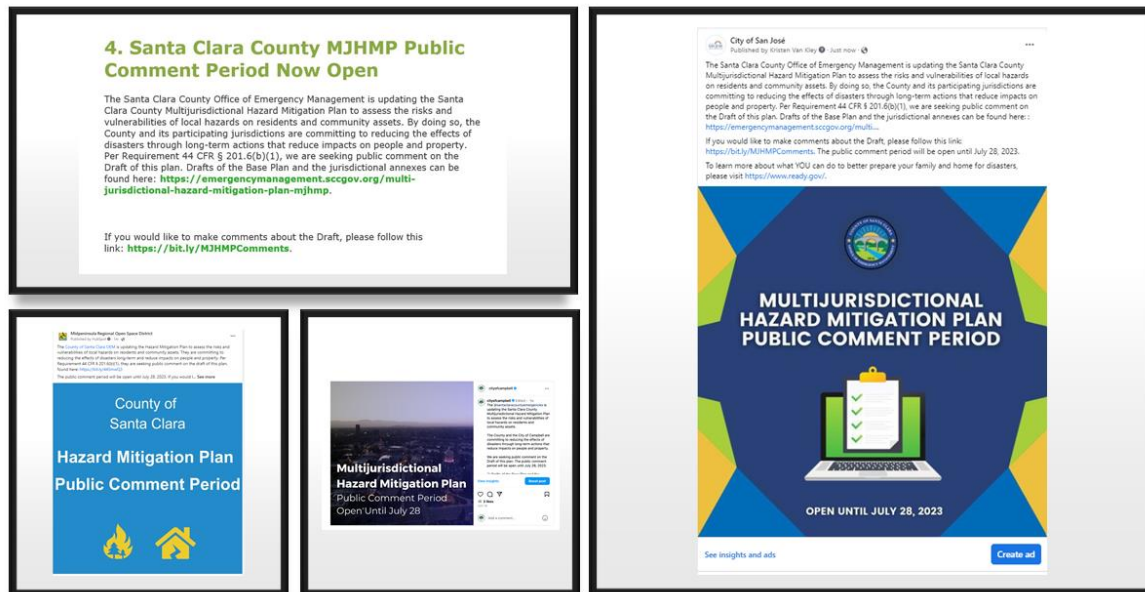


Figure 9: Samples of Public Comment Period Advertisements

4.7.2.4 Public Representation

In addition to directly providing the public the opportunity to comment on the plan, the Santa Clara County Access and Functional Needs and Cultural Competency Working Group which represents tens of community and faith-based organizations within the SCC operational area were consulted on the plan and were able to provide feedback based on the populations they serve. Approximately 100 non-profits and VOAD members participate in the AFN and Cultural Competency Working Group. SCC also has representation from community centers and two consulate generals. In addition, there are also advocates who do not have an affiliation but are Santa Clara County residents and provide input on LGBTQ+ and Disability topics. Some of the organizations include but are not limited to San Andreas Regional Center, Immigrant Info Services, Vista Center for the Blind, American Red Cross, Parents Helping Parents, Lighthouse. In general, the direct interaction and represented voices shared similar sentiments in concern for specifically the extreme heat and wildfire hazard, community preparedness, and education and outreach activities. Therefore, prioritization of the wildfire hazard, and the corresponding mitigation actions, along with high attention to public outreach and education efforts informed the many such related mitigation actions in the plan.

4.8 Plan Development Chronology and Milestones

Table 7 summarizes important milestones in the plan update process.

Table 7: Plan Development Chronology and Milestones

Date	Event	Description
December 8, 2022	Initial meeting with Core Planning Team	• Planning groups • IEM project staff • Project phases • Proposed workshop schedule • Administration and logistics
December 14, 2022	Kick off meeting with planning partners	• Introductions • IEM project staff • Planning groups • Mitigation overview • Mitigation planning benefits • Intent of plan update • Plan participants • Hazards covered • Updated FEMA requirements • Planning expectations • Project phases • County planning efforts underway • Plan integration opportunities • Stakeholder identification • Use of SharePoint
January 18, 2023	Community Capabilities Review Workshop with planning partners	• Planning groups • Planning process contacts ▪ Local planning teams ▪ Internal stakeholders ▪ External stakeholders • Capabilities assessment • National Flood Insurance Program (NFIP) • Use of SharePoint
February 15, 2023	Risk Assessment Workshop with planning partners	• Project phases • Public outreach and documentation • Hazus • GIS • Community Rating System (CRS) • Risk assessment • Planning documents • Risk ranking
March 15, 2023	Stakeholder Engagement Workshop #1	• Workshop goals • Hazard mitigation planning ▪ Overview

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Date	Event	Description
		▪ Planning process • Project phases • Mitigation action items • Feedback on data sources
April 3, 2023	Stakeholder Engagement Workshop #2	• Workshop goals • Multijurisdictional hazard mitigation plan recap • Mitigation strategy • Mitigation action items • Funding sources • Mitigation integration
April 3, 2023	Mitigation Strategy Workshop with planning partners	• Mitigation strategy • Mitigation projects working group • 2017 mitigation strategy • Review of 2017 actions • New action items • Mitigation incorporation
April 4, 2023	Public survey published on County of Santa Clara Office of Emergency Management website	Thirty-five question survey published at https://emergencymanagement.sccgov.org/partners/hazard-mitigation-program
April 18, 2023	Mitigation Strategy Working Group Meeting	• Working group expectations • Review of 2017 MHMP goals and objectives • Review of 2017 MHMP projects • Discussion of the current gaps in identifying projects and accessing funding
May 19, 2023	Public survey closed	Total of 588 responses received: 576 in English, 10 in Chinese, and 2 in Spanish.
June 2, 2023	Planning process wrap up meeting with planning partners	• Public survey results summary • Implementation • Monitoring and evaluation • Maintenance • Adoption • Draft review • Draft plan publicity for public and stakeholders
July 13, 2023	Draft plan published on County of Santa Clara Office of Emergency Management website for public and stakeholder review	Public comment period was open for two weeks to give the public a chance to review the Draft and make comments.
September 25, 2023	Plan submittal to Cal OES	Final draft plan submitted to Cal OES for review and approval.
January 16, 2024	Plan submittal to FEMA	Final draft plan submitted to FEMA for review and approval.
	Plan Approvable Pending Adoption (APA) by FEMA.	FEMA to provide APA Letter once they approve the final draft plan.
February 8, 2024	First planning partner adopts approved plan.	All participants must formally adopt the plan. The five-year lifecycle begins with the first adoption.

5 Santa Clara County Operational Area Profile

5.1 Geographic Overview

The Santa Clara County Operational Area is in north-central California in the southern portion of the San Francisco Bay area (see Figure 9). With its numerous natural amenities and one of the highest standards of living in the country, the OA has long been considered one of the best areas in the United States in which to live and work. The county is also referred to as “Silicon Valley.”

The Santa Clara County OA has a total area of 1,312 square miles. With a diverse population of more than 1.9 million residents,⁷ it is one of the largest counties in the state and encompasses 15 incorporated cities.

San José is the largest city, with just over 1 million people,⁸ followed by Sunnyvale and Santa Clara; the west valley bedroom communities of Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, and Saratoga; the high-tech communities of Campbell, Cupertino, Mountain View, and Palo Alto; industrial Milpitas, and the south county suburban expansion/rural interface areas of Gilroy, Morgan Hill, and their surrounding unincorporated areas. A significant portion of the county’s land area is unincorporated ranch and farmland.

The OA has a rich culture of ethnic diversity, artistic endeavors, sports venues, and academic institutions. Numerous public and private golf courses are located throughout the OA and Santa Clara County operates 28 parks covering more than 50,000 acres, including lakes, streams, and miles of hiking and biking trails. The OA is home to three major universities—Stanford University, Santa Clara University, and San José State University—as well as several community colleges.

5.2 Historical Overview

The early inhabitants of the area now known as Santa Clara County were the indigenous Ohlone people, thought to occupy the area at least 1,000 years before Spain began to colonize California in the 18th century.

Spanish settlers established the Santa Clara Valley’s first mission and pueblo in Santa Clara and San José, respectively, and governed “El Llano de Los Robles” (Plain of the Oaks), until the Mexican Revolution led to Mexican control from the 1820s through 1840s. In 1850, California was admitted into the United States, and Santa Clara County was incorporated as one of the state’s original 27 counties. Deriving its name from Mission Santa Clara, the county originally included much of what was Washington Township (part of Union City and Fremont) in what is now Alameda County. The current county boundaries were set in 1853 when Alameda County was established.

From 1850 to 1870, ranchers made a transition from raising cattle and sheep to cultivating hay and grain. French immigrants planted the first vineyards. Mercury mining flourished. California’s first colleges were founded in Santa Clara County and the coming of the railroad produced a small boom in real estate.

⁷ United States Census Bureau. (2020). Quick Facts: Santa Clara County.
<https://www.census.gov/quickfacts/santaclaracountycalifornia>

⁸ United States Census Bureau. (2020). Quick Facts: San José City.
<https://www.census.gov/quickfacts/fact/table/sanjosecitycalifornia.santaclaracountycalifornia/PST045222>

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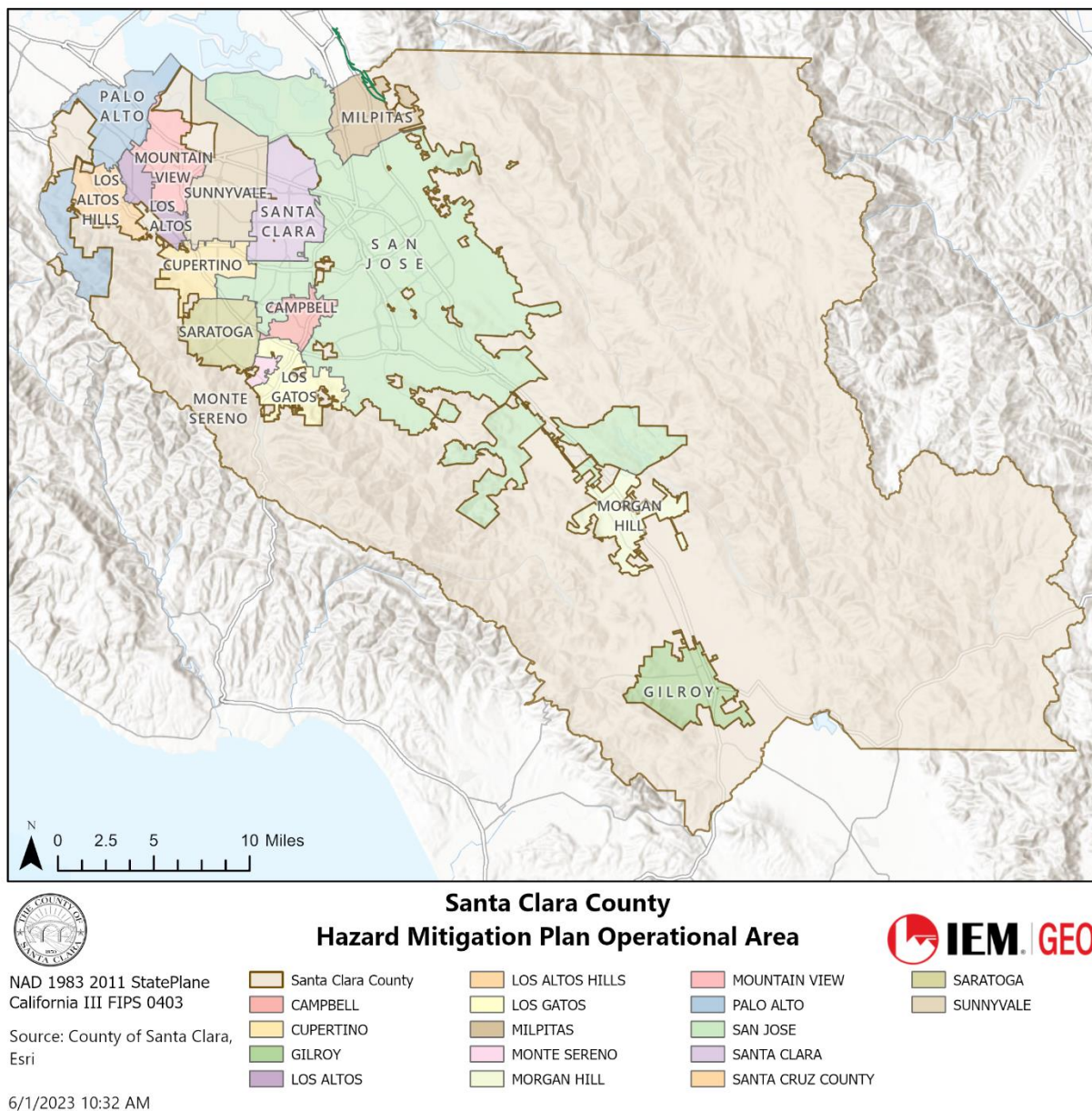


Figure 10: Santa Clara County Operational Area (Planning Area)

After 1870, orchards began displacing grain fields and vineyards. The Santa Clara Valley became the world's leading producer of canned fruit and processed dried fruit. By the end of the 19th century, wealthy San Franciscans, such as Leland Stanford and James Lick, established farms and summer homes in the county.

Santa Clara County remained pastoral until World War II, when many people gravitated to California to work in war-related industries. To accommodate the growing population, mass-produced housing spread across the Santa Clara Valley, and agricultural land was subdivided and developed for housing. Like much of the rest of the United States in the decades immediately following the war, development in the county shifted from largely agricultural to largely suburban.

At the same time, technology companies began to flourish in Santa Clara County, with significant support and encouragement from Stanford University. The Stanford Industrial Park, established in 1951, later became the Stanford Research Park and provided space for companies such as Hewlett-Packard, Eastman Kodak, General Electric, and Lockheed. Related companies began to form around the region, and by the 1970s Santa Clara County and surrounding areas became known as a center of high-technology development. The term Silicon Valley was coined in 1971, referring to the high concentration of companies in the area that are involved in making silicon semiconductors and the computers that rely on them. Technology industries remain central to the area's economy to this day.

5.3 Major Past Hazard Events

Presidential disaster declarations are typically issued for hazard events that cause more damage than state and local governments can handle without assistance from the federal government. A presidential disaster declaration puts federal recovery programs into motion to help disaster victims, businesses, and public entities. Some of the programs are matched by state programs. Santa Clara County has experienced 20 events (14 major disaster declarations, three emergency declarations, two fire management assistance declarations, and one fire suppression declaration) since 1950 for which presidential disaster declarations were issued. These events are listed in Table 8.

Table 8: Presidential Disaster Declarations.⁹

Type of Event	FEMA Disaster Number*	Date
Severe Winter Storm	DR-3592	03/10/2023
Severe Winter Storms, Flooding, Landslides, and Mudslides	DR-4683	January 14, 2023
Severe Winter Storms, Flooding, and Mudslides	EM-3591	January 9, 2023
Wildfires	DR-4558	August 22, 2020
SCU Lightning Complex Fire	DR-5338	August 21, 2020
COVID-19 Pandemic	DR-4482	March 22, 2020
COVID-19	EM-3428	March 13, 2020
Severe Winter Storms, Flooding, and Mudslides	DR-4308	April 1, 2017
Severe Winter Storms, Flooding, and Mudslides	DR-4301	February 14, 2017
Summit Fire	DR-2766	May 22, 2008
Wildfires	DR-3287	06/28/2008
Croy Fire	FS-2465	September 25, 2002
Severe Winter Storms and Flooding	DR-1203	February 9, 1998
Severe Storms, Flooding, Mudslides, and Landslides	DR-1155	January 4, 1997
Severe Winter Storms, Flooding Landslides, and Mud Flow	DR-1046	March 12, 1995
Severe Winter Storms, Flooding, Landslides, and Mud Flows	DR-1044	January 10, 1995
Severe Freeze	DR-894	February 11, 1991
Loma Prieta Earthquake	DR-845	October 18, 1989
Severe Storms and Flooding	DR-758	February 21, 1986
Grass, Wildlands, and Forest Fires	DR-739	July 18, 1985

⁹ Federal Emergency Management Agency. (2023). Declared Disasters. <https://www.fema.gov/disaster/declarations>

Type of Event	FEMA Disaster Number*	Date
Coastal Storms, Floods, Slides, and Tornadoes	DR-677	February 9, 1983
Severe Storms, Flood, Mudslides, and High Tide	DR-651	January 7, 1982
Drought	EM-3023	January 20, 1977

* DR = Disaster Declaration; EM = Emergency Declaration; FM = Fire Management; FS = Fire Suppression

Review of these events helps to identify targets for risk reduction and ways to increase a community's capability to avoid large-scale events in the future. Still, many natural hazard events do not trigger federal disaster protocol but have significant impacts on their communities. These events are also important to consider in establishing recurrence intervals for hazards of concern. Additional information about previous hazard events is included in Section 6 of this plan.

5.4 Physical Setting

5.4.1 *Geology and Topography*

The OA's topography is characterized by its location in the southern San Francisco Bay area. The Santa Clara Valley runs the entire length of the county from north to south, ringed by the rolling hills of the Diablo Range on the east, and the Santa Cruz Mountains on the west. Salt marshes and wetlands lie in the northwestern part of the county, adjacent to the waters of San Francisco Bay.

5.4.2 *Soils*

Prior to 1950 and as far back as the late 1800s, Santa Clara Valley was the scene of a vibrant and productive agriculture industry. Many of the soils of the Santa Clara Valley are alluvial, deposited on fans or floodplains within the valley. The young, deep soils (Elder, Elpaloalto, Still, Stevens Creek, Landelspark, Botella, and Campbell) are naturally very fertile. Field crops were cultivated on the lower parts of the valley, and orchards spanned from the hills east of Milpitas and San José across the valley to Los Altos and Palo Alto. With the introduction of the electric water pump in the early 20th century, irrigation water from the plentiful ground-water supply became readily available on farms, increasing productivity. The Santa Clara Valley became widely known for the production of high-quality orchard fruits, which were shipped across the United States.

Dams were constructed on major streams to store irrigation water and control flooding. As groundwater was rapidly pumped from a depth of several hundred feet, subsurface materials compacted which led to land subsidence. Subsidence damaged pipes and other in-ground structures, and levees were required to block tidewater from entering subsided land. The benefit of this control of streams and pumping of groundwater was a valley relatively free from flooding and high groundwater, an ideal condition for the rapid urban expansion that followed.

After World War II, urban growth in the San Francisco Bay area began to expand down to the south end of the bay and into the Santa Clara Valley. After 1950, the pace of development quickened, and subdivisions began to spring up. The first wave of development occurred on the soils along the El Camino Real corridor, where the alluvial fans were relatively level, with slopes of 2 percent or less. Development exploded in the 1960s and topsoil was moved to house lots from the street areas. This type of subdivision construction continued until about 1980, when more shaping of house lots to control drainage began. By 1980, home construction had started to slow because many of the level areas fit for construction were now already developed.

After 1980, subdivision development moved up areas of alluvial fans and greater slopes, and lot-shaping became more common. After 1990, development moved into steep areas at the edge of the valley and the foothills. Soil disturbance can be severe in these areas, with more than 5 feet of cuts or fills. Fills may consist of materials from several feet below the soil surface, have a high content of clay or fragments, and be low in organic matter and fertility. Cut areas may have subsoil materials at the surface, which also may have a high content of clay or fragments and be low in organic matter and fertility. Many residents have modified the soil surface texture in garden areas with sandy materials and mulches. In areas of the basin soils (Hangerone, Clear Lake, and Embarcadero), clay surface and subsurface textures and slow internal drainage due to a high clay content are problems for gardens, ornamental plants, and lawns.¹⁰

5.4.3 Climate

Table 9 summarizes normal climate data from 1981 through 2022 at the National Climatic Data Center weather station at San José. The Mediterranean climate of the OA remains temperate year-round due to the area's geography and its proximity to the Pacific Ocean. The area is warm and dry much of the year. Rarely is the humidity uncomfortable, and the thermometer seldom drops below freezing. Rain is generally limited to winter and snow to the tops of local mountains.

Table 9: Normal Precipitation and Temperatures in the Operational Area, 1981–2022¹¹

Months	Mean Precipitation (inches)	Minimum Temperature (°F)	Maximum Temperature (°F)
January	2.65	32	68
February	2.56	35	74
March	2.28	38	79
April	0.91	41	87
May	0.41	46	91
June	0.10	50	97
July	0.01	53	95
August	0.02	54	96
September	0.16	51	95
October	0.66	45	90
November	1.55	37	77
December	2.35	32	68
Annual	13.39	30	100

¹⁰ United States Department of Agriculture. (2015). Supplement to the Soil Survey of Santa Clara.

<https://www.nrcs.usda.gov/conservation-basics/natural-resource-concerns/soil/soil-science>

¹¹ National Oceanic and Atmospheric Administration. (n.d.). Climate Data Online. <https://www.ncei.noaa.gov/cdo-web/>

5.5 Development Profile

5.5.1 Land Use

Table 10 shows current land use for unincorporated Santa Clara County; complete land use data was not available for municipalities in the OA. Land use information is analyzed in this plan for each identified hazard that has a defined spatial extent and location.

For hazards that lack this spatial reference, the information in the table serves as a baseline estimate of land use and exposure. The distribution of land uses for the unincorporated county will change over time.

Table 10: Unincorporated County Land Use

Type of Land Use	Area (acres)	Percentage of Total Area
Agricultural	33,355.5	5.53
General / Institutional	5,381.3	0.89
Open Space	548,603.4	90.88
Low Density Residential	15,988.7	2.65
High Density Residential	68.6	0.01
Commercial	161.8	0.03
Industrial	85.0	0.01
Total	603,644.5	100.00

5.5.2 Critical Facilities, Infrastructure, and Assets

Critical facilities and infrastructure are those that are essential to the health and welfare of the population. These features become especially important after a hazard event. Critical facilities typically include public safety stations, schools, department operation centers, and emergency operations centers. Critical infrastructure can include the roads and bridges that provide ingress and egress and allow emergency vehicles access to those in need, and the utilities that provide water, electricity, and communication services to the community. Critical facilities identified in this plan were selected, mapped, and included in geographic information system (GIS) databases based on information provided through the Working Group meetings, stakeholder information requests, and the 2018 *State of California Multi-Hazard Mitigation Plan*.

Although many facilities and assets of the Santa Clara County OA are important to the quality of life, this plan focuses on those whose loss would result in the greatest impacts on life and safety in the event of a natural hazard. As defined for this hazard mitigation plan update, critical facilities are:

Structures or other improvements, public or private, that, because of function, size, service area, or uniqueness, have the potential to cause serious bodily harm, extensive property damage, or disruption of vital socioeconomic activities if it is destroyed or damaged or if its functionality is impaired. Critical facilities may include but are not limited to health and

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*safety facilities, utilities, government facilities, hazardous materials facilities, or vital community economic facilities.*¹²

All critical facilities and infrastructure were analyzed in Hazus to help rank risk and identify mitigation actions. The risk assessment for each hazard qualitatively discusses critical facilities with regard to that hazard. Table 11 summarizes the general types of critical facilities and infrastructure by local jurisdiction. Figure 10 and Figure 11 show the locations of critical facilities and infrastructure in the OA. Due to the sensitivity of this information, a detailed list of facilities is not provided. The list is on file with Santa Clara County OEM.

Table 11: Critical Facilities and Infrastructure in the Operational Area

Jurisdiction	Essential Facilities	Transportation	Utilities	Hazardous Materials	Community Assets	Jurisdiction
Campbell	21	23	0	6	7	93
Cupertino	26	26	2	5	16	95
Gilroy	25	34	2	7	13	118
Los Altos	22	8	0	0	11	73
Los Altos Hills	6	21	0	0	2	55
Los Gatos	20	35	0	1	6	79
Milpitas	32	66	1	60	19	178
Monte Sereno	1	1	0	0	1	5
Morgan Hill	22	14	1	8	10	69
Mountain View	37	52	1	20	29	174
Palo Alto	49	42	4	26	46	207
San José	370	498	18	135	191	1,479
Santa Clara (city)	53	63	9	103	36	295
Saratoga	18	32	0	0	11	70
Sunnyvale	40	49	3	51	27	232
Unincorporated County	38	187	17	4	48	327
Total	777	1151	58	426	473	3,549

¹² Organization of American States. (n.d.). Critical Facilities Mapping. <https://www.oas.org/dsd/publications/Unit/oea66e/ch07.htm>

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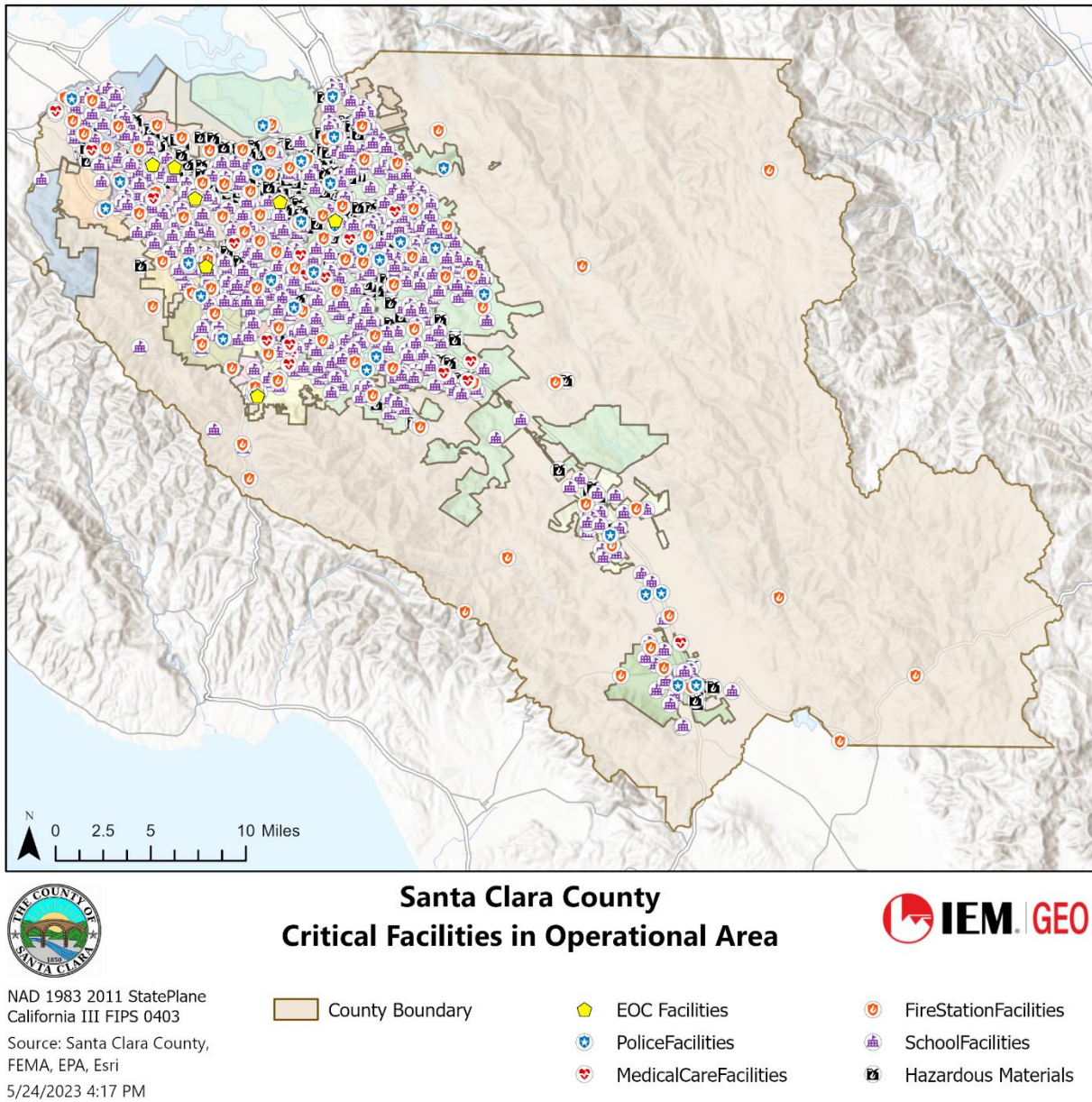


Figure 11: Critical Facilities in the Operational Area

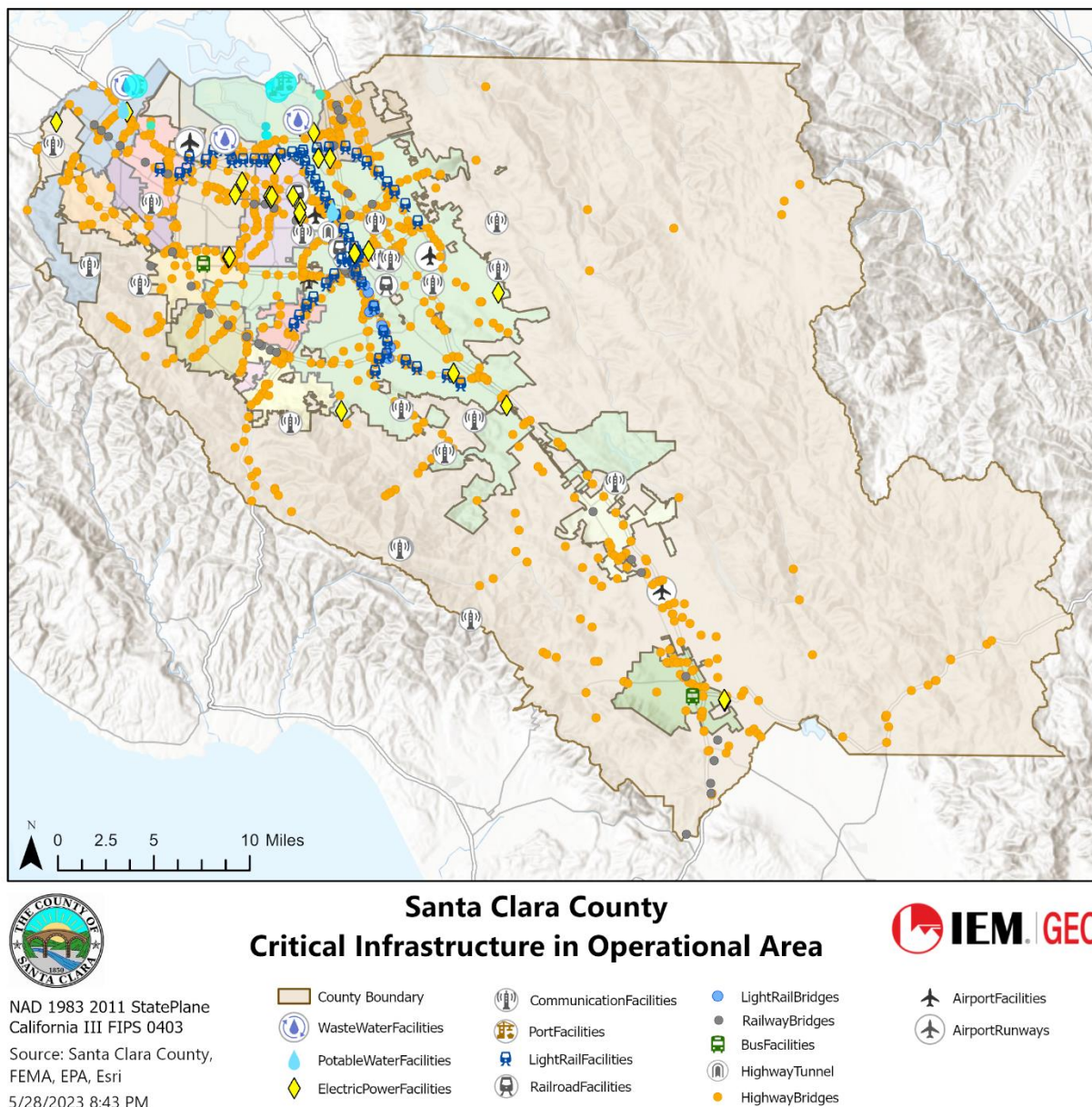


Figure 12: Critical Infrastructure in the Operational Area

5.5.3 Future Trends in Development

An understanding of population and development trends can assist in planning for future development and ensuring that appropriate mitigation, planning, and preparedness measures are in place to protect human health and community infrastructure. The DMA requires that communities consider land use trends, which can alter the need for, and priority of, mitigation options over time. Land use and development trends significantly affect exposure and vulnerability to various hazards. For example, significant development in a hazard area increases the building stock and population exposed to that hazard. New development that has occurred in the last five years within the OA and potential future development in the next five years, as identified by each jurisdiction, is addressed in the planning partner annexes located in Volume 2 of this plan.

The municipal planning partners have adopted general plans that govern land use decision and policy making for their jurisdictions. Decisions on land use will be governed by these programs. This plan will work together with these programs to support wise land use in the future by providing vital information on the risk associated with natural hazards in the OA. Incorporating information from the hazard mitigation into the general plan as the plans are updated will ensure that future development will be established with the benefits of the information on risk and vulnerability to natural hazards identified in this plan.

5.6 Demographics

Some populations are at greater risk from hazard events because of decreased resources or physical abilities. Those who are older, for example, may be more likely to require additional assistance. Research has shown that people living near or below the poverty line, those who are older, women, children, those who are racial and/or ethnic minorities, renters, individuals with disabilities, and others with access and functional needs, may all experience more severe impacts from disasters than the general population. These more vulnerable populations may vary from the general population in risk perception, living conditions, access to information before, during, and after a hazard event, capabilities during an event, and access to resources for post-disaster recovery. Indicators of vulnerability—such as disability, age, poverty, and minority race and ethnicity—often overlap spatially and often in the geographically most vulnerable locations. Detailed spatial analysis to locate areas where there are higher concentrations of more vulnerable community members helps to extend focused public outreach and education and resources to these most vulnerable residents.

5.6.1 Population

5.6.1.1 Resident Population

Information about population is a critical part of planning because it directly relates to land needs such as housing, industry, stores, public facilities and services, and transportation. The 2020 U.S. Census estimated the OA's population at 1,936,259.¹³

Population changes are useful socio-economic indicators. A growing population generally indicates a growing economy, while a decreasing population signifies economic decline. In this case, population estimates are assumed to be influenced by the COVID-19 pandemic, rising cost of living including housing, and decline in foreign immigration due to change in federal policy. Since 2011, California has experienced an increased number of people moving out of the State in a year than into it. The OA is no exception. Table 12 shows the population in the OA from 2000 to 2022 according to the California Finance Department.

Table 12: Recent Population Data¹⁴

Jurisdiction	Population				
	2000	2005	2010	2015	2022
City of Campbell	38,138	37,406	39,349	41,986	42,833

¹³ United States Census Bureau. (2020). Quick Facts: Santa Clara County.

<https://www.census.gov/quickfacts/santaclaracountycalifornia>

¹⁴ State of California Department of Finance. (2021, December). E-2 California County Population Estimates and Components of Change by Year. <https://dof.ca.gov/Forecasting/Demographics/e-2-california-county-population-estimates-and-components-of-change-by-year/#:~:text=California%E2%80%99s%20population%20declined%20by%20173%2C000%20persons%20between%20July,estimates%20released%20today%20by%20the%20Department%20of%20Finance.>

Jurisdiction	Population				
	2000	2005	2010	2015	2022
City of Cupertino	50,546	53,632	58,302	58,038	59,610
City of Gilroy	41,464	45,782	48,821	54,324	59,269
City of Los Altos	27,693	27,381	28,976	30,513	31,526
Town of Los Altos Hills	7,902	7,852	7,922	8,595	8,400
Town of Los Gatos	28,592	28,070	29,413	31,157	33,062
City of Milpitas	62,698	62,177	66,790	74,140	80,839
City of Monte Sereno	3,483	3,324	3,341	3,445	3,488
City of Morgan Hill	33,556	35,011	37,822	42,382	46,451
City of Mountain View	70,708	70,629	74,066	76,712	83,864
City of Palo Alto	58,598	60,723	64,403	67,331	67,473
City of San José	894,943	901,159	945,942	1,030,053	976,482
City of Santa Clara	102,361	107,058	116,468	121,580	130,127
City of Saratoga	29,843	29,630	29,926	30,060	30,667
City of Sunnyvale	131,760	131,853	140,081	146,629	156,234
Unincorporated County	100,300	96,547	90,020	87,029	84,458
Total	1,682,585	1,698,234	1,781,642	1,903,974	1,894,783

5.6.1.2 Daily Commuting Population

According to the California Employment Development Department, Santa Clara County is the single largest commuter destination in Submarket C of the San Francisco Bay Area Economic Market, holding and/or importing 1,009,391 commuters daily.¹⁵ This large commuter contingent has impacts on planning for the OA's infrastructure and service needs, as well as on planning for hazard mitigation and emergency management. Commuters may be familiar with the area immediately surrounding their place of business or regular route to work but may be less familiar with the services and resources provided to the population during a disaster event.

The U.S. Census estimates that over 66.8 percent of workers in the OA commute alone (by car, truck, or van) to work, and mean travel time to work is 24 minutes. The state average is 28 minutes.¹⁶

5.6.2 Age Distribution

As a group, the adults who are older are more apt to lack the physical and economic resources necessary for response and resiliency for hazard events and are more likely to suffer health-related consequences making recovery slower. They are more likely to be vision, hearing, and/or mobility impaired, and more likely to experience mental impairment or dementia. Additionally, adults who are older are more likely to live in assisted- living facilities where emergency preparedness occurs at the discretion of facility operators. These facilities are typically identified as "critical facilities" by emergency managers because

¹⁵ California Employment Development Department. (2020, August 28). WIOA Regional Planning Units. https://edd.ca.gov/siteassets/files/Jobs_and_Training/pubs/wsd20-01.pdf

¹⁶ United States Census Bureau. (2020). Quick Facts: Santa Clara County; California. <https://www.census.gov/quickfacts/fact/table/santaclaracountycalifornia,CA/LFE305221>

they require extra notice to implement evacuation. Residents who are older and living in their own homes may have more difficulty evacuating and could be stranded in dangerous situations. This population group is more likely to need special medical attention, which may not be readily available during natural disasters due to isolation caused by the event. Specific planning attention for the those who are older is an important consideration given the current trend of aging of the American population.

Children under 18 are particularly vulnerable to disaster events as well because of their young age and dependence on others for basic necessities. Children often experience increased physical and health challenges as well as issues learning after a disaster event. Additionally, very young children may be vulnerable to injury or sickness; this added vulnerability can be worsened during a natural disaster because they may not understand the measures that need to be taken to protect themselves from hazards. The unique needs of children are important to factor into disaster response and recovery efforts as well as when calculating the benefit and costs of mitigation alternatives. ¹⁷

The overall age distribution for the OA is illustrated in Figure 13. Based on U.S. Census 2021 American Community Survey 1-Year Estimate, the mean age in the OA is 48.2 compared to California's mean age of 37.6 years. Additionally, 14.5 percent of the OA's population is 65 or older, compared to the state estimate of 15.2 percent. An estimated 21.2 percent of the OA population is 18 or younger, compared to the state estimate of 22.4 percent.

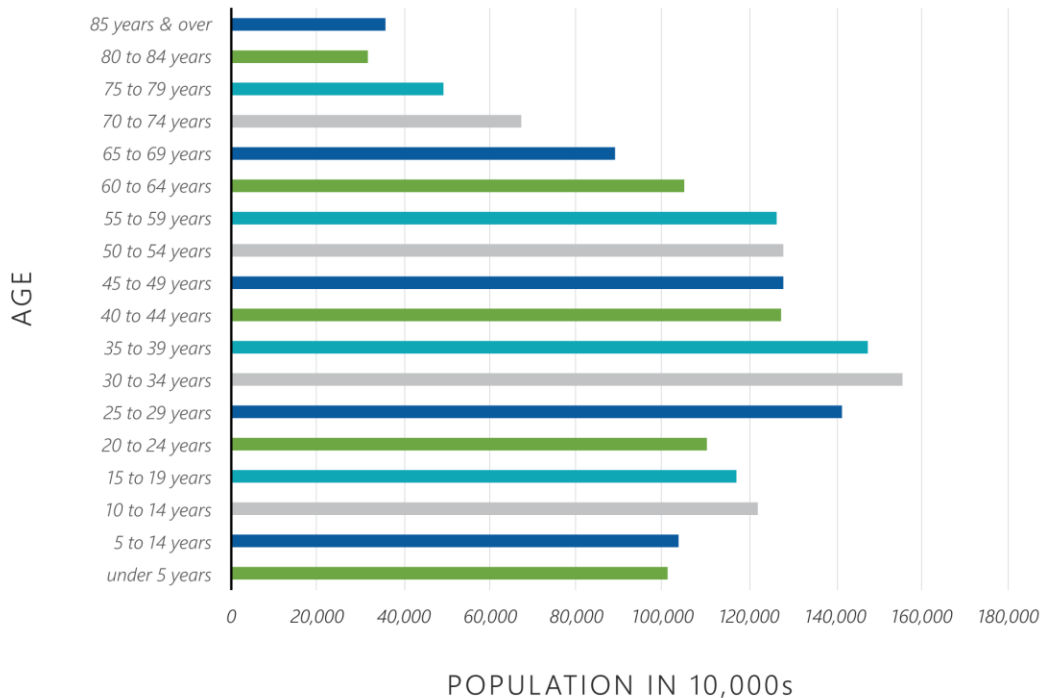


Figure 13: Overall Age Distribution in the Operational Area¹⁸

¹⁷ Society for Research in Child Development. (2020, August 13). Understanding the Impacts of Natural Disasters on Children. <https://www.srcd.org/research/understanding-impacts-natural-disasters-children#:~:text=Every%20year%2C%20175%20million%20children%20globally%20are%20expected,communities%20better%20prepare%20for%20and%20respond%20to%20disasters.>

¹⁸ United States Census Bureau. (2021). American Community Survey, Age and Sex Santa Clara County, California. <https://data.census.gov/table?q=Age+in+Santa+Clara+County+2021&tid=ACSST1Y2021.S0101>

5.6.3 Race, Ethnicity, and Language

Research shows that racial and ethnic minorities are less likely to be involved in pre-disaster planning and experience higher mortality rates during a disaster event. Post-disaster recovery can be ineffective and is often characterized by cultural insensitivity. Since higher proportions of ethnic minorities live below the poverty line than the majority white population, poverty can compound vulnerability. According to the 2020 U.S. Census, the racial composition of the OA is predominantly Asian, at about 39 percent. The next most common race is White, at 32 percent. The racial distribution in the OA is shown below.

The OA has a 40.3 percent foreign-born population. Other than English, the most commonly spoken languages in the OA are Chinese, Vietnamese, and Tagalog, followed by Spanish..¹⁹

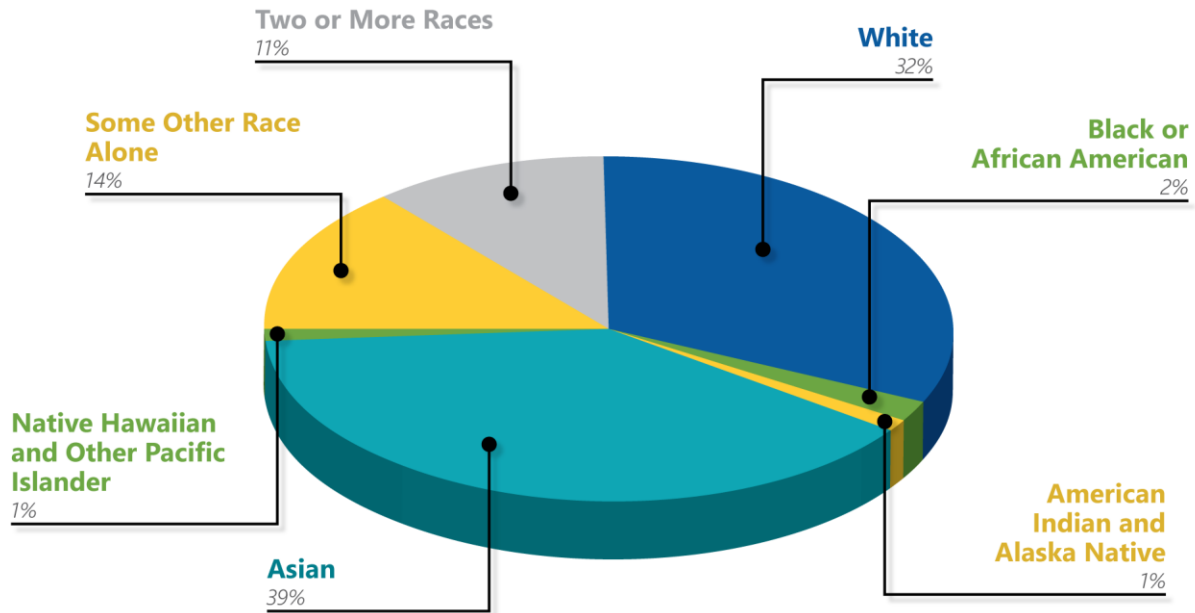


Figure 14: Race Distribution in the Operational Area..²⁰

5.6.4 Education

Understanding educational attainment of the population is important when developing appropriate outreach and educational materials. The U.S. Census estimates that 28 percent of the population OA 25 years and older has attained a bachelor's degree, and 27 percent a graduate or professional degree. Seventy-six percent of the population has attended college for some period, and 10 percent have not achieved a high school or equivalent degree..²¹

¹⁹ United States Census Bureau. (2020). Santa Clara County, California. <https://data.census.gov/profile?q=050XX00US06085>

²⁰ United States Census Bureau. (2020). Santa Clara County, California. <https://data.census.gov/profile?q=050XX00US06085>

²¹ United States Census Bureau. (2020). Santa Clara County, California. <https://data.census.gov/profile?q=050XX00US06085>

5.6.5 *Individuals with Disabilities or with Access or Functional Needs*

The U.S. Census estimates that over 42 million non-institutionalized people with disabilities live in the U.S. Individuals with disabilities are more likely to have difficulty with resilience and responding to a hazard event than the general population.²² Local government may be the first level of response to assist these individuals, and coordination of efforts to meet their access and functional needs is paramount to life safety efforts. It is important for emergency and incident managers to distinguish between functional and medical needs in order to plan for incidents that require evacuation and sheltering. Knowing the percentage of population with a disability will allow emergency management personnel and first responders to have personnel available who can provide services needed by those with access and functional needs.

According to the U.S. Census 2021 American Community Survey 1-Year Estimates, 169,467, or 9 percent, of individuals have some form of disability in the OA.²³

5.6.6 *Social Vulnerability*

The Social Vulnerability Index provides a visual representation of the potential negative effects on communities that natural hazards or other external stresses on human health. The index is based on 16 variables from the U.S. Census to indicate areas that may need additional support before, during or after disasters. These indices include measures of socioeconomic status, household characteristics, racial and ethnic minority status, and housing type and transportation. The overall social vulnerability for Santa Clara County is shown in Figure 14. A summary of the four categories of indices that contribute to the overall index is shown in Figure 15. The darker toned colors indicate areas with potentially higher vulnerability.

²² United States Census Bureau. (2020). United States. https://data.census.gov/profile/United_States?q=010XX00US

²³ United States Census Bureau. (2020). Santa Clara County, California. <https://data.census.gov/profile?q=050XX00US06085>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

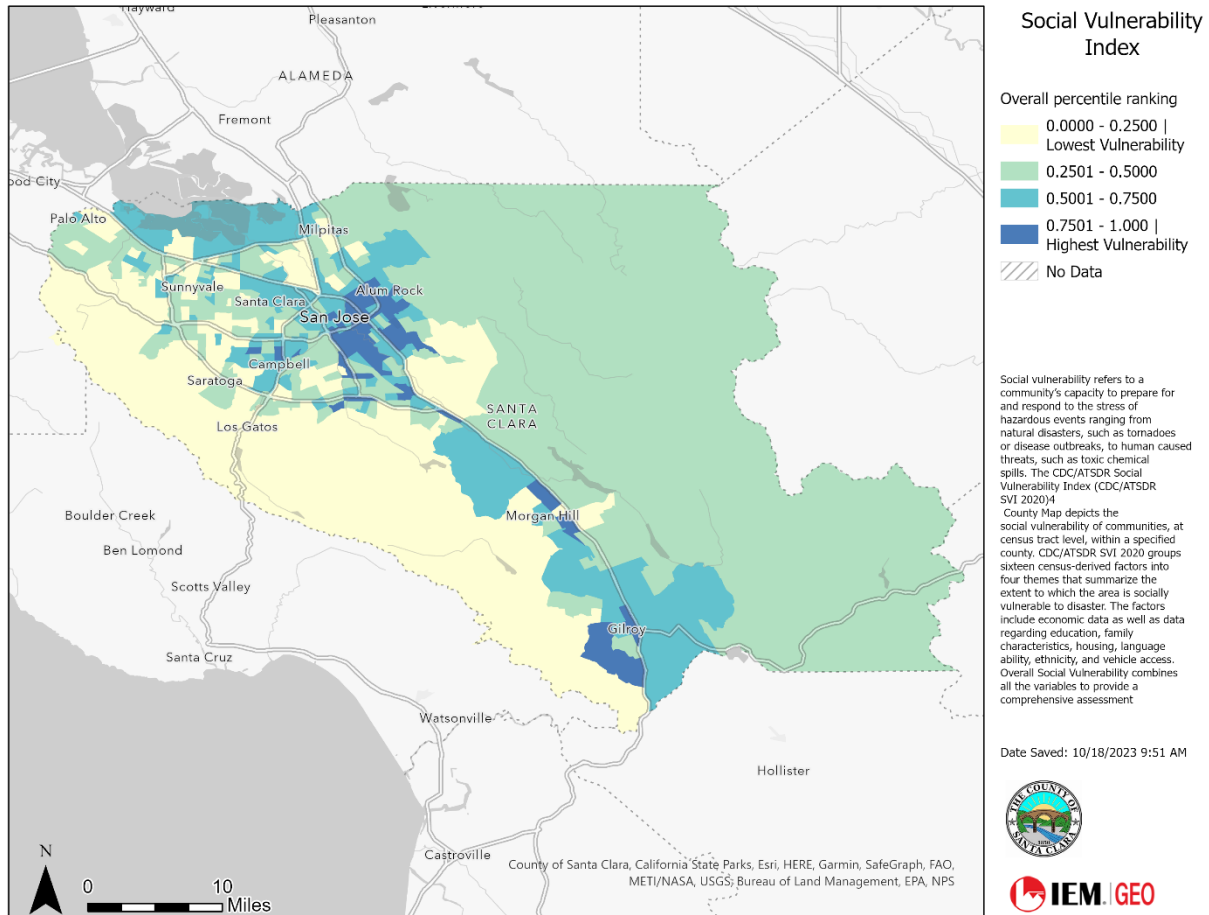


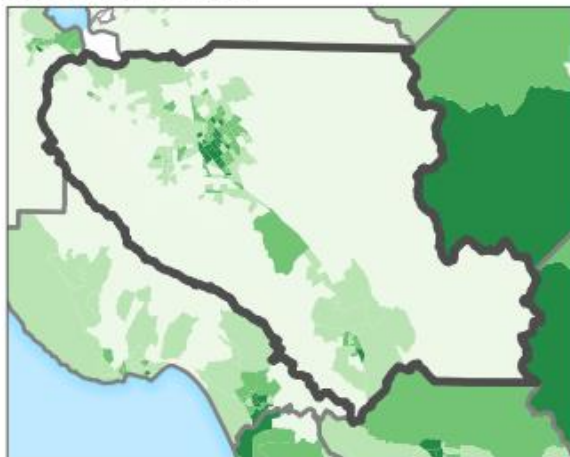
Figure 15: Santa Clara County Social Vulnerability Index



CDC/ATSDR SVI Themes

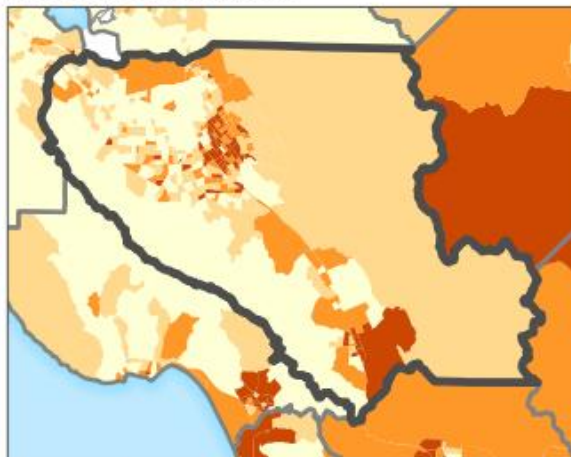


Socioeconomic Status⁵



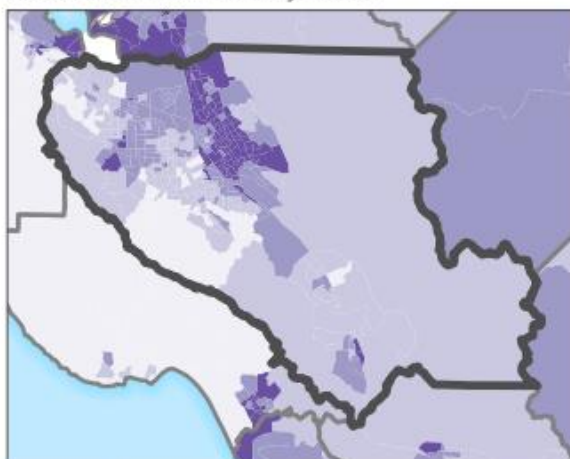
Highest (Top 4th) Vulnerability (SVI 2020)² Lowest (Bottom 4th)

Household Characteristics⁶



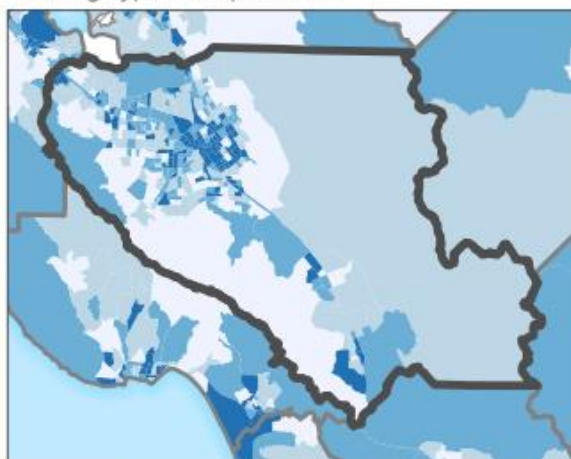
Highest (Top 4th) Vulnerability (SVI 2020)² Lowest (Bottom 4th)

Racial and Ethnic Minority Status⁷



Highest (Top 4th) Vulnerability (SVI 2020)² Lowest (Bottom 4th)

Housing Type/Transportation⁸



Highest (Top 4th) Vulnerability (SVI 2020)² Lowest (Bottom 4th)

Data Sources: ²CDC/ATSDR/GRASP, U.S. Census Bureau, Esri® StreetMapTM Premium.

Notes: ¹Overall Social Vulnerability: All 16 variables. ²Census tracts with 0 population. ³The CDC/ATSDR SVI combines percentile rankings of US Census American Community Survey (ACS) 2016-2020 variables, for the state, at the census tract level. ⁴Socioeconomic Status: Below 150% Poverty, Unemployed, Housing Costs Burden, No High School Diploma, No Health Insurance. ⁵Household Characteristics: Aged 65 and Older, Aged 17 and Younger, Civilian with a Disability, Single-Parent Household, English Language Proficiency. ⁶Race/Ethnicity: Hispanic or Latino (of any race); Black and African American, Not Hispanic or Latino; American Indian and Alaska Native, Not Hispanic or Latino; Asian, Not Hispanic or Latino; Native Hawaiian and Other Pacific Islander, Not Hispanic or Latino; Two or More Races, Not Hispanic or Latino; Other Races, Not Hispanic or Latino. ⁷Housing Type/Transportation: Multi-Unit Structures, Mobile Homes, Crowding, No Vehicle, Group Quarters.

Projection: NAD 1983 California Teale Albers.

References: Flanagan, B.E., et al., A Social Vulnerability Index for Disaster Management. *Journal of Homeland Security and Emergency Management*, 2011. 8(1).

CDC/ATSDR SVI web page: <https://www.atsdr.cdc.gov/placeandhealth/svi/index.html>.

Figure 16: Social Vulnerability Index Themes

5.7 Economy

5.7.1 Income

In the United States, individual households are expected to use private resources to prepare for, respond to and recover from disasters to some extent. This means economically disadvantaged households are automatically disadvantaged when confronting hazards. Additionally, those who are economically disadvantaged typically occupy more poorly built and inadequately maintained housing. Mobile or modular homes, for example, are more susceptible to damage in earthquakes and floods than other types of housing. In urban areas, those who are economically disadvantaged often live in older houses and apartment complexes, which are more likely to be made of un-reinforced masonry, a building type that is particularly susceptible to damage during earthquakes. Furthermore, those who are economically disadvantaged are less likely to have insurance to compensate for losses incurred from natural disasters. This means they may have a great deal to lose during an event and may be the least prepared to deal with potential losses. The events following Hurricane Katrina in 2005 illustrated that personal household economics significantly impact people's decisions on evacuation. Individuals who cannot afford gas for their cars will likely decide not to evacuate.

A living wage calculator developed at the Massachusetts Institute of Technology estimates the hourly living wage needed to support different types of families. The calculator takes into consideration basic needs such as health, housing, transportation, and other necessities and interprets the living wage as a geographically specific hourly rate required to acquire basic minimum necessities cost. Table 13 presents summary information from the living wage calculator for 2022. Each hourly rate is adjusted per each working adult.

Table 13: Hourly Living Wage Calculation for Santa Clara County, California (2022)²⁴

Wage Level	One Adult	One Adult + Two Children	Two Adults	Two Adults + One Child
Living Wage	\$26.86	\$68.69	\$38.42	\$46.79
Poverty Wage	\$6.53	\$11.07	\$8.80	\$11.07
Minimum Wage	\$15.50	\$15.50	\$15.50	\$15.50

Based on 2022 U.S. Census Bureau estimates, the median household income in Santa Clara County was \$141,562. It is estimated that about 16 percent of households receive an income between \$100,000 and \$149,999 per year and over 47 percent of household incomes are above \$150,000 annually. About 9 percent of the households in the OA make less than \$25,000 per year. The poverty threshold for a family of four in 2022 was \$30,186; for a family of three, \$22,892; for a family of two under 65 years, \$19,597 and for unrelated individuals under 65 years, \$15,225.²⁵

The 2015 living wage calculations cited in the 2017 Hazard Mitigation Plan were notably different than the current estimates. For example, the living wage for one adult was \$14.52 and \$11.30 for two adults. When incomes do not match the cost-of-living increase, households may be forced to reduce household on nonessential items. Hazard mitigation measures, such as flood insurance and voluntary structural retrofitting, are not usually considered essential despite their demonstrated long-term cost effectiveness.

²⁴ Massachusetts Institute of Technology. (2023). Living Wage Calculator, Santa Clara County. <https://livingwage.mit.edu/counties/06085>

²⁵ United States Census Bureau. (2020). Santa Clara County, California. <https://data.census.gov/profile?q=050XX00US06085>

5.8 Industry, Businesses, and Institutions

The county's economy is strongly based in the professional, scientific, and management, and administrative and waste management services industry, followed by educational services and health care and social assistance, manufacturing, and retail trade. Figure 16 shows the breakdown of industry types in the OA. Santa Clara County is part of one of the state's busiest urban areas.

The OA benefits from a variety of business activity. Major businesses include Apple, Inc, Alphabet Inc. (Google), Netflix, Roku, Inc. Shockley Semiconductor Laboratory, eBay Inc., Cisco Systems Inc., Applied Materials Inc., Flextronics International, Intel Corp, Kaiser Permanente Medical Center, Liberty Tax Service, Lockheed Martin Space Systems, NASA, Phillips Lumileds Lighting Company, Santa Clara Valley Medical Center, and many others.

Major educational and research institutions in the OA include Stanford University, San José State University, Santa Clara University, Mission College, De Anza College, Foothill College, West Valley College, Mission College, Evergreen Valley College, San José City College, and Gavilan College.

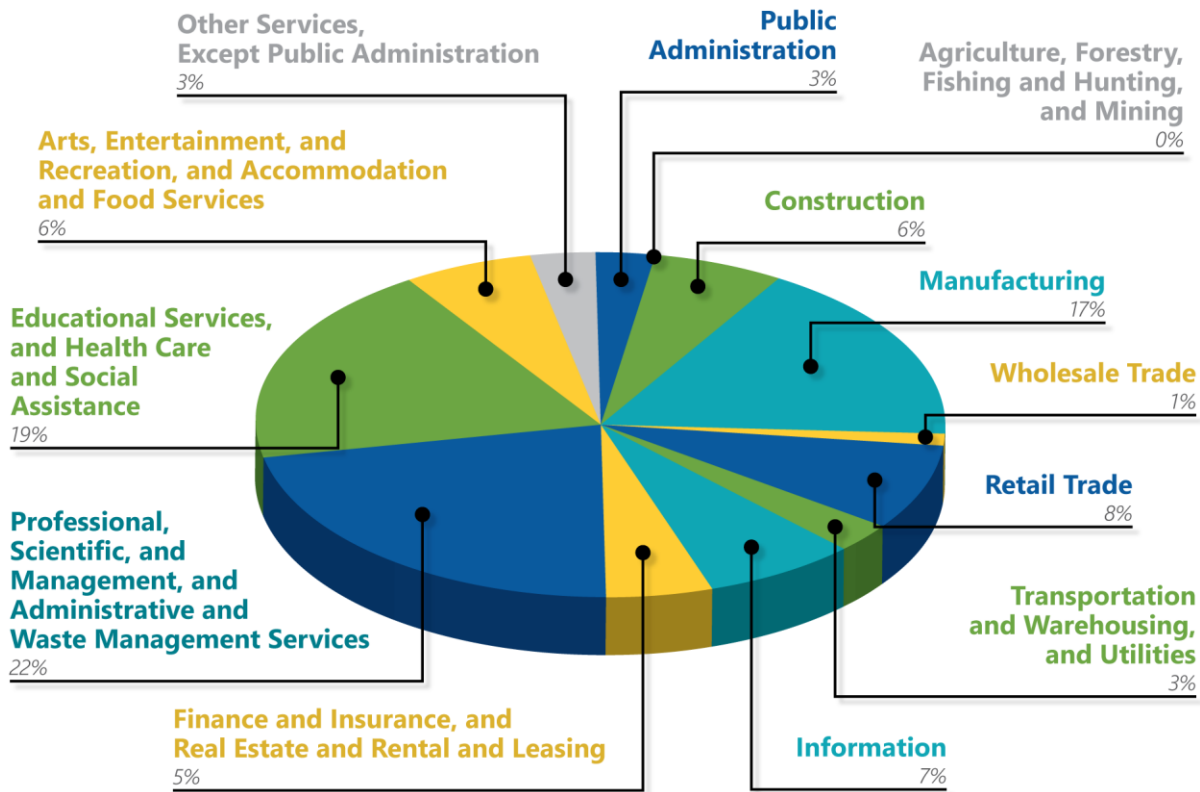


Figure 17: Industry in Santa Clara County

5.8.1 Employment Trends and Occupations

According to the Census Bureau, 66.6 percent of the Santa Clara County population 16 years and over is in the labor force. Management, business, science, and arts occupations make up 59 percent of jobs in the County. Other major occupations include sales and office (15 percent) and service (13 percent). Multiple major employers in California are located in Santa Clara County, including Apple, Cisco Systems, Advanced Micro Devices Inc, Amazon, Apple, Applied Materials Inc, California's Great America, Cisco

Systems, Intel Corp, Intuit, Hewlett Packard Enterprise, Alphabet Inc. (Google), and Nvidia Corp., and Yahoo. The largest of these are Applied Materials Inc, Apple, Cisco Systems, Intel Inc, Hewlett Packard Enterprise, Google, and Yahoo each with 10,000 or more employees. The others employ between 1,000-4,999 employees...²⁶

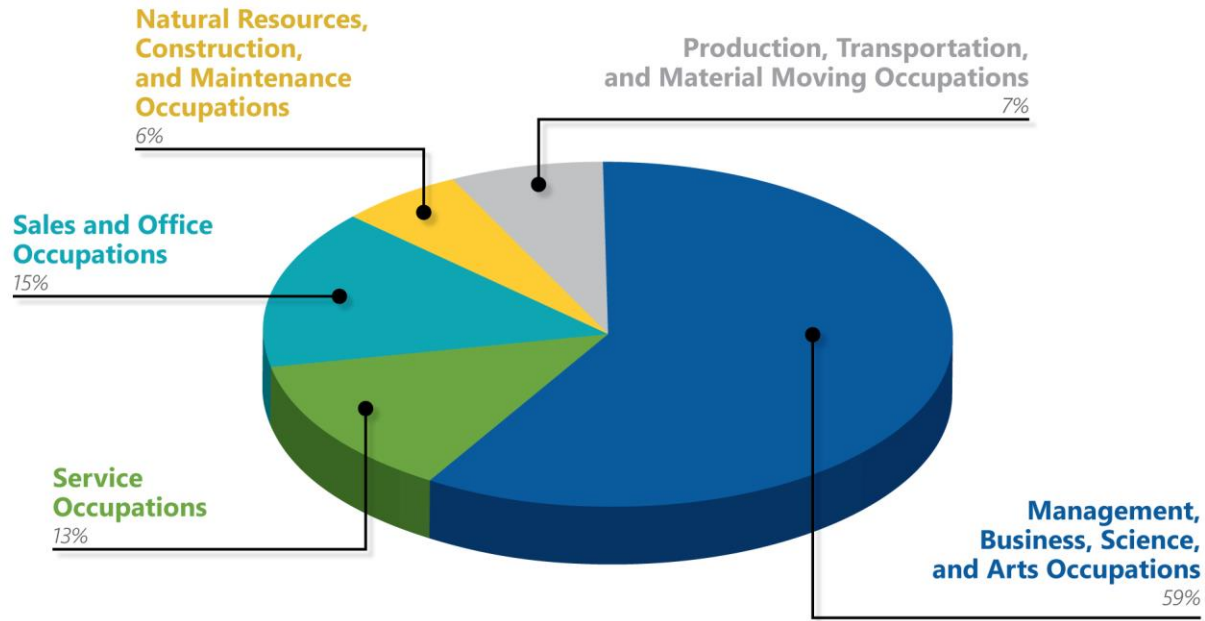


Figure 18: Occupations in Santa Clara County

The figure below compares the California and the Santa Clara County unemployment trends from 2017 to 2021. According to the State of California's Employment Development Department, the Santa Clara County unemployment rate was trending downward prior to 2020 when it spiked upward, likely in part due to the COVID-19 pandemic. By 2021, the unemployment rates started to fall again. They continued to fall below pre-pandemic estimates in 2022. Overall, Santa Clara County experienced less unemployment than the rest of the State throughout this time period...²⁷

²⁶ United States Census Bureau. (2021). American Community Survey, Selected Economic Characteristics Santa Clara County, California.

<https://data.census.gov/table?q=employment+in+Santa+Clara+County,+California&tid=ACSDP1Y2021.DP03>

²⁷ State of California Employment Development Department. (2023). Economic Development Data Library. <https://data.edd.ca.gov/>

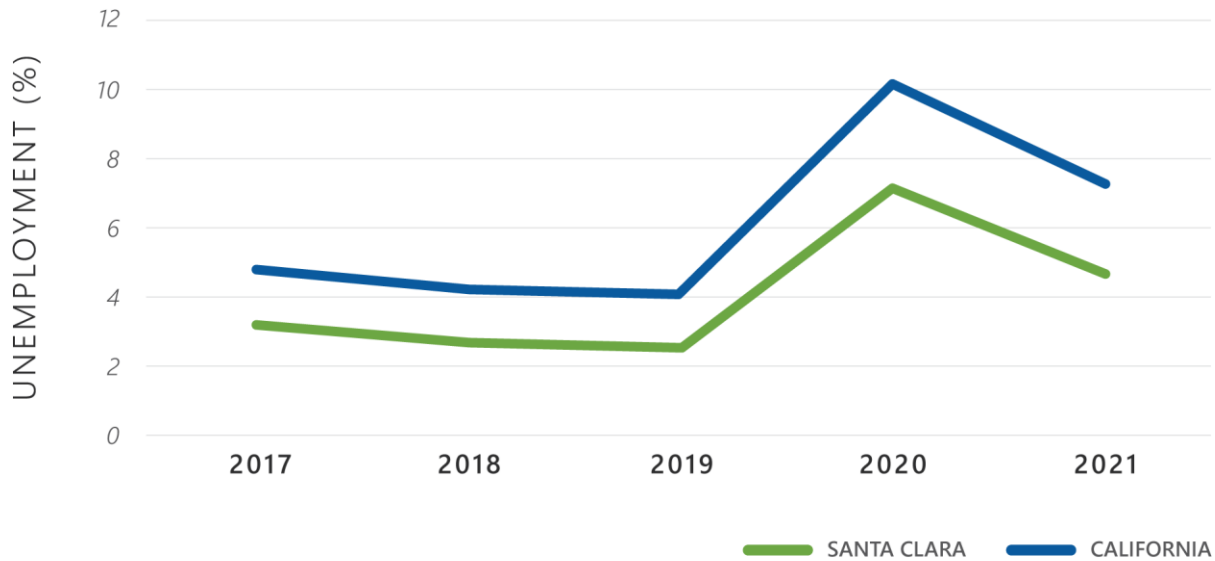


Figure 19: California and Santa Clara County Unemployment Rate²⁸

5.9 Laws and Ordinances

Existing laws, ordinances, and plans at the federal, state, and local level can support or impact hazard mitigation actions identified in this plan. Hazard mitigation plans are required to include a review and incorporation, if appropriate, of existing plans, studies, reports, and technical information as part of the planning process (44 CFR, Section 201.6(b)(3)). The following federal and state programs have been identified as programs that may interface with the actions identified in this plan. Each program enhances capabilities to implement mitigation actions or has a nexus with a mitigation action in this plan. Information presented in this section can be used in addition to local capabilities to implement the actions found in the jurisdictional and special district annexes of Volume 2 of this plan. Each planning partner has individually reviewed existing local plans, studies, reports, and technical information in its jurisdictional or special district annexes, presented in Volume 2 of this plan.

5.9.1 Federal

5.9.1.1 Stafford Act

The Stafford Disaster Relief and Emergency Assistance Act (“Stafford Act”) is the statutory authority for most Federal disaster response activities for FEMA and FEMA programs. The Stafford Act initially provided limited resources mitigation and pre-disaster community resilience. It did include the Pres-Disaster Hazard Mitigation (PDM) program however, funding was often ad hoc and historically much less than traditional disaster spending. Subsequent legislation has since amended the Stafford Act, opening the doors to additional mitigation opportunity.

²⁸ State of California Employment Development Department. (2023). Economic Development Data Library. <https://data.edd.ca.gov/>

5.9.1.2 Disaster Mitigation Act

The DMA is the current federal legislation addressing hazard mitigation planning. It emphasizes planning for disasters before they occur. It specifically addresses planning at the local level, requiring plans to be in place before certain hazard mitigation funds are available to communities. This plan is designed to meet the requirements of DMA, improving eligibility for future hazard mitigation funds.

5.9.1.3 Disaster Recovery Reform Act

The Disaster Recovery Reform Act of 2018 amended the Stafford Act and provided 56 provisions for FEMA policy or regulation changes. Crucially, the Act set aside 6 percent of the total aid amount awarded in the previous year for pre-disaster mitigation. FEMA estimates this mean \$300-500 million dollars will be available for mitigation annually.²⁹ This creates a much more consistent, reliable stream of pre-disaster mitigation dollars than ever seen before. Additionally, the Act expanded language for the Hazard Mitigation Grant Program (HMGP) to include an increased focus on resilience and reducing future damage in the post-disaster environment which may encourage proactive mitigation measures. It also provided states, tribes, and local jurisdictions with additional authority to use FEMA funding to rebuild to the latest building codes to reduce future risk to the Nation.

5.9.1.4 National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal agencies to consider the environmental impacts of proposal actions and reasonable alternatives to those actions, alongside technical and economic considerations. NEPA established the Council on Environmental Quality (CEQ), whose regulations (40 CFR Parts 1500-1508) set standards for NEPA compliance. Consideration and decision-making regarding environmental impacts must be documented in an environmental impact statement or environmental assessment. Environmental impact assessment requires the evaluation of reasonable alternatives to a proposed action, solicitation of input from organizations and individuals that could be affected, and an unbiased presentation of direct, indirect, and cumulative environmental impacts. FEMA hazard mitigation project grant applications require full compliance with applicable federal acts. Any action identified in this plan that falls within the scope of this act will need to meet its requirements.

5.9.1.5 Endangered Species Act

The federal Endangered Species Act (ESA) was enacted in 1973 to conserve species facing depletion or extinction and the ecosystems that support them. The act sets forth a process for determining which species are threatened and endangered and requires the conservation of the critical habitat in which those species live. The ESA provides broad protection for species of fish, wildlife and plants that are listed as threatened or endangered. Provisions are made for listing species, as well as for recovery plans and the designation of critical habitat for listed species. The ESA outlines procedures for federal agencies to follow when taking actions that may jeopardize listed species and contains exceptions and exemptions. It is the enabling legislation for the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Criminal and civil penalties are provided for violations of the ESA and the Convention.

²⁹ Federal Emergency Management Agency (FEMA). (2020). Hazard Mitigation Assistance. <https://sgp.fas.org/crs/homesec/IN11187.pdf>

Federal agencies must seek to conserve endangered and threatened species and use their authorities in furtherance of the ESA's purposes. The ESA defines three fundamental terms:³⁰

- **Endangered** means that a species of fish, animal or plant is “in danger of extinction throughout all or a significant portion of its range.” (For salmon and other vertebrate species, this may include subspecies and distinct population segments.)
- **Threatened** means that a species “is likely to become endangered within the foreseeable future.” Regulations may be less restrictive for threatened species than for endangered species.
- **Critical habitat** means “specific geographical areas that are...essential for the conservation and management of a listed species, whether occupied by the species or not.”

Five sections of the ESA are of critical importance to understanding it:

- Section 4: Listing of a Species—The National Oceanic and Atmospheric Administration (NOAA) Fisheries Service is responsible for listing marine species; the U.S. Fish and Wildlife Service is responsible for listing terrestrial and freshwater aquatic species. The agencies may initiate reviews for listings, or citizens may petition for them. A listing must be made “solely on the basis of the best scientific and commercial data available.” After a listing has been proposed, agencies receive comment and conduct further scientific reviews for 12 to 18 months, after which they must decide if the listing is warranted. Economic impacts cannot be considered in this decision, but it may include an evaluation of the adequacy of local and state protections. Critical habitat for the species may be designated at the time of listing.
- Section 7: Consultation—Federal agencies must ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed or proposed species or adversely modify its critical habitat. This includes private and public actions that require a federal permit. Once a final listing is made, non-federal actions are subject to the same review, termed a “consultation.” If the listing agency finds that an action will “take” a species, it must propose mitigations or “reasonable and prudent” alternatives to the action; if the proponent rejects these, the action cannot proceed.
- Section 9: Prohibition of Take—It is unlawful to “take” an endangered species, including killing or injuring it or modifying its habitat in a way that interferes with essential behavioral patterns, including breeding, feeding, or sheltering.
- Section 10: Permitted Take—Through voluntary agreements with the federal government that provide protections to an endangered species, a non-federal applicant may commit a take that would otherwise be prohibited as long as it is incidental to an otherwise lawful activity (such as developing land or building a road). These agreements often take the form of a “Habitat Conservation Plan.”
- Section 11: Citizen Lawsuits—Civil actions initiated by any citizen can require the listing agency to enforce the ESA's prohibition of taking or to meet the requirements of the consultation process.

FEMA hazard mitigation project grant applications require full compliance with applicable federal acts. Any action identified in this plan that falls within the scope of this act will need to meet its requirements.

³⁰ National Oceanic and Atmospheric Administration. (n.d.). Glossary: Endangered Species Act. <https://www.fisheries.noaa.gov/laws-and-policies/glossary-endangered-species-act#:~:text=A%20threatened%20species%20is%20defined%20under%20the%20ESA,threatened%20or%20endangered%20are%20called%20%E2%80%9C%20listed%20species.%E2%80%9D>

5.9.1.6 The Clean Water Act

The federal Clean Water Act (CWA) employs regulatory and non-regulatory tools to reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. These tools are employed to achieve the broader goal of restoring and maintaining the chemical, physical, and biological integrity of the nation's surface waters so that they can support "the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water."

Evolution of CWA programs over the last decade has included a shift from a program-by-program, source-by-source, and pollutant-by-pollutant approach to more holistic watershed-based strategies. Under the watershed approach, equal emphasis is placed on protecting healthy waters and restoring impaired ones. A full array of issues is addressed, not just those subject to CWA regulatory authority. Involvement of stakeholder groups in the development and implementation of strategies for achieving and maintaining water quality and other environmental goals is a hallmark of this approach.

FEMA hazard mitigation project grant applications require full compliance with applicable federal acts. Any action identified in this plan that falls within the scope of this act will need to meet its requirements.

5.9.1.7 National Flood Insurance Program

The National Flood Insurance Program (NFIP) provides federally backed flood insurance in exchange for communities enacting floodplain regulations. Participation and good standing under NFIP are prerequisites to grant funding eligibility under the Robert T. Stafford Act. Santa Clara County and all of the partner cities for this plan participate in the NFIP and have adopted regulations that meet the NFIP requirements. At the time of the preparation of this plan, all participating jurisdictions in the partnership were in good standing and in full compliance with the minimum requirements of the NFIP.

5.9.1.8 Community Rating System

The Community Rating System (CRS) is a voluntary incentive program for communities that participate in the NFIP and adopt and enforce floodplain management practices that exceed minimum requirements. Flood insurance premium discounts reflect the ways in which the community meets the following goals of the program:

- Reduce and avoid flood damage to insurable property.
- Strengthen and support the insurance aspects of the National Flood Insurance Program.
- Foster comprehensive floodplain management.

Participating in the CRS program not only encourages communities to reduce the risk to life and property from flooding through a proactive floodplain management program, but provides a clear, monetary incentive for residents for supporting mitigation activities. Many planning partners participate in the CRS.

Many planning partners participate in the CRS. The planning partners discussed using this plan to meet CRS requirements as well. Ultimately, it was decided that Santa Clara Valley Water will lead the development of a separate Floodplain Management Plan specifically dedicated towards this goal, allowing planning partners that participate in the CRS program to maintain or enhance their CRS classifications. Relevant information from this Hazard Mitigation Plan will be incorporated into the Floodplain Management Plan.

5.9.1.9 Coastal Zone Management Act

The national Coastal Zone Management Act requires federal agencies to conduct their planning, management, development, and regulatory activities in a manner consistent to the maximum extent practicable with the policies of state Coastal Zone Management (CZM) programs. State CZM lead agencies have the authority to review federal actions for consistency with their federally approved CZM programs.

In California, the California Coastal Commission, the Bay Conservation and Development Commission, and the California Coastal Conservancy are the three CZM agencies empowered to conduct federal consistency reviews. The informational and procedural requirements for CZM federal consistency reviews are prescribed by federal regulations (15 CFR 930). Any action identified in this plan that falls within the scope of this act will need to meet its requirements.

5.9.1.10 National Incident Management System

The National Incident Management System is a systematic approach for government, nongovernmental organizations, and the private sector to work together to manage incidents involving hazards. The system provides a flexible but standardized set of incident management practices. Incidents typically begin and end locally, and they are managed at the lowest possible geographical, organizational, and jurisdictional level. In other instances, success depends on the involvement of multiple jurisdictions, levels of government, functional agencies, and emergency-responder disciplines. These instances necessitate coordination across this spectrum of organizations. Communities using the National Incident Management System follow a comprehensive national approach that improves the effectiveness of emergency management and response personnel across the full spectrum of potential hazards (including natural hazards, terrorist activities, and other human-caused disasters) regardless of size or complexity.

Although participation is voluntary, federal departments and agencies are required to make adoption of NIMS by local and state jurisdictions a condition to receive federal preparedness grants and awards. The content of this plan is considered to be a viable support tool for any phase of emergency management. The NIMS program is considered as a response function, and information in this hazard mitigation plan can support the implementation and update of all NIMS-compliant plans within the planning area.

5.9.1.11 Americans with Disabilities Act and Amendments

The Americans with Disabilities Act (ADA) seeks to prevent discrimination against people with disabilities in employment, transportation, public accommodation, communications, and government activities. The most recent amendments became effective in January 2009 (P.L. 110-325). Title II of the ADA deals with compliance with the act in emergency management and disaster-related programs, services, and activities. It applies to state and local governments as well as third parties, including religious entities and private nonprofit organizations.

The ADA has implications for sheltering requirements and public notifications. During an emergency alert, officials must use a combination of warning methods to ensure that all residents have any necessary information. Those with hearing impairments may not hear radio, television, sirens, or other audible alerts, while those with visual impairments may not see flashing lights or visual alerts. Two stand-alone technical documents have been issued for shelter operators to meet the needs of people with disabilities. These documents address physical accessibility as well as medical needs and service animals.

The ADA also intersects with disaster preparedness programs in regard to transportation, social services, temporary housing, and rebuilding. Persons with disabilities may require additional assistance in evacuation and transit (such as vehicles with wheelchair lifts or paratransit buses). Evacuation and other response plans should address the unique needs of residents. Local governments may be interested in implementing a special-needs registry to identify the home addresses, contact information, and needs for residents who may require more assistance.

FEMA hazard mitigation project grant applications require full compliance with applicable federal acts. Any action identified in this plan that falls within the scope of this act will need to meet its requirements.

5.9.1.12 Civil Rights Act of 1964

The Civil Rights Act of 1964 prohibits discrimination based on race, color, religion, sex, or national origin and requires equal access to public places and employment. The act is relevant to emergency management and hazard mitigation in that it prohibits local governments from favoring the needs of one population group over another.

Local government and emergency response must ensure the continued safety and well-being of all residents equally, to the extent possible. FEMA hazard mitigation project grant applications require full compliance with applicable federal acts. Any action identified in this plan that falls within the scope of this act will need to meet its requirements.

5.9.1.13 Rural Development Program

The mission of the U.S. Department of Agriculture (USDA) Rural Development Program is to help improve the economy and quality of life in rural America. The program provides project financing and technical assistance to help rural communities provide the infrastructure needed by rural businesses, community facilities, and households. The program addresses rural America's need for basic services, such as clean running water, sewage and waste disposal, electricity, and modern telecommunications and broadband. Loans and competitive grants are offered for various community and economic development projects and programs, such as the development of essential community facilities including fire stations. Some of the actions identified in this plan may be eligible for funding available under this program.

5.9.1.14 Community Development Block Grant Disaster Resilience Program

In response to disasters, Congress may appropriate additional funding for the U.S. Department of Housing and Urban Development Community Development Block Grant programs to be distributed as Disaster Recovery grants (CDBG-DR). These grants can be used to rebuild affected areas and provide seed money to start the recovery process. CDBG-DR assistance may fund a broad range of recovery activities, helping communities and neighborhoods that otherwise might not recover due to limited resources. CDBG-DR grants often supplement disaster programs of FEMA, the Small Business Administration, and the U.S. Army Corps of Engineers. Housing and Urban Development generally awards noncompetitive, nonrecurring CDBG-DR grants by a formula that considers disaster recovery needs unmet by other federal disaster assistance programs. To be eligible for CDBG-DR funds, projects must meet the following criteria:

- Address a disaster-related impact (direct or indirect) in a presidentially declared county for the covered disaster.
- Be a CDBG-eligible activity (according to regulations and waivers).
- Meet a national objective.

Incorporating preparedness and mitigation into these actions is encouraged, as the goal is to rebuild in ways that are safer and stronger. CDBG-DR funding is a potential alternative source of funding for actions identified in this plan.

5.9.1.15 Community Development Block Grant Mitigation

The Community Development Block Grant Mitigation (CDBG-MIT) program was developed to support communities impacted by recent disasters in carrying out strategic and high-impact mitigation actions to reduce losses from future events. Congress may appropriate additional CDBG-MIT funding for the U.S. Department of Housing and Urban Development following a disaster event. The goals of CDBG-MIT funding are:

- Support data-informed investments, focusing on repetitive loss of property and critical infrastructure;
- Build capacity to comprehensively analyze disaster risks and update hazard mitigation plans;
- Support the adoption of policies that reflect local and regional priorities that will have long-lasting effects on community risk reduction, including risk reduction to community lifelines and decreasing future disaster costs; and

- Maximize the impact of funds of encouraging leverage, private/public partnerships, and coordination with other federal dollars.

This would be a potential post-disaster financial capability of jurisdictions covered in this plan which could be put towards implementing the identified mitigation actions.

5.9.1.16 Emergency Watershed Program

The USDA Natural Resources Conservation Service administers the Emergency Watershed Protection Program, which responds to emergencies created by natural disasters. Eligibility for assistance is not dependent on a national emergency declaration. The program is designed to help people and conserve natural resources by relieving imminent hazards to life and property caused by floods, fires, windstorms, and other natural occurrences. The Emergency Watershed Protection is an emergency recovery program.

Financial and technical assistance are available for the following activities:³¹

- Remove debris from stream channels, road culverts, and bridges.
- Reshape and protect eroded banks.
- Correct damaged drainage facilities.
- Establish cover on critically eroding lands.
- Repair levees and structures.
- Repair conservation practices.

This federal program could be a possible funding source for actions identified in this plan.

5.9.1.17 Presidential Executive Orders 11988 and 13690

Executive Order 11988 requires federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. It requires federal agencies to provide leadership and take action to reduce the risk of flood loss, minimize the impact of floods on human safety, health, and welfare, and restore and preserve the natural and beneficial values of floodplains. The requirements apply to the following activities:³²

- Acquiring, managing, and disposing of federal lands and facilities.
- Providing federally undertaken, financed, or assisted construction and improvements.
- Conducting federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing.

Executive Order 13690 expands Executive Order 11988 and acknowledges that the impacts of flooding are anticipated to increase over time due to the effects of climate change and other threats. It mandates a federal flood risk management standard to increase resilience against flooding and help preserve the natural values of floodplains. This standard expands management of flood issues from the current base flood level to a higher vertical elevation and corresponding horizontal floodplain when federal dollars are involved in a project.

³¹ National Resources Conservation Service. (n.d.). Emergency Watershed Protection.

<https://www.nrcs.usda.gov/programs-initiatives/ewp-emergency-watershed-protection/kentucky/emergency-watershed-protection>

³² Federal Emergency Management Agency. (2015, October 8). Guidelines for Implementing Executive Order 11988. https://www.fema.gov/sites/default/files/documents/fema_implementing-guidelines-EO11988-13690_10082015.pdf

The goal is to address current and future flood risk and ensure that projects funded with taxpayer dollars last as long as intended.³³ All actions identified in this plan will seek full compliance with all applicable presidential executive orders.

5.9.1.18 Presidential Executive Order 11990

Executive Order 11990 requires federal agencies to provide leadership and take action to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands. The requirements apply to the following activities:³⁴

- Acquiring, managing, and disposing of federal lands and facilities.
- Providing federally undertaken, financed, or assisted construction and improvements.
- Conducting federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing.

All actions identified in this plan will seek full compliance with all applicable presidential executive orders.

5.9.1.19 Emergency Relief for Federally Owned Roads Program

The U.S. Forest Service's Emergency Relief for Federally Owned Roads Program was established to assist federal agencies with repair or reconstruction of tribal transportation facilities, federal lands transportation facilities, and other federally owned roads that are open to public travel and have suffered serious damage by a natural disaster over a wide area or by a catastrophic failure. The program funds both emergency and permanent repairs.³⁵ Eligible activities under this program meet some of the goals and objectives for this plan and the program is a possible funding source for actions identified in this plan.

5.9.1.20 U.S. Army Corps of Engineers Programs

The U.S. Army Corps of Engineers has several civil works authorities and programs related to flood risk and flood hazard management:

- Floodplain Management Services are 100-percent federally funded technical services such as development and interpretation of site-specific data related to the extent, duration, and frequency of flooding. Special studies may be conducted to help a community understand and respond to flood risk. These may include flood hazard evaluation, flood warning and preparedness, or flood modeling.
- For more extensive studies, the Corps of Engineers offers a cost-shared program called Planning Assistance to States and Tribes. Studies under this program generally range from \$25,000 to \$100,000, with the local jurisdiction providing 50 percent of the cost.
- The Corps of Engineers has several cost-shared programs (typically 65 percent federal and 35 percent non-federal) aimed at developing, evaluating, and implementing structural and non-structural capital projects to address flood risks at specific locations or within a specific watershed:

³³ Obama White House. (2015, January 30). Executive Order – Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input.

<https://obamawhitehouse.archives.gov/the-press-office/2015/01/30/executive-order-establishing-federal-flood-risk-management-standard-and->

³⁴ National Archives. (n.d.). § 9.4 Definitions. <https://www.ecfr.gov/current/title-44/chapter-I/subchapter-A/part-9/section-9.4>

³⁵ Federal Highway Administration. (n.d.). Fact Sheets, Emergency Relief Program.

https://www.fhwa.dot.gov/bipartisan-infrastructure-law/er_fact_sheet.cfm#:~:text=The%20BIL%20continues%20the%20Emergency%20Relief%20program%2C%20which,disasters%20or%20catastrophic%20failure%20from%20an%20external%20cause.

- The Continuing Authorities Program for smaller-scale projects includes Section 205 for Flood Control, with a \$7 million federal limit and Section 14 for Emergency Streambank Protection with a \$1.5 million federal limit. These can be implemented without specific authorization from Congress.
- Larger scale studies, referred to as General Investigations, and projects for flood risk management, for ecosystem restoration or to address other water resource issues, can be pursued through a specific authorization from Congress and are cost-shared, typically at 65 percent federal and 35 percent non-federal.
- Watershed Management planning studies can be specifically authorized and are cost-shared at 50 percent federal and 50 percent non-federal.
- The Corps of Engineers provides emergency response assistance during and following natural disasters. Public Law 84-99 enables the Corps to assist state and local authorities in flood fight activities and cost share in the repair of flood protective structures. Assistance afforded under PL 84-99 is broken down into the following categories:
 - **Preparedness:** The Flood Control and Coastal Emergency Act establishes an emergency fund for preparedness for emergency response to natural disasters; for flood fighting and rescue operations; for rehabilitation of flood control and hurricane protection structures. Funding for Corps of Engineers emergency response under this authority is provided by Congress through the annual Energy and Water Development Appropriation Act. Disaster preparedness activities include coordination, planning, training and conduct of response exercises with local, state, and federal agencies.
 - **Response Activities:** PL 84-99 allows the Corps of Engineers to supplement state and local entities in flood-fighting for urban and other non-agricultural areas under certain conditions (Engineering Regulation 500-1-1 provides specific details). All flood-fight efforts require a Project Cooperation Agreement (PCA) signed by the public sponsor and a requirement for the sponsor to remove all flood-fight material after the flood has receded. PL 84-99 also authorizes emergency water support and drought assistance in certain situations and allows for “advance measures” assistance to prevent or reduce flood damage conditions of imminent threat of unusual flooding.
 - **Rehabilitation:** Under PL 84-99, an eligible flood protection system can be rehabilitated if damaged by a flood event. The flood system would be restored to its pre-disaster status at no cost to the federal system owner, and at 20-percent cost to the eligible non-federal system owner. All systems eligible for PL 84-99 rehabilitation assistance have to be in the Rehabilitation and Inspection Program prior to the flood event. Acceptable operation and maintenance by the public levee sponsor are verified by levee inspections conducted by the Corps on a regular basis. The Corps has the responsibility to coordinate levee repair issues with interested federal, state, and local agencies following natural disaster events where flood control works are damaged.

All of these authorities and programs are available to the planning partners to support any intersecting mitigation actions.

5.9.2 State

5.9.2.1 Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was enacted in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent construction of buildings used for human occupancy on the surface trace of active faults. Before a new project is permitted, cities and counties require a geologic investigation to demonstrate that proposed buildings will not be constructed on active faults.

The act addresses only the hazard of surface fault rupture and is not directed toward other earthquake hazards, such as liquefaction or seismically induced landslides. The law requires geologists from the State of California to establish regulatory zones around the surface traces of active faults and to issue appropriate maps. The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. All seismic hazard mitigation actions identified in this plan will seek full compliance with the Alquist-Priolo Earthquake Fault Zoning Act.

5.9.2.2 California General Planning Law

California state law requires that every county and city prepare and adopt a comprehensive long-range plan to serve as a guide for community development. The general plan expresses the community's goals, visions, and policies relative to future land uses, both public and private. The general plan is mandated and prescribed by state law (Cal. Gov. Code §65300 et seq.) and forms the basis for most local government land use decision-making.

The plan must consist of an integrated and internally consistent set of goals, policies, and implementation measures. In addition, the plan must focus on issues of the greatest concern to the community and be written in a clear and concise manner. City and county actions, such as those relating to land use allocations, annexations, zoning, subdivision and design review, redevelopment, and capital improvements, must be consistent with the plan.

All municipal planning partners to this plan have general plans that are currently compliant with this law and have committed to integrating this mitigation plan with their general plans through provisions referenced below (AB-2140 and SB-379).

5.9.2.3 California Environmental Quality Act

The California Environmental Quality Act (CEQA) was passed in 1970, shortly after the federal government enacted the National Environmental Policy Act, to institute a statewide policy of environmental protection. CEQA requires state and local agencies in California to follow a protocol of analysis and public disclosure of the potential environmental impacts of development projects. CEQA makes environmental protection a mandatory part of every California state and local agency's decision-making process.

CEQA establishes a statewide environmental policy and mandates actions all state and local agencies must take to advance the policy. Jurisdictions conduct analysis of the project to determine if there are potentially significant environmental impacts, identify mitigation measures, and possible project alternatives by preparing environmental reports for projects that requires CEQA review. This environmental review is required before an agency takes action on any policy, program, or project.

Santa Clara County has sought exemption from CEQA for the Hazard Mitigation Plan based on four different sections of the CEQA Guidelines:

- Section 15183(d): "The project is consistent with...a general plan of a local agency, and an EIR was certified by the lead agency for the...general plan."
- Section 15262: "A project involving only feasibility or planning studies for possible future actions which the agency, board or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities."
- Section 15306: "(Categorical Exemption) Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering

purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.”

- Section 15601(b)(3): “...CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

Planning partners may seek exemption at their discretion.

5.9.2.4 California Coastal Management Program

The California Coastal Management Program under the California Coastal Act requires each city or county lying wholly or partly within the coastal zone to prepare a local coastal plan. The specific contents of such plans are not specified by state law, but they must be certified by the Coastal Commission as consistent with policies of the Coastal Act (Public Resources Code, Division 20). The Coastal Act has provisions relating to geologic hazards but does not mention tsunamis specifically. Section 30253(1) of the Coastal Act states that new development shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. Development should be prevented or limited in high hazard areas whenever possible. However, where development cannot be prevented or limited, land use density, building value, and occupancy should be kept at a minimum.

There are identified coastal zones in the Santa Clara County Operational Area and affected planning partners have developed local coastal plans to address them. Any mitigation project identified in this plan that intersects the mapped coastal zone will be consistent with the recommendations of the local coastal plan.

5.9.2.5 California State Assembly Bills

Assembly Bill 162: Flood Planning, Chapter 369, Statutes of 2007

This California State Assembly Bill (AB) passed in 2007 requires cities and counties to address flood-related matters in the land use, conservation, and safety and housing elements of their general plans. The land use element must identify and annually review the areas covered by the general plan that are subject to flooding as identified in floodplain mapping by either FEMA or the Department of Water Resources (DWR). During the next revision of the housing element on or after January 1, 2009, the conservation element of the general plan must identify rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for groundwater recharge and stormwater management. The safety element must identify information regarding flood hazards, including:

- Flood hazard zones;
- Maps published by FEMA, DWR, the U.S. Army Corps of Engineers, the Central Valley Flood Protection Board, and CalOES;
- Historical data on flooding; and
- Existing and planned development in flood hazard zones.

The general plan must establish goals, policies, and objectives to protect from unreasonable flooding risks, including:

- Avoiding or minimizing the risks of flooding new development;
- Evaluating whether new development should be located in flood hazard zones; and
- Identifying construction methods to minimize damage.

Assembly Bill 2140: General Plans—Safety Element, Chapter 739, Statutes of 2006

This bill allows jurisdictions to be eligible for state funding to cover the local match of public assistance costs for recovery activities after hazard events if the local jurisdiction incorporates their Local Hazard Mitigation Plan into the safety element of their general plan. In addition, this bill requires Cal OES to give preference for federal mitigation funding to cities and counties that have adopted local hazard mitigation plans. The intent of the bill is to encourage cities and counties to create and adopt hazard mitigation plans.

The County OEM has worked with the safety element team throughout 2022 and 2023 in updating the Safety Element, to ensure the County is maximizing their future funding opportunities to reduce risk in the County and comply with Assembly Bill 2140 (2006), which affords the county additional benefits under the California Disaster Assistance Act. The Multi-Jurisdictional Hazard Mitigation Plan will be incorporated into the Safety Element as the Safety Element update comes to a completion and is presented to the Board of Supervisors for Adoption.

Assembly Bill 70: Flood Liability, Chapter Number 367, Statutes of 2007

This bill provides that a city or county may be required to contribute a fair and reasonable share to compensate for property damage caused by a flood to the extent that it has increased the state's exposure to liability for property damage by unreasonably approving new development in a previously undeveloped area that is protected by a state flood control project, unless the city or county meets specified requirements.

Assembly Bill 32: The California Global Warming Solutions Act

This bill addresses greenhouse gas emissions. It identifies the following potential adverse impacts of global warming:

the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

AB 32 establishes a state goal of reducing greenhouse gas emissions to 1990 levels by 2020 (a reduction of approximately 25 percent from forecast emission levels), with further reductions to follow. The law requires the state Air Resources Board to do the following:³⁶

- Establish a program to track and report greenhouse gas emissions.
- Approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions from sources of greenhouse gas emissions.
- Adopt early reduction measures to begin moving forward.
- Adopt, implement, and enforce regulations—including market mechanisms such as “cap and-trade” programs—to ensure that the required reductions occur.

The Air Resources Board recently adopted a statewide greenhouse gas emissions limit and an emissions inventory, along with requirements to measure, track, and report greenhouse gas emissions by the industries it determined to be significant sources of greenhouse gas emissions.

³⁶ California Air Resources Board. (2018, September 28). AB 32 Global Warming Solutions Act of 2006. <https://ww2.arb.ca.gov/resources/fact-sheets/ab-32-global-warming-solutions-act-2006>

Assembly Bill 2800: Climate Change: Infrastructure Planning

This California State Assembly bill, in effect through July 1, 2020, requires state agencies to consider the current and future impacts of climate change when planning, designing, building, operating, maintaining, and investing in state infrastructure. The bill requires the agency to establish a climate-safe infrastructure working group by July 1, 2017, to examine how to integrate scientific data concerning projected climate change impacts into state infrastructure engineering.

Assembly Bill 38: Fire Safety: Low-Cost Retrofits: Regional Capacity Review: Wildfire Mitigation

The Governor approved assembly bill 38 in October 2019 expanding pre-existing obligations to review regional capacity to improve forest health, fire resilience, and safety as well as provide a prescribed disclosure notice to buyers of property informing them of their fire home hardening options. In addition, it authorized Cal OES and CALFIRE to jointly develop a wildfire mitigation program now known as the "Home Hardening Program." This effort is intended to encourage cost-effective wildfire resilience measures by providing financial assistance for retrofits, hardening, and the creation of defensible space.

5.9.2.6 1998 Natural Hazard Disclosure Act

The Natural Hazard Disclosure Act, which became effective in June 1998, requires sellers to provide home buyers with a natural hazard disclosure report (NHD) in order to sell a home in a natural hazard zone. Failure to comply with this act may result in the buyer or agent being liable for any damage experienced by the buyer. There are six main hazards required to be disclosed in an NHD:³⁷

- A special flood hazard area
- An area of potential flooding on a dam failure inundation map
- A very high fire severity zone
- A wildland area that may contain substantial forest fire risks and hazards
- An earthquake fault zone
- A seismic hazard zone

5.9.2.7 California State Senate Bills

Senate Bill 97

Senate Bill 97, enacted in 2007, amends CEQA to clearly establish that greenhouse gas emissions and the effects of greenhouse gas emissions are appropriate subjects for CEQA analysis. It directs the Governor's Office of Planning and Research to develop draft CEQA guidelines for the mitigation of greenhouse gas emissions or their effects by July 1, 2009, and directs the California Natural Resources Agency to certify and adopt the CEQA Guidelines by January 1, 2010.

Senate Bill 1000 General Plan Amendments: Safety and Environmental Justice Elements

Senate Bill 1000 amends California's Planning and Zoning Law in two ways:

- The original law established requirements for initial revisions of general plan safety elements to address flooding, fire, and climate adaptation and resilience. It also required subsequent review and revision as necessary based on new information. Senate Bill 1000 specifies that the

³⁷ California Association of Realtors. (n.d.). Natural Hazard Disclosure Statement. <https://www.car.org/-/media/CAR/Documents/Transaction-Center/PDF/QUICK-GUIDES/Quick-Guide--Natural-Hazard-Disclosure-NHD-Statement-REVISED-52022.pdf>

subsequent reviews and revision based on new information are required to address only flooding and fires (not climate adaptation and resilience).

- Senate Bill 1000 adds a requirement that, upon adoption or revision of any two other general plan elements on or after January 1, 2018, an environmental justice element be adopted for the general plan or environmental justice goals, policies and objectives be incorporated into other elements of the plan.

Senate Bill 1241: General Plans: Safety Element—Fire Hazard Impacts

In 2012, Senate Bill 1241 was enacted, requiring that all future General Plans address fire risk in state responsibility areas and very high fire hazard severity zones in their safety element. In addition, the bill requires cities and counties to make certain findings regarding available fire protection and suppression services before approving a tentative map or parcel map.

Senate Bill 379: General Plans: Safety Element—Climate Adaptation

Senate Bill 379 builds on the flood planning inclusions into the safety and housing elements and the hazard mitigation planning safety element inclusions in General Plans outlined in AB 162 and AB 2140. Senate Bill 379 specifically focuses on a new requirement that cities and counties include climate adaptation and resiliency strategies in the safety element of their General Plans beginning January 1, 2017. In addition, this bill requires general plans to include a set of goals, policies, and objectives, and specified implementation measures based on the conclusions drawn from climate adaptation research and recommendations.

This update process for this hazard mitigation plan was conducted with the intention of full compliance with this bill. However, at the time of the update, there was no clear guidance from the state on what constitutes full compliance or what protocol is to be used to determine compliance. When such guidance has been established, the planning partners will submit this plan or its subsequent updates to the state for review and approval.

Senate Bill 190: Fire Safety: Building Standards: Defensible Space Program

In October 2019, Senate Bill 190 amended the Government Code and Health and Safety Code to build a common understanding of site and structure fire risk reduction measures. Among other things, the bill authorized the Office of the State Fire Marshall to develop a model defensible space program which would be available for city and county code enforcement officials to utilize. Additionally, it directed the Office of the State Fire Marshall to develop and make publicly available a Wildland-Urban Interface Fire Safety Building Standards compliance training intended for local building officials, builders, and fire service personnel.³⁸

5.9.2.8 California State Building Code

California Code of Regulations Title 24 (CCR Title 24), also known as the California Building Standards Code, is a compilation of building standards from three sources:

- Building standards that have been adopted by state agencies without change from building standards contained in national model codes.
- Building standards that have been adopted and adapted from the national model code standards to meet California conditions.
- Building standards authorized by the California legislature that constitute extensive additions not covered by the model codes adopted to address particular California concerns.

³⁸ California Legislative Information. (2019, October 2). SB-190 Fire Safety: Building Standards: Defensible Space Program. [Bill Text - SB-190 Fire safety: building standards: defensible space program. \(ca.gov\)](#)

The state Building Standards Commission is authorized by California Building Standards Law (Health and Safety Code Sections 18901 through 18949.6) to administer the processes related to the adoption, approval, publication, and implementation of California's building codes. These building codes serve as the basis for the design and construction of buildings in California. The national model code standards adopted into Title 24 apply to all occupancies in California, except for modifications adopted by state agencies and local governing bodies. Since 1989, the Building Standards Commission has published new editions of Title 24 every 3 years. All municipal planning partners to this plan have adopted building codes that are in full compliance with the California State Building Code.

California has also passed the first green building code in the Nation, known as the California Green Building Standards Code (CALGreen). CALGreen establishes new green building standards in order to promote sustainable development. The goals of the program include:

- Reduce greenhouse gas emissions from buildings.
- Promote environmentally responsible, cost-effective, healthier places to live and work.
- Reduce energy and water consumption.
- Respond to the environmental directives of the administration.

5.9.2.9 Standardized Emergency Management System

CCR Title 19 establishes the Standardized Emergency Management System to standardize the response to emergencies involving multiple jurisdictions. The system is intended to be flexible and adaptable to the needs of all emergency responders in California. It requires emergency response agencies to use basic principles and components of emergency management. Local governments must use the Standardized Emergency Management System by December 1, 1996, to be eligible for state funding of response-related personnel costs under CCR Title 19 (Sections 2920, 2925 and 2930). The roles and responsibilities of individual agencies contained in existing laws or the state emergency plan are not superseded by these regulations. This hazard mitigation plan is considered to be a support document for all phases of emergency management, including those associated with SEMS.

5.9.2.10 California State Hazard Mitigation Plan

Under the DMA, California must adopt a federally approved state multi-hazard mitigation plan to be eligible for certain disaster assistance and mitigation funding. California has elected to develop an enhanced plan, which makes it eligible for additional mitigation funding. The State Hazard Mitigation Plan (SHMP) is the State's primary hazard mitigation guidance. It incorporates:

- An updated analysis of the state's historical and current hazards.
- Hazard mitigation goals and objectives.
- Hazard Mitigation strategies and actions.

The California Governor's Office of Emergency Services (Cal OES) is responsible for leading the plan update in coordination with key planning stakeholders and sources of information. The 2018 SHMP is being updated at the time of this plan's update to reflect changing conditions and add new information as well as incorporate the new FEMA planning policy guidance.

Under 44 CFR Section 201.6, local hazard mitigation plans must be consistent with their state's hazard mitigation plan. In updating this plan, the Steering Committee reviewed the California State Hazard Mitigation Plan to identify key relevant state plan elements.

5.9.2.11 Governor's Executive Order S-13-08

Governor's Executive Order S-13-08 enhances the state's management of climate impacts from sea level rise, increased temperatures, shifting precipitation and extreme weather events. There are four key actions in the executive order:

- Initiate California's first statewide climate change adaptation strategy to assess expected climate change impacts, identify where California is most vulnerable, and recommend adaptation policies by early 2009. This effort will improve coordination within state government so that better planning can more effectively address climate impacts on human health, the environment, the state's water supply and the economy.
- Request that the National Academy of Science establish an expert panel to report on sea level rise impacts in California, to inform state planning and development efforts.
- Issue interim guidance to state agencies for how to plan for sea level rise in designated coastal and floodplain areas for new projects.
- Initiate a report on critical infrastructure projects vulnerable to sea level rise.

5.9.3 Local

5.9.3.1 Plans, Reports, and Codes

Plans, reports, and other technical information were identified and provided directly by participating jurisdictions and stakeholders or were identified through independent research by the planning consultant. These documents were reviewed to identify the following:

- Existing jurisdictional and special district capabilities.
- Needs and opportunities to develop or enhance capabilities, which may be identified within the local mitigation strategies.
- Mitigation-related goals or objectives considered during the development of the overall goals and objectives.
- Proposed, in-progress, or potential mitigation projects, actions, and initiatives to be incorporated into the updated mitigation strategies.
- The following local regulations, codes, ordinances, and plans were reviewed in order to develop complementary and mutually supportive goals, objectives, and mitigation strategies that are consistent across local and regional planning and regulatory mechanisms:
 - General Plans (Housing Elements, Safety Elements).
 - Building Codes.
 - Zoning and Subdivision Ordinances.
 - NFIP Flood Damage Prevention Ordinances.
 - Stormwater Management Plans.
 - Emergency Management and Response Plans.
 - Land Use and Open Space Plans.
 - Climate Action Plans.
 - Capability Assessment.

All participating jurisdictions and special districts compiled an inventory and analysis of existing authorities and capabilities called a “capability assessment.” A capability assessment creates an inventory of a jurisdiction’s mission, programs, and policies, and evaluates its capacity to carry them out. This assessment identifies potential gaps in the jurisdiction’s capabilities and opportunities to expand and improve upon existing capabilities.

The planning partners views all core jurisdictional and special district capabilities as fully adaptable to meet an organization’s needs. Every code can be amended, and every plan can be updated. Such adaptability is itself considered to be an overarching capability. If the capability assessment identified an opportunity to add a missing core capability or expand an existing one, then doing so has been selected as an action in the jurisdiction’s action plan, which is included in the individual annexes presented in Volume 2 of this plan.

Capability assessments for each planning partner are presented in the jurisdictional and special district annexes in Volume 2 of this plan. The sections below describe the specific capabilities evaluated under the assessment.

Legal and Regulatory Capabilities

Jurisdictions have the ability to develop policies and programs and to implement rules and regulations to protect and serve residents. Local policies are typically identified in a variety of community plans, implemented via a local ordinance, and enforced through a governmental body.

Jurisdictions regulate land use through the adoption and enforcement of zoning, subdivision, and land development ordinances, building codes, building permit ordinances, floodplain, and stormwater management ordinances. When effectively prepared and administered, these regulations can lead to hazard mitigation.

Fiscal Capabilities

Assessing a jurisdiction’s or special district’s fiscal capability provides an understanding of the ability to fulfill the financial needs associated with hazard mitigation projects. This assessment identifies both outside resources, such as grant-funding eligibility, and local authority to generate internal financial capability, such as through impact fees.

Administrative and Technical Capabilities

Legal, regulatory, and fiscal capabilities provide the backbone for successfully developing a mitigation strategy; however, without appropriate personnel, the strategy may not be implemented. Administrative and technical capabilities focus on the availability of personnel resources responsible for implementing all the facets of hazard mitigation. These resources include technical experts, such as engineers and scientists, as well as personnel with capabilities that may be found in multiple departments, such as grant writers.

NFIP Compliance

Flooding is the costliest natural hazard in the United States and, with the promulgation of recent federal regulation, homeowners throughout the country are experiencing increasingly high flood insurance premiums. Community participation in the NFIP opens up opportunity for additional grant funding associated specifically with flooding issues. Assessment of the jurisdiction’s current NFIP status and compliance provides planners with a greater understanding of the local flood management program, opportunities for improvement, and available grant funding opportunities.

Public Outreach Capability

Regular engagement with the public on issues regarding hazard mitigation provides an opportunity to directly interface with community members. Assessing this outreach and education capability illustrates

the connection between the government and community members, which opens a two-way dialogue that can result in a more resilient community based on education and public engagement.

Participation in Other Programs

Other programs, such as the Community Rating System, StormReady, and Firewise, enhance a jurisdiction's ability to mitigate, prepare for, and respond to natural hazards. These programs indicate a jurisdiction's desire to go beyond minimum requirements set forth by local, state, and federal regulations in order to create a more resilient community. These programs complement each other by focusing on communication, mitigation, and community preparedness to save lives and minimize the impact of natural hazards on a community.

Development and Permitting Capability

Identifying previous and future development trends is achieved through a comprehensive review of permitting since completion of the previous plan and in anticipation of future development. Tracking previous and future growth in potential hazard areas provides an overview of increased exposure to a hazard within a community.

Adaptive Capacity

An adaptive capacity assessment evaluates a jurisdiction's ability to anticipate impacts from future conditions. By looking at public support, technical adaptive capacity, and other factors, jurisdictions identify their core capability for resilience against issues such as sea level rise. The adaptive capacity assessment provides jurisdictions with an opportunity to identify areas for improvement by ranking their capacity high, medium, or low.

Expanding and Improving Mitigation Capabilities

Both pre- and post-disaster mitigation capabilities change over time. The intent of this mitigation plan is to evaluate current mitigation capabilities and identify if there are any gaps which could be further addressed. In Volume 2 of this plan, in addition to an individual capability assessment, there is a discussion of the capabilities which could be expanded upon for each participant. County items, such as increasing funding for community education and outreach including translated materials as well as funding regional planning and coordination, serve as examples of what this looks like. If there are any challenges or limitations for each participant, they have stated so in the in their respective annex.

Integration Opportunity

The assessment looked for opportunities to integrate this mitigation plan with the legal/regulatory capabilities identified. Capabilities were identified as integration opportunities if they can support or enhance the actions identified in this plan or be supported or enhanced by components of this plan. Planning partners considered actions to implement this integration as described in the jurisdictional and special district annexes in Volume 2 of this plan.

6 Identified Hazards of Concern and Risk Assessment

Risk assessment is the process of measuring the potential loss of life, personal injury, economic injury, and property damage resulting from identified hazards. It allows emergency management personnel to establish early response priorities by identifying potential hazards and vulnerable assets. The process focuses on the following elements:

- Hazard identification: Use all available information to determine what types of hazards may affect a jurisdiction, how often they can occur, and their potential severity.
- Exposure identification: Estimate the total number of people and properties in the jurisdiction that are likely to experience a hazard event if it occurs.
- Vulnerability identification and loss estimation: Assess the impact of hazard events on the people, property, environment, economy, and lands of the region, including estimates of the cost of potential damage or cost that can be avoided by mitigation.
-

The risk assessment for this hazard mitigation plan update evaluates the risk of natural hazards prevalent in the OA and meets requirements of the Disaster Mitigation Act (44 CFR, Section 201.6(c)(2)).

To protect individual privacy and the security of critical facilities, information on properties assessed is presented in aggregate, without details about specific individual personal or public properties.

6.1 Identified Hazards of Concern

The Core Planning Group considered the full range of natural hazards that could affect the OA and then listed hazards that present the greatest concern. The process incorporated a review of state and local hazard planning documents as well as information on the frequency of, magnitude of, and costs associated with hazards that have struck the OA or could do so. Anecdotal information regarding natural hazards and the perceived vulnerability of the OA's assets to them was also used. Based on the review, this plan addresses the following hazards of concern (presented in order of the hazard risk index results; the order of listing does not indicate the hazards' relative severity):

- Earthquake
- Wildfire
- Inclement Weather
- Drought
- Climate Change
- Dam and Levee Failure
- Flood
- Landslide
- Tsunami

In addition to the hazards of concern for which full risk assessments were performed, other hazards of interest were identified for inclusion in this plan: intentional hazards, technological hazards, and epidemic and pandemic. These hazards are of interest because they present risk to the OA. However, no methodologies are currently available to perform risk assessments on them that are equivalent to those used for the natural hazards of concern addressed in detail in this plan.

6.2 Hazard Risk Index

FEMA requires all hazard mitigation planning partners to have jurisdiction-specific mitigation actions based on local risk, vulnerability, and community priorities (FEMA, 2011). This plan included a risk index procedure for each planning partner, in which the degree of risk posed by each hazard was calculated based on a set of factors.

Risk index factors were assigned a numerical degree of risk level based on information presented in the hazard profiles and planning partner annexes. This number was then weighted, and a formula was used to aggregate the values into an overall hazard risk index number. The weight given to each factor was based on a review of best practices and agreed upon by the Core Planning Team.

All planning partners calculated risk for their own jurisdiction or special district following the same methodology. The higher the overall risk index number, the greater the hazard risk. This methodology does not compare hazards to each other or rank hazards against one another. Instead, this process provides a sense of hazard priorities or relative risk and allows comparison of the same hazard across participants. It provides planning participants with a sense of hazard priorities, or relative risk. By doing this analysis, mitigation planning and initiatives can focus on the greatest risk. While hazards occur together or as a consequence of others (e.g., dam failure may cause flooding and earthquakes may cause landslides), participants considered hazards as a singular event for the purposes of rating. This approach is part of a holistic hazard risk analysis that includes complementary qualitative and quantitative elements and provides a consistent metric across different hazards.

This hazard analysis methodology can:

- Help establish priorities for planning, capability development, and hazard mitigation;
- Serve as a tool in the identification of hazard mitigation measures;
- Be one tool in conducting a hazard-based needs analysis;
- Serve to educate the public and public officials about hazards and vulnerabilities; and
- Help communities make objective judgments about acceptable risk.

The factors and their corresponding numeric indices and weight factors are detailed in Table 14. Individual and OA-level hazard risk indices were used to inform the action plan development process and mitigation priorities for each planning partner. Each annex presents the risk indices for each planning partner.

Table 14: Probability of Hazards

Risk Index Factor	Degree of Risk Level		Criteria	Factor Weight for Degree of Risk Level
Probability of Future Events	0	Unlikely	Less than 1 percent probability of occurrence in the next year or a recurrence interval of greater than every 100 years.	30%
	1	Occasional	1 to 10 percent probability of occurrence in the next year or a recurrence interval of 11 to 100 years.	
	2	Likely	11 to 90 percent probability of occurrence in the next year or a recurrence interval of 1 to 10 years.	
	3	Highly Likely	91 to 100 percent probability of occurrence in the next year or a recurrence interval of less than 1 year.	
Life Impact	0	Minor	Very few injuries, if any at all.	35%
	1	Limited	Minor injuries.	
	2	Critical	Multiple deaths and/or injuries.	
	3	Catastrophic	High number of deaths and/or injuries.	
Property Impact	0	Minor	Only minor property damage and minimal disruption of life. Temporary shutdown of critical facilities.	25%
	1	Limited	More than 10 percent of property in affected area damaged/destroyed. Complete shutdown of critical facilities for more than one day.	
	2	Critical	More than 25 percent of property in affected area damaged/destroyed. Complete shutdown of critical facilities for more than one week.	
	3	Catastrophic	More than 50 percent of property in affected area damaged/destroyed. Complete shutdown of critical facilities for 30 days or more.	
Percentage of Area Impacted	0	Negligible	Less than 10 percent of planning area or isolated single-point occurrences.	10%
	1	Minimal	10 to 25 percent of the planning area or limited single-point occurrences.	
	2	Significant	26 to 74 percent of planning area or frequent single-point occurrences.	
	3	Extensive	75 to 100 percent of planning area or consistent single-point occurrences.	

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Table 15: Hazard Risk Ranking by Jurisdiction

	Earthquake	Wildfire	Inclement Weather	Drought	Climate Change	Dam and Levee Failure	Flood	Landslide	Tsunami
Campbell	2	0.9	1.7	0.7	0	1.75	0.55	0	0
Cupertino	2.7	1.9	1.1	1.45	1.55	0.45	0.5	0.4	0
Gilroy	2.9	1.05	1.25	0.9	0.3	2	0.4	0	0
Los Altos	2	1.95	2.05	1.8	1.6	0.95	0.65	0	0
Los Altos Hills	2	2.1	1.4	1.95	1.3	0	0.65	1.3	0
Los Gatos	1.45	2.55	1.15	0.6	1.2	0.35	0.35	0.65	0
Milpitas	2.3	2.05	0.9	1.2	2.3	1.85	1.8	0.6	0
Monte Sereno	-	-	-	-	-	-	-	-	-
Morgan Hill	2.9	1.05	1.25	0.9	0.3	2	1.25	0	0
Mountain View	2	0.65	1.4	2	1.3	0	2	0	0
Palo Alto	2	1.95	2.05	2.05	1.85	0.95	0.65	0	0
San Jose	1.25	1.6	1.8	1.45	0	1.9	1.9	0	0
Santa Clara City	3	1.3	1.7	1.45	1.4	1.8	2	0	0.35
Saratoga	2.7	2	0.95	0.8	0.4	0	0	0.85	0
Sunnyvale	2.9	1.05	1.25	0.9	0.3	2	0.3	0	0
Santa Clara County	2.1	1.7	1.55	0.8	1.6	1.75	0.65	0.4	0
SCC	2.1	1.7	1.55	0.8	1.6	1.75	0.65	0.4	0
MidPen	1.35	3	1.3	1.2	1.8	0.25	1.2	1.55	0
SCCFD	2.7	1.7	1.55	0.8	1.6	1.75	0.65	0.4	0
SCVWD	-	-	-	-	-	-	-	-	-
Average	2.24	1.68	1.44	1.21	1.13	1.19	0.90	0.36	0.02

6.2.1 Average Overall Hazard Risk Index Results

The overall hazard risk index results based on an average of partner indices is shown in Table 16. These results show which hazards pose the highest overall risk to the Operational Area.

Table 16: Average Overall Hazard Risk Index Results

Hazard Risk Order	Hazard	Average Overall Hazard Risk Index Result
1	Earthquake	2.24
2	Wildfire, smoke, and air quality	1.68
3	Inclement weather*	1.44
4	Drought	1.21
5	Climate change, including sea-level rise	1.13
6	Dam and levee failure	1.19
7	Flood	.90
8	Landslide and mass movement	.36
9	Tsunami	.02

*Listed as separate hazards in the hazard profile and annexes: heavy precipitation, high wind, extreme heat, extreme cold, and space weather.

Based on the average overall hazard risk index results from planning partner risk indices:

- The earthquake hazard has the highest risk results, followed by wildfire/smoke/air quality.
- The inclement weather, drought, climate change hazards were a moderate risk to the Operational Area.
- The dam failure, flood, and landslide/mass movement hazards were a lower risk to the Operational Area.
- The tsunami hazard poses the lowest risk to the Operational Area, as not all planning partners can be impacted by this hazard due to geographic location.

6.3 Risk Assessment Tools

6.3.1 Mapping

National, state, and county databases were reviewed to locate available spatially based data relevant to this planning effort. Maps were produced using geographic information system (GIS) software to show the spatial extent and location of hazards when such datasets were available. These maps are included in the hazard profile sections and planning partner annexes of this MJHMP.

6.3.2 Hazus

6.3.2.1 Overview

In 1997, FEMA developed the standardized Hazards U.S. (Hazus) model to estimate losses caused by earthquakes and identify areas that face the highest risk and potential for loss. Hazus was later expanded into a multi-hazard methodology with new models for estimating potential losses from hurricanes and floods.

Hazus is a GIS-based software program used to support risk assessments, mitigation planning, and emergency planning and response. It provides a wide range of inventory data, such as demographics, building stock, critical facility, transportation and utility lifeline, and multiple models to estimate potential losses from natural disasters. The program maps and displays hazard data and the results of damage and economic loss estimates for buildings and infrastructure. Its advantages include the following:

- Provides a consistent methodology for assessing risk across geographic and political entities.
- Provides a way to save datasets so that they can readily be updated as population, inventory, and other factors change and as mitigation planning efforts evolve.
- Facilitates review of mitigation plans because it helps to ensure that FEMA methodologies are incorporated.
- Supports grant applications by calculating benefits using FEMA definitions and terminology.
- Produces hazard data and loss estimates that can be used in communication with local stakeholders.
- Is administered by the local government and can be used to manage and update a hazard mitigation plan throughout its implementation.

6.3.2.2 Levels of Detail for Evaluation

Hazus provides default data for inventory, vulnerability, and hazards; the default data can be supplemented with local data to provide a more refined analysis. The model can carry out three levels of analysis, depending on the format and level of detail of information about the OA:

- Level 1: All of the information needed to produce an estimate of losses is included in the software's default data. These data are derived from national databases and describe in general terms the characteristic parameters of the OA.
- Level 2: More accurate estimates of losses require more detailed information about the OA. To produce Level 2 estimates of losses, detailed information is required about local geology, hydrology, hydraulics, and building inventory, as well as data about utilities and critical facilities. This information is needed in a GIS format.
- Level 3: This level of analysis generates the most accurate estimate of losses. It requires detailed engineering and geotechnical information to customize it for the OA.

6.4 Risk Assessment Approach

The risk assessments in this plan describe the risks associated with each identified hazard of concern. The following steps were used to define the risk of each hazard:

- Identify and profile each hazard: The following information is given for each hazard:
 - Geographic areas most affected by the hazard.
 - Event frequency estimates.

- Severity estimates.
- Warning time likely to be available for response.
- Define probability: probability of future events was identified utilizing the following terms:
 - Unlikely – less than 1 percent probability of occurrence in the next year or a recurrence interval of greater than every 100 years.
 - Occasional – 1 to 10 percent probability of occurrence in the next year or a recurrence interval of 11 to 100 years.
 - Likely – 11 to 90 percent probability of occurrence in the next year or a recurrence interval of 1 to 10 years.
 - Highly Likely – 91 to 100 percent probability of occurrence in the next year or a recurrence interval of less than 1 year.
- Determine exposure to each hazard: Exposure was assessed by overlaying hazard maps with an inventory of structures, facilities, and systems to decide which of them would be exposed to each hazard.
- Assess the vulnerability of exposed facilities: Vulnerability of exposed structures and infrastructure was evaluated by interpreting the probability of occurrence of each event and assessing structures, facilities, and systems that are exposed to each hazard. Tools such as GIS and Hazus were used for this assessment for the flood and earthquake hazards. Outputs similar to those from Hazus were generated for other hazards, using data generated through GIS.

6.4.1 *Earthquake and Flood*

The following hazards were evaluated using Hazus:

- **Flood:** A Level 1 user-defined analysis was performed for general building stock in flood zones and for critical facilities and infrastructure. Digital Elevation Models (DEM) for the OA was used to delineate flood hazard areas and estimate potential losses from the 10-percent-annual-chance, 1-percent-annual-chance, and 0.2-percent-annual-chance flood events. To estimate damage that would result from a flood, Hazus uses pre-defined relationships between flood depth at a structure and resulting damage, with damage given as a percent of total replacement value. Curves defining these relationships have been developed for damage to structures and for damage to typical contents within a structure. By inputting flood depth data and known property replacement cost values, dollar-value estimates of damage were generated.
- **Earthquake:** A Level 2 analysis was performed to assess earthquake exposure and vulnerability for three scenario events and two probabilistic events:
 - A Magnitude-7.0 event on the Hayward Fault with an epicenter approximately 25 miles north of the City of Palo Alto.
 - A Magnitude-7.0 event on the Calaveras Fault with an epicenter approximately 25 miles north of the City of Milpitas.
 - A Magnitude-7.8 event on the San Andreas Fault with an epicenter approximately 148 miles northwest of the City of Palo Alto.
 - The standard Hazus 100- and 500-year probabilistic events.

6.4.2 Drought

The risk assessment methodologies used for this plan focus on damage to structures. The risk assessment for drought was more limited and qualitative than the assessment for the other hazards of concern because drought does not affect structures.

6.4.3 All Other Assessed Hazards

Historical datasets were not adequate to model future losses for most of the hazards of concern. However, areas and inventory susceptible to some of the hazards of concern were mapped by other means and exposure was evaluated. A qualitative analysis was conducted for other hazards using the best available data and professional judgment.

6.5 EMAP Consequence Analysis

A consequence analysis of the potential for detrimental impacts of hazards is included in this 2023 plan update for the Emergency Management Accreditation Program (EMAP). Each hazard identified in this plan is followed by the Consequence Analysis result.

In this analysis all nine natural hazards profiled for Santa Clara County have been addressed, with the impacts that each will have on the following:

- **Impact on the Public:** What is the scope of impact on the health and safety of people in the area of the incident?
- **Impact on Responders:** What is the scope of impact on health and safety of responders (i.e., firefighters, law enforcement, emergency management personnel, etc.) in the area responding to the incident?
- **Continuity of Operations:** Will the organization need to relocate in order to fulfill duties? Will any other continuity measures be implemented?
- **Impact on Property, Facilities, and Infrastructure:** What are potential damages to structures (private and public), utilities, treatment plants, electric grid, roads, and bridges?
- **Delivery of Services:** What impacts occur to the delivery of services such as food, medical, or any other life sustaining entities?
- **Impact on the Environment:** How has the incident affected the surrounding environment, i.e., contamination (water, soil, or air), erosion, crop damage, etc.?
- **Impact on the Economy:** Are there any affects to the economy due to loss of revenue, cleanup efforts, and reconstruction?
- **Impact of the Public Confidence in the Jurisdiction's Governance:** How has the hazard affected public confidence?

The Consequence Analysis includes ranking determinations for each of the above elements. The ranking elements are categorized as Minimal, Moderate, or Severe. The Risk Assessment portion of the MJHMP was used to ascertain prior damages in an effort to estimate ratings on future impacts. The ratings are meant to be a guide, and not all inclusive, due to the variances that could apply such as population, location, time, hazard type, and the number of jurisdictions within the hazard area.

6.6 Sources of Data Used in Hazus Modeling

6.6.1 Building and Cost Data

Replacement cost values and detailed structure information and census data are included within Hazus 6.0. This recently updated version of Hazus uses 2020 census data and dasymetric census blocks for improved floodplain model accuracy. The stock building inventory data is from the National Structure Inventory (NSI), a point-based dataset developed by the U.S. Army Corps of Engineers (USACE). When available, updated data provided by Santa Clara County was used in place of the Hazus defaults for critical facilities and infrastructure.

Replacement cost is the cost to replace the entire structure with one of equal quality and utility. Replacement cost is based on industry-standard cost-estimation models published in *RSMeans Square Foot Costs*.³⁹ It is calculated using the RSMeans square foot cost for a structure, which is based on the Hazus occupancy class (i.e., multi-family residential or commercial retail trade), multiplied by the square footage of the structure from the tax assessor data. The construction class and number of stories for single-family residential structures also factor into determining the square foot costs.

6.6.2 Hazus Data Inputs

The following hazard datasets were used for the Hazus Level 2 analysis conducted for the risk assessment:

- **Flood:** A USGS 10-meter Digital Elevation Model for the OA was used to delineate flood hazard areas and generate flood depth grids that are integrated into the Hazus model. These depth grids are used to estimate potential losses from the 10-percent-annual-chance, 1-percent-annual-chance, and 0.2-percent-annual-chance flood events.
- **Earthquake:** Earthquake ShakeMaps and probabilistic data prepared by the USGS were used for the analysis of this hazard. A National Earthquake Hazard Reduction Program soils map from the California Department of Conservation, USGS liquefaction susceptibility data and susceptibility to deep-seated landslide from the California Geological Survey were also integrated into the Hazus model. Hazus uses classifications within these datasets to derive probabilities that ground deformation can occur in areas of higher liquefaction or landslide susceptibility. It should be noted that deep-seated landslides are generally large landslides that are slow moving during rainfall induced movement, but some can be fast moving and may occur during earthquakes. However, this dataset does not specifically measure earthquake induced landslides. Inclusion of liquefaction and landslide data in Hazus represent ground deformation that may occur during an earthquake that can contribute to structural damage. As such, inclusion of these datasets tends to increase the amount and cost of damage modeled by Hazus.

6.6.3 Other Local Hazard Data

Locally relevant information on hazards was gathered from a variety of sources. Frequency and severity indicators include past events and the expert opinions of geologists, emergency management specialists, and others. Data sources for specific hazards were as follows:

- **Landslide:** Susceptibility to deep-seated landslide data were provided by the California Geological Survey.

³⁹ RSMeans data from Gordian. (2023). Estimating Square Foot Cost. <https://www.rsmeans.com/estimating-square-foot-cost>

- **Sea Level Rise:** Sea level rise data were provided by the San Francisco Bay Conservation and Development Commission. A sea level rise of 6 feet above current mean higher high water was used for the exposure analysis.
- **Dam Inundation:** Dam inundation exposure areas were acquired from the California Department of Water Resources Division of Safety of Dams. Many of these are owned by the Santa Clara Valley Water District.
- **Levee Inundation:** Levee inundation exposure areas were defined with boundaries provided by Santa Clara County.
- **Severe Storm:** No GIS format severe storm area datasets were identified for the OA.
- **Tsunami:** Tsunami inundation map was prepared by California Department of Conservation in cooperation with the University of Southern California, California Geological Survey, and California Emergency Management Agency.
- **Wildfire:** Wildfire Hazard Classification and Structures at Risk data were provided by Tukman Geospatial. Additional fire severity data was acquired from California Department of Forestry and Fire Protection (CAL FIRE).

6.6.4 Data Source Summary

Table 17 summarizes the data sources used for the risk assessment for this plan.

Table 17: Hazus Model Data Documentation

Data	Source	Date	Format
Building information such as area, occupancy, date of construction, and stories	FEMA Hazus version 6.0, National Structure Inventory (NSI), Santa Clara County	2023	Digital (tabular) format
Building replacement cost	FEMA Hazus version 6.0	2023	Digital (GIS and tabular) format
Population data	FEMA Hazus version 6.0, US Census Bureau	2020	Digital (GIS and tabular) format
Flood hazard data	FEMA	2016	Digital (GIS) format
Tsunami	CGS (State of California)	2021	Digital (GIS) format
Earthquake ShakeMaps	USGS, provided via Hazus version 6.0	Downloaded 2023	Digital (GIS) format
Liquefaction susceptibility	USGS (via ABAG)	2006	Digital (GIS) format
National Earthquake Hazard Reduction Program	California Department of Conservation, California Geological Survey	Downloaded 2023	Digital (GIS) format
Dam Inundation Areas	California Department of Water Resources, Division of Safety of Dams	Varies 2019-2021	Digital (GIS) format
Landslide	California Geological Survey	2011	Digital (GIS) format

Data	Source	Date	Format
Sea Level Rise	Adapting to Rising Tides - San Francisco Conservation and Development Commission	2018	Digital (GIS) format
Wildfire	Tukman Geospatial, CAL FIRE	2022, 2007	Digital (GIS) format
Digital Elevation Model	USGS	Downloaded 2023	Digital (GIS) format
Critical Facilities and Assets	Hazus version 6.0, Santa Clara County	2023	Digital (GIS) format
Emergency operation centers, airport facilities, bus facilities, light rail facilities, rail facilities, communication facilities, electric power facilities, potable water facilities, wastewater facilities	FEMA Hazus version 6.0 Default Critical Facilities Data	2023	Digital (GIS) format
Points of interest (city halls, community centers, other county facilities, child day care facilities)	Santa Clara County	2023	Digital (GIS) format
Santa Clara County critical facilities (fire stations, hospitals, skilled nursing facilities and clinics, police stations, public / private schools, universities, and colleges)	FEMA Hazus version 6.0, Santa Clara County	2023	Digital (spreadsheet) format
Superfund sites (hazardous material sites)	EPA	2022	Digital (GIS) format
Toxic release inventory facilities (hazardous material facilities, designated communications centers, electric power, and petroleum facilities)	Environmental Protection Agency (EPA)	Downloaded 2023	Digital (GIS) format
State and local bridges (highway bridges, light rail bridges, rail bridges, includes pedestrian bridges)	Hazus 6.0 Inventory, Santa Clara County	2023	Digital (GIS) format

6.7 Limitations

Loss estimates, exposure assessments, and hazard-specific vulnerability evaluations rely on the best available data and methodologies. Uncertainties are inherent in any loss estimation methodology and arise in part from incomplete scientific knowledge concerning natural hazards and their effects on the built environment. Uncertainties also result from the following:

- Approximations and simplifications necessary to conduct a study.
- Incomplete or outdated inventory, demographic or economic parameter data.
- The unique nature, geographic extent, and severity of each hazard.
- Mitigation measures already employed.

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- The amount of advance notice residents have to prepare for a specific hazard event.
- Lack of a standardized model for assessing sea level rise impacts. Multiple models provide multiple results. Not all models were run in the development of the sea level rise analysis.

These factors can affect loss estimates by a factor of two or more. Therefore, potential exposure and loss estimates are approximate and should be used only to understand relative risk. Over the long term, Santa Clara County will collect additional data to assist in estimating potential losses associated with other hazards.

7 Earthquake

Definitions

- **Earthquake:** The shaking of the ground caused by an abrupt shift of rock along a fracture in the earth or a contact zone between tectonic plates.
- **Epicenter:** The point on the earth's surface directly above the hypocenter of an earthquake. The location of an earthquake is commonly described by the geographic position of its epicenter and by its focal depth.
- **Fault:** A fracture in the earth's crust along which two blocks of the crust have slipped with respect to each other.
- **Hypocenter:** The region underground where an earthquake's energy originates.
- **Liquefaction:** Loosely packed, water-logged sediments losing their strength in response to strong shaking, causing major damage during earthquakes.

7.1 General Background

An earthquake is the vibration of the earth's surface following a release of energy in the earth's crust. This energy can be generated by a sudden dislocation of the crust or by a volcanic eruption. Most destructive quakes are caused by dislocations of the crust. The crust may first bend and then, when the stress exceeds the strength of the rocks, break and snap to a new position. In the process of breaking, vibrations called "seismic waves" are generated. These waves travel outward from the source of the earthquake at varying speeds.

Geologists have found that earthquakes tend to reoccur along faults, which are zones of weakness in the earth's crust. Even if a fault zone has recently experienced an earthquake, there is no guarantee that all the stress has been relieved. Another earthquake could still occur. In fact, relieving stress can increase stress in other parts of the affected fault and other faults. Additional earthquakes, called aftershocks, are common after a large earthquake.

California is seismically active because of movement of the North American Plate, east of the San Andreas Fault, and the Pacific Plate to the west, which includes the state's coastal communities. Movement of the tectonic plates against one another creates stress, which is released as energy that moves through the earth as seismic waves.

Faults are classified in terms of their activity level; "active," "potentially active," or "inactive." Most seismic activity occurs along faults that are known to have geologic evidence of activity. However, inactive faults, where no such displacements have been recorded, also have the potential to reactivate or experience displacement along a branch sometime in the future. An example of a fault zone that has been reactivated is the Foothills Fault Zone. The zone was considered inactive until evidence of an earthquake (approximately 1.6 million years ago) was found near Spenceville, California. Then, in 1975, an earthquake occurred on another branch of the zone near Oroville, California (now known as the Cleveland Hills Fault). The State Division of Mines and Geology indicates that increased earthquake activity throughout California may cause tectonic movement along currently inactive fault systems.

7.1.1 *Damage from Earthquakes*

A direct relationship exists between a fault's length and location and its ability to generate damaging ground motion at a given site. Small, local faults produce lower magnitude quakes, but ground shaking can still be strong, and damage can be significant in areas close to the fault. In contrast, large regional faults can generate earthquakes of great magnitudes but, because of their distance and depth, they may result in only moderate shaking in an area.

Earthquakes can last from a few seconds to over five minutes; they may also occur as a series of tremors over a period of several days. Aftershocks may be felt for months or years after the mainshock. The actual movement of the ground in an earthquake is seldom the direct cause of injury or death. People that fall over during the quake may experience more mild injuries like broken bones. Casualties generally result from falling objects and debris, because earthquakes shake, damage, or demolish furnishings and buildings and other structures. Disruption of communications and internet, electrical power, gas, sewer, and water services should be expected in the affected area. Earthquakes may trigger dam failures and landslides. Their damage may cause fires and releases of hazardous material, compounding the disastrous effects.

7.1.2 *Earthquake Classifications*

Earthquakes are typically classified in one of two ways: by the amount of energy released, measured as magnitude; or by the impact on people and structures, measured as intensity.

7.1.2.1 **Magnitude**

An earthquake's magnitude is a measure of the energy released at the source of the earthquake. It is commonly expressed by ratings on either of two scales (Michigan Tech University)⁴⁰:

- The **Richter scale** measures magnitude of earthquakes based on the amplitude of the largest energy wave released by the earthquake. Richter scale readings are suitable for smaller earthquakes; however, because it is a logarithmic scale, the scale does not distinguish clearly the magnitude of large earthquakes above a certain level. Richter scale magnitudes and corresponding earthquake effects are as follows:
 - 2.5 or less: Usually not felt, but can be recorded by seismograph.
 - 2.5 to 5.4: Often felt, but causes only minor damage.
 - 5.5 to 6.0: Slight damage to buildings and other structures.
 - 6.1 to 6.9: May cause a lot of damage in very populated areas.
 - 7.0 to 7.9: Major earthquake; serious damage.
 - 8.0 or greater: Great earthquake; can totally destroy communities near the epicenter.

⁴⁰ Michigan Tech University. (n.d.) How do we measure Earthquake Magnitude?
<https://www.mtu.edu/geo/community/seismology/learn/earthquake-measure/>

- While the Richter scale may be well known, the most commonly used scale today is the **moment magnitude (M_W) scale**. The moment magnitude scale is based on the total moment release of the earthquake (the product of the distance a fault moved, and the force required to move it). Moment magnitude roughly matches the Richter scale but provides more accuracy for larger magnitude earthquakes. The scale is as follows:
 - Great: $M_W \geq 8$.
 - Major: $M_W = 7.0 - 7.9$.
 - Strong: $M_W = 6.0 - 6.9$.
 - Moderate: $M_W = 5.0 - 5.9$.
 - Light: $M_W = 4.0 - 4.9$.
 - Minor: $M_W = 3.0 - 3.9$.
 - Micro: $M_W < 3$.

7.1.2.2 Intensity

For an earthquake, intensity varies across the area. Intensity will be larger near the fault rupture, in the direction of the rupture, and in sedimentary basins. Sedimentary basins are depressions in the earth's surface that consist of alluvial deposit and sedimentary rocks, which are geologically younger and have slower seismic wave velocities.⁴¹ Sedimentary basins like the Evergreen basin, which lies beneath the northeastern margin of the Santa Clara Valley near the south end of the San Francisco Bay, amplify the ground shaking during an earthquake, increasing the intensity of the quake. Currently the most commonly used intensity scale is the Modified Mercalli Intensity (MMI) Scale, with ratings defined in Figure 19.⁴²

⁴¹ U.S. Geological Survey. (2020). Earthquake Science Center Seminars, Sedimentary basin effects in ground motions from empirical models and simulation platforms. <https://earthquake.usgs.gov/contactus/menlo/seminars/1297#:~:text=Sedimentary%20basins%20are%20depressions%20in,in%20thickness%20towards%20their%20margins>.

⁴² U.S. Geological Survey. (n.d.). The Modified Mercalli Intensity (MMI) Scale assigns intensities as.... <https://www.usgs.gov/media/images/modified-mercalli-intensity-mmi-scale-assigns-intensities>

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CIIM Intensity	People's Reaction	Furnishings	Built Environment	Natural Environment
I	Not felt			Changes in level and clarity of well water are occasionally associated with great earthquakes at distances beyond which the earthquakes felt by people.
II	Felt by a few.	Delicately suspended objects may swing.		
III	Felt by several; vibration like passing of truck.	Hanging objects may swing appreciably.		
IV	Felt by many; sensation like heavy body striking building.	Dishes rattle.	Walls creak; window rattle.	
V	Felt by nearly all; frightens a few.	Pictures swing out of place; small objects move; a few objects fall from shelves within the community.	A few instances of cracked plaster and cracked windows within the community.	Trees and bushes shaken noticeably.
VI	Frightens many; people move unsteadily.	Many objects fall from shelves.	A few instances of fallen plaster, broken windows, and damaged chimneys within the community.	Some fall of tree limbs and tops, isolated rockfalls and landslides, and isolated liquefaction.
VII	Frightens most; some lose balance.	Heavy furniture overturned.	Damage negligible in buildings of good design and construction, but considerable in some poorly built or badly designed structures; weak chimneys broken at roof line, fall of unbraced parapets.	Tree damage, rockfalls, landslides, and liquefaction are more severe and widespread with increasing intensity.
VIII	Many find it difficult to stand.	Very heavy furniture moves conspicuously.	Damage slight in buildings designed to be earthquake resistant, but severe in some poorly built structures. Widespread fall of chimneys and monuments.	
IX	Some forcibly thrown to the ground.		Damage considerable in some buildings designed to be earthquake resistant; buildings shift off foundations if not bolted to them.	
X			Most ordinary masonry structures collapse; damage moderate to severe in many buildings designed to be earthquake resistant.	

Figure 20: Modified Mercalli Intensity Scale⁴³

7.1.3 Ground Motion

Earthquake hazard assessment is also based on expected ground motions. During an earthquake when the ground is shaking, it experiences acceleration. The peak ground acceleration (PGA) is the largest increase in velocity recorded by a particular station during an earthquake. PGA indicates the severity of an earthquake and is a measure of how hard the earth shakes, or accelerates, in a given geographic area. It is measured in g (the acceleration due to gravity), expressed as a percentage of that acceleration (%g). Horizontal and vertical PGA varies with soil or rock type. Instruments called accelerographs record levels of ground motion due to earthquakes at stations throughout a region. These readings are recorded by state and federal agencies that monitor and predict seismic activity. Earthquake hazard assessment involves estimating the annual probability that certain ground motion accelerations will be exceeded, and then summing the annual probabilities over the time period of interest.

National maps of earthquake shaking hazards, which have been produced since 1948, provide information for creating and updating seismic design requirements for building codes, insurance rate structures, earthquake loss studies, retrofit priorities and land use planning. After thorough review of the studies, professional organizations of engineers update the seismic-risk maps and seismic design requirements contained in building codes, the USGS updated the National Seismic Hazard Maps in 2018.

⁴³ U.S. Geological Survey. (n.d.). The Modified Mercalli Intensity (MMI) Scale Assigns Intensities as... <https://www.usgs.gov/media/images/modified-mercalli-intensity-mmi-scale-assigns-intensities>

New seismic, geologic, and geodetic information on earthquake motion, soil amplification factors, and local seismic velocity models was incorporated into the revised maps, allowing the USGS, for the first time, to calculate probabilistic seismic hazard curves for an expanded time period and site classes as well as account for long-period ground motions in deep sedimentary basins like the San Francisco Bay region.⁴⁴ The USGS is currently working on updating this model with a targeted release later in 2023. These maps influence earthquake insurance rates and support government official, emergency managers, community planners, and the public in understanding the potential risks to their community.

Building codes that include seismic provisions specify the horizontal force due to lateral acceleration that a building should be able to withstand during an earthquake. Buildings, bridges, highways, and utilities built to meet modern seismic design requirements are typically able to withstand earthquakes better, with less damage and disruption. PGA values are directly related to these lateral forces that could damage “short period structures” (e.g., single-family dwellings). Longer-period response components determine the lateral forces that damage taller structures with longer natural periods (apartment buildings, factories, high-rises, bridges). Figure 20 lists damage potential and perceived shaking by PGA factors, compared to the Mercalli scale.

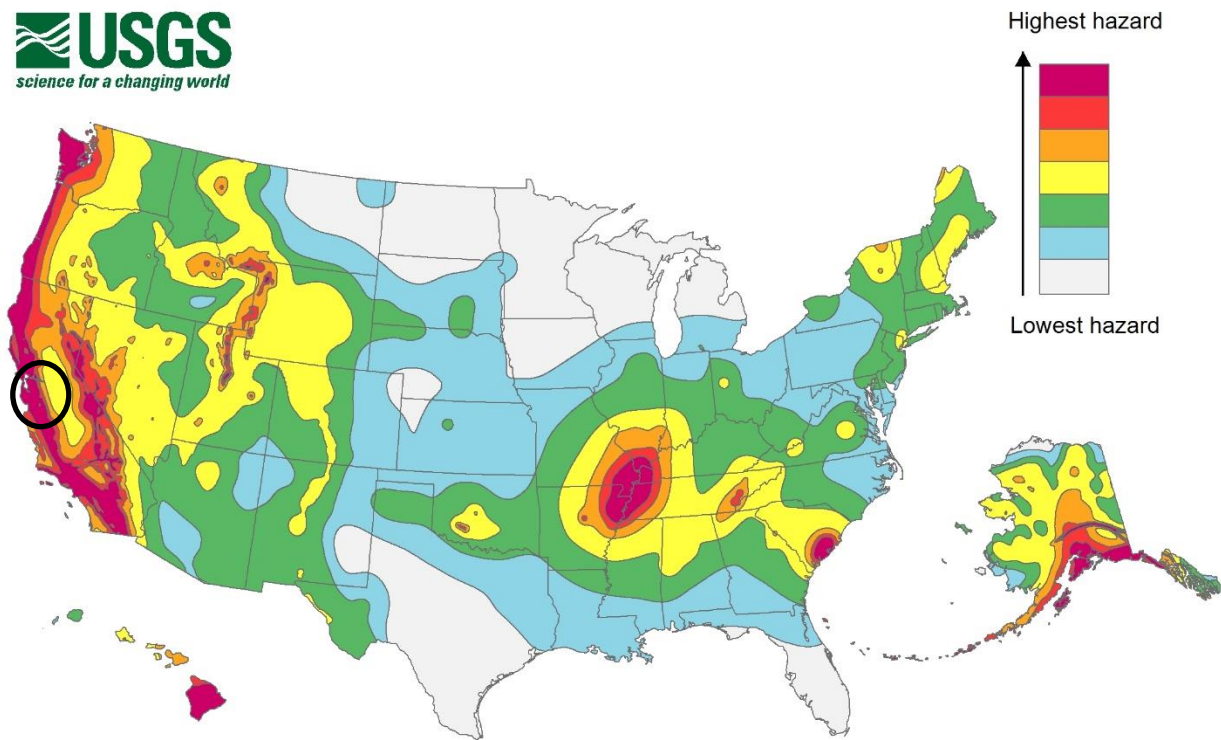


Figure 21: Peak Acceleration (%g) with 10% Probability of Exceedance in 50 Years⁴⁵

⁴⁴ U.S. Geological Survey. (2021, September 23). Data Release for Additional Period and Site Class Data for the 2018 National Seismic Hazard Model for the Conterminous United States. <https://www.usgs.gov/data/data-release-additional-period-and-site-class-data-2018-national-seismic-hazard-model>

⁴⁵ U.S. Geological Survey. (2018). 2018 Long-term National Seismic Hazard Map. <https://www.usgs.gov/media/images/2018-long-term-national-seismic-hazard-map>

Table 18: Mercalli Scale and Peak Ground Acceleration Comparison⁴⁶

Modified Mercalli Scale	Perceived Shaking	Potential Structure Damage		Estimated PGA ^a (%)
		Resistant Buildings	Vulnerable Buildings	
I	Not Felt	None	None	<0.17%
II-III	Weak	None	None	0.17% - 1.4%
IV	Light	None	None	1.4% - 3.9%
V	Moderate	Very Light	Light	3.9% - 9.2%
VI	Strong	Light	Moderate	9.2% - 18%
VII	Very Strong	Moderate	Moderate/Heavy	18% - 34%
VIII	Severe	Moderate/Heavy	Heavy	34% - 65%
IX	Violent	Heavy	Very Heavy	65% - 124%
X - XII	Extreme	Very Heavy	Very Heavy	>124%

^a PGA measured in percent of g, where g is the acceleration of gravity.

7.1.4 Effect of Soil Types

The impact of an earthquake on structures and infrastructure is largely a function of ground shaking, distance from the source of the quake, and liquefaction, a secondary effect of an earthquake in which soils lose their shear strength and flow or behave as liquid, thereby damaging structures that derive their support from the soil. Liquefaction generally occurs in soft, unconsolidated sedimentary soils and shallow water table.

A program called the National Earthquake Hazard Reduction Program (NEHRP) creates maps based on soil characteristics to help identify locations subject to liquefaction. Table 19 summarizes NEHRP soil classifications. NEHRP Soils B and C typically can sustain ground shaking without much effect, dependent on the earthquake magnitude. The areas that are commonly most affected by ground shaking have NEHRP Soils D, E, and F. In general, these areas are also most susceptible to liquefaction.

Table 19: National Earthquake Hazard Reduction Program Soil Classification System⁴⁷

NEHRP Soil Type	Description	Mean Shear Velocity to 30 m (m/s)
A	Hard Rock	1,500
B	Firm to Hard Rock	760–1,500
C	Dense Soil/Soft Rock	360–760
D	Stiff Soil	180–360
E	Soft Clays	< 180

⁴⁶ SanAndreasFault.org. (2010). Did you feel it? <http://www.sanandreasfault.org/feelit.html>

⁴⁷ National Earthquake Hazard Reduction Program. (n.d.). Seismic Site Classification. <https://www.masw.com/files/NEHRP.pdf>

NEHRP Soil Type	Description	Mean Shear Velocity to 30 m (m/s)
F	Special Study Soils (liquefiable soils, sensitive clays, organic soils, soft clays >36 m thick)	

The USGS has created a soil type map for the San Francisco Bay area that provides rough estimates of site effects based on surface geology. NEHRP soil types were assigned to a geologic unit based on the average velocity of that unit, and the USGS notes that this approach can lead to some inaccuracy. For instance, a widespread unit consisting of Quaternary sand, gravel, silt, and mud has been assigned as Class C soil types; however, some of the slower soil types in this unit fall under Class D. USGS does not have any way of differentiating units for slower-velocity soils in its digital geologic dataset.⁴⁸

7.2 Hazard Profile

The Bay region is located within the active boundary between the Pacific and the North American tectonic plates. The western edge of the Santa Clara County OA is on the Pacific Plate, which is constantly moving northwest past the North American Plate at a rate of about 2 inches per year.⁴⁹ Earthquakes in the San Francisco Bay region result from strain energy constantly accumulating across the region because of the motion of the Pacific Plate relative to the North American Plate. The San Andreas Fault, on which earthquakes of magnitude 7.8 and 7.9 have occurred in historical time, including the 1906 San Francisco earthquake, is the fastest slipping fault along the plate boundary.

7.2.1 Past Events

The last major earthquake with an epicenter in the Santa Clara County OA was the 1984 Morgan Hill Earthquake (Magnitude 6.2). The epicenter of the 1989 Loma Prieta Earthquake (Magnitude 7.1) was just a few miles outside the OA. Since then, there have been no significant seismic events in Santa Clara County.⁵⁰ Other significant earthquakes in California include the 1906 earthquake in San Francisco, the 1971 San Fernando Earthquake, the 1994 Northridge earthquake, the 2014 Napa earthquake, and the 2019 Ridgecrest earthquake.

The Morgan Hill Earthquake of April 24, 1984, was a moderate size earthquake on the Calaveras Fault. It caused moderate damage that extended southward from the epicenter. In the Santa Clara County OA, where most of the damage occurred, more than 550 structures experienced minor damage. Major structural damage was mostly confined to a small area on two streets in the Jackson Oaks subdivision east of Morgan Hill. There were numerous reports of fires resulting from the earthquake. Minor damage was also reported in San Martin and Coyote. Twenty-seven people were injured.⁵¹ This event led to a FEMA major disaster declaration (DR-845).

⁴⁸ U.S. Geological Survey. (2006). Geologic Map of the San Francisco Bay Region.

https://pubs.usgs.gov/sim/2006/2918/sim2918_geolposter-stdres.pdf

⁴⁹ U.S. Geological Survey. (n.d.). Earthquake Facts & Earthquake Fantasy.

<https://www.usgs.gov/programs/earthquake-hazards/earthquake-facts-earthquake-fantasy#:~:text=The%20Pacific%20Plate%20moves%20northwestward%20past%20the%20North,tiny%20shocks%20and%20a%20few%20moderate%20earth%20tremors.>

⁵⁰ Association of Bay Area Governments. (n.d.). Resilience. <https://abag.ca.gov/our-work/resilience>

⁵¹ Association of Bay Area Governments. (2011). Bay Area Local Hazard Mitigation Plan *Taming Natural Hazards*. <https://abag.ca.gov/2011-bay-area-hazard-mitigation-plan>

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The Loma Prieta Earthquake on October 17, 1989, occurred near Loma Prieta in the Santa Cruz Mountains along the San Andreas Fault. Thousands of landslides across the area blocked roads and highways, impacting rescue efforts and damaging structures. In Santa Clara County, collapsed and damaged buildings were reported in Gilroy, Los Gatos, and San José.⁵²

California has been included in 13 FEMA major disaster (DR) or emergency (EM) declarations for earthquakes. Santa Clara County was included in only one declaration: DR-845 for the Loma Prieta Earthquake, which occurred in 1989. The declaration for this event covered Alameda, Contra Costa, Marin, Monterey, Sacramento. Table 20 and Figure 21 summarize recent earthquakes of magnitude of 5.0 or greater within a 100-mile radius of the OA.

Table 20: Recent Earthquakes Magnitude 5.0 or Larger Within a 100-Mile Radius of the Operational Area

Date	Magnitude	Epicenter Location
10/25/2022	5.1	9 miles east-southeast of Alum Rock, California
4/5/2018	5.3	19 miles southwest of Santa Cruz, California
8/24/2014	6.0	South Napa, California
10/21/2012	5.3	15 miles east-northeast of King City, California
10/31/2007	5.5	San José, California
5/14/2002	5.0	Northern California
9/3/2000	5.0	Northern California
8/12/1998	5.2	Central California
4/18/1990	5.4	Northern California
10/17/1989	6.9	Loma Prieta, California Earthquake
10/18/1989	5.1	4 miles southwest of Monte Sereno, California
8/8/1989	5.4	Northern California
6/27/1989	5.3	Northern California
6/13/1988	5.3	San Francisco Bay Area, California
2/20/1988	5.1	Central California
3/31/1986	5.7	Northern California
1/26/1986	5.4	Central California

⁵² Association of Bay Area Governments. (2011). Bay Area Local Hazard Mitigation Plan *Taming Natural Hazards*. <https://abag.ca.gov/2011-bay-area-hazard-mitigation-plan>

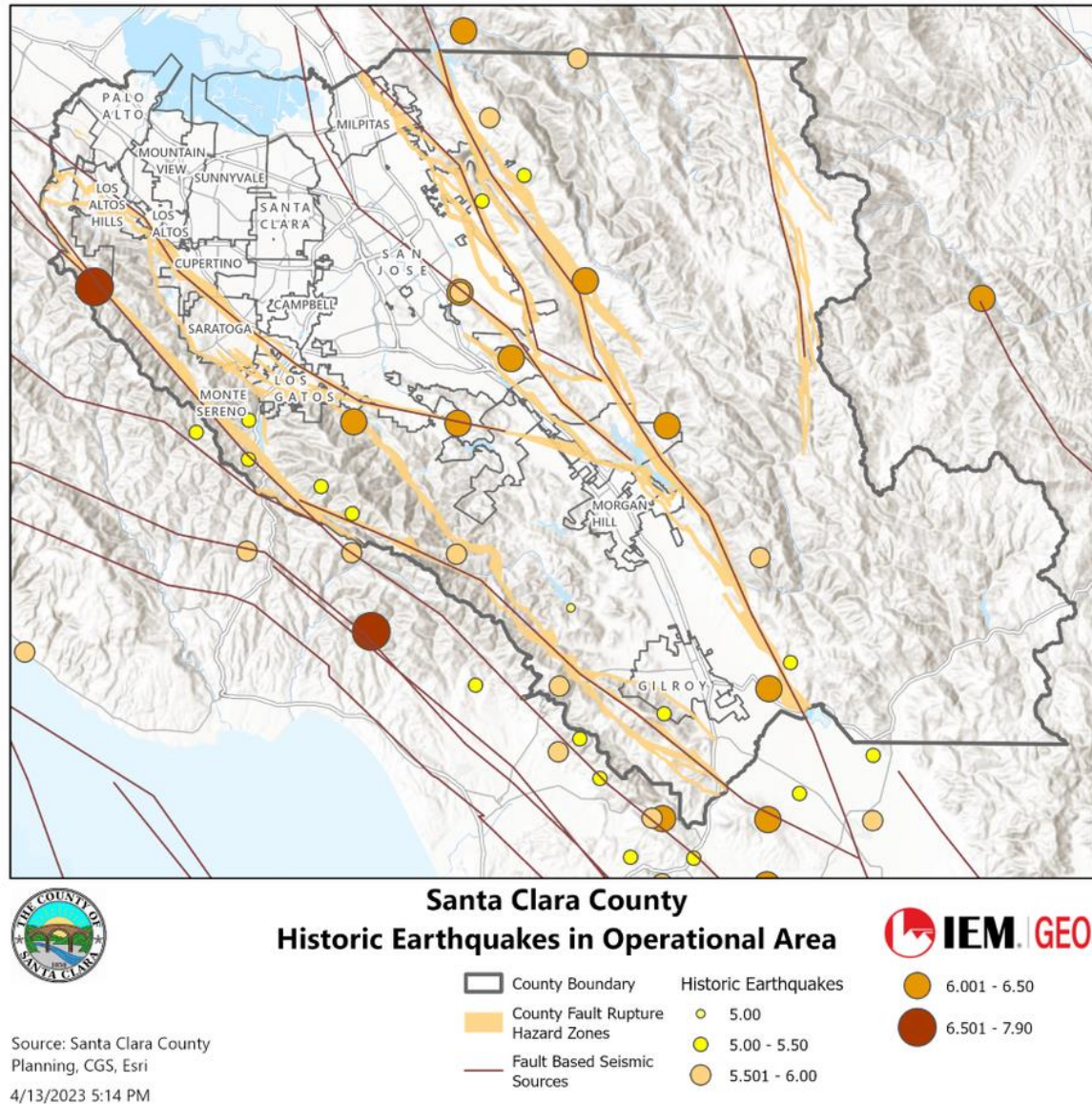


Figure 22: Historic Earthquakes in the Operational Area

7.2.2 Location

Santa Clara County is exposed to three major regional faults: Hayward, Calaveras, and San Andreas. The Hayward and Calaveras faults are in the central portion of Santa Clara County and present the greatest earthquake threat to the OA. The San Andreas Fault is on the northwestern boundary of the OA and runs through hills separating Santa Clara County from Santa Cruz County. The primary seismic hazard for the OA is potential ground shaking from these three large faults.⁵³ The Greenville fault in the northeastern portion of the county presents less risk than these three major faults. Figure 22 provides

⁵³ Association of Bay Area Governments. (n.d.). Earthquake. <https://abag.ca.gov/our-work/resilience/data-research/earthquake>

location and probability of area fault lines. The three major faults are described further in the following sections.

7.2.2.1 Hayward Fault

The Hayward Fault runs parallel to and east of the San Andreas Fault. It extends from San José about 74 miles northward along the base of the East Bay Hills to San Pablo Bay. The fault is a right-lateral slip fault. The Hayward Fault extends through some of the Bay Area's most populated areas. Communities on or near the fault include San José, Oakland, Fremont, Richmond, Berkeley, Hayward, San Leandro, San Lorenzo, El Cerrito, Emeryville, Kensington, and Milpitas. Among other sites, the fault runs directly under the now-abandoned old city hall in downtown Hayward, the University of California-Berkeley football stadium, the Mira Vista Golf Course near Berkeley, Lake Temescal, Contra Costa College, and Port Pinole Shoreline Regional Park. It is the single most urbanized earthquake fault in the United States.⁵⁴

The Hayward Fault is becoming a hazard priority throughout the Bay Area because of its increased chance for activity and its intersection with multiple highly populated areas and critical infrastructure. According to the Uniform California Earthquake Rupture Forecast, Volume 3, released in March 2015, the probability of experiencing a Magnitude 6.7 or greater earthquake along the Hayward Fault in the next 30 years (starting from 2014) is 14.3 percent.⁵⁵

An earthquake of this magnitude has regional implications for the entire Bay Area, as the Hayward Fault crosses transportation and resource infrastructure, including multiple highways, regional gas and water pipelines, electrical transmission lines, and the Hetch-Hetchy Aqueduct. Disruption of the Hetch-Hetchy system has the potential to severely impair water service to the Santa Clara County OA.

An important difference between the Hayward and San Andreas faults is “aseismic creep.” The San Andreas Fault is locked in many places; much of its energy is released in the form of earthquakes. However, creep occurs in spots along the Hayward Fault. The ground moves a few millimeters each year, pulling apart sidewalks, pipelines and other structures that sit astride the fault. At Memorial Stadium at the University of California Berkeley, which was built in 1923, creep has caused the two sides of the stadium to be offset more than a foot, requiring retrofitting with expansion joints. Creep accounts for a small part of the total motion that takes place on a fault over geologic time; earthquakes account for the rest.⁵⁶

⁵⁴ California Office of Emergency Services. (2016, July 6). Bay Area Earthquake Plan. https://www.caloes.ca.gov/wp-content/uploads/Preparedness/Documents/BayAreaEQConopsPub_Version_2016.pdf.

⁵⁵ U.S. Geological Survey. (2015, March). UCEFR3: A New Earthquake Forecast for California's Complex Fault System. <https://pubs.usgs.gov/fs/2015/3009/pdf/fs2015-3009.pdf>

⁵⁶ California Department of Conservation. (2008, October 7). Hayward Fault Fact Sheet. <https://www.conservation.ca.gov/index/Pages/HaywardFaultFactSheet.aspx>

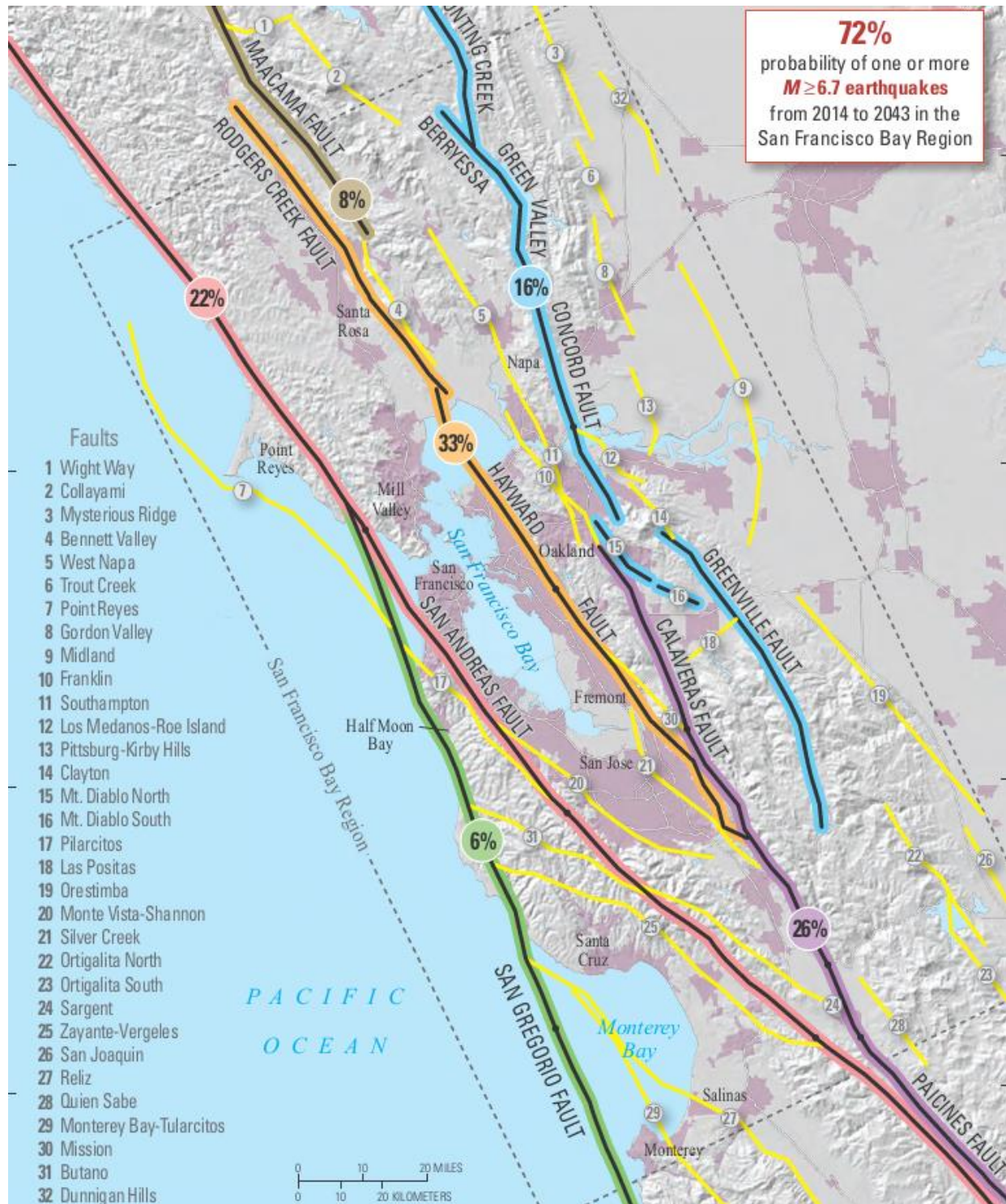


Figure 23: Significant Known Faults in the Bay Area⁵⁷

⁵⁷ U.S. Geological Survey. (2016, August). Earthquake Outlook for the San Francisco Bay Region 2014-2043. <https://pubs.usgs.gov/fs/2016/3020/fs20163020.pdf>

7.2.2.2 Calaveras Fault

The Calaveras Fault is a major branch of the San Andreas Fault, located to the east of the Hayward Fault. It extends 76 miles from the San Andreas Fault near Hollister to Danville at its northern end. The Calaveras Fault is one of the most geologically active and complex faults in the Bay Area. Recent research from the University of Berkeley suggests that the Hayward fault is essentially an offshoot of the Calaveras Fault.⁵⁸ This means that they could go off together, potentially creating a larger event as an earthquake's magnitude is relative to its length. In a worst case scenario, a rupture along the Hayward fault could extend to the Calaveras Fault and south to where the Calaveras Fault meets the San Andreas Fault. The probability of experiencing a Magnitude 6.7 or greater earthquake along the Calaveras Fault in the next 30 years is 7.4% percent.

7.2.2.3 San Andreas Fault

The San Andreas Fault extends 810 miles from the East Pacific rise in the Gulf of California through the Mendocino fracture zone off the shore of northern California. The fault is estimated to be 28 million years old. The San Andreas Fault is an example of a transform boundary exposed on a continent. It forms the tectonic boundary between the Pacific Plate and the North American Plate, and its motion is right-lateral strike-slip.

The San Andreas Fault is typically referenced in three segments. The southern segment extends from its origin at the East Pacific Rise to Parkfield, California, in Monterey County. The central segment extends from Parkfield to Hollister, California. The northern segment extends northwest from Hollister, through Santa Clara County, to its ultimate junction with the Mendocino fracture zone and the Cascadia subduction zone in the Pacific Ocean. The probability of experiencing a Magnitude 6.7 or greater earthquake along the San Andreas Fault within the next 30 years is 6.4 percent.

7.2.2.4 Maps of Earthquake Impact on the OA

The impact of an earthquake is largely a function of the following components:

- Surface fault rupture
- Ground shaking (ground motion accelerations)
- Liquefaction (soil instability)

Impacts vary with distance from the source (both horizontally and vertically). Mapping that shows the impacts of these components was used to assess the risk of earthquakes within the OA, as described in the sections below.

Probabilistic Seismic Hazard Map

A probabilistic seismic hazard map shows the hazard from earthquakes that geologists and seismologists agree could occur. The maps are expressed in terms of probability of exceeding a certain ground motion, such as the 10-percent probability of exceedance in 50 years. This level of ground shaking has been used for designing buildings in high seismic areas.⁵⁹

⁵⁸ University of California Berkley. (2015, April 2). <https://news.berkeley.edu/2015/04/02/calaveras-hayward-fault-link-means-potentially-larger-quakes/>

⁵⁹ Probabilistic Seismic Hazard Assessment, Association of Bay Area Government Resilience Program (2018, February 22) <https://www.arcgis.com/home/item.html?id=c3a21989363b484ca6f9c0730e14d9f6>.

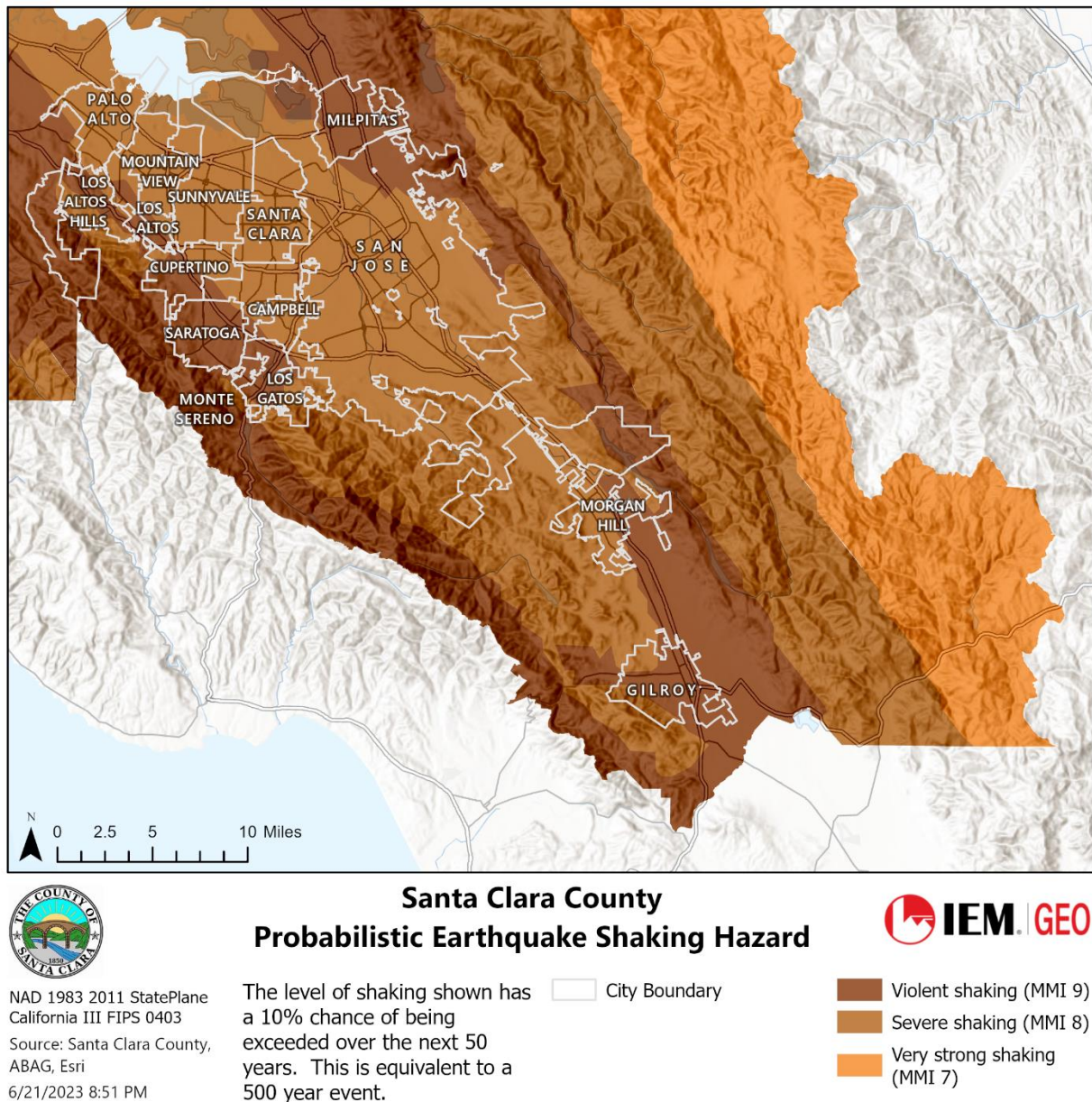


Figure 24: 500-Year Probabilistic Earthquake Scenario Peak Ground Acceleration

7.2.3 ShakeMaps

A ShakeMap is a representation of ground shaking produced by an earthquake. The information it presents is different from the earthquake magnitude and epicenter that are released after an earthquake because ShakeMaps focus on the ground shaking resulting from the earthquake, rather than the parameters describing the earthquake source. An earthquake has only one magnitude and one epicenter, but it produces a range of ground shaking at sites throughout the region, depending on the distance from the earthquake, the rock and soil conditions at sites, and variations in the propagation of seismic waves from the earthquake due to complexities in the structure of the earth's crust. A ShakeMap shows the extent and variation of ground shaking in a region immediately following significant earthquakes.

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Ground motion and intensity maps are derived from peak ground motion amplitudes recorded on seismic sensors (accelerometers), with interpolation based on estimated amplitudes where data are lacking, and site amplification corrections. Color-coded instrumental intensity maps are derived from empirical relations between peak ground motions and Modified Mercalli intensity.

There are two types of scenario ground motion maps: a ShakeMap of median shaking for a fault rupture; and a map of simulated ground motions for a specified earthquake hypocenter and fault rupture. The latter is more like an earthquake event and presents more variability in ground motions than a scenario ShakeMap.

Earthquake scenario maps describe the expected ground motions and effects of hypothetical large earthquakes for a region. The following scenarios were chosen for this plan:

- A Magnitude 7.0 on the Hayward Fault with an epicenter approximately 25 miles north of the City of Palo Alto. ⁶⁰
- A Magnitude 7.0 on the Calaveras Fault with an epicenter approximately 25 miles north of the City of Milpitas. ⁶¹
- A Magnitude 7.8 on the San Andreas Fault with an epicenter approximately 148 miles northwest of the City of Palo Alto. ⁶²

⁶⁰ U.S. Geological Survey Shakemap Scenario. (n.d.) M 7.0 Scenario Earthquake – Hayward – Rodgers Creek. https://earthquake.usgs.gov/scenarios/eventpage/nclegacyhaywardrogerscreekhnhsm7p0_se/executive.

⁶¹ U.S. Geological Survey Shakemap Scenario (n.d.) M 7.0 Scenario Earthquake – Calaveras North + Central + South. https://earthquake.usgs.gov/scenarios/eventpage/nclegacycalaverascnccsm7p0_se/executive.

⁶² USGS Shakemap Scenario (n.d.) M 7.8 Scenario Earthquake – N. San Andreas; North Coast + Peninsula + Santa Cruz Mountain. https://earthquake.usgs.gov/scenarios/eventpage/nclegacynpsanandreassansapsasm7p8_se/executive.

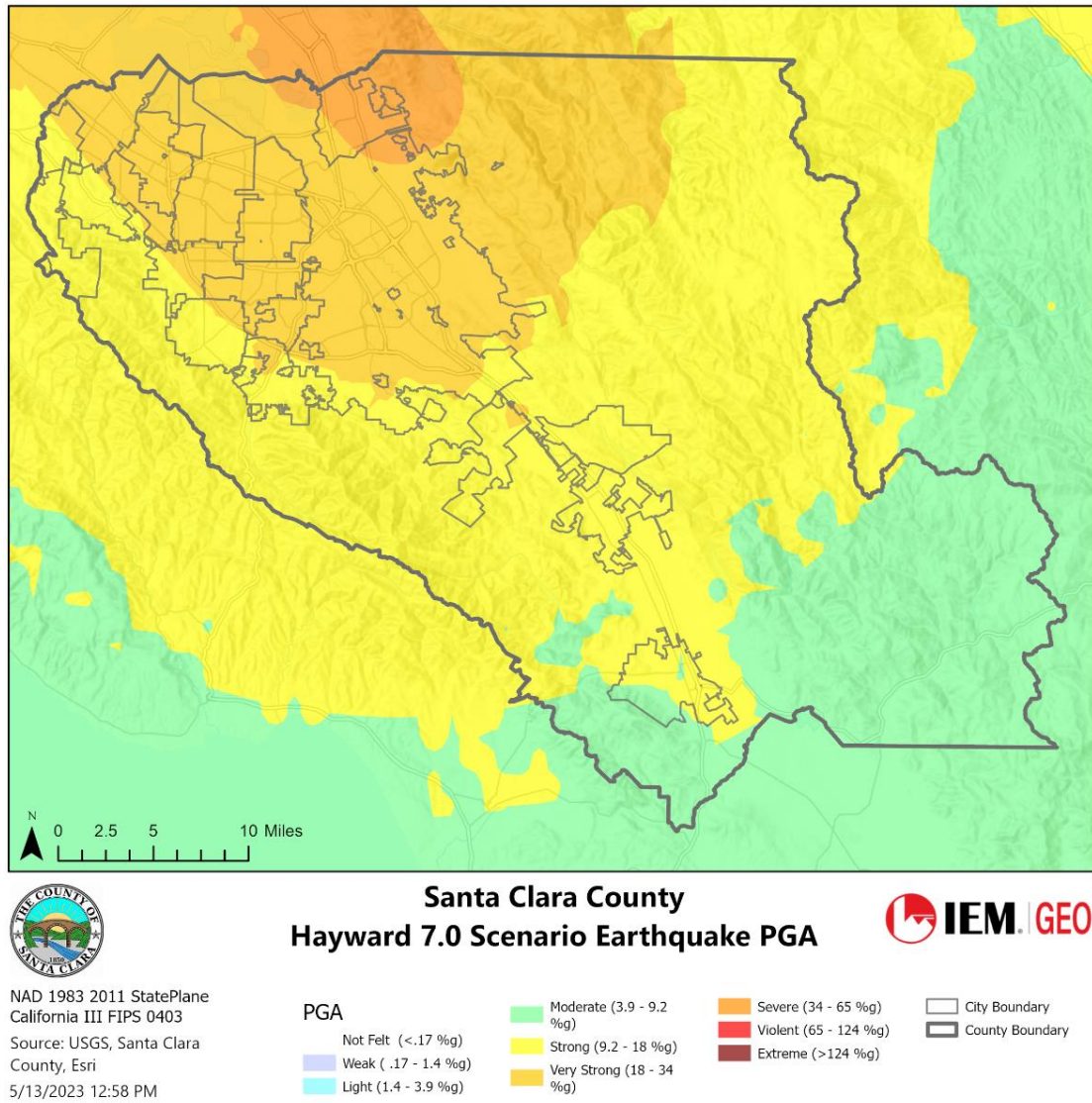


Figure 25: Hayward Magnitude 7.0 Fault Scenario Peak Ground Acceleration

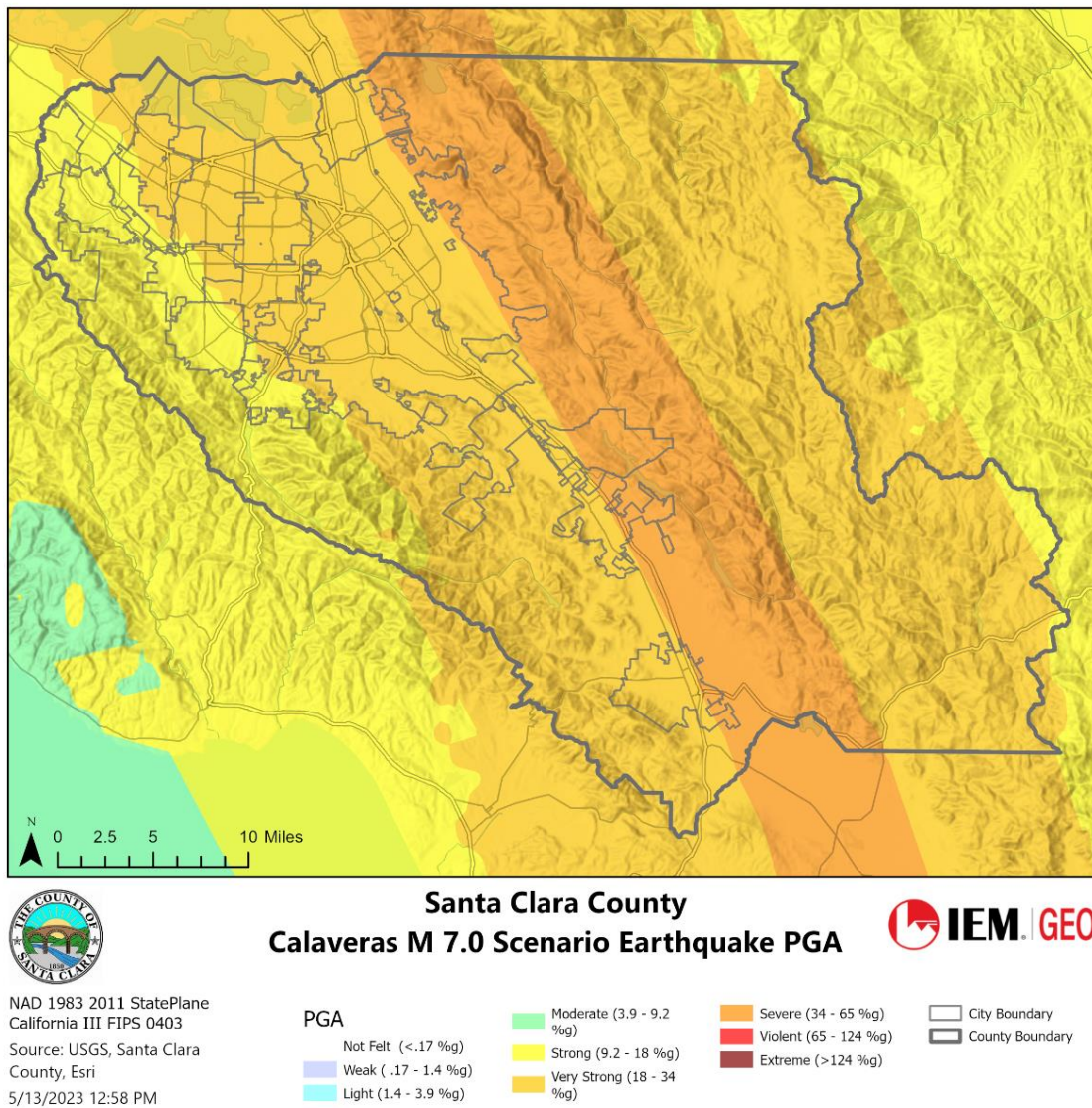


Figure 26: Calaveras Magnitude 7.0 Fault Scenario Peak Ground Acceleration

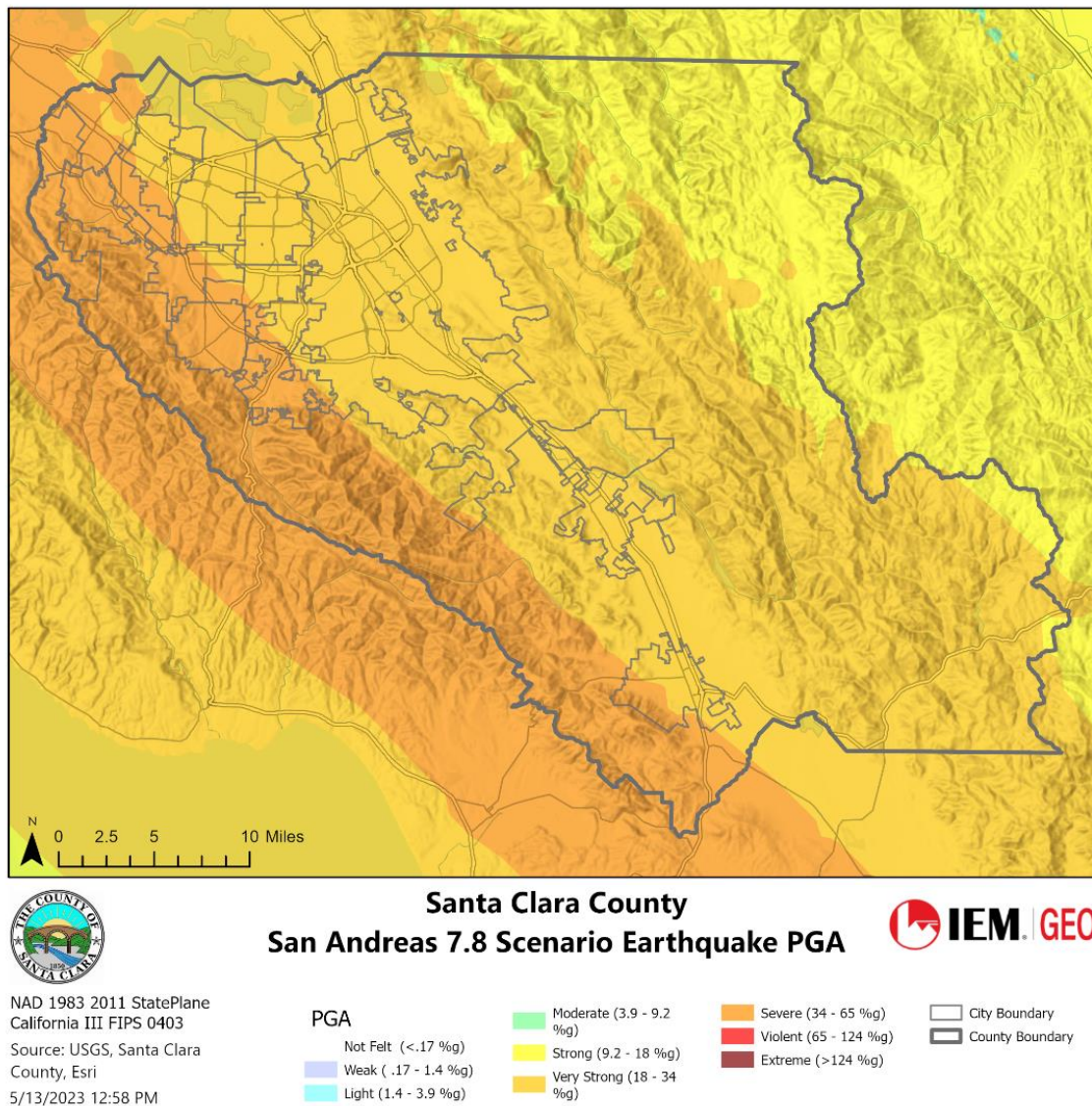


Figure 27: San Andreas Magnitude 7.8 Fault Scenario Peak Ground Acceleration

Liquefaction Maps

Soil liquefaction maps are useful tools to assess potential damage from earthquakes. When the ground liquefies, sandy or silty materials saturated with water behave like a liquid, causing pipes to leak, roads and airport runways to buckle, and building foundations to be damaged. In general, areas with NEHRP Soils D, E, and F are also susceptible to liquefaction. If there is a dry soil crust, excess water will sometimes come to the surface through cracks in the confining layer, bringing liquefied sand with it, creating sand boils. Figure 27 shows the liquefaction susceptibility in the Santa Clara County OA.

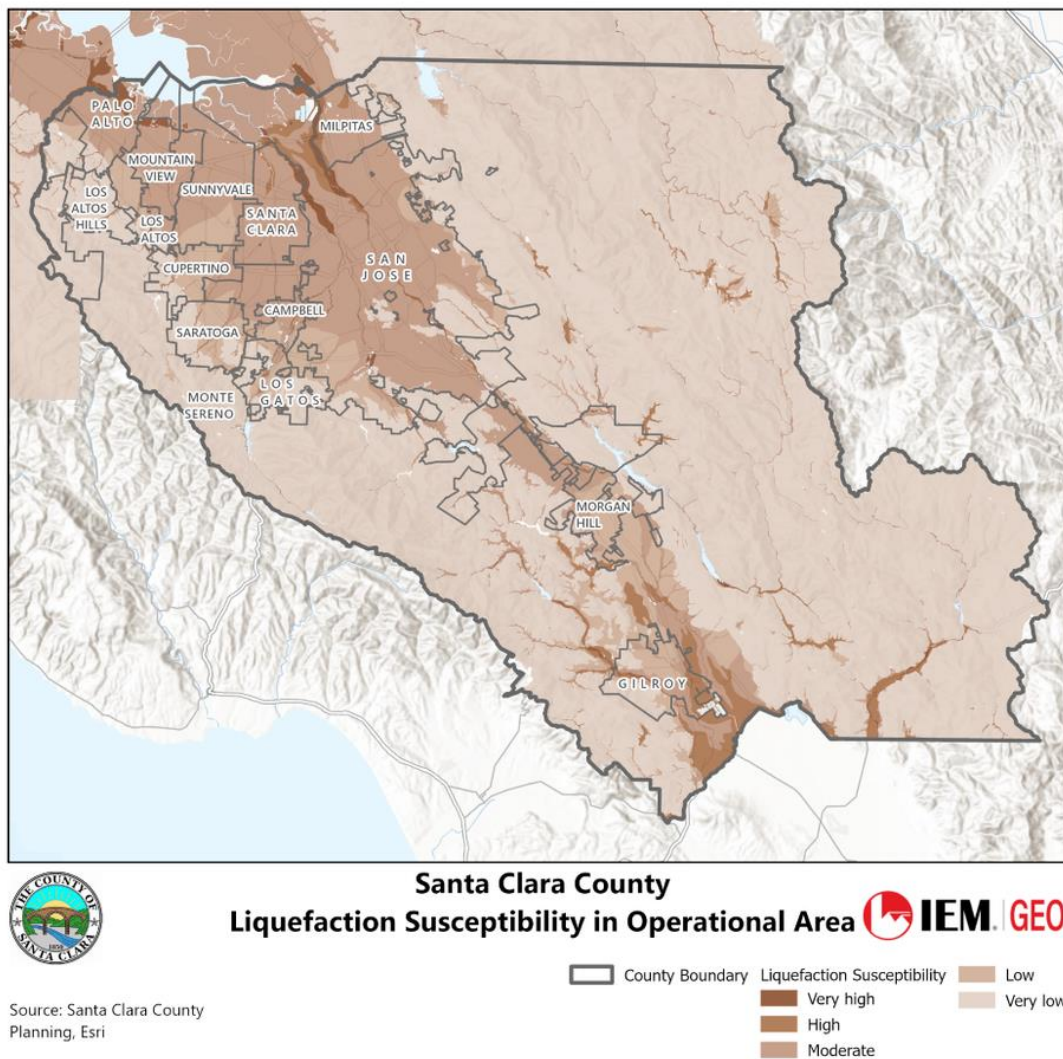


Figure 28: Liquefaction Susceptibility

Alquist-Priolo Zone Maps

The sliding movement of earth on either side of a fault is called fault rupture. Fault rupture begins below the ground surface at the earthquake hypocenter, typically between 3 and 12 miles below the ground surface in California. If an earthquake is large enough, the fault rupture will travel to the ground surface, potentially destroying structures built across its path.

California's Alquist-Priolo Zone maps define regulatory zones for potential surface fault rupture where fault lines intersect with future development and populated areas. The purpose of these maps is to assist in the geologic investigation before construction begins to ensure that structures will not be located on an active fault.

Cities and counties affected by the zones must regulate certain development projects while sellers of real estate must disclose at the time of sale that the property lies within such a zone. The Santa Clara County OA is located in a designated Alquist-Priolo Zone for the Hayward Fault.⁶³

Alquist-Priolo maps were referenced, but not specifically used, in the assessment of risk for this plan. This plan assumes that the studies conducted and information provided by the State of California are the best available data for surface rupture risk and could not be improved through a separate assessment for this plan. Alquist-Priolo maps are available to the public on the California Department of Conservation website.⁶⁴

7.2.4 Frequency

California experiences hundreds of earthquakes each year, most with minimal damage and magnitudes below 3.0 on the Richter Scale. Earthquakes that cause moderate damage to structures occur several times a year. According to the USGS, a strong earthquake measuring greater than 5.0 on the Richter Scale occurs every 2 to 3 years and major earthquakes of more than 7.0 on the Richter Scale occur once a decade.

The USGS estimated in 2016 that there is a 72-percent probability of at least one earthquake before 2043 with a magnitude of 6.7 or greater that could cause widespread damage in the San Francisco Bay area.⁶⁵ According to the Third Uniform California Earthquake Rupture Forecast, the probability of moderate-sized earthquakes (magnitude 6.5 to 7.5) is lower than previously forecasted, whereas that of larger events is higher.⁶⁶ This is because the new study took into account the possibility of ruptures along multiple faults simultaneously. Probabilities for earthquakes on major fault lines in the San Francisco Bay Area have been estimated by the USGS in its 2016 report, as summarized in Table 21.

A major earthquake could happen at any time. Both the San Andreas and the Hayward Faults have the potential for experiencing major to great events. Large earthquakes along the Hayward Fault have occurred on average every 150 years – the last being in 1868.⁶⁷ USGS describe the fault as a “tectonic time bomb.”⁶⁸ Any seismic activity of 6.0 or greater on faults within the OA would have significant impacts throughout the OA. Bay Area communities can use the likelihood of a 6.8-7.0 earthquake near San Francisco as a predictive model of what to prepare for.

Further information on the impact of climate change on the probability of earthquakes is included in Section 11.

Probability in OA: Likely

⁶³ California Department of Conservation. (2008). Hayward Fault Fact Sheet.

<https://www.conservation.ca.gov/index/Pages/HaywardFaultFactSheet.aspx>

⁶⁴ California Department of Conservation. (2023). The California Seismic Hazards Program.

<https://www.conservation.ca.gov/cgs/sh>

⁶⁵ U.S. Geological Survey. (2016, August). Earthquake Outlook for the San Francisco Bay Region 2014-2043.

<https://pubs.usgs.gov/fs/2016/3020/fs20163020.pdf>

⁶⁶ Southern California Earthquake Center. (2017). Third Uniform California Earthquake Rupture Forecast.

<https://www.scec.org/ucrf#:~:text=UCERF3%20shows%20the%20likelihood%20of%20moderate-sized%20earthquakes%20%28magnitude,may%20occasional%20rupture%20together%20to%20cause%20larger%20earthquakes.>

⁶⁷ California Earthquake Authority. (2020, July 8). What to Expect from an Earthquake along the Hayward Fault.

<https://www.earthquakeauthority.com/Blog/2019/hayward-fault-earthquake-prediction>

⁶⁸ U.S. Geological Survey. (2008). The Hayward Fault – Is it Due for a Repeat of the Powerful 1868 Earthquake?

<https://pubs.usgs.gov/fs/2008/3019/>

Table 21: Earthquake Probabilities for the San Francisco Bay Area Region, 2014–2043⁶⁹

Fault	Probability of One or More M ≥ 6.7 Quake 2014–2043
Hunting Creek	16%
Green Valley	16%
Concord	16%
Greenville	16%
Berryessa	16%
Calaveras	26%
Maacama	8%
Rodgers Creek Fault	33%
Hayward	33%
San Andreas	22%
San Gregorio	6%

7.2.5 Severity

The severity of an earthquake can be expressed in terms of intensity or magnitude:

- Intensity represents the observed effects of ground shaking at any specified location. The intensity of earthquake shaking lessens with distance from the earthquake epicenter. Tabulated peak ground accelerations for listed “maximum credible earthquakes” are a measure of how a site will be affected by seismic events on distant faults.
- Magnitude represents the amount of seismic energy released at the hypocenter of the earthquake. It is based on the amplitude of the earthquake waves recorded on instruments. Magnitude is thus represented by a single, instrumentally determined value.

⁶⁹ U.S. Geological Survey. (2017). Map of Known Active Faults and Earthquake Probabilities. <https://www.usgs.gov/media/images/map-known-active-faults-and-earthquake-probabilities>

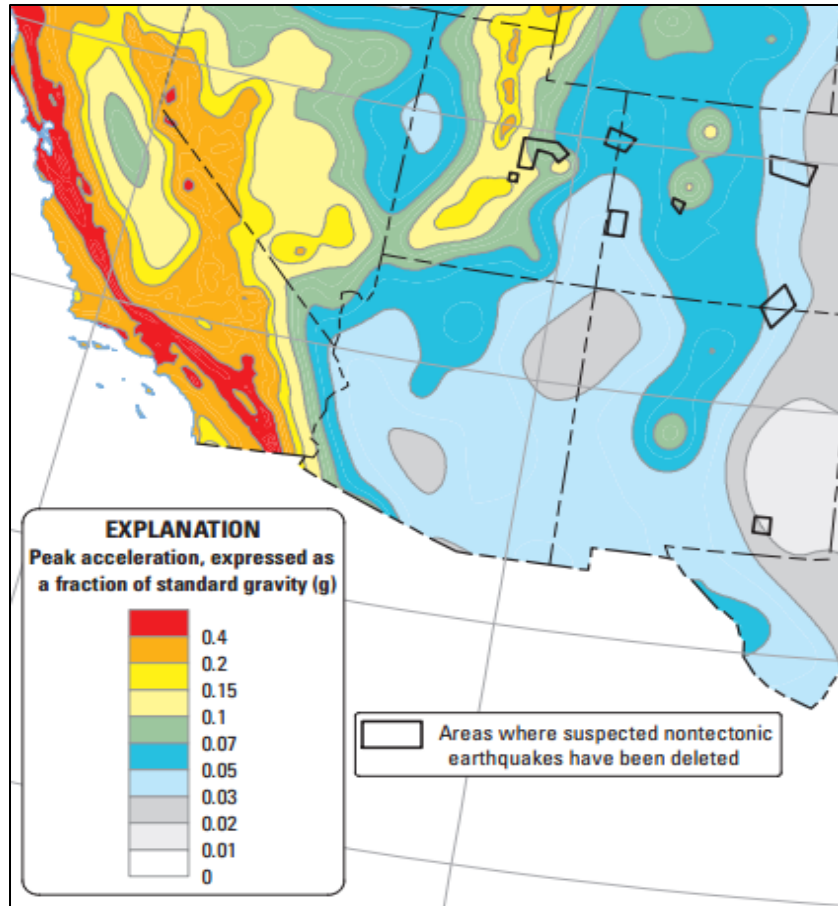


Figure 29: Peak Ground Acceleration with 10-percent Probability of Exceedance in 50 Years

ABAG estimates a potential loss of 159,000 housing units in Bay Area communities after a large earthquake. This loss would have disastrous effects on local and regional economies. Recovery, repair, and rebuilding time for each household would be lengthy because of the number of homes that would need repair or replacement.

Annual losses also represent a sizable economic burden on the OA. According to FEMA 2023 report *Hazus Estimated Annualized Earthquake Losses for the United States*, the annualized earthquake loss ratio (AELR)—or the estimated building loss value as a fraction of the building inventory replacement value—for the San José metro area is the second highest in California.⁷⁰ The metro areas include San José, Sunnyvale, and Santa Clara. This finding emphasizes the fact that the severity of more frequent, non-catastrophic earthquakes is still significant enough to warrant further seismic risk reduction actions.

7.2.6 Warning Time

There is no current reliable way to predict when an earthquake will occur at any given location. Research and beta testing are being done with warning systems that use telecommunications that can travel faster than an earthquake's high energy waves, called S waves.

⁷⁰ FEMA. (April 2023). *Hazus Estimated Annualized Earthquake Losses for the United States*. [Hazus Estimated Annualized earthquake losses for the United States, FEMA P-366](#)

The warning is generated by a rupture at an earthquake's hypocenter and telecommunicated to provide a warning for shaking before the S waves arrive. These potential earthquake early warning systems could give up to approximately 40 seconds' notice of peak earthquake shaking. In 2019, California became the nation's first state to have a statewide earthquake early warning system. Early Warning California is able to provide alerts to the public seconds before an earthquake is felt. The warning time is very short, but it could allow for someone to get under a desk, step away from a hazardous material, or shut down a computer system.

7.3 Cascading Impacts

Earthquakes can cause a variety of cascading hazards including landslides, tsunamis, fires, dam failures, and hazardous material releases. Earthquakes cause large and sometimes disastrous landslides and mudslides. River valleys are vulnerable to slope failure, often as a result of loss of cohesion in clay-rich soils. Soil liquefaction occurs when water-saturated sands, silts, or gravelly soils are shaken so violently that the individual grains lose contact with one another and "float" freely in the water, turning the ground into a pudding-like liquid. Building and road foundations lose load-bearing strength and may sink quicksand-like into what was previously solid ground. Unless properly secured, hazardous materials can be released, causing considerable damage to the environment and people.

Depending on the location, earthquakes can also trigger tsunamis. Most tsunamis are caused by underwater earthquakes. The tsunami hazard is further described in Section 13. Earthen dams and levees are highly susceptible to seismic events, and the impacts of their eventual failures can be considered secondary risk exposure to earthquakes. Dams do not have to be destroyed in an earthquake for there to be devastating consequences. Dams can be cracked due to embankment deformation induced by ground shaking, experience foundation damage, or be impacted by an earthquake-caused landslide. Dam failures can result in significant downstream flooding. This hazard is further described in Section 12.

Additionally, fires can result from gas lines or power lines that are broken or downed during the earthquake. It may be difficult to control a fire, particularly if the water lines feeding fire hydrants are also broken. After the 1906 earthquake in San Francisco, for example, a fire burned for three days, destroying much of the city and leaving 200,000 people houseless.⁷¹ Fires in urban areas present unique firefighting and public health challenges. They would be a considerable concern after a major earthquake event.

7.4 Exposure

7.4.1 Population

The entire population of the OA is potentially exposed to direct and indirect impacts from earthquakes. The degree of exposure is dependent on many factors, including the age and construction type of the structures people live in, the soil their homes are constructed on, their proximity to fault location, etc. Whether directly impacted or indirectly impact, the entire population will have to deal with the consequences of earthquakes to some degree. Business interruption could keep people from working, road closures could isolate populations, and loss of functions of utilities could impact populations that suffered no direct damage from an event itself.

⁷¹ The U.S. National Archives and Records Administration. (n.d.). San Francisco Earthquake, 1906. <https://www.archives.gov/legislative/features/sf#:~:text=On%20the%20morning%20of%20April%2018%2C%201906%2C%20a,three%20days%20and%20destroyed%20nearly%20500%20city%20blocks.>

7.4.2 Property

According to Santa Clara County Tax Assessor records, there are 535,391 buildings in the OA, with a total replacement value of \$381 billion. Since all structures in the OA are susceptible to earthquake impacts to varying degrees, this total represents the property exposure to seismic events. Table 22 shows the exposure value breakdown by jurisdiction with the OA.

Table 22: Earthquake Exposure by Jurisdiction

Jurisdiction	Number of Buildings	Total Building Value: Structure and Contents
Campbell	14,494	\$9,337,059,000
Cupertino	17,460	\$14,466,910,000
Gilroy	11,597	\$7,140,035,000
Los Altos	13,433	\$9,697,438,000
Los Altos Hills	3,342	\$4,077,127,000
Los Gatos	10,467	\$7,634,327,000
Milpitas	20,912	\$13,830,811,000
Monte Sereno	1,078	\$986,431,000
Morgan Hill	21,044	\$5,547,035,000
Mountain View	6,545	\$14,501,750,000
Palo Alto	19,914	\$16,233,190,000
San José	25,5703	\$168,553,959,000
Santa Clara (city)	32,978	\$26,584,014,000
Saratoga	10,214	\$8,348,159,000
Sunnyvale	41,941	\$28,567,428,000
Unincorporated County	54,269	\$46,077,151,000
Total	535,391	\$381,582,824,000

7.4.3 Loss Potential

Property losses were estimated through the Level 2 Hazus analysis for the 100-year and 500-year earthquakes and the three scenario events. Table 23 through Table 27 show the results for two types of property loss:

- Structural loss, representing damage to building structures.
- Contents loss, representing the value of lost contents and inventory.
- Total loss, representing a combination of direct (structural and content) and indirect costs such as relocation, income loss, rental loss, and wage loss.

Table 23: Loss Estimates for 100-Year Probabilistic Earthquake

Jurisdiction	Estimated Loss Associated with Earthquake			% of Total Replacement Value
	Structure	Contents	Total	
Campbell	\$83,411,720	\$147,383,480	\$714,842,110	6.42
Cupertino	\$110,113,070	\$202,728,570	\$944,296,790	5.58
Gilroy	\$111,762,750	\$186,420,740	\$919,308,810	10.87
Los Altos	\$60,407,350	\$105,705,000	\$516,809,420	4.75
Los Altos Hills	\$15,337,870	\$32,413,630	\$143,905,510	3.27
Los Gatos	\$52,214,200	\$97,964,100	\$469,109,470	5.21
Milpitas	\$229,633,340	\$366,547,460	\$1,792,104,770	10.79
Monte Sereno	\$5,582,230	\$9,912,830	\$48,082,010	4.59
Morgan Hill	\$85,693,050	\$144,753,610	\$647,026,030	9.86
Mountain View	\$138,215,630	\$228,950,290	\$1,135,921,470	6.55
Palo Alto	\$123,276,450	\$234,519,070	\$1,143,458,680	5.89
San José	\$2,271,729,230	\$3,804,754,590	\$18,548,766,290	9.19
Santa Clara (city)	\$371,540,110	\$623,137,970	\$2,922,510,780	9.07
Saratoga	\$46,922,910	\$87,663,150	\$411,758,710	4.52
Sunnyvale	\$277,402,330	\$471,198,590	\$2,271,326,290	6.81
Unincorporated County	\$491,709,760	\$847,476,000	\$4,002,857,370	7.40
Total	\$4,474,952,000	\$7,597,529,080	\$36,632,084,510	8.07

Table 24: Loss Estimates for 500-Year Probabilistic Earthquake

Jurisdiction	Estimated Loss Associated with Earthquake			% of Total Replacement Value
	Structure	Contents	Total	
Campbell	\$332,939,800	\$514,222,930	\$2,637,075,050	23.67
Cupertino	\$483,321,680	\$773,618,650	\$3,846,779,640	22.62
Gilroy	\$325,070,990	\$496,300,090	\$2,565,057,320	30.59
Los Altos	\$253,325,050	\$368,045,620	\$1,957,493,570	17.73
Los Altos Hills	\$79,356,360	\$139,360,770	\$675,309,730	14.98
Los Gatos	\$237,262,800	\$375,686,540	\$1,937,596,360	21.33
Milpitas	\$868,837,200	\$1,284,918,220	\$6,491,226,210	39.92
Monte Sereno	\$24,465,000	\$32,498,890	\$181,964,270	17.12
Morgan Hill	\$278,620,680	\$446,000,140	\$2,045,968,380	31.44
Mountain View	\$554,403,710	\$860,895,660	\$4,359,290,900	25.19

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Jurisdiction	Estimated Loss Associated with Earthquake			% of Total Replacement Value
	Structure	Contents	Total	
Palo Alto	\$508,699,590	\$904,493,750	\$4,518,057,520	23.11
San José	\$7,547,645,640	\$12,175,341,680	\$60,078,192,300	30.15
Santa Clara (city)	\$1,281,702,680	\$2,143,040,010	\$10,023,437,510	31.60
Saratoga	\$215,118,140	\$317,501,240	\$1,672,277,590	18.05
Sunnyvale	\$1,022,240,280	\$1,620,535,330	\$8,017,810,470	24.07
Unincorporated County	\$1,834,740,210	\$2,763,641,700	\$13,914,201,350	25.85
Total	\$15,847,749,810	\$25,216,101,220	\$142,921,738,170	27.77

Table 25: Loss Estimates for San Andreas Fault Scenario Earthquake

Jurisdiction	Estimated Loss Associated with Earthquake			% of Total Replacement Value
	Structure	Contents	Total	
Campbell	\$49,214,560	\$92,236,240	\$432,374,280	3.91
Cupertino	\$81,301,810	\$153,677,230	\$710,419,020	4.24
Gilroy	\$33,481,560	\$61,301,010	\$280,483,670	3.24
Los Altos	\$55,804,220	\$90,175,700	\$462,202,090	4.27
Los Altos Hills	\$10,926,300	\$20,917,530	\$97,960,120	2.25
Los Gatos	\$27,424,860	\$45,440,870	\$234,302,660	2.58
Milpitas	\$296,969,340	\$464,378,390	\$2,282,091,580	13.76
Monte Sereno	\$2,727,410	\$4,081,180	\$21,982,080	2.10
Morgan Hill	\$24,995,170	\$42,475,860	\$184,472,540	2.78
Mountain View	\$132,855,600	\$217,121,870	\$1,083,896,690	6.22
Palo Alto	\$97,695,850	\$200,178,300	\$936,127,860	4.90
San José	\$1,868,771,120	\$3,118,303,370	\$14,933,844,800	7.34
Santa Clara (city)	\$325,662,720	\$591,625,640	\$2,655,220,690	8.28
Saratoga	\$27,814,510	\$48,360,240	\$237,674,840	2.62
Sunnyvale	\$260,122,500	\$429,175,020	\$2,076,576,830	6.17
Unincorporated County	\$288,238,330	\$481,595,870	\$2,294,416,020	4.20
Total	\$3,584,005,860	\$6,061,044,320	\$28,924,045,770	6.34

Table 26: Loss Estimates for Hayward Fault Scenario Earthquake

Jurisdiction	Estimated Loss Associated with Earthquake			% of Total Replacement Value
	Structure	Contents	Total	
Campbell	\$40,301,090	\$98,620,250	\$409,079,960	3.76

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Jurisdiction	Estimated Loss Associated with Earthquake			% of Total Replacement Value
	Structure	Contents	Total	
Cupertino	\$76,928,120	\$182,120,770	\$752,020,960	4.56
Gilroy	\$30,147,280	\$73,497,000	\$305,747,590	3.72
Los Altos	\$45,091,440	\$101,276,690	\$433,600,270	4.03
Los Altos Hills	\$25,102,370	\$58,726,440	\$246,663,700	5.56
Los Gatos	\$49,681,050	\$105,154,360	\$470,871,870	5.23
Milpitas	\$22,068,720	\$68,614,250	\$254,995,140	1.61
Monte Sereno	\$4,912,510	\$10,456,710	\$45,981,960	4.41
Morgan Hill	\$17,740,240	\$47,816,600	\$177,511,110	2.78
Mountain View	\$65,744,520	\$161,424,770	\$669,374,410	3.94
Palo Alto	\$74,475,780	\$202,860,830	\$827,014,160	4.32
San José	\$412,039,580	\$1,243,445,510	\$4,732,726,140	2.46
Santa Clara (city)	\$78,077,550	\$242,884,660	\$886,193,970	2.89
Saratoga	\$48,918,390	\$105,223,740	\$456,057,380	5.04
Sunnyvale	\$97,943,980	\$261,626,210	\$1,041,138,290	3.22
Unincorporated County	\$206,686,640	\$460,193,440	\$1,944,849,460	3.66
Total	\$1,295,859,260	\$3,423,942,230	\$13,653,826,370	3.13

Table 27: Loss Estimates for Calaveras Fault Scenario Earthquake

Jurisdiction	Estimated Loss Associated with Earthquake			% of Total Replacement Value
	Structure	Contents	Total	
Campbell	\$40,939,680	\$86,487,180	\$386,261,760	3.56
Cupertino	\$71,012,520	\$146,392,880	\$651,211,640	3.95
Gilroy	\$19,238,740	\$45,359,670	\$188,770,670	2.26
Los Altos	\$50,620,630	\$86,562,830	\$431,369,830	4.03
Los Altos Hills	\$10,762,060	\$20,780,700	\$96,841,280	2.23
Los Gatos	\$23,993,340	\$43,003,930	\$213,109,080	2.40
Milpitas	\$209,898,010	\$374,708,150	\$1,728,857,450	10.54
Monte Sereno	\$2,665,370	\$4,043,610	\$21,636,660	2.08
Morgan Hill	\$15,897,370	\$34,459,240	\$137,948,090	2.14
Mountain View	\$105,347,590	\$194,639,980	\$921,924,650	5.39
Palo Alto	\$84,410,530	\$188,043,650	\$842,872,700	4.49
San José	\$1,354,935,210	\$2,533,808,530	\$11,560,267,970	5.78
Santa Clara (city)	\$250,185,320	\$521,829,550	\$2,208,182,000	6.99
Saratoga	\$26,733,350	\$47,643,880	\$231,358,470	2.57

Jurisdiction	Estimated Loss Associated with Earthquake			% of Total Replacement Value
	Structure	Contents	Total	
Sunnyvale	\$198,860,640	\$368,380,050	\$1,711,126,870	5.17
Unincorporated County	\$211,495,100	\$406,336,080	\$1,828,500,120	3.42
Total	\$2,676,995,460	\$5,102,479,910	\$23,160,239,240	5.16

A summary of the property-related loss results is as follows:

- For a 100-year probabilistic earthquake shaking, the estimated damage potential is \$36.6 billion, or 8 percent of the total replacement value for the OA.
- For a 500-year probabilistic earthquake shaking, the estimated damage potential is \$142.9 billion, or 27.8 percent of the total replacement value for the OA.
- For a 7.8-magnitude event on the San Andreas Fault, the estimated damage potential is \$28.9 billion, or 6.3 percent of the total replacement value for the OA.
- For a 7.0-magnitude event on the Hayward Fault, the estimated damage potential is \$13.7 billion or 5 percent of the total replacement value for the OA.
- For a 7.0-magnitude event on the Calaveras Fault, the estimated damage potential is \$23.2 billion, or 5.6 percent of the total replacement value for the OA.

The Hazus analysis also estimated the amount of earthquake-caused debris in the OA for the 100-year and 500-year earthquakes and the three scenario events, as summarized in Table 28: .

Table 28: Estimated Earthquake-Caused Debris

Scenario	Debris to Be Removed (Thousands of Tons)
100-Year Earthquake	4,589
500-Year Earthquake	17,862
San Andreas Fault Scenario	3,902
Hayward Fault Scenario	1,106
Calaveras Fault Scenario	2,638

7.4.4 Critical Facilities and Infrastructure

All critical facilities in the OA are exposed to the earthquake hazard. Table 29: Number of Critical Facilities Exposed to Earthquakes lists the number of each type of facility by jurisdiction. Additionally, communities in the Bay Area are serviced by infrastructure that is susceptible to damage from earthquakes, as nearly all the infrastructure connection that the area depends on for water, electric power, fuel, and transportation services cross a fault.⁷² Hazardous materials releases can occur during an earthquake from fixed facilities or transportation-related incidents. Transportation corridors can be disrupted during an earthquake, leading to the release of materials to the surrounding environment.

⁷² California Office of Emergency Services. (2016, July 6). Bay Area Earthquake Plan. https://www.caloes.ca.gov/wp-content/uploads/Preparedness/Documents/BayAreaEQConopsPub_Version_2016.pdf

Facilities holding hazardous materials are of particular concern because of possible isolation of neighborhoods surrounding them. During an earthquake, structures storing these materials could rupture and leak into the surrounding area or an adjacent waterway, having a disastrous effect on the environment, or emit chemicals in a toxic plume.

Table 29: Number of Critical Facilities Exposed to Earthquakes

Jurisdiction	Number of Facilities by Jurisdiction					
	Critical Facilities	Transportation	Utilities	Community Assets	Hazardous Materials	Total
Campbell	21	23	0	7	6	57
Cupertino	26	26	2	16	5	75
Gilroy	25	34	2	13	7	81
Los Altos	22	8	0	11	0	41
Los Altos Hills	6	21	0	2	0	29
Los Gatos	20	35	0	6	1	62
Milpitas	32	66	1	19	60	178
Monte Sereno	1	1	0	1	0	3
Morgan Hill	22	14	1	10	8	55
Mountain View	37	52	1	29	20	139
Palo Alto	49	42	4	46	26	167
San José	370	498	18	191	135	1,212
Santa Clara (city)	53	63	9	36	103	264
Saratoga	18	32	0	11	0	61
Sunnyvale	40	49	3	27	51	170
Unincorporated County	35	187	17	48	4	291
Total	777	1151	58	473	426	2885

7.4.5 Environment

The entire OA is a seismically active area and could be exposed to ground shaking from several different faults. According to the Alquist-Priolo Earthquake Fault Zones map for the San Francisco Bay Region, all of the OA is likely to experience very strong, severe, or violent shaking. Environmental problems as a result of an earthquake could occur anywhere in the OA. Cascading hazards will likely have some of the most damaging effects on the environment.

7.5 Vulnerability

Earthquake vulnerability data was generated using a Level 2 Hazus analysis. Once the location and size of a hypothetical earthquake are identified, Hazus estimates the intensity of the ground shaking, the number of buildings damaged, the number of casualties, the damage to transportation systems and utilities, the number of people displaced from their homes, and the estimated cost of repair and cleanup.

Changes in conditions: No change in vulnerability

- Overall, the OA is in a seismically active area with multiple fault sources.
- The OA has a significant population and number of assets exposed to damage from earthquake which constitutes a high risk.
- Population and building development has grown but at a very slow rate and new buildings are built in accordance with seismic codes.

7.5.1 Population

Impacts on persons and households in the OA were estimated for the 100-year and 500-year shaking from earthquakes and the three scenario events through the Level 2 Hazus analysis. One of the primary impacts on population is being displaced from their homes and seeking alternative shelter. Table 30: Estimated Earthquake Impact on Persons summarizes the results. People can also experience physical injury or death, be impacted by disruptions to transportation and utility systems, loss of wages or other loss of services from business interruptions.

There are estimated to be 29,329 people in 10,010 households living on soils with high to very high liquefaction potential in the OA, or about 1.52 percent of the total population. Higher liquefaction potential contributes to structural damage and subsequent displacement of people from their residences.

A summary analysis of demographics using the Hazus data identified populations with additional factors that add to their vulnerability to earthquake hazard. The Hazus model does not provide results for how specific demographic categories will be impacted by the different earthquake scenarios. This only provides a general indication of the number of people who may have a more difficult time recovering from the impacts of an earthquake.

- **Economically Disadvantaged Populations:** It is estimated that 2.45 percent of the people within the OA are economically disadvantaged, defined as having household incomes of \$20,000 or less.
- **Population over 64 Years Old:** It is estimated that 260,705 persons or 13.5 percent of the population in the OA are over 64 years old.
- **Population under 16 Years Old:** It is estimated that 422,719 persons or 21.8 percent of the population within the OA under 18 years of age.
- **Racial and ethnic minorities** comprise a significant proportion of the population: 39% are Asian and 25% are Hispanic.

Table 30: Estimated Earthquake Impact on Persons

Scenario	Number of Displaced Households	Number of Persons Requiring Short-Term Shelter
100-Year Shaking from Earthquakes	16,071	8,076
500-Year Shaking from Earthquakes	77,037	38,242
San Andreas ShakeMap Scenario	4,364	2,047
Calaveras ShakeMap Scenario	8,199	4,047
Hayward ShakeMap Scenario	2,708	1,282

The 100-year shaking results are less than the 500-year shaking results because stronger shaking occurs less often and is more likely to occur in a 500-year period than a 100-year period.

7.5.2 Property

7.5.2.1 Building Age

Table 31 identifies significant milestones in building and seismic code requirements that directly affect the structural integrity of development. Using these time periods, the Core Planning Group used the National Structure Inventory to identify the number of structures in the OA by date of construction. The NSI provided limited data on the number of structures built between 2005 and 2016.

Table 31: Age of Structures in Operational Area

Time Period	Number of Current OA Structures Built in Period	Significance of Time Frame
1939-1940	7,853	In 1940, the first strong motion recording was made.
1941-1960	96,753	In 1960, the Structural Engineers Association of California published guidelines on recommended earthquake provisions.
1961-1975	224,356	In 1975, significant improvements were made to lateral force requirements.
1976-1993	141,510	In 1994, the Uniform Building Code was amended to include provisions for seismic safety.
1994-present	65,144	Seismic code is currently enforced. Please note that data on more recent structures are limited.
Total	535,616	

The number of structures does not reflect the number of total housing units, as many multi-family units and attached housing units are reported as one structure.

Approximately 38.5 percent of the OA's structures were constructed after the Uniform Building Code was amended in 1994 to include seismic safety provisions.

7.5.2.2 Soft-Story Buildings

A soft-story building is a multi-story building with one or more floors that are "soft" because of structural design. If a building has a floor that is 70-percent less stiff than the floor above it, it is considered a soft-story building. This soft story creates a major weak point in an earthquake. Since soft stories are typically associated with retail spaces and parking garages, they are often on the lower stories of a building. When they collapse, they can take the whole building down with them, causing serious structural damage that may render the structure totally unusable.

These floors can be especially dangerous in earthquakes because they cannot cope with the lateral forces caused by the swaying of the building during a quake. As a result, the soft story may fail, causing what is known as a soft-story collapse. Soft-story collapse is one of the leading causes of earthquake damage to private residences.

Loss estimation and vulnerability analyses based on models with specified fragility curves for soft-story construction in the OA are not currently available to support quantitative analyses of risk. There are qualitative reports on risk available within the OA. These reports were not used for this analysis due to their lack of quantitative data. ABAG and other agencies in the Bay Area have programs generating this type of data, but it is not known when such data will be available for the Santa Clara County OA. This type of data will need to be generated to support future risk assessments of the earthquake hazard.

7.5.2.3 Unreinforced Masonry Buildings

Unreinforced masonry buildings are constructed from materials such as adobe, brick, hollow clay tiles, or other masonry materials and do not contain an internal reinforcing structure, such as rebar in concrete or steel bracing for brick. Unreinforced masonry poses a significant danger during an earthquake because the mortar holding masonry together is typically not strong enough to withstand significant earthquakes. Additionally, the brittle composition of these houses can break apart and fall away or buckle, potentially causing a complete collapse of the building.

In the Santa Clara County OA, unreinforced masonry buildings are generally brick buildings that were constructed before modern earthquake building codes and designs were enacted. The State of California enacted a law in 1986 that required all local governments in Seismic Zone 4 (nearest to active earthquake faults) to inventory unreinforced masonry buildings. The law encourages local governments to adopt local mandatory strengthening programs, delineate seismic retrofit standards, and put into place measures to reduce the number of people in unreinforced masonry buildings.

According to ABAG, housing units in unreinforced masonry buildings account for only 1-percent of the total Bay Area housing stock.⁷³

7.5.3 Critical Facilities and Infrastructure

7.5.3.1 Level of Damage

Hazus classifies the vulnerability of critical facilities to earthquake damage in five categories: no damage, slight damage, moderate damage, extensive damage, or complete damage. Hazus also classifies facilities in terms of loss-of-function and possible restoration times. The model was used to assign a vulnerability category to each critical facility category in the OA.

The analysis was performed for the 100-year and 500-year events and for all three fault scenarios. Selected results are summarized in Table 32 through Table 37.

Table 32: Estimated Damage to Critical Facilities from 100-Year Earthquake

Type of Critical Facility	Total	With Moderate Damage	With Complete Damage	With Functionality >50% on Day 1	With Functionality >50% on Day 7
Essential Facilities	777	151	0	257	N/A
Transportation	1154	12	0	1146	1154
Utilities	58	49	0	30	57
Community Assets	515	N/A	N/A	N/A	N/A
Hazardous Materials	426	N/A	N/A	N/A	N/A
Overall	2927	212	0	1433	1211

Notes: Damage level represents the highest-probability damage state for each facility. Values shown are accurate for comparison of results in this plan. See Section 6.7 for discussion of data limitations.

This scenario modeled significant impacts to essential facilities. Loss of functionality of these services will result in difficult response in the immediate aftermath of an earthquake. Furthermore, of the 656,063

⁷³ Association of Bay Area Governments. (2016, March). Resilience Policy Guidance Document Soft Story Retrofit Program Development. https://abag.ca.gov/sites/default/files/soft_story_report_web_version_v2.pdf

households, 203,485 are expected to be without potable water, and 358,285 without electric power on day one. Transportation systems will mostly remain functional.

Table 33: Essential Facility Functionality in 100-Year Probabilistic Earthquake

Facility	Total	With >50% Functionality on Day 1
Hospital	20	7
Schools	617	195
EOCs	7	4
Police Stations	35	12
Fire Stations	98	39

Table 34: Estimated Damage to Critical Facilities from 500-Year Earthquake

Type of Critical Facility	Total	With Moderate Damage	With Complete Damage	With Functionality >50% on Day 1	With Functionality >50% on Day 7
Essential Facilities	777	654	62	0	N/A
Transportation	1154	599	23	607	942
Utilities	58	58	14	0	31
Community Assets	515	N/A	N/A	N/A	N/A
Hazardous Materials	426	N/A	N/A	N/A	N/A
Overall	2957	1311	99	607	973

Notes: Damage level represents the highest-probability damage state for each facility. Values shown are accurate for comparison of results in this plan. See Section 6.7 for discussion of data limitations.

Table 35: Estimated Damage to Critical Facilities from Hayward Fault

Type of Critical Facility	Total	With Moderate Damage	With Complete Damage	With Functionality >50% on Day 1	With Functionality >50% on Day 7
Essential Facilities	777	25	0	704	N/A
Transportation	1154	0	0	1153	1154
Utilities	58	32	0	33	58
Community Assets	515	N/A	N/A	N/A	N/A

Type of Critical Facility	Total	With Moderate Damage	With Complete Damage	With Functionality >50% on Day 1	With Functionality >50% on Day 7
Hazardous Materials	426	N/A	N/A	N/A	N/A
Overall	2927	57	0	1890	1212

Notes: Damage level represents the highest-probability damage state for each facility. Values shown are accurate for comparison of results in this plan. See Section 6.7 for discussion of data limitations.

Table 36: Estimated Damage to Critical Facilities from San Andreas Fault

Type of Critical Facility	Total	With Moderate Damage	With Complete Damage	With Functionality >50% on Day 1	With Functionality >50% on Day 7
Essential Facilities	777	124	0	531	N/A
Transportation	1154	10	0	1151	1154
Utilities	58	29	0	33	58
Community Assets	515	N/A	N/A	N/A	N/A
Hazardous Materials	426	N/A	N/A	N/A	N/A
Overall	2927	163	0	1715	1212

Notes: Damage level represents the highest-probability damage state for each facility. Values shown are accurate for comparison of results in this plan. See Section 6.7 for discussion of data limitations.

Table 37: Estimated Damage to Critical Facilities from Calaveras

Type of Critical Facility	Total	With Moderate Damage	With Complete Damage	With Functionality >50% on Day 1	With Functionality >50% on Day 7
Essential Facilities	777	45	0	579	N/A
Transportation	1154	10	0	1150	1154
Utilities	58	29	0	33	53
Community Assets	515	N/A	N/A	N/A	N/A
Hazardous Materials	426	N/A	N/A	N/A	N/A
Overall	2927	84	0	1762	1207

Notes: Damage level represents the highest-probability damage state for each facility. Values shown are accurate for comparison of results in this plan. See Section 6.7 for discussion of data limitations.

7.5.3.2 Hazardous Materials

An earthquake can cause hazardous material releases from fixed facilities and transportation-related releases. The Bay Area includes numerous oil refineries, chemical plants, tank farms, pipelines, high tech and biotechnology laboratories and production facilities and other industrial facilities.⁷⁴

⁷⁴ California Office of Emergency Services. (2016, July 6). Bay Area Earthquake Plan. https://www.caloes.ca.gov/wp-content/uploads/Preparedness/Documents/BayAreaEQConopsPub_Version_2016.pdf

Additionally, there are multiple highways and railroads which transport HAZMAT, oil, and natural gas products in the OA. Although the Hazus scenarios did not include specific damage estimates for hazardous materials facilities, any facility could experience damage from severe ground shaking that could result in a HAZMAT incident.

7.5.3.3 Transportation

Liquefaction, landslides, and fault surface rupture during an earthquake can significantly damage roads. Access to major roads is crucial to life and safety after a disaster event as well as to response and recovery operations. Disruptions in transportation systems are of particular concern in areas with limited access via transportation corridors, as a major event has the potential to isolate these communities from critical assistance and aid. Several communities in the OA extend into the foothills, where narrow and dead-end spur roads are common. Landslide susceptibility is also higher in these areas. Although the Hazus models did not indicate significant functional disruption to transportation network, past events indicate transportation damage should be expected that will disrupt response and recovery, and also require costly repairs.

7.5.3.4 Bridges

Earthquake shaking, liquefaction and landslides can significantly damage bridges, which often provide the only access to some neighborhoods. Since soft soil regions generally follow floodplain boundaries, those bridges that cross water courses are considered vulnerable. Key factors in the degree of vulnerability are the facility's age and type of construction and soil classification at the bridge support structure, which indicate the standards to which the bridge was built. An example of the location of bridges in the OA with potential damage in the Calaveras Hazus Scenario is shown in Figure 29.

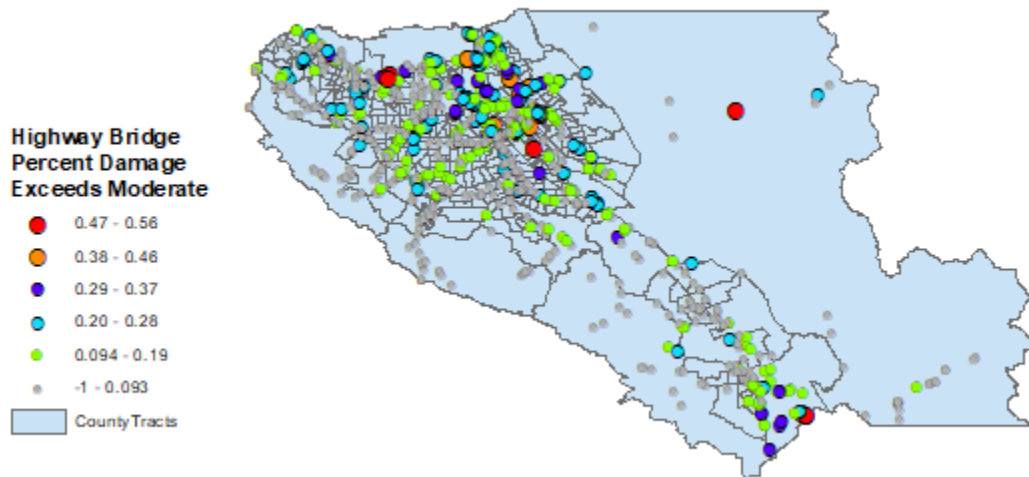


Figure 30: Highway Bridge Percentage Damage Exceeds Moderate: Calaveras Scenario

7.5.3.5 Water and Sewer Infrastructure

Water and sewer infrastructure would likely suffer considerable damage in the event of an earthquake. If water and wastewater treatment plants were damaged, there could be a lack of potable water and spilling of raw sewage into bays or rivers.⁷⁵ Distribution systems with older brittle pipes are vulnerable to shaking

⁷⁵ California Seismic Safety Commission. (1999). Earthquake Risk Management: A Toolkit for Decision-Makers. https://ssc.ca.gov/wp-content/uploads/sites/9/2020/08/ssc_1999-04_risk_toolkit.pdf

and liquefaction in particular. Water and sewer restoration generally takes longer than other critical infrastructure. There would be significant regional needs for water after a Bay Area earthquake. Table 38 and Table 39 give more details on potential damage to these systems based on Hazus models. These indicate a significant number of residents across the OA without essential services for an extended time.

Table 38: Damage to Potable Water Systems by Hazus Scenario

Potable Water	Total Pipelines Length	Number of leaks	Number of Breaks	Households without service at Day 7
100 Year	7,119	2,050	777	147,285
500 Year	7,119	13,762	4,974	625,830
San Andreas	7119	4,717	1,457	362,907
Calaveras	7119	4,696	1,375	342,397
Hayward	7,119	2,947	839	170,876

Table 39: Damage to Waste Water Systems by Hazus Scenario

Waste Water	Total Pipelines Length	Number of leaks	Number of Breaks
100 Year	4,272	1,030	390
500 Year	4,272	6,913	2,498
San Andreas	4,272	2,369	733
Calaveras	4,272	2,359	691
Hayward	4,272	1,480	421

7.5.4 Environment

Environmental problems as a result of an earthquake can be numerous. Earthquakes can cause ground shaking, soil liquefaction, landslides, fissures, fires, dam failures, and tsunamis. Cascading hazards will likely have some of the most damaging effects on the environment. Earthquake-induced landslides in landslide-prone areas can significantly damage surrounding habitat. It is also possible for streams to be rerouted after an earthquake. Rerouting can change the water quality, possibly damaging habitat and feeding areas. There is a possibility that streams fed by groundwater wells will dry up because of changes in underlying geology. Hazardous material releases, including through transportation incidents, damage to sewers, and natural gas lines, as well as other infrastructure could seriously impact the environment.

7.5.5 Economic Impact

Earthquake events can severely disrupt the economy of the affected area. Economic impact will be largely associated with the disruption of power, gas, telecommunication, water, and wastewater services caused by an earthquake event. In general, major events may cause damage to land, buildings, transportation infrastructure, and businesses. With an event of such significance, economic recovery could take years, depending on available recovery funds.

The total economic impact of a major earthquake is likely to spread well beyond the impacted area, especially in a population center like the Santa Clara County OA. This is often referred to the “ripple effect.”⁷⁶ The United States has a highly developed, specialized, interdependent, money economy. While those features make the economy productive and resilient, they also mean that a large magnitude earthquake will not be just a regional event. It has the potential to impact the national economy. An earthquake can result in impacts to the national economy including through disruptions to supply chains, shocks to financial markets, and drain on the insurance system.

Various sectors of the OA economy would be impacted differently. For example, tourism would likely be impacted over a long term while the impacted area recovers. The retail sector would likely recover quickly to support recovery, and the construction sector would eventually experience growth. Businesses would experience different levels of damage to property, loss of revenues, loss of market share and/or reputation. Business interruptions in recent California earthquakes have caused the failure of a number of small and medium-sized businesses.⁷⁷ Failed businesses impact the sales, property, and other tax revenue for local governments. Recovery of the economy is a key sign of a community’s resilience.

7.6 Future Trends in Development

Since all of the Santa Clara County Operational Area is located within an earthquake hazard zone, all future development will, to some extent, be exposed to the earthquake hazard. In the 30 years since the Loma Prieta earthquake, the bay region has invested about \$80 billion (in 2016 U.S. dollars) in seismic strengthening of transportation, water, and other critical infrastructure; hospitals, schools, and governments facilities; and unreinforced masonry, soft story, and other types of buildings.⁷⁸ More work needs to be done to prepare the region for the next major event. A key part of that is adopting and enforcing land use practices and building codes that consider seismic hazards.

Land use planning is directed by general plans adopted under California’s General Planning Law. Municipal planning partners are encouraged to establish General Plans with policies directing land use and dealing with issues of geologic and seismic safety. These plans provide the capability at the local municipal level to protect future development from the impacts of earthquakes. All planning partners reviewed their general plans under the capability assessments performed for this effort. Deficiencies identified by these reviews can be identified as mitigation actions to increase the capability to deal with future trends in development.

Unincorporated Santa Clara County and the development departments in participating jurisdictions will strictly enforce all seismic building codes and design standards to prevent loss of life and property caused by earthquake. Public education, cooperation with the development community, and individual preparedness are essential as the OA welcomes thousands of new residents and hundreds of new businesses to each year. It will take a whole community approach to prepare for the next seismic event. Kaiser Permanente, a health care organization, was highlighted by FEMA as a mitigation best practice for its work to seismically retrofit or replace its existing hospitals and buildings, including the Santa Clara Medical Center, in accordance with California Senate Bill 1953. ABAG’s Resilience Program assists Bay Area local governments and residents in planning and preparing for earthquakes through data, planning, policy, and implementation tools. Plan Bay Area 2050 proposes long-term strategies for minimizing damage from a major earthquake.

⁷⁶ National Academies of Science, Engineering and Medicine. (1992). The Economic Consequences of a Catastrophic Earthquake. <https://nap.nationalacademies.org/catalog/2027/the-economic-consequences-of-a-catastrophic-earthquake-proceedings-of-a>

⁷⁷ California Seismic Safety Commission. (1999). Earthquake Risk Management: A Toolkit for Decision-Makers. https://ssc.ca.gov/wp-content/uploads/sites/9/2020/08/ssc_1999-04_risk_toolkit.pdf

⁷⁸ U.S. Geological Survey. (2021, October). They HayWired Earthquake Scenario. <https://pubs.usgs.gov/fs/2021/3054/fs20213054.pdf>

It aims to provide means-based financial support for the retrofit of existing residential buildings. These investments would ensure higher seismic standards to protect residents, especially those with low-income, from earthquakes.

7.7 Scenario

With the abundance of fault exposure in the Bay Area, the potential scenarios for earthquake activity are many. An earthquake does not have to occur within the OA to have a significant impact on the people, property, and economy of the OA. In 2018, the USGS in partnership with the Southern California Earthquake Center shared hypothetical earthquake scenario known as the HayWired Earthquake Scenario which imagined a M7.0 earthquake centered in Oakland, California rupturing the Hayward fault along its length for about 52 miles. In this scenario, the entire OA would experience ground shaking and severe impacts. A screenshot from the computer simulation of the earthquake shows the region that would be impacted in Figure 30.

If this type of event were to occur, there would be significant impacts through the OA, region, and nation. More than a million Bay Area homes would be impacted.⁷⁹ Potential warning systems would be able to provide mere seconds or tens of seconds of warning time. This would not provide adequate time for preparation. There would be immediate need for first responder assistance. Many thousands of people could be stranded in elevators or under debris. Models predict hundreds of deaths and thousands of injuries. There would be massive structural failure of property on NEHRP C, D, E, and F soils. Levees and revetments built on these poor soils would likely fail, representing a loss of critical infrastructure. Fires could be started and, in worse case scenarios, turn into firestorms, devastating urban areas. Electricity may not return for days. Water restoration may take up to a month. Many homes, particularly those built to older building code standards, would be considered unsafe to return to. Tens of thousands of households could be displaced. Aftershocks would continue to rock the area, causing more damage than the main shock in communities like Palo Alto.⁸⁰ Aftershocks would be felt for months to years after the earthquake event. Cascading impacts, like landslides and mudslides, could further damage structures. River valley hydraulic-fill sediment areas are also vulnerable to slope failure, often as a result of loss of cohesion in clay-rich soils. Soil liquefaction would occur in water-saturated sands, silts, or gravelly soils. The long-term impacts of an earthquake like this would be enormous. The estimated financial loss to residential, commercial, and infrastructure would be over \$100 billion around the Bay Area.

⁷⁹ California Earthquake Authority. (2020, July 8). What to Expect from an Earthquake along the Hayward Fault. <https://www.earthquakeauthority.com/Blog/2019/hayward-fault-earthquake-prediction>

⁸⁰ U.S. Geological Survey. (2018). The HayWired Scenario: An Urban Earthquake in a Connected World. https://geonarrative.usgs.gov/haywired_vol1/#:~:text=The%20U.S.%20Geological%20Survey%20%28USGS%29%20HayWired%20scenario%20considers,fact%2C%20the%20HayWired%20earthquake%20will%20probably%20never%20occur.

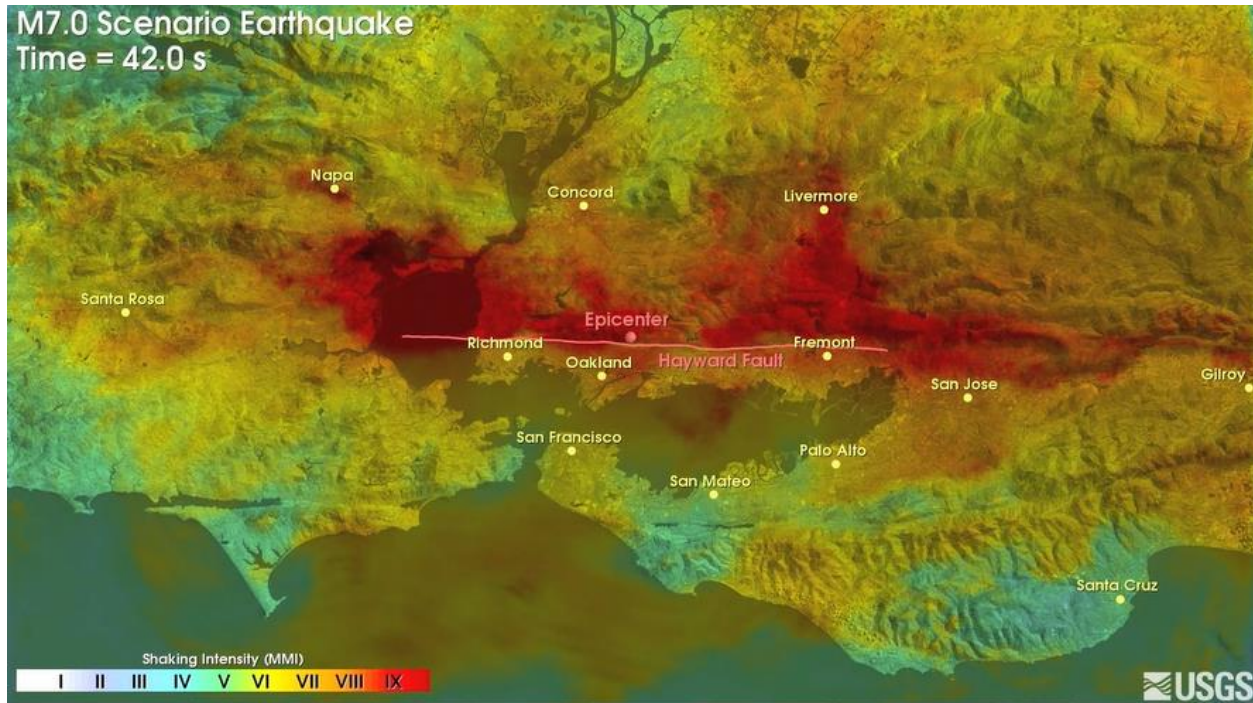


Figure 31: Hayward Fault Earthquake Scenario⁸¹

7.8 Issues

Important issues associated with an earthquake include the following:

- More quantitative information is needed on the exposure and performance of soft-story construction within the OA.
- Approximately 29 percent of the OA's building stock was built prior to 1975, when seismic provisions became uniformly applied through building code applications.
- Based on the modeling of critical facility performance performed for this plan, a portion of facilities in the OA is expected to have complete or extensive damage from scenario events. These facilities are prime targets for structural retrofits.
- Critical facility owners should be encouraged to create or enhance continuity of operations plans using the information on risk and vulnerability contained in this plan.
- Geotechnical standards should be established that consider the probable impacts from earthquakes in the design and construction of new or enhanced facilities.
- There are a large number of high risk dams within the OA. Dam failure warning and evacuation plans and procedures should be reviewed and updated to reflect the dams' risk potential associated with earthquake activity in the region.

⁸¹ U.S. Geological Survey. (2018, January 18). HayWired Scenario. <https://www.usgs.gov/programs/science-application-for-risk-reduction/science/haywired-scenario#:~:text=The%20HayWired%20earthquake%20scenario%20is%20a%20magnitude%207.0,Ma%20By%20Earthquake%20Hazards%20Program%20June%2016%2C%202020>

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- Earthquakes could trigger other natural hazard events such as liquefaction, dam failures and landslides, and fire which could severely impact the OA.
- A worst-case scenario would be the occurrence of a large seismic event during a flood or high-water event. Levee failures would happen at multiple locations, increasing the impacts of the individual events.
- Citizens are expected to be self-sufficient up to 3 days after a major earthquake without government response agencies, utilities, private-sector services, and infrastructure components. Education programs are currently in place to facilitate development of individual, family, neighborhood, and business earthquake preparedness. Government alone can never make this region fully prepared. It takes individuals, families, and communities working in concert with one another to truly be prepared for disaster.
- After a major seismic event, the Santa Clara County Operational Area is likely to experience disruptions in the flow of goods and services resulting from the destruction of major transportation infrastructure across the broader region.
- The Santa Clara County OA is home to multiple tech centers that provide goods and services to the nation and world. A major earthquake in the region would disrupt these service providers and severely impact the economic and functional stability of the region and potentially the country.

Table 40: EMAP Consequence Analysis: Earthquake

Subject	Ranking	Impacts/Earthquake
Public	Minimal to severe	Depending on the size and location of the earthquake, the public may be at significant risk from an earthquake event. They could sustain injuries from falls, collapsing building, fall items, and damaged utilities, as well as any number of cascading impacts. Loss of life is possible. There could be significant disruption to normal life following an event. People with disabilities and access/functional needs, as well as other diverse characteristics that may impact their ability to respond and recover from an event, will need additional assistance.
Responders	Minimal to severe	First responders would be relied upon during the aftermath of an earthquake and potentially exposed to increased risk of injury and loss of life, particularly from aftershocks.
Continuity of Operations (including continue delivery of services)	Minimal to severe	Earthquakes can damage buildings, roads, utilities, and other critical infrastructure necessary for normal operations. Government facilities may be impacted. Records and systems may be damaged or destroyed. Damages may take a long time to repair. Delivery of services may be disrupted.

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Subject	Ranking	Impacts/Earthquake
Property, Facilities, and Infrastructure	Minimal to severe	Depending on the location and magnitude of the earthquake, buildings be damaged or destroyed; bridges, highways, dams, and other public infrastructure may fail; utilities would be interrupted; and community lifelines would be impacted. There would be debris to clean-up. There may be additional cascading impacts, like landslides, tsunamis, fires, or dam failures which compound the event. Medical facilities, mass-care shelters, and essential food and water supply chains would be critical to quickly restore post-event.
Environment	Minimal to severe	Earthquake-caused cascading impacts could negatively impact the environment. Landslides, tsunamis, fires, and dam failures can occur after an earthquake. Disruption to waterways, such as through rerouting streams and debris, could possibly damage habitat and feeding areas. Hazardous materials release would be a serious concern.
Economic Conditions	Minimal to severe	Impacts to the economy will largely depend on the amount of damage and destruction to facilities, infrastructure, and transportation lifelines. Major damage or significant delays in recovery could severely impact the local, state, national, and even global economy.
Public Confidence in the Government	Minimal to severe	The public's confidence in the government will depend on how it handles response and recovery efforts to the event.

8 Wildfire

Definitions

- **Interface Area:** An area susceptible to wildfires and where wildland vegetation and urban or suburban development occur together. An example would be smaller urban areas and dispersed rural housing in forested areas.
- **Wildfire:** Fires that result in uncontrolled destruction of forests, brush, field crops, grasslands, and real and personal property in non-urban areas. Because of their distance from firefighting resources, they can be difficult to contain and can cause a great deal of destruction.

8.1 General Background

A wildfire is any uncontrolled fire occurring on undeveloped land that requires fire suppression. Wildfires can be ignited by lightning or by human activity such as smoking, campfires, equipment use, sparks from power lines, and arson.

Fire hazards present a considerable risk to vegetation and wildlife habitats. Short-term loss caused by a wildfire can include the destruction of timber, wildlife habitat, scenic vistas, and watersheds. Long-term effects include smaller timber harvests, reduced access to affected recreational areas, and destruction of cultural and economic resources and community infrastructure. The potential for significant damage to life and property exists in areas designated as “wildland urban interface areas,” where development is adjacent to densely vegetated areas.

There are a few different types of wildfires:

- **Ground Fires:** Fires that burn when surface fuels, such as organic soils, duff, decomposing litter, buried logs, roots, and the below-surface portion of stumps ignite and burn under the ground. Ground fires may eventually burn through the ground surface and become surface fires.
- **Surface Fires:** Fires that burn on the surface of the ground and are primarily fueled by low-lying vegetation such as leaf and needle litter, dead branch material, downed logs, bark, trees bones, and low stature living plants.
- **Ladder Fuels:** Dead or live vegetation such as low-lying tree branches, shrubs, and trees under the tree canopy that allows an active fire to spread from the forest floor into the tree canopy to become crown fires.
- **Crown Fires:** Fires that spread from treetop to treetop, typically at a rapid pace. They are often pushed by wind and can become extremely intense and difficult to put out.
- **Spotting Fires:** Fires that involve burning embers which are thrown ahead of the main fire. This type of fire can be produced by crown fires depending on wind and topography. Once they begin, spotting fires are difficult to control.
-

The Santa Clara County Community Wildfire Protection Plan was used to inform parts of this risk assessment and can be accessed for an in-depth look at the County’s wildfire risk and other supporting data. The plan can be found online with the following link:

<https://www.sccfd.org/santa-clara-county-community-wildfire-protection-plan/>

8.2 Hazard Profile

8.2.1 Past Events

Wildfire poses a significant risk to public health and safety, economies, infrastructure, and irreplaceable cultural and natural resources within the OA.⁸² Wildfire is an annual risk in Santa Clara County.⁸³ The following are wildfires of over 10 acres that have been recorded in or near the OA before February 2023.⁸⁴

Table 41: Past Wildfire Events

Event Name	Event Period		Additional Information
	From	To	
Lexington Fire	6/26/1985	7/19/1985	FEMA-739-DR-CA. This federal wildfire disaster included six counties. In Santa Clara County, the worst of the fires affected the Santa Cruz Mountains south of the City of San José, threatening at least 2,000 homes and forcing the evacuation of more than 4,500 people. ⁸⁵
Felter Fire	10/25/2006	10/26/2006	Burned 200 acres.
Stevens Fire	8/30/2007	9/2/2007	Burned 151 acres near Stevens Canyon Reservoir.
Lick Fire	9/3/2011	9/11/2007	Burned 47,760 acres at Henry Coe State Park, with four residences and 20 outbuildings destroyed.
Summit Fire	5/22/2008	5/30/2008	FEMA-2766-FM-CA. Burned 4,270 acres along with 35 residences, 64 outbuildings at Summit Road and Maymen Flats, south of the Town of Loma Prieta.
Whitehurst/ Hummingbird Fires	6/21/2008	6/26/2008	Burned 794 acres at Hummingbird and 200 acres at Whitehurst.
Pacheco Fire	8/29/2009	8/30/2009	Burned 1,650 acres.
Croy Fire	9/23/2002	10/5/2002	FM-2465. Burned 13,128 acres.
McDonald Fire	7/21/2011	7/21/2011	Burned 27 acres east of the City of Morgan Hill below Anderson Lake.
Uvas Fire	7/12/2013	7/12/2013	Burned 50 acres along Uvas Road and Casa Loma Road, near Calero County Park and west of the City of Morgan Hill.
Grant Fire	12/31/2013	12/31/2013	Burned 40 acres off Mount Hamilton Road near Grant Ranch County Park.

⁸² Santa Clara County Fire Department. (2016, August). Santa Clara Community Wildfire Protection Plan.

<https://www.sccfd.org/santa-clara-county-community-wildfire-protection-plan/>

⁸³ County of Santa Clara. (2012). Silicon Valley 2.0. <https://sustainability.sccgov.org/silicon-valley-20>

⁸⁴ State of California. (2023). California Department of Forestry and Fire Protection. <https://www.fire.ca.gov/>

⁸⁵ Los Angeles Times. (1985, July 10). Fire Imperils 2,000 Homes Near San José.

<https://www.latimes.com/archives/la-xpm-1985-07-10-mn-7612-story.html>

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Event Name	Event Period		Additional Information
	From	To	
Curie Fire	6/30/2014	7/1/2014	Burned 125 acres off Curie Drive south of the City of San José.
Casa Fire	8/28/2014	8/31/2014	Burned 80 acres along Highway 152 at Casa De Fruta.
Highway Fire	6/30/2015	7/3/2015	Burned 42 acres off Highway 101 near Monterey Frontage Road, south of the City of Gilroy.
Pacheco Fire	9/9/2015	9/10/2015	Burned 215 acres off Highway 152 at Dinosaur Point, three miles west of San Luis Reservoir.
Sierra Fire	7/30/2016	7/31/2016	Burned 114 acres off Sierra Road and Calaveras Road.
Bailey Fire	8/17/2016	8/18/2016	Burned 100 acres off Highway 101 and Bailey Road.
Oak Fire	9/1/2016	9/2/2016	Burned 25 acres off Oak Glen Avenue, two miles west of the City of Morgan Hill.
Loma Fire	9/26/2016	10/12/2016	Burned 4,474 acres and destroyed 12 residences and 16 outbuildings off Loma Prieta Road and Loma Chiquita Road, 10 miles northwest of the City of Morgan Hill.
Quimby Fire	6/21/2017	6/21/2017	Burned 54 acres off Quimby Road, west of Great Ranch Park, East San José.
Ranch Fire	6/29/2017	6/29/2017	Burned 85 acres off Grant Road, Mt. Hamilton, east of the City of San José.
Felipe Fire	7/10/2017	7/10/2017	Burned 70 acres by San Felipe Road and Metcalf Road, 8 miles northeast of City of Morgan Hill.
Lariat Fire	7/11/2017	7/11/2017	Burned 101 acres along Lariat Lane and Claitor Way, six miles northeast of the City of San José.
Castro Fire	7/23/2017	7/23/2017	Burned 78 acres off Castro Valley Road & Highway 101, southwest of the City of Gilroy.
Weller Fire	7/26/2017	7/26/2017	Burned 51 acres along Weller Road and Calaveras Road, three miles east of the City of Milpitas.
Tilton Fire	8/11/2017	8/11/2017	Burned 100 acres by Hale Avenue and Tilton Avenue in the City of Morgan Hill.
Bally Fire	9/3/2017	9/3/2017	Burned 100 acres by Ballybunion Court in the City of Gilroy.
Keeler Fire	5/27/2018	5/27/2018	Burned 16 acres by Keeler Court and Santa Teresa Boulevard, south of the City of San José.
Tesla Fire	6/29/2018	6/29/2018	Burned 70 acres across Tesla Road and Reuss Road, east of the City of Livermore.
Bridle Fire	7/6/2018	7/6/2018	Burned 116 acres off Bridal Path Drive and Butch Drive, east of the City of Gilroy.
Curie Fire	7/10/2018	7/10/2018	Burned 70 acres by Curie Drive and San Ignacio Avenue, southwest of San José.
Hale Fire	7/10/2019	7/10/2019	Burned 51 acres at Hale Avenue and Monterey Street in the City of Morgan Hill.

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Event Name	Event Period		Additional Information
	From	To	
Country Fire	7/22/2018	7/22/2018	Burned 320 acres along Country Club Road and North Park Victoria Road in the City of Milpitas.
Quimby Fire	9/23/2018	9/23/2018	Burned 30 acres by Quimby Road and Borden Drive, East San José.
Park Fire	10/7/2018	10/7/2018	Burned 62 acres along Monterey Road and Coyote Creek Golf Drive, north of the City of Morgan Hill.
Canyon Fire	5/30/2019	6/11/2019	Burned 144 acres off Del Puerto Canyon Road and Diablo Grande Parkway, west of the City of Patterson.
Malech Fire	6/9/2019	6/11/2019	Burned 210 acres by Malech Road & Bailey Road, South San José.
Calaveras Fire	6/10/2019	6/17/2019	Burned 35 acres by Calaveras Road and Weller Road east of the City of Milpitas.
Mines Fire	6/26/2019	6/27/2019	Burned 17 acres by Mines Road and Turner Gulch in the San Antonio Valley.
Coyote Fire	7/2/2019	7/2/2019	Burned 74 acres by Northbound US 101 at Coyote Creek Golf Drive in the City of San José.
Aborn Fire	7/15/2019	7/15/2019	Burned 47 acres off Aborn Road and Murillo Avenue, East San José.
Sweigert Fire	7/24/2019	7/24/2019	Burned 80 acres off Kahler Court and Felter Road, East of the City of Milpitas.
Bayliss Fire	8/15/2019	8/15/2019	Burned 60 acres by Santa Teresa Boulevard and Bayless Drive, South San José.
Jamieson Fire	8/25/2019	8/25/2019	Burned 35 acres at Jamieson Road and Cañada Road near the City of Gilroy.
Reservoir Fire	9/21/2019	9/24/2019	Burned 128 acres near Calaveras Road and Felter Road, 5 miles northeast of the City of Milpitas.
Point Fire	10/7/2019	10/7/2019	Burned 29 acres between Highway 152 and Dinosaur Point Road.
Santa Clara Unit (SCU) Lightning Complex Fire	8/16/2020	10/1/2020	Burned 396,624 acres between Santa Clara County, Alameda County, Contra Costa County, San Joaquin County, Merced County, and Stanislaus County.
Silver Fire	6/4/2020	6/4/2020	Burned 19 acres by Dutch Flat Trail, East of the City of San José.
Colleen Fire	6/4/2020	6/7/2020	Burned 126 acres around Colleen Drive, South San José.
Park Fire	7/4/2020	7/6/2020	Burned 353 acres by East Dunne Avenue and Finley Ridge Road, east of the City of Morgan Hill.
Crews Fire	7/5/2020	7/13/2020	Burned 5,513 acres by Crews Road and Oak Spring Circle, north of the City of Gilroy.
Alum Fire	7/11/2020	7/11/2020	Burned 31 acres by Mt. Hamilton and Crothers Road, northeast of the City of San José.
Coyote Fire	8/21/2020	8/26/2020	Burned 143 acres by Monterey Road and Coyote Creek Golf Drive.

Event Name	Event Period		Additional Information
	From	To	
Silicon Valley Fire	6/14/2021	6/14/2021	Burned 35 acres by off Silicon Valley Road and Basking Ridge, East San José.
Paseo Fire	6/25/2021	6/25/2021	Burned 37 acres by Paseo Robles Avenue and Paseo Vista Avenue, east of the City of Morgan Hill.

The 2020 fire season was the largest wildfire season recorded in California’s modern history. It was also the most devastating in recent Santa Clara County history. One fire significantly outpaced the rest. The SCU Lightning Complex fire started as a series of almost twenty fires on August 16, 2020, and burned until October 1, 2020, engulfing 396,624 acres five counties. At least 26 structures were damaged and 225 destroyed. There were 6 confirmed injuries to fire personnel and civilians and no deaths. As of this writing, it was the fourth largest fire in California’s recorded history.

8.2.2 Location

Wildfires occur in two distinct spaces: wildlands, and the Wildland Urban Interface (WUI). Wildland fires that burn in natural, undeveloped settings actually benefit the landscape through cleaning the forest floor from heavy brush, killing disease, providing food and habitat to forest animals and birds in the new vegetation that grows, and supporting new generations of plants that require intense heat for seed germination.

According to the U.S. Fire Administration,⁸⁶ the WUI is the zone of transition between occupied land and human development. It is the line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels. The WUI possess unique wildfire risks as fire can easily move between structural and vegetative fuels. The WUI has seen exponential growth in recent years. It is vital that WUI communities continue to work to address the WUI wildfire issue.



Figure 32: Air Tanker Dropping Fire Retardant on Lick Fire in Santa Clara County⁸⁷

Fire-prone areas in California are divided into three categories: federal responsibility areas, state responsibility areas, and local responsibility areas. The California Department of Forestry and Fire Protection (CAL FIRE) has responsibility for fire prevention and firefighting services within the state

⁸⁶ U.S. Fire Administration. (2022). What is the WUI? <https://www.usfa.fema.gov/wui/what-is-the-wui.html>

⁸⁷ Schulz, W. (n.d.). *Air tanker dropping fire retardant on Lick Fire in Santa Clara County* [Photograph]. California Department of Forestry and Fire Protection, California.

responsibility areas, while local agencies have local responsibility areas, and the U.S. Forest Service has fire-related responsibilities in the federal responsibility areas.

CAL FIRE's Fire and Resource Assessment Program has modeled and mapped fire hazard risk using a science-based and field-tested model that assigns a hazard score based on factors that influence fire likelihood and fire behavior such as fire history, existing and potential fuel (natural vegetation), predicted flame length, blowing embers, terrain, and typical fire weather for an area. These factors include the following:

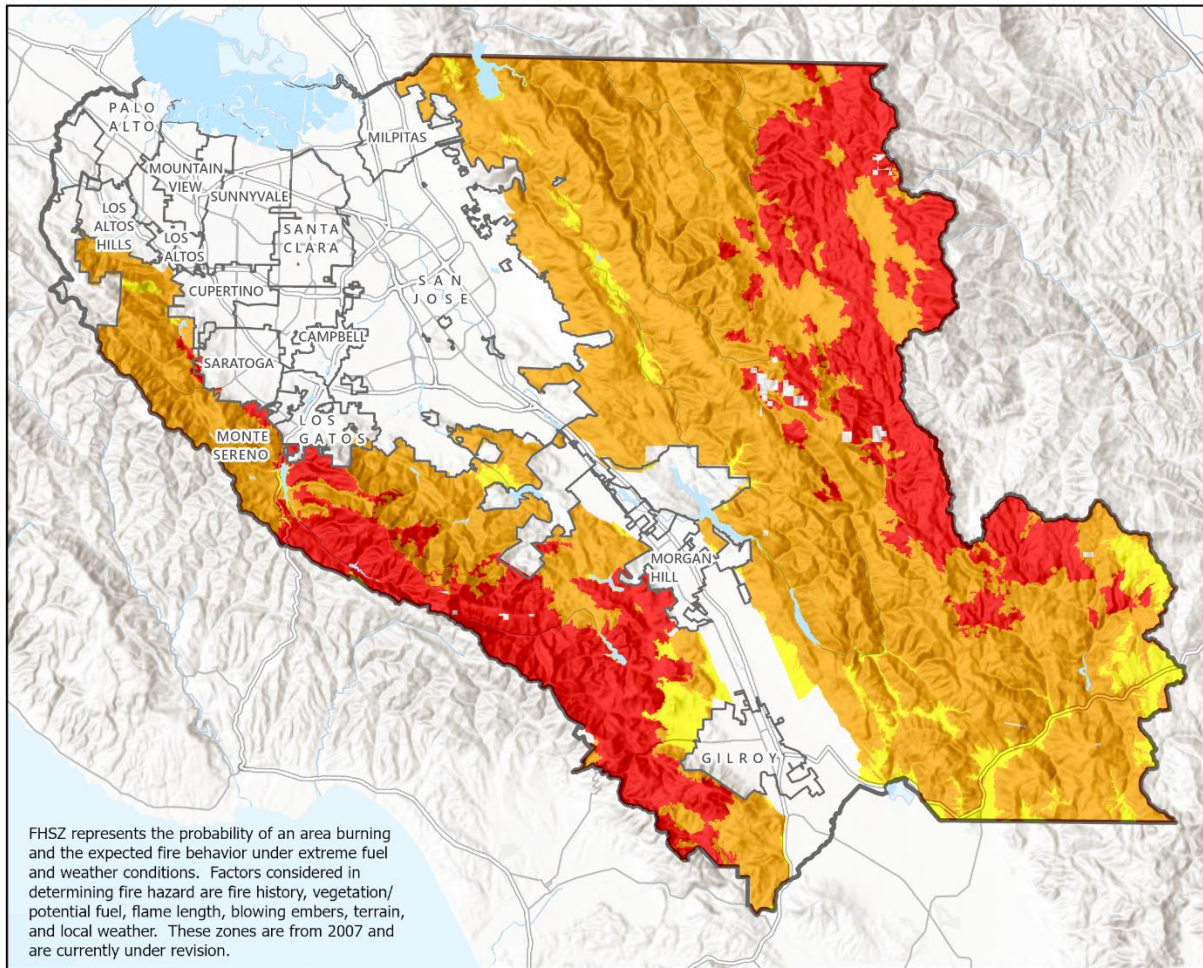
- **Fuel:** Fuel may include living and dead vegetation on the ground, along the surface as brush and small trees, and above the ground in tree canopies. Lighter fuels such as grasses, leaves and needles quickly expel moisture and burn rapidly, while heavier fuels such as tree branches, logs and trunks take longer to warm and ignite. Trees killed or defoliated by forest insects and diseases are more susceptible to wildfire.
- **Weather:** Relevant weather conditions include temperature, relative humidity, wind speed and direction, cloud cover, precipitation amount and duration, and the stability of the atmosphere. Of particular importance for wildfire activity are wind and thunderstorms:
 - Strong, dry winds produce extreme fire conditions. Such winds generally reach peak velocities during the night and early morning hours. It accounts for flying ember production, which is the principal driver of the wildfire hazard in densely developed areas.
 - The thunderstorm season typically begins in June with wet storms and turns dry with little or no precipitation reaching the ground as the season progresses into July and August. Traditionally, this "fire season" between July and November would be when the State sees the most wildfires. However, according to the 2018 Strategic Fire Plan, climate change has rendered that term obsolete, as fires now burn year-round.
- **Terrain:** Topography includes slope and elevation. The topography of a region influences the amount and moisture of fuel; the impact of weather conditions such as temperature and wind; potential barriers to fire spread, such as highways and lakes; and elevation and slope of landforms (fire spreads more easily uphill than downhill).
- **Probability of Future Occurrence:** The likelihood of an area burning over a 30- to 50-year time period, based on history and other factors.

Fire Hazard Severity Zones (FHSZ) are ranked into the following risk classifications: moderate, high, or very high. The model covers the State Responsibility Area (SRA), which is the land where the State of California is financially responsible for the prevention and suppression of wildfires. It does not include lands within incorporated city boundaries or in federal ownership.

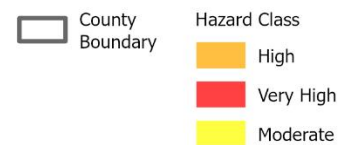
Significant land-use changes need to be accounted for through periodic model updates. The Wildfire Hazard Severity Zone Map⁸⁸ was updated in 2007, and since updated in 2023 to reflect all that has happened in terms of scientific data, a changing climate, and other factors. The new model incorporates local climate data and changes in burn probability based on recent trends in fire occurrence. Overall, the map shows increase fire hazard, reflecting the State's increase in wildfire occurrence and severity. It is important CAL FIRE continues to maintain these maps in order to build more resilient, fire-adapted communities. GIS data of the 2023 update was not yet released to include in the maps for this plan. The FHSZs shown throughout use the 2007 data.

Figure 32 shows the FHSZ mapping for the Santa Clara County OA.

⁸⁸ State of California. (2023). Fire Hazard Severity Zones Map. <https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/fire-hazard-severity-zones-map/>



Santa Clara County Fire Hazard Severity Zones in Operational Area



Source: Santa Clara County
Planning, CalFIRE
4/18/2023 8:36 AM

Figure 33: Fire Hazard Severity Zones (FSHZ)

Typically, wildfires will occur anywhere in the County outside of the urbanized Highway 101 corridor and Santa Clara Valley. In general, the areas with the highest fire risk hazard are found in the parts of the OA farthest from urbanized areas, including along the border with Stanislaus and Santa Cruz Counties. However, there are also Very High FSHZs near urban areas, including south of Los Gatos, west of Saratoga, west of Morgan Hill, and west of Gilroy.

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Wildfires are not also limited to Very High risk areas and can occur in Moderate or High FHSZs. The Santa Clara County General Plan⁸⁹ suggests much of Santa Clara County is at high risk to wildfires due to:

- Climatic factors, such as rainfall, humidity, and wind patterns;
- Volume of naturally occurring fuel, such as brush, dead trees, and grasses that ignite easily and burn hotly;
- Steepness of slopes; and
- Inaccessibility and lack of available water supplies for fire suppression.

Additional information on wildfire hazard and risk to structures are available in the 2020 Santa Clara, Santa Cruz, San Mateo County Wildfire Risk to Structures and Classified Wildfire Hazard Maps.⁹⁰ The classified wildfire hazard was calculated by 9 weighted input data sets that contribute to the potential for wildfire. These include fire environment factors such as fuel, weather, topography and ignition sources, the probability of a fire occurring at a specific point during a specific time period, and the expected distribution of intensity. This wildfire hazard model resulted in a 20-meter raster with 6 classes of relative wildfire hazards. Because this classified hazard data was of finer resolution and completed more recently, it was the primary source used to evaluate potential exposure and risk in the OA.

⁸⁹ County of Santa Clara. (1994, December 20). General Plan. <https://plandev.sccgov.org/ordinances-codes/general-plan>

⁹⁰ Santa Cruz Mountains Stewardship Network. (2020) Santa Clara, Santa Cruz, San Mateo County Wildfire Risk to Structures and Classified Wildfire Hazard Maps for Fire Prevention Planning.

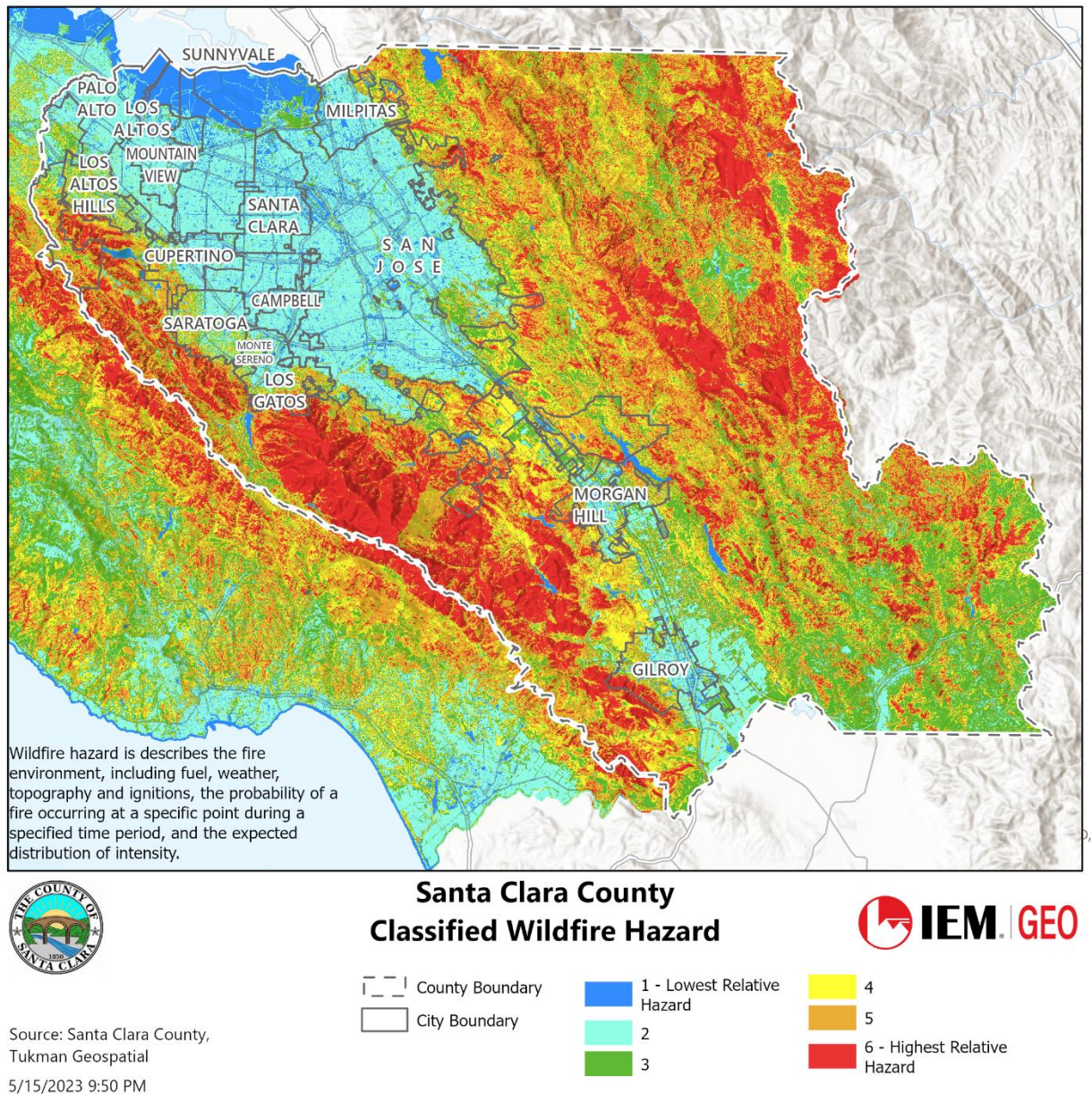
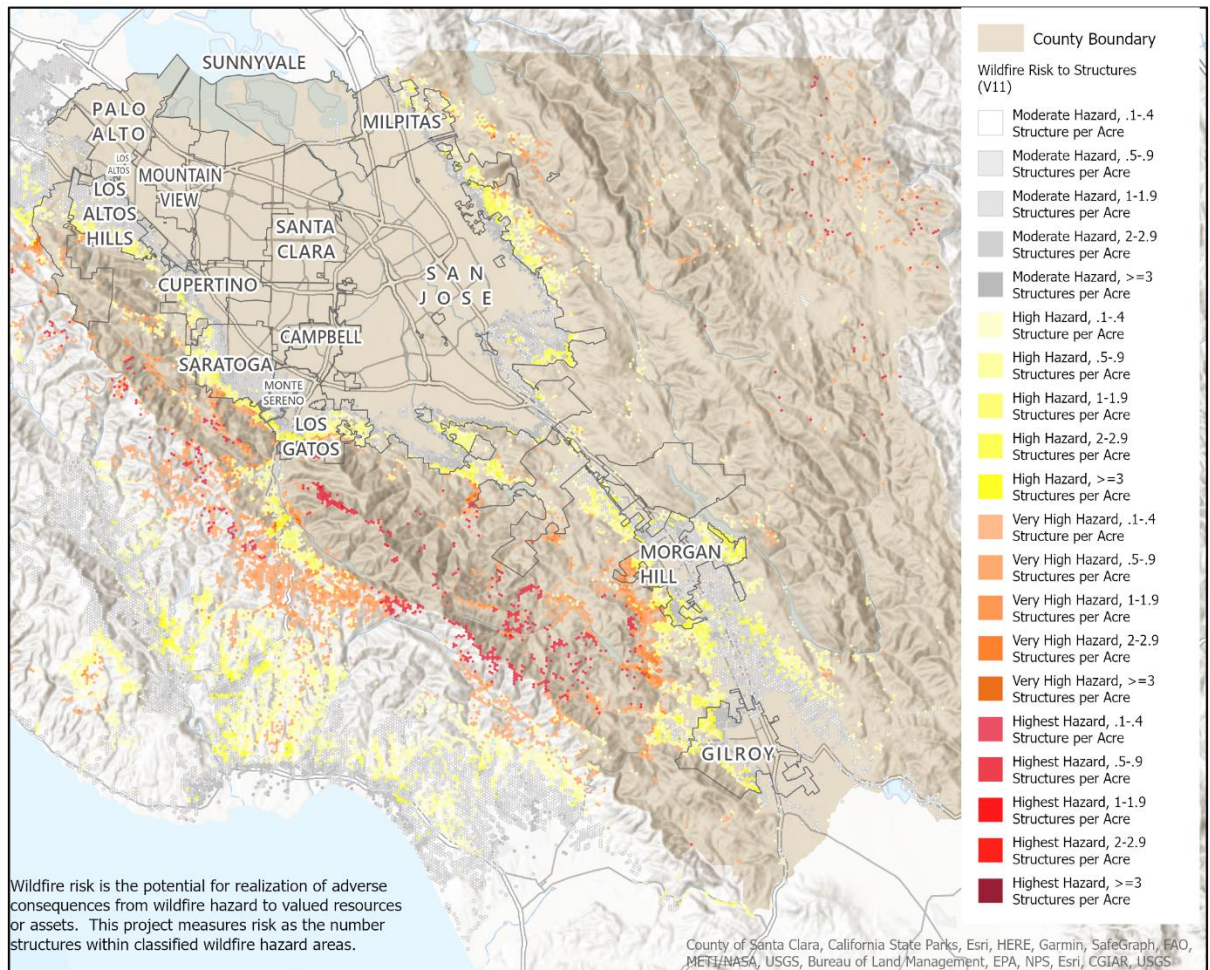


Figure 34: Classified Wildfire Hazard

- This hazard classification does not account for resources or assets exposed to the hazard. Wildfire risk is the potential for adverse consequences to valued resources or assets. The Wildfire Risk to Structures map models risk by one value: structures. This map displays 10-acre hexagons ranked for wildfire hazard and structure density. Hexagons with high structure density and high wildfire hazard indicate areas of greatest concern.

Santa Clara County Multijurisdictional Hazard Mitigation Plan



Santa Clara County Wildfire Risk to Structures



Source: Santa Clara County,
Tukman Geospatial
5/16/2023 12:12 PM

Figure 35: Wildfire Risk to Structures

8.2.3 Frequency

Wildfire frequency can be assessed through review of the portion of an area burned in previous wildfire events. Table 42 includes a summary of CAL FIRE records of fires from 1950 to 2021. About 39 percent of the mapped wildfire risk zones in the Santa Clara County OA have burned in that period.

Table 42: Record of Fire Affecting Operational Area

Fire Hazard Severity Zone (FHSZ)	Total Area in Wildfire Severity Zone (acres)	Area Burned, 1950-2021	
		Acres	Percent of Total
Moderate FHSZ	33,549	2,377	7.1
High FHSZ	372,517	119,693	32.1
Very High FHSZ	148,389	93,224	62.8
Total	554,455	215,295	38.8

The National Fire Plan directs funding to be provided for projects intended to reduce fire risks to a community. To meet this object, high risk communities within the wildland-urban interface were identified and publicized in the Federal Register in 2001. Since then, states have been responsible for updating this list. According to CAL FIRE's list of Communities at Risk,⁹¹ 14 out of 15 local jurisdictions within Santa Clara County are at high risk of damage from wildfire. The City of Mountain View is not included on this list. It is surrounded by urban development and the San Francisco Bay.

It is important to consider changing conditions when assessing the future probability of wildfires in the OA. According to CAL FIRE,⁹² over the last 5 years, 13 out the 20 most destructive wildfires in California's history have occurred. Thousands of homes, business, and pieces of infrastructure were damaged or destroyed. This isn't a new trend. Since the 1970s, the number of statewide fires has steadily been increasing. NASA's Earth Observatory⁹³ summarized the causes of this surge of large, destructive of fires as; heat waves and droughts influenced by climate changed, a century of fire suppression, and fast-growing populations expanding the WUI.

Despite recent storm and flooding events, the U.S. Drought Monitor indicates that most of California is still experiencing moderate to severe drought conditions. Santa Clara County is in a moderate drought and experienced the 35th driest year to date over the past 128 years in 2022. Drought leads to more severe, costly fires as it contributes to high burn intensity, the rate at which fire spreads, availability of dry fuels, and fires in typically wet parts of the state. When fuel is dry, sparks from both natural sources such as lightning and human sources like power lines, are more likely to ignite. Droughts can hamper first responder's firefighting capabilities by reducing water reserves necessary to combat the blazes, resulting in longer lasting, wider spreading events.

According to California's Fourth Climate Change Assessment,⁹⁴ the frequency of extreme wildfires may increase, and the average area burned statewide may increase by 77% if greenhouse gas emissions continue to rise. Water resources, both in terms of rainfall and the availability of fuel for fires and water for fire suppression, also may be impacted by shifting water patterns due to climate change.

⁹¹ State of California. (n.d.). Communities at Risk. California Department of Forestry and Fire Protection. <https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/fire-plan/communities-at-risk/#c>

⁹² State of California. (2023). California Department of Forestry and Fire Protection. <https://www.fire.ca.gov/>

⁹³ National Aeronautics and Space Administration Earth Observatory. (2021). What's Behind California's Surge of Large Fires? <https://earthobservatory.nasa.gov/images/148908/whats-behind-californias-surge-of-large-fires>

⁹⁴ State of California. (2018). California's Fourth Climate Change Assessment. <https://climateassessment.ca.gov/>



Figure 36: Burned Hillslopes above Pulse Canyon near San Antonio Valley, SCU Lightning Complex, Santa Clara County.⁹⁵

Changing fire management practices also impact fire risk. Early in the 20th century, fire fighters adopted practices of fire suppression, with few prescribed burns. That meant that vegetation which would have been thinned due to naturally occurring fires was allowed to become overgrown and dense. Now, decades later, the impacts of those practices are being felt. A new consensus is developing that proactive fuel treatment is critical to wildfire management.

Human behavior will also play a large role in predicting the future probability of wildfire. Human-caused fires, both accidental and arson, are the leading cause of wildfires in California. Education and outreach campaigns are important tools for reducing the risk of human-caused fires.

Further information on the impact of climate change on the probability of wildfire is included in Section 15, Tsunami.

Probability in OA: Highly Likely

8.2.4 Severity and Impacts

Potential losses from wildfire include human life, structures and other improvements, and natural resources. There are no recorded incidents of loss of life from wildfires in the OA. There have been multiple destructive wildfires in the OA destroying residences, burning thousands of acres, and forcing people to evacuate. Given the immediate response times to reported fires, the likelihood of injuries and casualties is minimal. Economic losses may also occur given the size and location of the fire event. The

⁹⁵ Spangler, E. (2020). *Burned hillslopes above Pulse Canyon* [Photograph]. California Department of Conservation. <https://www.conservation.ca.gov/cgs/landslides/recent>

extent of a wildfire can be moderate to severe and depends on the size, rate of spread, fuel type, cause, and impact on communities. The greater the extent, the more severe the wildfire will be.

The Santa Clara County CWPP states that high fire danger conditions that can support very active fire behavior may be uncommon, but when it does occur, it can have very severe and destructive potential. Instances such as the 1985 Lexington fire burned 37 homes, 4,200 acres, and caused \$7 million in damage. The 2009 Loma Pieta fire burned 669 acres, cost \$2.7 million to suppress, involved 1,742 fire fighters, destroyed 1 residence, and caused 4 injuries. It is important to know while these cases are rare, the severity can be detrimental.

8.2.5 *Warning Time*

Wildfires are often caused by humans, intentionally or accidentally. Approximately 94% of wildfires in California are human caused.⁹⁶ There is no way to predict when one of these human-caused wildfires might break out. Dry seasons and droughts are factors that greatly increase fire likelihood. Dry lightning may trigger wildfires. Inclement weather can be predicted, so special attention can be paid during weather events that may include lightning. Reliable National Weather Service lightning warnings are available on average 24 to 48 hours prior to a significant electrical storm.

The National Weather Service alerts fire departments through Red Flag Warnings & Fire Weather Watches when there is critical weather and dry conditions that could lead to the development or rapid increase of wildfire activity. A Fire Weather Watch is issued when weather conditions could exist in the next 12–72 hours. A Red Flag Warning is the highest alert. It is important that all residents and visitors take step to prevent wildfires, particularly when either of these alerts are issued.

If a fire does break out and spread rapidly, residents may need to evacuate within hours or days. Once a fire has started, fire alerting is reasonably rapid in most cases. The rapid spread of cellular phone and two-way radio communications in recent years has further contributed to a significant improvement in warning time. Recent wildfires have put these warning systems to the test. Rapidly spreading severe California wildfires has left residents with only minutes to evacuate in some cases.

8.3 Cascading Impacts

Wildfires can have a range of cascading impacts, which in some cases may cause more widespread and prolonged damage than the fire itself. They strip slopes of vegetation, exposing them to greater amounts of runoff. This in turn can weaken soils and cause failures on slopes. Major landslides can occur several years after a wildfire. The following figure depicts the areas of the OA most at risk for landslides post wildfire:

⁹⁶ State of California. (2023). California Department of Forestry and Fire Protection. <https://www.fire.ca.gov/>.

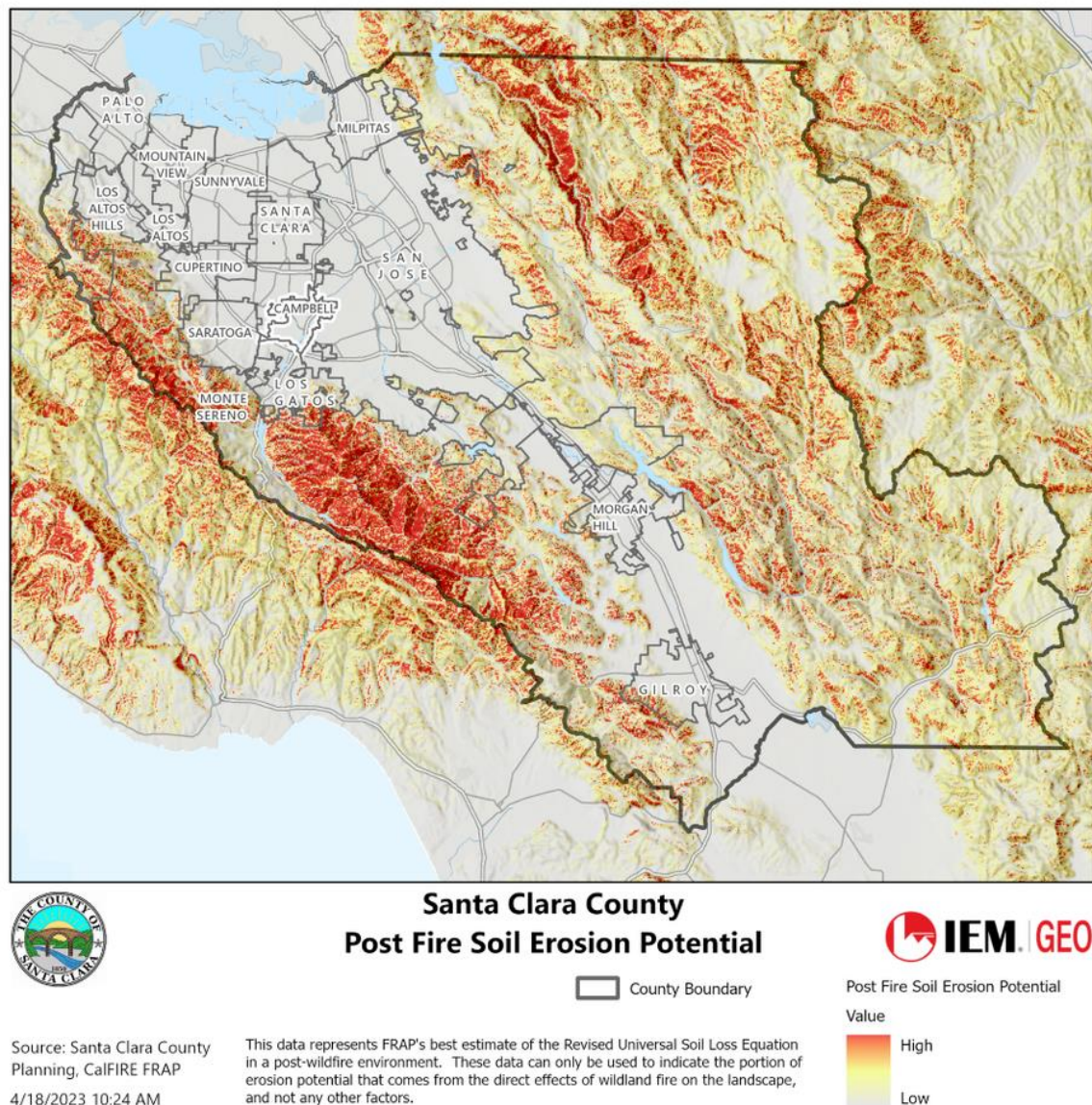


Figure 37: Post Fire Soil Erosion Potential

Wildfires cause the contamination of reservoirs, destroy transmission lines, and contribute to flooding. Most wildfires burn hot and for long durations which can bake soils, especially those high in clay content, thus increasing the imperviousness of the ground. This increases the runoff generated by storm events, thereby increasing the chance of flooding. Flash floods are particularly common after a wildfire. Even areas that are not traditional at high-risk to flooding can flood due to changes in the landscape post-fire.⁹⁷ Flooding and flood damage after fire is often more severe, as debris and ash left from the fire can form mudflows. As rainwater moves across charred and barren ground, it can also pick up soil and sediment and carry it in a stream of floodwaters. Impacts to the watershed can be felt for years after a wildfire.

⁹⁷ Federal Emergency Management Agency. (2020, November). FEMA Fact Sheet Flood after Fire: Flood Risks Increase after Fires. https://www.fema.gov/sites/default/files/documents/fema_flood-after-fire_factsheet_nov20.pdf

Fires can cause direct economic losses in the reduction of harvestable timber and indirect economic losses in reduced tourism. Cultural and historic resources, scenic vista, and recreational areas may burn. Fire and smoke can reduce employee's ability to go to work, decrease productivity, and delay outdoor projects. Adapting to these conditions will cost businesses, consumers, and governments.⁹⁸ Wildfires can also affect personal and household economics through loss of income, increased medical costs, and property damage that may not be covered by insurance.

Wildlife can also be impacted by wildfires. After the historic wildfire seasons California has seen recently, there were increased sighting of animals such as mountain lions, raccoons, and coyotes in urban neighborhoods. Wildfires may be one reason why they are encroaching on urban areas, both putting urban populations at risk from these animals and exposing these animals to the risk humans present to them.

8.3.1 *Smoke and Air Quality*

Smoke exposure is one of the most concerning secondary impacts of wildfires. Smoke generated by wildfire consists of visible and invisible emissions that contain particulate matter (soot, tar, water vapor, and minerals), gases (carbon monoxide, carbon dioxide, nitrogen oxides), and toxics (formaldehyde, benzene). Emissions from wildfires depend on the type of fuel, the moisture content of the fuel, the efficiency (or temperature) of combustion, and the weather. The biggest threat from smoke is fine particles. Fine particles in smoke can get into eyes and respiratory systems, cause burning eyes, runny noses, and illness like bronchitis, as well as aggravate chronic heart and lung disease potentially resulting in premature death for people with these conditions.⁹⁹ The inhalation of wildfire smoke can harm many and become fatal. Wildfire smoke is known to be even more dangerous than wildfire flames and burns.

Wildfire smoke is rolling back decades of investments in improving air quality in the U.S. Over the last decade, the estimated amount of each individual's exposure to light, medium, and heavy wildfire smoke has gone up.¹⁰⁰ The rapid acceleration of poor air quality days and number of people exposed is particularly concerning. One study found a 27% increase in people annually exposed to a particle pollution known as PM2.5 – an increase from less than half a million people only a decade ago to over eight million exposed on at least one day a year ago now.¹⁰¹ Smoke does not recognize jurisdictional boundaries. The impact of this hazard can be felt far from its source. Wildfires started outside of the OA, from northern California to Oregon, have brought smoke to the Bay Area in recent years.

Severe smoke events are expected to only get worse as climate change increases the frequency and severity of wildfires. This poses a chance to exasperate already challenging air quality issues. According to the American Lung Association's 2023 State of the Air report, Santa Clara County received a grade of "F". An estimated almost 1.9 million people within the OA are considered to be at risk from poor air quality. While wildfires are certainly not the only source of air pollution, the increase in wildfire smoke in recent years has still demonstrated the serious impact of poor air quality across sectors.

⁹⁸ Lappe, B. & Vargo, J. (2022, November). Disruptions from Wildfire Smoke: Vulnerabilities in Local Economies and Disadvantaged Communities in the U.S. Federal Reserve Bank of San Francisco. <https://www.frbsf.org/community-development/publications/community-development-research-briefs/2022/november/disruptions-from-wildfire-smoke/>

⁹⁹ Environmental Protection Agency. (2021, June 16). Wildfires and Indoor Air Quality (IAQ). <https://www.epa.gov/indoor-air-quality-iaq/wildfires-and-indoor-air-quality-iaq>

¹⁰⁰ Lappe, B. & Vargo, J. (2022, November). Disruptions from Wildfire Smoke: Vulnerabilities in Local Economies and Disadvantaged Communities in the U.S. Federal Reserve Bank of San Francisco. <https://www.frbsf.org/community-development/publications/community-development-research-briefs/2022/november/disruptions-from-wildfire-smoke/>

¹⁰¹ Garthwaite, J. (2022, September). Stanford researchers find wildfire smoke is unraveling decades of air quality gains, exposing millions of Americans to extreme pollution levels. [Wildfire smoke is unraveling decades of air quality gains | Stanford News](#)

Smoke and poor air quality disproportionately impacts vulnerable populations and frontline workers (those in outdoor occupations typically without air filtration). The most vulnerable to smoke's impacts include the elderly, children, people with pre-existing conditions including respiratory and cardiovascular diseases, communities of color, and low-income populations. One of the most common pieces of advice to people during a severe smoke event is to stay indoors. However, particularly in inadequate housing situations or when people do not have the means to evacuate, simply staying indoors is not sufficient considering how smoke can infiltrate buildings through windows and doors, vents, air conditioning, and small cracks or other openings. Additional measures such as clean air centers, masks, and air purifiers may be required.

Smoke is as disruptive as it is deadly. Exposure to air pollution by children can reduce lung growth, inhibit brain development, and increase the risk of health conditions like asthma.¹⁰² Children's education can also be disrupted, resulting in decreased test scores and educational attainment. Although these impacts may be hard to quantify now, it is likely those exposed will be experiencing them for years to come. The economy is also impacted through decrease labor income, employment, and labor force participation. Wildfire smoke reduced earnings across the country by an estimated \$125 billion a year between 2007 and 2019.¹⁰³

8.4 Exposure

8.4.1 Population

Population could not be examined by wildfire hazard classification because the boundaries of census block groups do not coincide with the zone boundaries. However, population was estimated using the residential building count in the areas of moderate to high hazard and multiplying by the 2017-2021 US Census Bureau average population per household for Santa Clara County. Table 43 presents the results.

Hazus 6.0 demographic data indicates that 260,705 persons or 13.5 percent of the population in the OA are over 64 years old, and 422,719 persons or 21.8 percent of the population within the OA under 18 years of age. These ages groups may experience worse affects from poor air quality resulting from a wildfire. They may also have a greater dependency on assistance from others in the event of an evacuation.

¹⁰² United Nations Environment Programme. (October 2018). Young and old, air pollution affects the most vulnerable. [Young and old, air pollution affects the most vulnerable \(unep.org\)](https://www.unep.org/news-and-stories/story/young-and-old-air-pollution-affects-the-most-vulnerable)

¹⁰³ Stanford Institute for Economic Policy Research. (December 2022). Wildfires reveal the large toll of air pollution on labor market outcomes. [Wildfires reveal the large toll of air pollution on labor market outcomes | Stanford Institute for Economic Policy Research \(SIEPR\)](https://siepr.stanford.edu/newsroom/press-releases/wildfires-reveal-the-large-toll-of-air-pollution-on-labor-market-outcomes)

Table 43: Population Within Wildfire Hazard Areas

Jurisdiction	Number of Buildings in Wildfire Hazard Area				Population in Wildfire Hazard Area		
	Residential	Public	Industrial	Commercial	Total Number of Buildings	Population	% of Total Population
Campbell	83	1	1	0	85	247	0.57
Cupertino	2,116	4	5	42	2,167	6,306	10.40
Gilroy	4,426	7	40	109	4,582	13,189	22.18
Los Altos	1,019	7	10	31	1,067	3,037	9.55
Los Altos Hills	2,305	5	20	65	2,395	6,869	81.27
Los Gatos	2,789	9	23	87	2,908	8,311	24.79
Milpitas	1,401	2	17	36	1,456	4,175	5.20
Monte Sereno	535	0	2	13	550	1,594	46.21
Morgan Hill	5,237	17	56	167	5,477	15,606	34.65
Mountain View	318	1	1	30	350	948	1.15
Palo Alto	574	3	4	23	604	1,711	2.50
San José	15,507	44	118	453	16,122	46,211	4.56
Santa Clara (city)	109	0	0	4	113	325	0.25
Saratoga	2,823	7	33	96	2,959	8,413	27.10
Sunnyvale	348	2	6	10	366	1,037	0.67
Unincorporated County	10,913	66	242	664	11,885	32,521	36.03
Total	50,503	175	578	1830	53,086	150,499	7.78

8.4.2 Property

Property damage from wildfires can significantly alter entire communities. The number of structures in each FHSZ within the OA and their values are summarized in Table 44. Table 45 shows the general land use of parcels exposed to the wildfire hazard in unincorporated areas of the OA. According to the Santa Clara County CWPP, there are 107 properties and districts listed on the National Register of Historic Places in Santa Clara County. Many of these sites are urban, but some are within the WUI. The Lick Observatory is one such place of historic and cultural significant which was almost burned due to a recent wildfire.

Table 44: Exposure and Value of Structures in Moderate to High Wildfire Hazard Areas

Jurisdiction	Buildings Exposed	Value Exposed			% of Total Replacement Value
		Structure	Contents	Vehicle	
Campbell	85	\$26,018,757.17	\$13,518,215	\$2,718,000	0.37
Cupertino	2,167	\$851,005,863	\$433,722,243	\$66,474,000	8.17
Gilroy	4,582	\$1,915,907,959	\$1,063,212,359	\$137,916,000	22.02
Los Altos	1,067	\$443,693,069	\$241,831,582	\$30,906,000	8.56
Los Altos Hills	2,395	\$1,234,211,033	\$654,595,360	\$67,059,000	71.11
Los Gatos	2,908	\$1,310,513,983	\$712,187,966	\$93,780,000	19.75
Milpitas	1,456	\$513,489,424	\$279,091,477	\$44,361,000	4.02
Monte Sereno	550	\$269,260,704	\$137,202,957	\$15,273,000	43.58
Morgan Hill	5,477	\$2,273,625,913	\$1,266,973,143	\$179,847,000	29.65
Mountain View	350	\$114,334,578	\$63,331,824	\$14,103,000	0.88
Palo Alto	604	\$319,419,553	\$166,253,134	\$25,092,000	2.26
San José	16,122	\$6,080,110,863	\$3,333,308,139	\$487,431,000	4.77
Santa Clara (city)	113	\$34,986,342	\$17,821,587	\$3,978,000	0.16
Saratoga	2,959	\$1,347,146,278	\$736,302,667	\$86,508,000	26.01
Sunnyvale	366	\$116,046,797	\$65,337,581	\$15,030,000	0.53
Unincorporated County	11,885	\$5,720,386,230	\$3,403,867,991	\$444,906,000	44.35
Total	53,086	\$22,570,157,353	\$12,588,558,231	\$1,715,382,000	8.14

Table 45: Land Within the Wildfire Hazard Classification Areas

Type of Land Use	Moderate Hazard Zone		High Hazard Zone		Very High Hazard Zone	
	Area (acres)	% of total	Area (acres)	% of total	Area (acres)	% of total
Campbell	7.8	0.2%	5.33	0.1%	0.69	0.0%
Cupertino	415.13	5.8%	262.34	3.6%	62.11	0.9%
Gilroy	1249.51	11.8%	1080.12	10.2%	117.51	1.1%
Los Altos	115.63	2.8%	44.83	1.1%	2.2	0.1%
Los Altos Hills	1491.83	25.7%	697.59	12.0%	38.52	0.7%
Los Gatos	929.39	12.5%	667.03	8.9%	139.32	1.9%
Milpitas	322.51	3.7%	303.12	3.5%	127.1	1.5%
Monte Sereno	142.96	13.8%	66.92	6.4%	3.56	0.3%
Morgan Hill	1131.79	13.7%	876.38	10.6%	249.36	3.0%
Mountain View	65.66	0.8%	49.97	0.6%	13.29	0.2%
Palo Alto	1246.27	7.5%	1180.12	7.1%	735.18	4.4%
San Jose	6722.21	5.8%	5036.3	4.4%	1951.14	1.7%
Santa Clara	40.39	0.3%	5.15	0.0%	0	0.0%
Saratoga	1269.79	15.5%	723.72	8.8%	71.02	0.9%
Sunnyvale	44.85	0.3%	30.79	0.2%	2.48	0.0%
Unincorporated	111,878.48	18.5%	144,629.2	24.0%	129,146.5	21.4%
Total	127,074.2	15.2%	155,658.9	18.6%	132,660	15.9%

8.4.3 Critical Facilities and Infrastructure

Table 46 and Table 47 identify critical facilities exposed to the wildfire hazard in the OA. In the event of wildfire, there would likely be little damage to the majority of infrastructure. Most road and railroads would be without damage except in the worst scenarios. Power lines are the most at risk to wildfire because most are made of wood and susceptible to burning. In the event of a wildfire, pipelines could provide a source of fuel and lead to a catastrophic explosion.

The Santa Clara County Community Wildfire Protection Plan notes that there are many arterial roads and highways that are critical to transportation in the WUI. The transportation networks exposed to the WUI include Skyline/Highway 35, Summit Road, Junipero Serra Blvd/Foothill Expressway, Blossom Hill Road, Almaden Road, Old Monterey Highway, Page Mill Road, Stevens Canyon Road, Highway 9, Highway 17, Old Santa Cruz Highway, Watsonville Road, Hecker Pass/Highway 152 West, Pacheco Pass/Highway 152 East, and Mt. Hamilton Road/Highway 130.

Table 46: Critical Facilities within Moderate to High Wildfire Hazard Areas

Jurisdiction	Essential Facilities	Transportation	Utilities	Hazardous Materials	Community Assets
Campbell	0	0	0	0	0
Cupertino	0	7	0	0	1
Gilroy	1	7	0	0	4
Los Altos	0	0	0	0	0
Los Altos Hills	0	8	0	0	1
Los Gatos	0	1	0	0	3
Milpitas	0	2	0	0	0
Monte Sereno	0	0	0	0	1
Morgan Hill	0	5	0	3	6
Mountain View	0	3	0	0	1
Palo Alto	0	1	0	0	6
San Jose	2	26	2	2	19
Santa Clara	0	1	0	0	2
Saratoga	1	9	0	0	2
Sunnyvale	0	0	0	0	0
Unincorporated	3	100	14	1	29
Total	7	170	16	6	75

Table 47: Critical Facilities Within 100 Meters of Moderate to High Wildfire Hazard Areas

Jurisdiction	Essential Facilities	Transportation	Utilities	Hazardous Materials	Community Assets
Campbell	1	7	0	0	2
Cupertino	2	11	0	0	8
Gilroy	12	29	2	2	7
Los Altos	7	6	0	0	6
Los Altos Hills	6	21	0	0	2
Los Gatos	11	25	0	0	7
Milpitas	4	24	0	0	13
Monte Sereno	0	1	0	0	1
Morgan Hill	16	14	1	5	10
Mountain View	2	26	0	2	7
Palo Alto	4	4	1	3	16
San Jose	62	207	8	19	91
Santa Clara	7	13	1	2	5
Saratoga	9	31	0	0	10
Sunnyvale	3	17	2	2	8

Jurisdiction	Essential Facilities	Transportation	Utilities	Hazardous Materials	Community Assets
Unincorporated	28	177	16	2	37
Total	174	610	31	37	230

There are registered hazardous material containment sites in wildfire risk zones in the OA. During a wildfire, containers for these materials could rupture due to excessive heat and act as fuel for the fire, causing rapid spreading and escalating the fire to unmanageable levels. In addition, they could leak into surrounding areas, saturating soils and seeping into surface waters, and have a disastrous effect on the environment.

Although the risk assessment did not include any modeling to determine specific damage estimates for these facilities, it does indicate a large number of assets are exposed to wildfire hazard. There are a large number of essential facilities, transportation features, and other community assets within close proximity to high wildfire hazard classification areas. Structures may be exposed to damage directly from fire. Additionally, utility services may be disrupted, particularly areas with above ground utility systems, some of which have been identified in the 2023 CWPP. Further evaluation may be needed to consider building construction materials, landscape conditions, road access, and defensible space to further determine their susceptibility to wildfire and where specific priority mitigation actions are needed.

8.4.4 Environment

Fire is a natural and critical ecosystem process in most terrestrial ecosystems, dictating in part the types, structure, and spatial extent of native vegetation. However, wildfires can cause severe environmental impacts:

- **Soil Erosion:** The protective covering provided by foliage and dead organic matter is removed, leaving the soil fully exposed to wind and water erosion. Accelerated soil erosion occurs, causing landslides and threatening aquatic habitats.
- **Spread of Invasive Plant Species:** Non-native woody plant species frequently invade burned areas. When weeds become established, they can dominate the plant cover over broad landscapes, and become difficult and costly to control.
- **Disease and Insect Infestations:** Unless diseased or insect-infested trees are swiftly removed, infestations and disease can spread to healthy forests and private lands. Timely active management actions are needed to remove diseased or infested trees.
- **Destroyed Endangered Species Habitat:** Catastrophic fires can have devastating consequences for endangered species.
- **Soil Sterilization:** Topsoil exposed to extreme heat can become water repellant, and soil nutrients may be lost. It can take decades or even centuries for ecosystems to recover from a fire. Some fires burn so hot that they can sterilize the soil.
- **Damaged Fisheries:** Critical fisheries can suffer from increased water temperatures, sedimentation, and changes in water quality.

Many ecosystems are adapted to historical patterns of fire occurrence. These patterns, called “fire regimes,” include temporal attributes (e.g., frequency and seasonality), spatial attributes (e.g., size and spatial complexity), and magnitude attributes (e.g., intensity and severity), each of which have ranges of natural variability. Ecosystem stability is threatened when any of the attributes for a given fire regime diverge from its range of natural variability.

8.5 Vulnerability

There are significant assets, including structures, systems, populations, and community lifelines, vulnerable to wildfire in the OA. In particular, the communities of Gilroy, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill, Saratoga, and the unincorporated county have substantial percentages of their area, population, and structural value within high risk areas.

Changes in conditions: Increase in Vulnerability

- Recent drought has impacted vegetation, tree mortality and other
- CMRA data indicates an increase in the annual number of days without precipitation, an increase in the number of consecutive days without precipitation, and the number of days with high temperatures. These conditions can all contribute to greater wildfire risk.
- Large wildfires occur throughout California, and poor air quality from smoke from wildfire in other portions of the state contribute to poor air quality in the OA.
- These climate trends are ongoing and projected to continue.
- Management of fire risk requires repetitive action to manage fuels and maintain defensible space. Vulnerability will increase without ongoing management.
- Many areas throughout the OA reside in foothill areas where roads may be narrow, be located on dead end spurs, or have long drive-times to fire response facilities, which may increase the difficulty of fire suppression near these structures. Residents bear some of the burden in maintaining vegetation near their homes to try and reduce the risk of fire.
- Wildfire leads to an increased risk of debris flow in burned areas, with increases vulnerability to homes and roadways in foothills following a wildfire.

8.5.1 Population

There are no recorded incidents of loss of life from wildfires within the OA. Given the immediate response times to reported fires, the likelihood of injuries and casualties is minimal; therefore, injuries and casualties were not estimated for the wildfire hazard.

That is not to say that wildfires would not impact the OA population. If any OA residents were to be injured or killed by a wildfire, besides fire responders, it would most likely be a member of a vulnerable population. This includes people with limited mobility that required assistive devices like wheelchairs or medical oxygen, people with respiratory or other illnesses, people over 60, people with a communication barrier, migrant populations, people from low-income communities, and people without regular access to a vehicle they could use to evacuate. Wildfire may threaten the health and safety of those fighting the fires too. First responders are exposed to the dangers from the initial incident and after-effects from smoke inhalation and heat stroke.

Gilroy, Los Altos hills, Los Gatos, Monte Sereno, Morgan Hill, Saratoga all have a significant percentage of their population within or close to high wildfire risk areas. People residing in these areas are at higher risk to possible injury and also from being displaced from their homes if an evacuation is required.

The public is also exposed to the negative impacts of smoke. Public health impacts associated with wildfire include difficulty in breathing, odor, and reduction in visibility. Smoke and air pollution from wildfires can be a severe health hazard, especially for vulnerable populations, including children, the elderly, outdoor workers, and those with respiratory and cardiovascular diseases. The 2018 wildfires alone were estimated to have health costs in Santa Clara County over \$1.5 billion.¹⁰⁴

¹⁰⁴ Bay Area Council Economic institute. (November 2021). The True Cost of Wildfires Analyzing the Impact of Wildfires on the California Economy. [BACEI_WildfireImpacts_Nov2021.pdf \(bayareaeconomy.org\)](https://www.bacei.org/wp-content/uploads/2021/11/BACEI_WildfireImpacts_Nov2021.pdf)

Commuters may also be impacted. Wildfires around the Bay Area may cause route/commuter delays or disruption due to closed roadways. Some drivers may have to stay home during poor air quality days, particularly if they are part of vulnerable population including people with lung diseases such as asthma and chronic obstructive pulmonary disease, adults over 65, people with cardiovascular disaster, people who smoke, and people in poverty who lack access to healthcare.

Additionally, the California Department of Public Health¹⁰⁵ recognizes the potential negative impact of wildfires on mental health. The stress of coping with the loss of a home, personal items, pets, livestock, and other traumatic events can trigger mood swings, sleep disruption, and cause extreme nervous tension and/or depression. Children may find it particularly challenging to cope with losses caused by wildfire and present symptoms adults may not initially recognize as a sign of this stress. A comprehensive review of mental health and fire literature found that there was increased cases of PTSD, depression, anxiety, and substance use post-fire both in short-term and long-term studies. The impacts to the populations' mental health should be considered when evaluating the benefits and costs of alternative mitigation actions.

8.5.2 *Property*

Loss estimations for the wildfire hazard are not based on damage functions, because no such damage functions are currently available. Instead, loss estimates were developed representing 10 percent, 30 percent, and 50 percent of the replacement value of exposed structures. This allows emergency managers to select a range of economic impact based on an estimate of the percent of damage to the general building stock. Damage in excess of 50 percent is considered to be substantial by most building codes and typically requires total reconstruction of the structure. Table 48 lists the loss estimates for the general building stock for jurisdictions that have an exposure to a fire hazard severity zone (the aggregate of the 3 zones assessed).

¹⁰⁵ California Department of Public Health. (2022, December 29). Wildfires & Mental Health. <https://www.cdph.ca.gov/Programs/EPO/Pages/Wildfire%20Pages/Wildfires--Mental-Health.aspx>

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Table 48: Loss Estimates for Wildfire within Moderate to High Wildfire Hazard Class

Jurisdiction	Exposed Value	Estimated Loss Potential from Wildfire		
		10% Damage	30% Damage	50% Damage
Campbell	\$42,254,972.95	\$4,225,497.30	\$12,676,491.89	\$21,127,486.48
Cupertino	\$1,351,202,106.61	\$135,120,210.66	\$405,360,631.98	\$ 675,601,053.31
Gilroy	\$3,117,036,318.53	\$311,703,631.85	\$935,110,895.56	\$1,558,518,159.27
Los Altos	\$716,430,652.27	\$71,643,065.23	\$214,929,195.68	\$358,215,326.14
Los Altos Hills	\$1,955,865,393.65	\$195,586,539.37	\$586,759,618.10	\$977,932,696.83
Los Gatos	\$2,116,481,950.18	\$211,648,195.02	\$634,944,585.05	\$1,058,240,975.09
Milpitas	\$836,941,901.80	\$83,694,190.18	\$251,082,570.54	\$418,470,950.90
Monte Sereno	\$421,736,661.94	\$42,173,666.19	\$126,520,998.58	\$210,868,330.97
Morgan Hill	\$3,720,446,057.04	\$372,044,605.70	\$1,116,133,817.11	\$1,860,223,028.52
Mountain View	\$191,769,402.82	\$19,176,940.28	\$57,530,820.85	\$95,884,701.41
Palo Alto	\$510,764,687.23	\$51,076,468.72	\$153,229,406.17	\$255,382,343.62
San José	\$9,900,850,002.92	\$990,085,000.29	\$2,970,255,000.88	\$4,950,425,001.46
Santa Clara (city)	\$56,785,930.11	\$5,678,593.01	\$17,035,779.03	\$28,392,965.06
Saratoga	\$2,169,956,945.61	\$216,995,694.56	\$650,987,083.68	\$1,084,978,472.81
Sunnyvale	\$196,414,379.07	\$19,641,437.91	\$58,924,313.72	\$98,207,189.54
Unincorporated County	\$9,569,160,222.23	\$956,916,022.22	\$2,870,748,066.67	\$4,784,580,111.12
Total	\$36,874,097,584.96	\$3,687,409,758.50	\$11,062,229,275.49	\$18,437,048,792.48

It should be noted that of the 53,086 structures in the OA determined to be at risk to wildfire, 50,503 are residences. This places a high burden of loss directly on individual homeowners. It may also coincide with a large number of people displaced, both for short-term evacuations, or possibly long-term if homes are lost to wildfire.

8.5.3 Critical Facilities and Infrastructure

As shown in Table 47, many essential facilities and infrastructure are in close proximity to areas at high risk to wildfire. Individual facility and structure types within the hazard areas were not counted. Essential facilities at risk could include schools, fire or police stations, or hospitals that are near the high wildfire risk classification zones. It is expected that most of the transportation facilities potentially include railway, light rail, or highway bridges. Air and rail facilities are predominantly in more developed urban areas with less direct risk to wildfire. Several electric power facilities are located near high hazard areas.

Critical facilities of wood frame construction are especially vulnerable during wildfire events. Roads and railroads could be damaged by fallen trees, slides, debris flows, cracking, heavy fire fighting vehicles, and loss of signs and road delineators. Narrow one-lane roads are common in communities throughout the county. Fires can create conditions that block or prevent access and can isolate residents and emergency service providers. Wildfire typically does not have a major direct impact on bridges, but it can create conditions in which bridges are obstructed. Many bridges in areas of high to moderate fire risk are important because they provide the only ingress and egress to large areas and in some cases to isolated neighborhoods.

Communications and power and gas distribution infrastructure may also be threatened. Power lines are the most at risk from wildfire because most poles are made of wood and susceptible to burning. In 2018, Pacific Gas & Electric, the primary gas and electricity supplier to the northern half of California, declared bankruptcy following the 2017 and 2018 northern California wildfire. This bankruptcy has been called the first climate change bankruptcy (Center on Global Energy Policy).¹⁰⁶ It serves as an important case study for how to understand risk to critical infrastructure and the many stakeholders impacted.

The function of critical facilities and infrastructure may also be impacted by fire mitigation measures, such as public safety power shutoffs. Electrical transmission and distribution lines may ignite fires if they are downed by winds and/or trees. To reduce this risk, electrical grids or blocks of an area may be deenergized during heightened risk conditions. This is important for critical facilities to be aware of and prepare for in order to reduce disruptions.

8.5.4 Wildlife and Livestock

The Santa Clara County CWPP Plan notes that horses, livestock, and animals may be especially vulnerable if a wildfire occurs. Many rural homes in the OA have horses, other large animals, and livestock. Farm animals and pets are common in homes of the OA. It can be difficult to evacuate large animals during a wildfire, and they can be harmed by smoke and other wildfire impacts. The loading of horses during a fire, and transportation of stock vehicles down narrow roads under stressful situations can be difficult. Other wildlife, like birds, are highly vulnerable during wildfires due to habitat destruction, smoke inhalation, loss of food sources, and even adverse effects on rare and specialized species.

8.6 Future Trends in Development

The population of Santa Clara County increase 8.7% between 2010 and 2020. However, the population has begun to decline in recent years any future growth is expected at a slow rate. The highly urbanized portions of the OA have little or no wildfire risk exposure. Development in the wildland urban interface can be managed with strong fire-resilient land use and building codes. Santa Clara County has been a leader

¹⁰⁶ Center on Global Energy Policy. (2020, January 28). Out of Control: The Impact of Wildfires on our Power Sector and the Environment. <https://www.energypolicy.columbia.edu/publications/out-control-impact-wildfires-our-power-sector-and-environment>

in urban planning for decades. Planning partners have taken steps to reduce geographic spread into wildland areas and promote “smart growth,” which includes focusing on moderate to higher density development near existing infrastructure.¹⁰⁷ These efforts have been fairly effective in accommodating residential growth without significant urban encroachment. However, despite these efforts, as population grows, it is likely the development of wildland will continue, and the WUI will grow. In some cases, parcels may be developed without a planning permit. New development is also occurring in areas that have limited water supply, putting residents at risk. The technology industry is a major employer in the county. Many employees of tech-based industries are choosing to build property in the Santa Clara foothills, creating additional concerns around the value of property in the WUI, proper fire-resident landscaping, and gated communities.

Overall though, this plan has assessed capabilities with regards to the tools necessary to encourage fire-resilient future development and found the OA was equipped with sufficient resources. In fact, the OA was actively involved in expanding planning capabilities at the time of this plan update. The Santa Clara County General Plan and individual city General Plans also address wildfire and can reduce risk through developing land use policies for hazard prone areas (e.g., proper community design, open space land use, and reducing population in areas prone to wildfire). The Safety Element of the Santa Clara County General Plan is currently being updated. Updating the Safety Element will ensure safety considerations are identified and included during the decision-making and planning processes as they relate to future developments within the county. The Safety Element addresses Wildland/Urban Fire risk.

The Santa Clara County Community Wildfire Protection Plan (CWPP)¹⁰⁸ is also currently being updated and will outline a mitigation and preparedness plan to reduce wildfire risk. The CWPP advocates for wildfire risk reduction measures including updating applicable policies, codes, and ordinances, prioritizing fuel reduction, improving available water supply networks, and engaging in outreach and education. It emphasizes property’s owners’ responsibility to reduce structure ignitability and mitigate risk.

8.7 Scenario

A major wildfire in the OA might begin with a water shortage causing tinder-like wildlands and “Red Flag” conditions occurring, indicating a combination of higher-than-normal temperatures, low humidity and winds blowing from the east across California to the ocean. Lightning strikes or human carelessness with combustible materials could trigger a multitude of small, isolated fires.

The embers from these smaller fires could be carried miles by hot, dry winds. Fires that start in flat areas move slower, but wind still pushes them. It is not unusual for a wildfire pushed by wind to burn the ground fuel and later climb into the crown and reverse its track. This is one of many ways that fires can escape containment, typically during periods when response capabilities are overwhelmed. These small new fires would most likely merge. Suppression resources would be redirected from protecting the natural resources to saving more remote subdivisions.

The worst-case scenario would include an active fire season throughout the American west, spreading resources thin. Firefighting teams would be exhausted or unavailable. Many federal assets would be responding to other fires that started earlier in the season. Multiple fires burn in the State or OA at one time would limit State and local capabilities to respond.

If fire management capabilities are stretched too thin, and weather conditions remained favorable for wildfires, the fire could encroach upon the WUI. Losses in the WUI could be devastating. Residents would need to evacuate, residential and commercial properties would be damaged or destroyed, lives could be

¹⁰⁷ Santa Clara County Fire Department. (2016, August). Santa Clara Community Wildfire Protection Plan. <https://www.sccfd.org/santa-clara-county-community-wildfire-protection-plan/>

¹⁰⁸ Santa Clara County FireSafe Council (2019). <https://sccfiresafe.org/cwpp/>

lost, and infrastructure and utilities including communication towers, power grids, water utilities, transportation corridors and community watersheds could be impacted.

To further complicate the problem after the fire has been contained, heavy rains could follow, causing flooding and landslides and releasing tons of sediment into rivers, and damaging sensitive habitat and riparian areas. Such a fire followed by rain could release millions of cubic yards of sediment into streams, creating new floodplains and changing existing ones. With the vegetation removed from the watershed, stream flows could easily double. Floods that could be expected every 50 years may occur every couple of years. With the streambeds unable to carry the increased discharge because of increased sediment, the floodplains and floodplain elevations would increase. Floodplain management capabilities would find it challenging to adapt to changed conditions and new flood map studies would be warranted.

8.8 Issues

Important issues associated with wildfires in the OA include the following:

- Public education and outreach to people living in or near the fire hazard zones should include information about and assistance with mitigation activities such as defensible space, and advance identification of evacuation routes and safe zones.
- Wildfires could cause landslides as a secondary natural hazard.
- Climate change could affect the wildfire hazard.
- Future growth into interface areas should continue to be managed.
- Area fire districts need to continue to train on wildland-urban interface events.
- Vegetation management activities. This would include enhancement through expansion of the target areas as well as additional resources.
- Regional consistency of higher building code standards such as residential sprinkler requirements and prohibitive combustible roof standards.
- Fire department water supply in high-risk wildfire areas.
- Expand certifications and qualifications for fire department personnel. Ensure that all firefighters are trained in basic wildfire behavior, basic fire weather, and that all company officers and chief level officers are trained in the wildland command and strike team leader level.

Table 49: EMAP Consequence Analysis: Wildfire

Subject	Ranking	Impacts/Wildfire
Public	Minimal to Severe	Residents in the high wildfire risk zones are most likely to be impacted. Impacts include injuries related to burns, smoke inhalation, and loss of property and homes. Residents outside of the immediate wildfire area may still be impacted by a wildfire event due to smoke, disruption of services, or inaccessible roads.

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Subject	Ranking	Impacts/Wildfire
Responders	Minimal	Responders will be called upon to manage the overall incident including potentially supporting evacuations, closing roads, assisting injured members of the public, and more. Climate conditions also need to be considered. Fire management agencies face more uncertainty in planning, change in suppression and fire management techniques, and the need for more agency coordination considering compounding hazards like drought. With proper training, data, equipment, and time for responders with pre-existing conditions to take precautionary steps to protect themselves prior to exposure, it is anticipated the impact to responders will be minimal.
Continuity of Operations (including continued delivery of services)	Minimal to Moderate	The impacts on continuity of operations depends largely on the location of the fire and whether any facility or critical infrastructure component would be impacted. Each fire will present unique risks. Communication systems could be damaged or destroyed. Power connectivity could be disrupted. Other community lifelines could be disrupted or destroyed. Delivery of services may be slowed or stopped in impacted areas.
Property, Facilities, and Infrastructure	Minimal to severe	The localized impact to properties, facilities, and infrastructure could be severe. The impact to critical infrastructure depends in part on the preparation taken prior to a fire during high-risk warning levels (e.g., raising water levels and fueling generators). Fire conditions and the ability of responder's to quickly suppress the fire will also play a large role in determining the impact.
Environment	Minimal to severe	Fire plays an important role in California's ecosystem. A wildfire does not necessarily have a negative impact on the environment. However, fires can also have severe negative impact in terms of habitat destruction, soil erosion, soil sterilization, spread of invasive species, and disease and insect infestation.
Economic Conditions	Minimal to severe	Impacts on the economy will depend greatly on the size and location of the wildfire event. A major wildfire event could impact the local economy through the destruction of property, businesses, and infrastructure; delays or halts in supply chains; and impacts to health and air quality, which may decrease worker productivity or prevent workers from going to work.
Public Confidence in the Government	Minimal to severe	The public's confidence will vary, depending on the perception of how well the event was managed, the warning time, and the time it takes for response and recovery. Timely and accurate public information and notification during these events will impact public trust.

9 Inclement Weather

Definitions

- **Atmospheric River:** A long, narrow region in the atmosphere that transports most of the water vapor outside of the tropics. These columns of vapor move with the weather, carrying large amounts of water vapor and strong winds. When atmospheric rivers make landfall, they release this vapor in the form of rain or snow, causing flooding and mudslide events.
- **Damaging Winds:** Winds exceeding 50–60 mph. NOAA identifies eight types of damaging winds.
- **Extreme Heat:** A period of high heat and humidity with temperatures above 90 degrees for at least two to three days.
- **Extreme Temperatures:** Unexpected, unusual, or unseasonal temperatures—cold or hot—that can create dangerous situations.
- **Heat Index:** The temperature the body feels when heat and humidity are combined.
- **Heavy Precipitation:** Also known as heavy rain, refers to instances where the amount of rain or snow experienced in one area exceeds what is normal.
- **Space Weather:** Variations in the space environment between the sun and earth. It can influence the performance of technology used on Earth.
- **Thunderstorm:** A rain event that includes thunder, lightning and occasionally strong gusty winds and hail.

9.1 General Background

Inclement weather refers to any dangerous meteorological phenomena with the potential to cause damage, serious social disruption, or loss of human life. Inclement weather can be categorized into two groups: systems that form over wide geographic areas are classified as general severe weather; those with a more limited geographic area are classified as localized severe weather. In this plan, we refer to this hazard by the broad “inclement weather” term. Inclement weather, technically, is not the same as extreme weather, which refers to unusual weather events at the extremes of the historical distribution for a given area.

The most common inclement weather events that impact the Santa Clara County OA are heavy rains/atmospheric rivers/, extreme weather (hot and cold), high wind, and space weather. These types of inclement weather are described in the following sections. Flooding issues associated with inclement weather are discussed in Section 13.

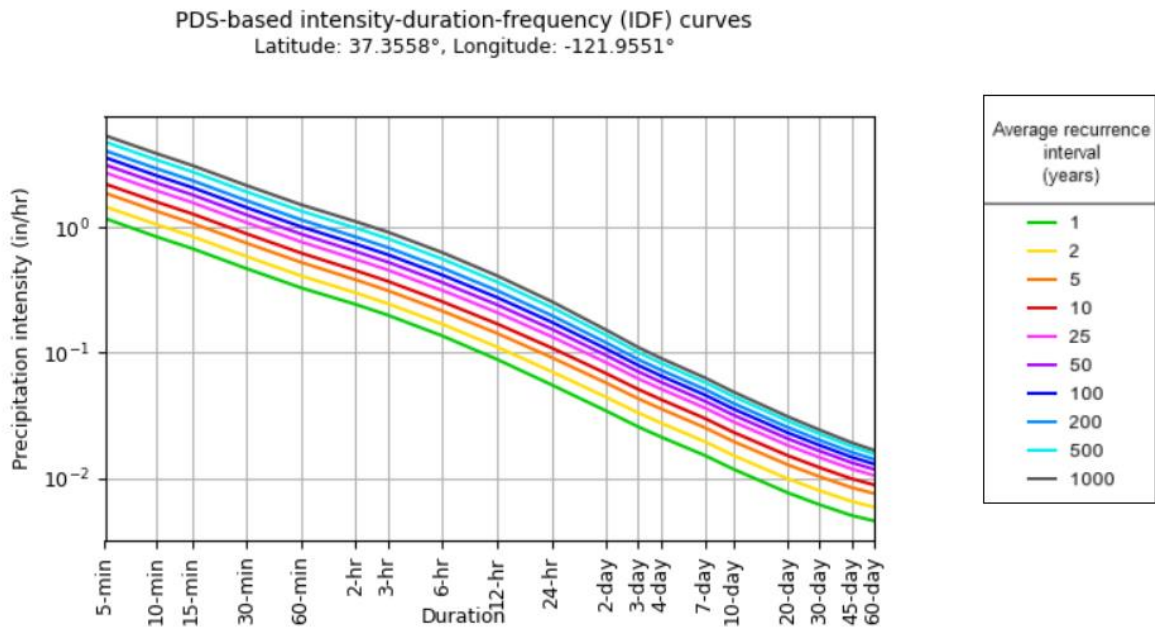
Inclement weather episodes account for the majority of OEM EOC activations since 2017. Each year since the last plan update, Santa Clara County has experienced an average of 10 inclement weather episodes (cold and hot). The Office of Emergency Management has a robust system for coordinating response across multiple jurisdictions during inclement weather episodes. The process is described in the Inclement Weather Annex to the Emergency Operations Plan. This annex was developed in cooperation with over 40 area stakeholders representing more than 20 different agencies.

9.1.1 Heavy Precipitation/Atmospheric River

Most severe storms in the Santa Clara County OA consist of atmospheric rivers, heavy rains, hail, and thunderstorms.

Heavy precipitation, or heavy rain, refers to instances where the amount of rain or snow experienced in one area exceeds what is normal.¹⁰⁹ The amount of precipitation needed to qualify as heavy rain varies with each location and season. Heavy rain is distinct from climate change analyses on increasing precipitation. It does not mean that the total amount of precipitation at a location has increased, just that the rain is occurring in a more intense event. More frequent heavy rain events, however, can serve as indicators of changing precipitation levels. Heavy precipitation is measured by tracking the event frequency, analyzing the mean return period, and by measuring the amount of precipitation within a specific timeframe, such as the inches of rain within a 24-hour period.

Rainfall intensity is based on the amount of rainfall per unit of time. Light rain is typically less than 0.1 inch per hour, moderate rain is .1 to .3 inches of rain per hour, heavy rain is .3 to 2 inches per hour, and violent rain can be used to characterize rates greater than 2 inches per hour.¹¹⁰



According to the NOAA, about 30 to 50 percent of annual precipitation in the west coast states, such as California, are due to **atmospheric river** events. Atmospheric Rivers are long, concentrated regions in the atmosphere that transport moist air away from the tropics and into higher latitudes. When combined with high wind, they produce large amounts of heavy rain and snow which can lead to flash floods, mudslides and significant damage to life and property.¹¹¹

¹⁰⁹ United States Environmental Protection Agency. (2021 April). Climate Change Indicators: Heavy Participation. <https://www.epa.gov/climate-indicators/climate-change-indicators-heavy-precipitation#:~:text=%22Heavy%20precipitation%22%20refers%20to%20instances%20during%20which%20the,can%20affect%20the%20intensity%20and%20frequency%20of%20precipitation.>

¹¹⁰ Rain rate intensity classification. Manual of Surface Weather Observations. <https://www.baranidesign.com/faq-articles/2020/1/19/rain-rate-intensity-classification>

¹¹¹ National Oceanic and Atmospheric Administration Research News. (2023, January 11). Atmospheric Rivers: What are they and how does NOAA study them? <https://research.noaa.gov/article/ArtMID/587/ArticleID/2926/Atmospheric-Rivers-What-are-they-and-how-does-NOAA-study-them#:~:text=Infographic%3A%20The%20science%20behind%20atmospheric%20rivers%20%28NOAA%29%20Atmospheric.and%20snow%20upon%20landfall%2C%20especially%20over%20mountainous%20terrain.>

A **thunderstorm** is a rain event that includes thunder, lightning and occasionally strong gusty winds and hail.¹¹² A thunderstorm is classified as “severe” when it contains one or more of the following: hail one inch or greater, winds gusting in excess of 50 knots (57.5 mph), or tornado. Thunderstorms are usually short in duration (seldom more than two hours). Heavy rains associated with thunderstorms can lead to flash flooding during the wet or dry season. According to the American Meteorological Society Glossary of Meteorology, thunderstorms are reported as light, medium, or heavy according to the following characteristics:¹¹³

- Nature of the lightning and thunder
- Type and intensity of the precipitation, if any
- Speed and gustiness of the wind
- Appearance of the clouds
- Effect on surface temperature

Three factors cause thunderstorms to form: moisture, rising unstable air (air that keeps rising when disturbed), and a lifting mechanism to provide the disturbance. The sun heats the surface of the earth, which warms the air above it. If this warm surface air is forced to rise (hills or mountains can cause rising motion, as can the interaction of warm air and cold air or wet air and dry air) it will continue to rise as long as it weighs less and stays warmer than the air around it. As the air rises, it transfers heat from the surface of the earth to the upper levels of the atmosphere (the process of convection). The water vapor it contains begins to cool and it condenses into a cloud.

The cloud eventually grows upward into areas where the temperature is below freezing. Some of the water vapor turns to ice and some of it turns into water droplets. Both have electrical charges. Ice particles usually have positive charges, and rain droplets usually have negative charges. When the charges build up enough, they are discharged in a bolt of lightning, which causes the sound waves we hear as thunder.

Thunderstorms have three stages (see Figure 38):

- **Developing Stage:** The developing stage of a thunderstorm is marked by a cumulus cloud that is being pushed upward by a rising column of air (updraft). The cumulus cloud soon looks like a tower (called towering cumulus) as the updraft continues to develop. There is little to no rain during this stage but occasional lightning. The developing stage lasts about 10 minutes.
- **Mature Stage:** The thunderstorm enters the mature stage when the updraft continues to feed the storm, but precipitation begins to fall out of the storm, and a downdraft begins (a column of air pushing downward). When the downdraft and rain-cooled air spread out along the ground, they form a gust front, or a line of gusty winds. The mature stage is the most likely time for hail, heavy rain, frequent lightning, strong winds, and tornadoes. The storm occasionally has a black or dark green appearance.
- **Dissipating Stage:** Eventually, a large amount of precipitation is produced, and the updraft is overcome by the downdraft beginning the dissipating stage. At the ground, the gust front moves out a long distance from the storm and cuts off the warm moist air that was feeding the thunderstorm. Rainfall decreases in intensity, but lightning remains a danger.

¹¹² National Oceanic and Atmospheric Administration National Severe Storms Laboratory. (n.d.). Severe Weather 101-Thunderstorm Basics. <https://www.nssl.noaa.gov/education/svrwx101/thunderstorms/>

¹¹³ American Meteorological Society Glossary of Meteorology. (2022). Thunderstorm. [https://glossary.ametsoc.org/wiki/Thunderstorm#:~:text=\(Sometimes%20called%20electrical%20storm.\),rain%2C%20and%20sometimes%20with%20hail.](https://glossary.ametsoc.org/wiki/Thunderstorm#:~:text=(Sometimes%20called%20electrical%20storm.),rain%2C%20and%20sometimes%20with%20hail.)

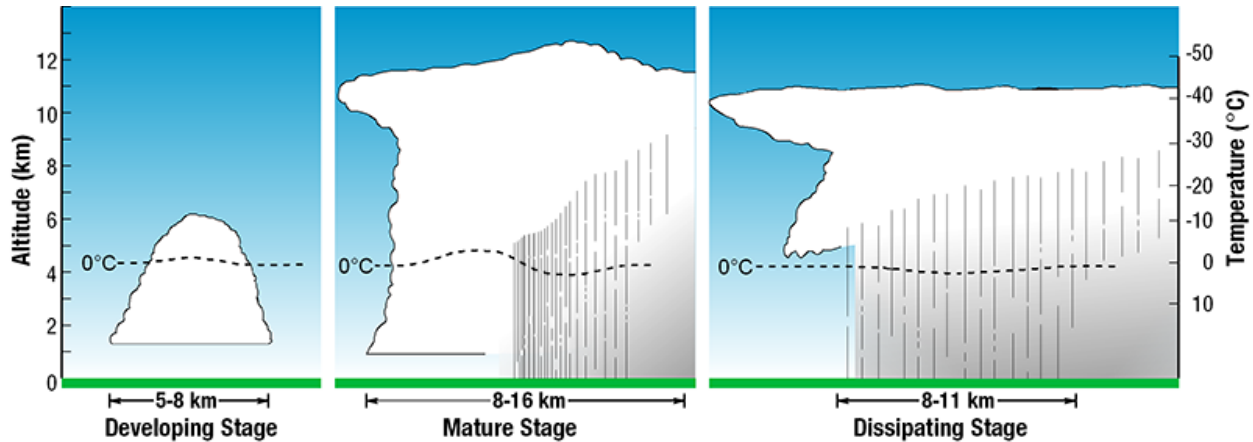


Figure 39: Thunderstorm Life Cycle.¹¹⁴

There are different types of thunderstorms identified by the NOAA and some are listed below.¹¹⁵

- **Single-Cell Thunderstorms:** Single-cell thunderstorms are small and brief. They usually grow and die within an hour and may produce brief heavy rain and lightning.
- **Multi-Cell Storm:** A multi-cell storm is the most common type of thunderstorm in which new updrafts form along the leading edge of cool air. Single cells usually last 30 to 60 minutes while multi-cell storm systems may last for many hours. They may produce hail, strong winds, brief tornadoes, and flooding.
- **Squall Line:** A squall line is a group of storms arranged into a line, often accompanied by squalls or gusty winds and heavy rains. They tend to pass quickly and are less likely to produce tornadoes. They are usually 10 or 20 miles wide but can be up to hundreds of miles long.
- **Supercell:** A supercell is a long-lived (usually greater than 1 hour) and highly organized storm that feeds off an updraft (a rise of current air) that is tilted and rotating. This rotating updraft can be as large as 10 miles in diameter and up to 50,000 feet tall and can be present as much as 20 to 60 minutes before a tornado forms. This rotation is called a mesocyclone when it is detected by a Doppler radar. The tornado is a small extension of this larger rotation. Most large and violent tornadoes come from supercells.

A thunderstorm is a storm with lightning and thunder produced by cumulonimbus clouds, usually producing gusty winds, heavy rain, and sometimes hail. Thunderstorms are usually short in duration (seldom more than two hours). Heavy rains associated with thunderstorms can lead to flash flooding during the wet or dry season. According to the American Meteorological Society Glossary of Meteorology, thunderstorms are reported as light, medium, or heavy according to the following characteristics:

- Nature of the lightning and thunder
- Type and intensity of the precipitation, if any
- Speed and gustiness of the wind

¹¹⁴ National Oceanic and Atmospheric Administration National Severe Storms Laboratory. (n.d.). Severe Weather 101-Thunderstorms. <https://www.nssl.noaa.gov/education/svrwx101/thunderstorms/>

¹¹⁵ National Oceanic and Atmospheric Administration National Severe Storms Laboratory. (n.d.). Severe Weather 101-Thunderstorm Types. <https://www.nssl.noaa.gov/education/svrwx101/thunderstorms/types/>

- Appearance of the clouds
- Effect on surface temperature

9.1.2 Extreme Temperatures

Extreme temperatures are unexpected, unusual, or unseasonal temperatures—cold or hot—that can create dangerous situations.

Extreme cold temperatures are below normal temperatures that may lead to serious health problems. Exposure to the extreme cold can lead to hypothermia and frostbite in people exposed to the weather without adequate clothing protection. It may result in death if it exacerbates preexisting chronic conditions. The NWS provides a Wind Chill Chart to calculate the dangers from winter winds and freezing temperatures. Wind chill is represented by the actual air temperature factored in by wind speed. Figure 39 displays the extent and intensity by the time it takes to develop frostbite.

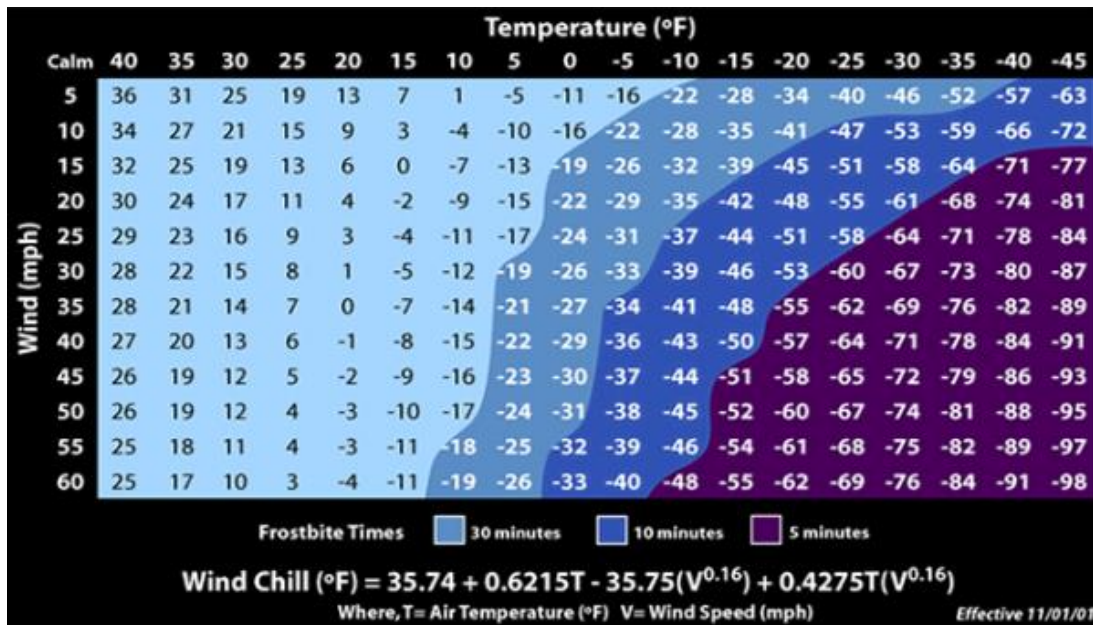


Figure 40: National Weather Service Wind Chill Chart

The NOAA Weather Prediction Center also has a Winter Storm Severity Index (WSSI) tool. This tool communicates the general level of severe winter weather and can be viewed in the figure below. The levels range from “minor” to “extreme.”

Potential Winter Storm Impacts	
	Winter Weather Area Expect Winter Weather. • Winter driving conditions. Drive carefully.
	Minor Impacts Expect a few inconveniences to daily life. • Winter driving conditions. Use caution while driving.
	Moderate Impacts Expect disruptions to daily life. • Hazardous driving conditions. Use extra caution while driving. • Closures and disruptions to infrastructure may occur.
	Major Impacts Expect considerable disruptions to daily life. • Dangerous or impossible driving conditions. Avoid travel if possible. • Widespread closures and disruptions to infrastructure may occur.
	Extreme Impacts Expect substantial disruptions to daily life. • Extremely dangerous or impossible driving conditions. Travel is not advised. • Extensive and widespread closures and disruptions to infrastructure may occur. • Life-saving actions may be needed.

Figure 41: Winter Storm Severity Index

According to FEMA, **extreme heat** is defined as a period of high heat and humidity with temperatures above 90 degrees for at least two to three days.¹¹⁶ Heat is the primary cause of weather-related death in the United States and can be very taxing on the human body. Vulnerable populations such as young children, infants, people with chronic medical conditions, and pregnant women are at higher risk of heat related illness. The **heat index** is the temperature the body feels when heat and humidity are combined.¹¹⁷ The direct relationship between humidity and heat can affect the severity of extreme heat events. The graphic from the NWS below classifies the level of severity in relation to the heat index.

¹¹⁶ U.S. Department of Homeland Security. (2022, August 1). Extreme Heat. <https://www.ready.gov/heat>

¹¹⁷ National Oceanic and Atmospheric Administration National Weather Service. (n.d.). Heat Forecast Tools. <https://www.weather.gov/safety/heat-index>

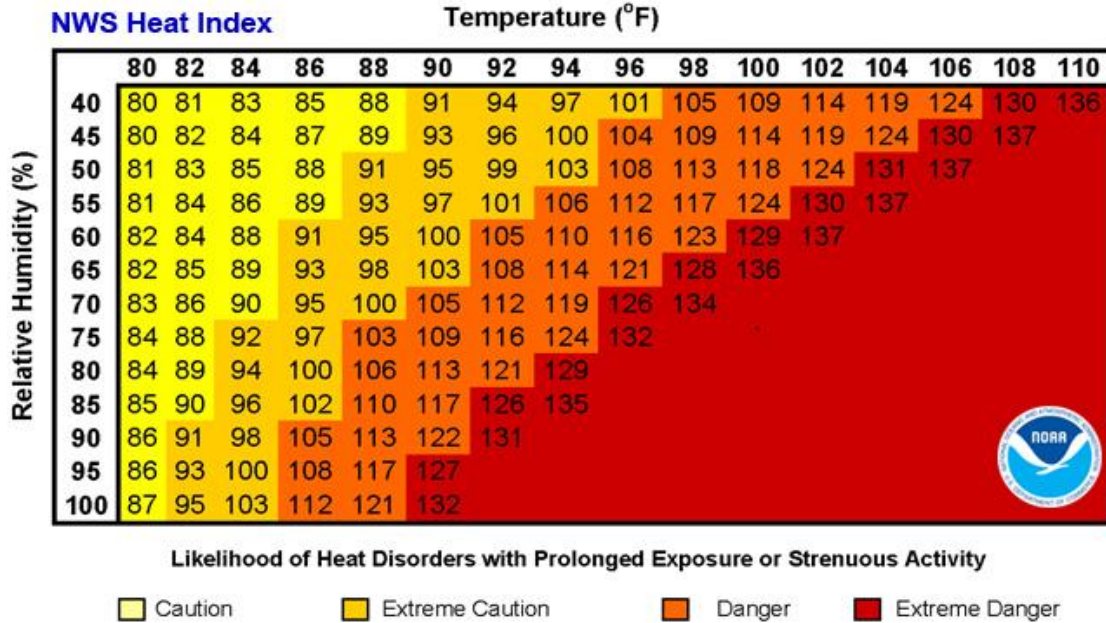


Figure 42: National Weather Service Heat Index Chart¹¹⁸

Classification	Heat Index	Effect on the body
Caution	80°F - 90°F	Fatigue possible with prolonged exposure and/or physical activity
Extreme Caution	90°F - 103°F	Heat stroke, heat cramps, or heat exhaustion possible with prolonged exposure and/or physical activity
Danger	103°F - 124°F	Heat cramps or heat exhaustion likely, and heat stroke possible with prolonged exposure and/or physical activity
Extreme Danger	125°F or higher	Heat stroke highly likely

Figure 43: National Weather Service Heat Index Classifications and Corresponding Effects on the Body¹¹⁹

9.1.3 High Winds

High Winds can occur during severe thunderstorms, with strong weather systems, or can flow down a mountain. High winds are defined as winds of 40 mph or greater lasting for an hour or more, and gusts to 58 mph or greater (NOAA). Windstorms are especially dangerous in areas with significant tree stands and areas with exposed property, poorly constructed buildings, mobile homes (manufactured housing units), major infrastructure, and above-ground utility lines. A windstorm can topple trees and power lines, cause damage to residential, commercial, and critical facilities, and leave tons of debris in its wake.

¹¹⁸ National Oceanic and Atmospheric Administration National Weather Service. (n.d.). What is the heat index? <https://www.weather.gov/ama/heatindex>

¹¹⁹ National Oceanic and Atmospheric Administration National Weather Service. (n.d.). What is the heat index? <https://www.weather.gov/ama/heatindex>

Damaging winds are classified as those exceeding 50–60 mph.¹²⁰ Damage from such winds accounts for half of all severe weather reports in the lower 48 states and is more common than damage from tornadoes. Wind speeds can reach up to 100 mph and can produce a damage path extending for hundreds of miles.

NOAA identifies eight types of damaging winds.¹²¹:

- **Straight-line Wind:** Any thunderstorm wind that is not associated with rotation; this term is used mainly to differentiate from tornado winds.
- **Downdraft:** A small-scale column of air that rapidly sinks toward the ground.
- **Downburst:** Downburst is the general term for all localized strong wind events that are caused by a strong downdraft within a thunderstorm.
- **Macroburst:** An outward burst of strong winds near the surface with horizontal dimensions larger than 4 km (2.5 mi) and occurs when a strong downdraft reaches the surface. Macrobust winds may begin over a smaller area and then spread out over a wider area, sometimes producing damage similar to a tornado. Although usually associated with thunderstorms, macrobursts can occur with weak showers.
- **Microburst:** A small, concentrated downburst that produces an outward burst of damaging winds at the surface. Microbursts are small, usually less than 4 km across, and short-lived, lasting only 5 to 10 minutes, with maximum wind speeds sometimes exceeding 100 mph. There are two kinds of microbursts: wet and dry. A wet microburst is accompanied by heavy precipitation at the surface. Dry microbursts, common in places like the high plains and the intermountain west, occur with little or no precipitation reaching the ground.
- **Gust Front:** A gust front is the leading edge of rain-cooled air that clashes with warmer thunderstorm inflow. Gust fronts are characterized by a wind shift, temperature drop, and gusty winds out ahead of a thunderstorm. Sometimes the winds push up air above them, forming a shelf cloud or detached roll cloud.
- **Derecho:** A widespread, long-lived windstorm that is associated with a band of rapidly moving showers or thunderstorms. It consists of numerous microbursts, downbursts, and downburst clusters. By definition, if the wind damage swath extends more than 240 miles (about 400 kilometers) and includes wind gusts of at least 58 mph (93 km/h) or greater along most of its length, then the event may be classified as a derecho.
- **Haboob:** A wall of dust that is pushed out along the ground from a thunderstorm downdraft at high speeds.
-

The Beaufort Scale is a classification system that relates wind speed to observed conditions. As shown in Figure 9-6, this scale indicates likely conditions that can be observed at increasing wind speed levels.

¹²⁰ National Oceanic and Atmospheric Administration National Severe Storms Laboratory. (n.d.). Severe Weather 101-Damaging Winds Basics. <https://www.nssl.noaa.gov/education/svrwx101/wind/>

¹²¹ National Oceanic and Atmospheric Administration National Severe Storms Laboratory. (n.d.). Severe Weather 101-Types of Damaging Winds. <https://www.nssl.noaa.gov/education/svrwx101/wind/types/>

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Estimating Wind Speed and Sea State with Visual Clues				
Beaufort number	Wind Description	Wind Speed	Wave Height	Visual Clues
0	Calm	0 knots	0 feet	Sea is like a mirror. Smoke rises vertically.
1	Light Air	1-3 kts	< 1/2	Ripples with the appearance of scales are formed, but without foam crests. Smoke drifts from funnel.
2	Light breeze	4-6 kts	1/2 ft (max 1)	Small wavelets, still short but more pronounced, crests have glassy appearance and do not break. Wind felt on face. Smoke rises at about 80 degrees.
3	Gentle Breeze	7-10 kts	2 ft (max 3)	Large wavelets, crests begin to break. Foam of glassy appearance. Perhaps scattered white horses (white caps). Wind extends light flag and pennants. Smoke rises at about 70 deg.
4	Moderate Breeze	11-16 kts	3 ft (max 5)	Small waves, becoming longer. Fairly frequent white horses (white caps). Wind raises dust and loose paper on deck. Smoke rises at about 50 deg. No noticeable sound in the rigging. Slack halyards curve and sway. Heavy flag flaps limply.
5	Fresh Breeze	17-21 kts	6 ft (max 8)	Moderate waves, taking more pronounced long form. Many white horses (white caps) are formed (chance of some spray). Wind felt strongly on face. Smoke rises at about 30 deg. Slack halyards whip while bending continuously to leeward. Taut halyards maintain slightly bent position. Low whistle in the rigging. Heavy flag doesn't extend but flaps over entire length.
6	Strong Breeze	22-27 kts	9 ft (max 12)	Large waves begin to form. White foam crests are more extensive everywhere (probably some spray). Wind stings face in temperatures below 35 deg F (2C). Slight effort in maintaining balance against wind. Smoke rises at about 15 deg. Both slack and taut halyards whip slightly in bent position. Low moaning, rather than whistle, in the rigging. Heavy flag extends and flaps more vigorously.
7	Near Gale	28-33 kts	13 ft (max 19)	Sea heaps up and white foam from breaking waves begins to be blown in streaks along the direction of wind. Necessary to lean slightly into the wind to maintain balance. Smoke rises at about 5 to 10 deg. Higher pitched moaning and whistling heard from rigging. Halyards still whip slightly. Heavy flag extends fully and flaps only at the end. Oilskins and loose clothing inflate and pull against the body.
8	Gale	34-40 kts	18 ft (max 25)	Moderately high waves of greater length. Edges of crests begin to break into the spindrift. The foam is blown in well-marked streaks along the direction of the wind. Head pushed back by the force of the wind if allowed to relax. Oilskins and loose clothing inflate and pull strongly. Halyards rigidly bent. Loud whistle from rigging. Heavy flag straight out and whipping.
9	Strong Gale	41-47 kts	23 ft (max 32)	High waves. Dense streaks of foam along direction of wind. Crests of waves begin to topple, tumble and roll over. Spray may affect visibility.
10	Storm	48-55 kts	29 ft (max 41)	Very high waves with long overhanging crests. The resulting foam, in great patches is blown in dense streaks along the direction of the wind. On the whole, the sea takes on a whitish appearance. Tumbling of the sea becomes heavy and shock-like. Visibility affected.
11	Violent Storm	56-63 kts	37 ft (max 52)	Exceptionally high waves (small and medium-sized ships might be for time lost to view behind the waves). The sea is completely covered with long white patches of foam lying along the direction of the wind. Everywhere, the edges of the wave crests are blown into froth. Visibility greatly affected.
12	Hurricane	64+ kts	45+ ft	The air is filled with foam and spray. The sea is completely white with driving spray. Visibility is seriously affected.

Figure 44: The Beaufort Wind Scale¹²²

¹²² National Weather Service. Beaufort Scale. Estimating Wind Speed and Sea State. <https://www.weather.gov/pqr/beaufort>

9.1.4 *Space Weather*

Space weather refers to conditions resulting from solar activity that can potentially affect Earth, our atmosphere, and the near-Earth environment.¹²³ Our planet's atmosphere helps protect us from solar radiation, but occasional eruptions of radiation and matter can disrupt our power grids and communications systems, as well as impact satellite operations and GPS navigation capabilities. In severe cases, it produces solar energetic particles, which can damage satellites used for commercial communications, global positioning, intelligence gathering, and weather forecasting.

NOAA's Space Weather Prediction Center has developed space weather scales. The scales describe the environmental disturbances for three event types: geomagnetic storms, solar radiation storms, and radio blackouts. The scales have numbered levels to convey severity, similar to hurricanes, tornadoes, and earthquakes. They list possible effects at each level, show the frequency of such events, and help measure of the possible intensity of the physical causes.

The NOAA space weather scales are included in Table 50, Table 51, and Table 52. NOAA studies have determined that different types of space weather may occur separately.

¹²³ National Oceanic and Atmospheric Administration National Environmental Satellite, Data, and Information Service. (n.d.). Space Weather. <https://www.nesdis.noaa.gov/next-generation/space-weather>

Table 50: NOAA Geomagnetic Storms Space Weather Scale and Potential Effects.¹²⁴

Geomagnetic Storms			Kp values* determined every 3 hours	Number of storm events when Kp level was met; (number of storm days)
G 5	Extreme	<u>Power systems:</u> widespread voltage control problems and protective system problems can occur, some grid systems may experience complete collapse or blackouts. Transformers may experience damage. <u>Spacecraft operations:</u> may experience extensive surface charging, problems with orientation, uplink/downlink and tracking satellites. <u>Other systems:</u> pipeline currents can reach hundreds of amps, HF (high frequency) radio propagation may be impossible in many areas for one to two days, satellite navigation may be degraded for days, low-frequency radio navigation can be out for hours, and aurora has been seen as low as Florida and southern Texas (typically 40° geomagnetic lat.).**	Kp=9	4 per cycle (4 days per cycle)
G 4	Severe	<u>Power systems:</u> possible widespread voltage control problems and some protective systems will mistakenly trip out key assets from the grid. <u>Spacecraft operations:</u> may experience surface charging and tracking problems, corrections may be needed for orientation problems. <u>Other systems:</u> induced pipeline currents affect preventive measures, HF radio propagation sporadic, satellite navigation degraded for hours, low-frequency radio navigation disrupted, and aurora has been seen as low as Alabama and northern California (typically 45° geomagnetic lat.).**	Kp=8	100 per cycle (60 days per cycle)
G 3	Strong	<u>Power systems:</u> voltage corrections may be required, false alarms triggered on some protection devices. <u>Spacecraft operations:</u> surface charging may occur on satellite components, drag may increase on low-Earth-orbit satellites, and corrections may be needed for orientation problems. <u>Other systems:</u> intermittent satellite navigation and low-frequency radio navigation problems may occur, HF radio may be intermittent, and aurora has been seen as low as Illinois and Oregon (typically 50° geomagnetic lat.).**	Kp=7	200 per cycle (130 days per cycle)
G 2	Moderate	<u>Power systems:</u> high-latitude power systems may experience voltage alarms, long-duration storms may cause transformer damage. <u>Spacecraft operations:</u> corrective actions to orientation may be required by ground control; possible changes in drag affect orbit predictions. <u>Other systems:</u> HF radio propagation can fade at higher latitudes, and aurora has been seen as low as New York and Idaho (typically 55° geomagnetic lat.).**	Kp=6	600 per cycle (360 days per cycle)
G 1	Minor	<u>Power systems:</u> weak power grid fluctuations can occur. <u>Spacecraft operations:</u> minor impact on satellite operations possible. <u>Other systems:</u> migratory animals are affected at this and higher levels; aurora is commonly visible at high latitudes (northern Michigan and Maine).**	Kp=5	1700 per cycle (900 days per cycle)

* Based on this measure, but other physical measures are also considered.

** For specific locations around the globe, use geomagnetic latitude to determine likely sightings (see www.swpc.noaa.gov/Aurora)

¹²⁴ National Oceanic and Atmospheric Administration. (2011, April 7). Space Weather Scales. <https://swpc-drupal.woc.noaa.gov/noaa-scales-explanation#:~:text=The%20NOAA%20Space%20Weather%20Scales%20were%20introduced%20as,and%20their%20possible%20effects%20on%20people%20and%20systems.>

Table 51: NOAA Solar Radiation Storms Space Weather Scale and Potential Effects.¹²⁵

Solar Radiation Storms			Flux level of ≥ 10 MeV particles (ions)*	Number of events when flux level was met**
S 5	Extreme	Biological: unavoidable high radiation hazard to astronauts on EVA (extra-vehicular activity); passengers and crew in high-flying aircraft at high latitudes may be exposed to radiation risk. *** Satellite operations: satellites may be rendered useless, memory impacts can cause loss of control, may cause serious noise in image data, star-trackers may be unable to locate sources; permanent damage to solar panels possible. Other systems: complete blackout of HF (high frequency) communications possible through the polar regions, and position errors make navigation operations extremely difficult.	10^5	Fewer than 1 per cycle
S 4	Severe	Biological: unavoidable radiation hazard to astronauts on EVA; passengers and crew in high-flying aircraft at high latitudes may be exposed to radiation risk. *** Satellite operations: may experience memory device problems and noise on imaging systems; star-tracker problems may cause orientation problems, and solar panel efficiency can be degraded. Other systems: blackout of HF radio communications through the polar regions and increased navigation errors over several days are likely.	10^4	3 per cycle
S 3	Strong	Biological: radiation hazard avoidance recommended for astronauts on EVA; passengers and crew in high-flying aircraft at high latitudes may be exposed to radiation risk. *** Satellite operations: single-event upsets, noise in imaging systems, and slight reduction of efficiency in solar panel are likely. Other systems: degraded HF radio propagation through the polar regions and navigation position errors likely.	10^3	10 per cycle
S 2	Moderate	Biological: passengers and crew in high-flying aircraft at high latitudes may be exposed to elevated radiation risk. *** Satellite operations: infrequent single-event upsets possible. Other systems: effects on HF propagation through the polar regions, and navigation at polar cap locations possibly affected.	10^2	25 per cycle
S1	Minor	Biological: none. Satellite operations: none. Other systems: minor impacts on HF radio in the polar regions.	10	50 per cycle

* Flux levels are 5 minute averages. Flux in particles $\text{s}^{-1} \text{ster}^{-1} \text{cm}^{-2}$ Based on this measure, but other physical measures are also considered.

** These events can last more than one day.

*** High energy particle (>100 MeV) are a better indicator of radiation risk to passenger and crews. Pregnant women are particularly susceptible.

¹²⁵ National Oceanic and Atmospheric Administration. (2011, April 7). Space Weather Scales. <https://swpc-drupal.woc.noaa.gov/noaa-scales-explanation#:~:text=The%20NOAA%20Space%20Weather%20Scales%20were%20introduced%20as,and%20their%20possible%20effects%20on%20people%20and%20systems.>

Table 52: NOAA Radio Blackouts Space Weather Scale and Potential Effects¹²⁶

Radio Blackouts			GOES X-ray peak brightness by class and by flux*	Number of events when flux level was met; (number of storm days)
R 5	Extreme	<u>HF Radio:</u> Complete HF (high frequency**) radio blackout on the entire sunlit side of the Earth lasting for a number of hours. This results in no HF radio contact with mariners and en route aviators in this sector. <u>Navigation:</u> Low-frequency navigation signals used by maritime and general aviation systems experience outages on the sunlit side of the Earth for many hours, causing loss in positioning. Increased satellite navigation errors in positioning for several hours on the sunlit side of Earth, which may spread into the night side.	X20 (2×10^{-3})	Fewer than 1 per cycle
R 4	Severe	<u>HF Radio:</u> HF radio communication blackout on most of the sunlit side of Earth for one to two hours. HF radio contact lost during this time. <u>Navigation:</u> Outages of low-frequency navigation signals cause increased error in positioning for one to two hours. Minor disruptions of satellite navigation possible on the sunlit side of Earth.	X10 (10^{-3})	8 per cycle (8 days per cycle)
R 3	Strong	<u>HF Radio:</u> Wide area blackout of HF radio communication, loss of radio contact for about an hour on sunlit side of Earth. <u>Navigation:</u> Low-frequency navigation signals degraded for about an hour.	X1 (10^{-4})	175 per cycle (140 days per cycle)
R 2	Moderate	<u>HF Radio:</u> Limited blackout of HF radio communication on sunlit side of the Earth, loss of radio contact for tens of minutes. <u>Navigation:</u> Degradation of low-frequency navigation signals for tens of minutes.	M5 (5×10^{-5})	350 per cycle (300 days per cycle)
R 1	Minor	<u>HF Radio:</u> Weak or minor degradation of HF radio communication on sunlit side of the Earth, occasional loss of radio contact. <u>Navigation:</u> Low-frequency navigation signals degraded for brief intervals.	M1 (10^{-5})	2000 per cycle (950 days per cycle)

* Flux, measured in the 0.1-0.8 nm range, in $W m^{-2}$. Based on this measure, but other physical measures are also considered.

** Other frequencies may also be affected by these conditions.

¹²⁶ National Oceanic and Atmospheric Administration. (2011, April 7). Space Weather Scales. <https://swpc-drupal.woc.noaa.gov/noaa-scales-explanation#:~:text=The%20NOAA%20Space%20Weather%20Scales%20were%20introduced%20as,and%20their%20possible%20effects%20on%20people%20and%20systems.>

9.2 Hazard Profile

9.2.1 Past Events

The National Centers for Environmental Information (NCEI) receives storm data from the National Weather Service (NWS) that is then compiled into a Storm Events Database. NWS receives their information from a variety of sources, which include but are not limited to, county, City, and federal emergency management officials; local law enforcement officials; SkyWarn spotters; NWS damage surveys; newspaper clipping services; the insurance industry; and the general public, among others. Please note that the NWS does not guarantee the accuracy, validity, or completeness of the event data in the Storm Events Database.

The Storm Events Database has a record of inclement weather events that occurred in the OA during the last twenty-one years (see Table 53). These events include heavy rain/precipitation, excessive heat or cold, and high winds. In total, inclement weather has caused an estimated \$24,152,120 in property damage in the OA. \$10,025,020 was from Heavy Precipitation Events

9.2.1.1 Heavy Precipitation

11/30/2012 A series of storms brought strong winds, heavy rainfall and flooding to the region and reported of 13,800 power outages in the Bay Area.

12/3/2014 Rain, wind, some flooding issues and downed trees and power lines were reported.

12/11/2014 An atmospheric river brought heavy rain and gusty winds. Rainfall rates of 1.5 – 2 inches/hour were reported. Many locations around the Bay Area had urban flooding of streets and highways and flooding of creeks.

2/9/2015 Heavy rain, gusty winds, and damage to trees and power lines along with some minor flooding of urban areas occurred.

1/8/2017 Potent atmospheric river brought heavy rain, strong southerly winds, and storm surge issues.

Dec 27, 2022 – Jan. 31, 2023. A series of heavy rainstorms affected multiple counties, prompting emergency declarations. Road closures occurred in Gilroy, including closer of southbound Hwy 101. Other road closures occurred in San Jose and other parts of the valley due to flooding. Heavy rain contributed to a landslide that temporarily blocked Hwy 17 at Glenwood Drive in Los Gatos. On January 13, 2023, Santa Clara County issued evacuation warnings for watershed areas of the Uvas Reservoir, Pacheco Pass River bases, and Highway 101 and Bolsa Road due to continued weather and flooding concerns.

Additional examples of heavy rain contributing to landslides can be found in Section 14.2.1.

Table 53: 2001–2022 Heavy Rain and Hail Events

Dates of Event	Event Type	Location
12/15/2002	Heavy Rain	Santa Clara County/Los Gatos
12/15/2002	Heavy Rain	Santa Clara County/Saratoga

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Dates of Event	Event Type	Location
11/30/2012	Heavy Rain	Santa Clara County
11/30/2012	Heavy Rain	Santa Clara County
10/10/2012	Hail	Santa Clara County/Gilroy
10/10/2012	Hail	Santa Clara County/Gilroy
2/9/2014	Heavy Rain	Santa Clara County
12/3/2014	Heavy Rain	Santa Clara County/Saratoga
12/11/2014	Heavy Rain	Santa Clara County
2/9/2015	Heavy Rain	Santa Clara County
2/9/2015	Heavy Rain	Santa Clara County
1/8/2017	Heavy Rain	Santa Clara County/Morgan Hill
1/19/2017	Hail	Santa Clara County/Los Gatos
1/19/2017	Hail	Santa Clara County
1/20/2017	Hail	Santa Clara County/Los Gatos
2/17/2017	Heavy Rain	Santa Clara County
3/5/2017	Hail	Santa Clara County/Los Gatos
1/19/2018	Hail	Santa Clara County
1/25/2018	Hail	Santa Clara County/San Jose
1/25/2018	Hail	Santa Clara County/Gilroy
1/25/2018	Hail	Santa Clara County/Gilroy
1/25/2018	Hail	Santa Clara County/Morgan Hill
2/26/2018	Hail	Santa Clara County/Gilroy
3/2/2018	Hail	Santa Clara County/San Jose
3/17/2018	Hail	Santa Clara County/Sunnyvale
4/16/2018	Hail	Santa Clara County/San Jose
4/16/2018	Hail	Santa Clara County
2/15/2019	Hail	Santa Clara County
3/10/2019	Hail	Santa Clara County/San Jose

Dates of Event	Event Type	Location
3/10/2019	Hail	Santa Clara County/San Jose
3/10/2019	Hail	Santa Clara County
1/16/2020	Hail	Santa Clara County
1/16/2020	Hail	Santa Clara County
3/17/2020	Hail	Santa Clara County
3/25/2020	Hail	Santa Clara County/Los Gatos
3/25/2020	Hail	Santa Clara County/Palo Alto
3/25/2020	Hail	Santa Clara County/Mountain View
3/25/2020	Hail	Santa Clara County/Mountain View
3/25/2020	Hail	Santa Clara County/Gilroy
3/25/2020	Hail	Santa Clara County/Sunnyvale
3/25/2020	Hail	Santa Clara County/Gilroy
3/25/2020	Hail	Santa Clara County/Santa Clara
4/6/2020	Hail	Santa Clara County
3/10/2021	Hail	Santa Clara County/San Jose

9.2.1.2 Extreme Heat or Cold

The NCEI reports 14 deaths in Santa Clara County since 2002 as a direct result of cold and wind chill. Seven deaths and 61 injuries have been directly attributed to heat.

- NCEI reports that excessive heat led to rolling blackouts in the Bay Area on 8/14/2020
- On 8/16/2020, extreme heat contributed to 464 EMS calls across Santa Clara County.
- NCEI documents the use of cooling centers to counter the effects of extreme heat in Santa Clara on 5/17/2009 and 9/4/2022.
- On 1/6/2007, the NCEI records that freezing temperatures in Santa Clara Valley fell into the lower 20s, causing \$50,000 in crop damage.
- On 12/8/2009, Light rail trains were delayed and Highway 101 to Interstate 280 in San Jose were closed due to severe ice on the roadway. Flights from San Jose International Airport were delayed because some airlines do not have de-icing equipment. Ice also contributed to a vehicle accident.

Table 54: 2001–2022 Extreme Temperature Events

Dates of Event	Event Type	Location
7/20/2006	Heat	Santa Clara Valley Including San Jose
7/21/2006	Heat	East Bay Hills and the Diablo Range (Zone)
7/22/2006	Heat	San Francisco Bay Shoreline (Zone)
7/22/2006	Heat	Santa Cruz Mountains (Zone)
5/17/2009	Heat	Santa Clara Valley Including San Jose
5/17/2009	Heat	San Francisco Bay Shoreline (Zone)
5/17/2009	Heat	East Bay Hills and the Diablo Range (Zone)
5/17/2009	Heat	Santa Cruz Mountains (Zone)
6/19/2017	Heat	Santa Clara Valley Including San Jose
12/25/2018	Cold/Wind Chill	Santa Clara Valley including San Jose
1/1/2019	Cold/Wind Chill	Santa Clara Valley including San Jose
11/27/2019	Cold/Wind Chill	Santa Clara Valley including San Jose
11/28/2019	Cold/Wind Chill	Santa Clara Valley including San Jose
11/29/2019	Cold/Wind Chill	Santa Clara Valley including San Jose
6/10/2019	Heat	Santa Clara Valley Including San Jose
6/10/2019	Excessive Heat	San Francisco Bay Shoreline (Zone)
8/14/2020	Excessive Heat	San Francisco Bay Shoreline (Zone)
8/16/2020	Excessive Heat	Santa Clara Valley Including San Jose
9/6/2020	Excessive Heat	Santa Clara Valley Including San Jose
9/7/2020	Excessive Heat	San Francisco Bay Shoreline (Zone)
6/17/2021	Heat	Santa Clara Valley Including San Jose
6/17/2021	Heat	Santa Clara Valley Including San Jose

Dates of Event	Event Type	Location
7/11/2021	Excessive Heat	East Bay Hills and the Diablo Range (Zone)
6/10/2022	Heat	Santa Clara Valley Including San Jose
6/21/2022	Heat	San Francisco Bay Shoreline (Zone)
6/21/2022	Heat	San Francisco Bay Shoreline (Zone)
6/21/2022	Heat	Santa Clara Valley Including San Jose
9/4/2022	Heat	Santa Clara Valley Including San Jose
9/4/2022	Heat	San Francisco Bay Shoreline (Zone)
9/4/2022	Heat	Santa Clara Valley Including San Jose
9/4/2022	Heat	Santa Clara Valley Including San Jose
9/5/2022	Heat	San Francisco Bay Shoreline (Zone)
9/5/2022	Heat	Santa Clara Valley Including San Jose
9/6/2022	Heat	San Francisco Bay Shoreline (Zone)
9/6/2022	Heat	Santa Clara Valley Including San Jose
9/8/2022	Heat	Santa Clara Valley Including San Jose

9.2.1.3 High Wind

- In addition, the NOAA/NCEI database reports 494 high wind events that have occurred in the OA since 2005. This is the most common inclement weather hazard type to affect the OA, and these events have caused an estimated \$7,406,100 in property damage since the first recorded incident in 2005.
- On 1/19/2010-1/22/2000, the NCEI records strong winds that affected the Bay Area. Winds knocked two trees down along East Santa Clara Street in San Jose and around 10,000 customers lost power in the San Jose area. Additional incidents of trees and limbs falling and causing damage were reported. These reports include damage to utilities such as telephone poles and power transformers, damage caused to vehicles, partially blocked roadways, or injured people. Specific impacts were recorded in San Jose, Los Gatos, and Milpitas.

Table 55:2002-2022 High Wind Events

Years	Number of Wind Events
2005	6
2006	11
2008	16
2009	18
2010	21
2011	15
2012	14
2013	23
2014	32
2015	15
2016	3
2017	51
2018	26
2019	92
2020	52
2021	61
2022	9

Although rare, Santa Clara County has also experienced tornados, which have caused a total of \$6,721,000 in damage.

Table 56: 1951–2022 Tornado Events

Date	Event Type	Location
1/11/1951	F2 Tornado	Santa Clara County
12/8/1997	F0 Tornado	San Jose
2/6/1998	F0 Tornado	Sunnyvale
5/5/1998	F1 Tornado	Los Altos
5/5/1998	F2 Tornado	Sunnyvale
4/14/2007	EF0 Tornado	Gilroy

9.2.1.4 Space Weather

Space weather monitoring is relatively new, and there is limited data available regarding historical occurrences. However, we know that space weather has impacted the OA and is likely to impact the OA in the future.

9.2.2 Location

Heavy precipitation/Rain, extreme heat or extreme cold, high winds, and even space weather can occur anywhere within the OA. The extent is highly variable. Given their widespread nature, these events have the potential to impact large areas simultaneously. Historical records show that these events can happen in one isolated part of the OA, or in the entirety of the planning area. Therefore, inclement weather events are not confined to any geographical barrier and may impact all parts of the OA.

9.2.3 Frequency

Several types of inclement weather have shown an increasing number of events in recent years. This represents a trend that due to factors such as climate change it is likely that inclement weather events will become more frequent over time. Based on the frequency of historic events, inclement weather events can be expected to occur multiple times annually.

Heavy Precipitation: According to the historical events reported by the NCEI database, 44 heavy precipitation events have occurred in the last twenty-one years. Of these 44 events, 33 incidents have occurred in the last five years alone.

Probability in OA: Highly Likely

Extreme Temperature: 33 extreme temperature events were recorded in the NCEI database since 2002. 24 of those have occurred since 2017.

Probability in OA: Highly Likely

High Wind: 470 high wind events have occurred in the OA since 2005. Wind speeds in these events have ranged from 9 to 96 knots.

Probability in OA: Highly Likely

Space Weather: Data was not available to estimate the frequency of space weather events.

Probability in OA: Likely

9.2.4 Severity

Severity will depend on the extent of each event and can range from mild to severe. Inclement weather can cause disruption to critical facilities and extensive damage to property and infrastructure. The NCEI database reports a total of \$24,152,120 in property damage from these events in some of the most severe cases, not including space weather.

The levels of severity related to space weather are best described in Table 50, Table 51, and Table 52. The level of severity can range from minor to extreme and will mostly impact the OA's technological, communication, and power grid systems.

9.2.5 *Warning Time*

The National Weather Service provides forecasting and prediction services for a variety of inclement weather events and maintains an established process for issuing advisories, watches and warnings for each. The amount of warning time varies on the type of weather event. ¹²⁷

Heavy Precipitation: warning times for significant weather events may vary widely. Initial storm advisories can have a lead time of 36-48 hours. More extreme events like thunderstorms, hail, or other severe weather may have warning of an hour or less.

Extreme Temperature: Advisories regarding extremes in heat or cold can be issued with 0-36 hours of lead time.

High Wind: Wind advisories can have a lead time of 12 to 36 hours.

Space Weather: Space weather prediction services are provided by NOAA's Space Weather Prediction Center. The SWPC draws on various data sources to provide forecasts, watches, warning and alerts with a possible lead time of hours to days of possible space weather activity. ¹²⁸ Lead time varies from hours to days.

9.3 Cascading Impacts

While inclement weather is the most common hazard to occur in the OA, it is important to note the potential cascading impacts of these events.

Heavy precipitation can lead to significant flooding, also contributing to landslides and mudslides, posing serious threats to human lives, property, infrastructure and ecosystems. Flooding and other cascading impacts of heavy rain can interrupt transportation, utility services, or other emergency services.

Extreme temperatures, whether excessively hot or cold, will have impacts on human health, potentially leading to heatstroke, dehydration, and cold-related illnesses. Additionally, extreme temperatures can strain energy resources and infrastructure, increasing the risk of blackouts and disruption of critical services and infrastructure.

High winds have historically caused damage across the OA. They can damage or disrupt essential functions and interrupt service from energy and communication systems.

Space weather events, such as solar flares and geomagnetic storms can be significant and pose substantial risks to modern technological systems and critical infrastructure. Space weather can disrupt satellite communications, GPS, and aviation systems, affecting various sectors, including telecommunications, transportation, and emergency services.

9.4 Exposure

9.4.1 *Population*

Because of the unconfined and variable nature of inclement weather, the entire population is considered to be exposed. Heavy rain, hail, lightning, high winds, and extreme temperatures all have the potential to harm the health of or injure people within the OA.

¹²⁷ <https://www.weather.gov/safety/>

¹²⁸ [Space Weather Watch](https://www.weather.gov/safety/space-wwhes) <https://www.weather.gov/safety/space-wwhes>, [Warnings and Alerts](https://www.weather.gov/safety/space-wwhes)

Table 57: Population by Jurisdiction

Jurisdiction	2022
City of Campbell	42,833
City of Cupertino	59,610
City of Gilroy	59,269
City of Los Altos	31,526
Town of Los Altos Hills	8,400
Town of Los Gatos	33,062
City of Milpitas	80,839
City of Monte Sereno	3,488
City of Morgan Hill	46,451
City of Mountain View	83,864
City of Palo Alto	67,473
City of San José	976,482
City of Santa Clara	130,127
City of Saratoga	30,667
City of Sunnyvale	156,234
Unincorporated County	84,458
Total	1,894,783

9.4.2 Property

There are 535,391 buildings in the OA, with a total replacement value of \$381 billion. All of these buildings exist in an area susceptible to inclement weather; however, dollar loss estimates for specific building occupancy types or geographic areas are not available. Although inclement weather events are the most frequent hazard in the OA, historic dollar losses have been comparatively moderate.

9.4.3 Critical Facilities and Infrastructure

All critical facilities in the OA are potential exposed to inclement weather. Facilities may be damaged directly by high winds, hail, or by flooding that results from heavy rain. Water, electric, fuel, transportation, and communication services could be disrupted by damage caused by heavy precipitation, high winds, or space weather. Extreme temperature may also disrupt services or strain energy systems.

9.5 Vulnerability

Changes in conditions: Increase in vulnerability

- A review of past events indicates that an increasing number of inclement weather events per year for heavy rain, extreme heat, and high winds.

- CMRA indicates a trend in increasing number of extreme heat days each year and the number of consecutive hot days. Climate change will continue to increase the amount of very hot days and impacts to residents will increase as a result.
- Climate change affects the frequency and intensity of storms, which contributes to the potential of damaging inclement weather events such as heavy rain, hail, and high wind across the OA.
- Overall population and building growth are slow in the OA, and are not expected to be a significant factor in increased vulnerability. Currently the increase in vulnerability appears to be driven more by an increased number of events than changes in development. However, continued monitoring of demographic shifts, new insights regarding the effects of climate change, economic changes that may impact building and other development, and aging of building stock and infrastructure should continue to receive consideration on potential weather impacts. Individual jurisdictional annexes may note localized growth at a smaller scale.

9.5.1 *Population*

Because of the unpredictable nature of when and where significant weather events can occur, and variable intensity of these events, all of the OAs population of 1,894,783 residents are potentially vulnerable to impacts of inclement weather. The OA has a population of nearly 10,000 people that are homeless, according to the 2023 Santa Clara Point-In-Time report. This population is especially vulnerable to the impacts of inclement weather, especially with extreme heat and cold events, which can be detrimental to human health. Only 25% of individuals experiencing homelessness are sheltered, and the other 75% may be exposed to the elements and inclement weather events. NCEI has documented cases of illness or death in Santa Clara County related to extreme heat or cold.

All other vulnerable populations such as those in poverty, the elderly, and children can be negatively impacted by inclement weather events. Hazus 6.0 demographic data indicates that 260,705 persons or 13.5 percent of the population in the OA are over 64 years old. Older persons are particularly at risk to health problems caused by extreme heat. 422,719 persons or 21.8 percent of the population within the OA under 18 years of age. It is estimated that 2.45 percent of the people within the OA are economically disadvantaged, defined as having household incomes of \$20,000 or less.

People with disabilities, communities of color, persons with limited English proficiency, housing condition, health care access and education are additional factors that affect vulnerability to severe weather hazards identified in the Silicon Valley 2.0 hazard fact sheet for extreme heat. Outdoor workers and unhoused residents are among the population most at risk. According to the Silicon Valley 2.0 report, 62% of the total County population is currently exposed to extreme heat conditions and 42% of those exposed have moderate to high social vulnerability. Approximately 60,000 people within moderate socially vulnerable communities in South County jurisdictions, such as Morgan Hill and Gilroy, could be exposed to frequent extreme heat events.

All business, schools, and government systems reliant on technology are vulnerable to the impacts of space weather. As space weather has the potential to disrupt the OA's power and communication systems, any entity reliant on technology may experience more severe impacts.

9.5.2 *Property, Critical Facilities, Infrastructure*

Hazus modeling is not available to quantify potential damage to property, critical facilities, or infrastructure in the OA. Physical damage and service disruption are variable depending on the size and severity of the weather event.

Although the exact location and intensity of weather events makes it difficult to project exactly what physical assets may be at risk, possible impacts might include:

Heavy Rain

- Localized pooling of water on roadways has occurred during or following past heavy rain events. Flooding in early 2023 led to closures of major transportation routes, including Hwy 101 in Gilroy. Vehicles may lose traction or may be unable to safely traverse some roadways. Impacts to roadways may cause delays to emergency responders.
- Heavy rain has contributed to landslides and other slope failures that have blocked or damaged roadways.
- Pedestrian travel is particularly difficult during a severe weather event. Those who rely on public transportation may have difficulty reaching transit points or difficulty finding shelter if service is interrupted
- Heavy rain has caused localized flooding and subsequent water damage to nearby structures. Flooding from heavy rain can damage residences, commercial, industrial, or other building types.

High Wind

- Above ground utilities such as communication towers, telephone lines and power lines are vulnerable to damage from high winds. High winds have caused trees to fall which have damaged power lines and transformers, disrupting power service to large areas.
- Critical facilities may also lose power if high winds damage power distribution systems and may need to rely on back-up power systems.
- High winds can damage roofs or windows to homes and businesses or other critical facilities. Winds can also lead to fallen trees which may damage nearby buildings or sidewalks.
- Outdoor events such as sporting activities, farmers markets, and community festivals can be disrupted, and participants may have difficulty seeking shelter from a fast-moving storm.

Extreme Heat

- Extreme heat may lead to increased demand on energy systems which may strain their ability provide adequate cooling to facilities and increases potential for power outages. Rolling brownouts have occurred in the Bay Area during past extreme heat events.
- High temperatures can cause pavement to soften and expand which can cause rutting, potholes, or other damage to streets.
- Extreme heat has had serious health consequences for people who are unhoused or for outdoor workers.

Extreme Cold

- Extreme cold is less common in the OA, but results in difficult travel if combined with precipitation that may lead to icy roadways, airport runways, and other transportation systems.
- NCEI records have documented impacts to highways, airports, and mass transit systems due to icy conditions during period of extreme cold.
- Dangerous travel conditions can lead to damage from collisions, personal injury, or economic disruption.

9.5.3 *Environment*

Cascading effects of heavy rain could be damaging to the environment, such as erosion caused by increased runoff or flooding, or to systems damage from landslides. Hail can cause extensive damage to plants. High winds can break tree branches or cause other damage to plant life or animal habitat.

9.5.4 *Economy*

Inclement weather events can disrupt the economy of the OA. Economic impact will largely be associated with the disruption of transportation, power, gas, and telecommunication services caused by high winds, or associated with flooding caused by heavy precipitation. Events severe enough to cause structural damage can also cause business interruptions. The economic sectors affected may vary significantly depending on the extent and severity of the event.

9.6 Future Trends in Development, Scenario, Issues

Impacts from inclement weather pose a real threat to physical, social and economic well-being in the OA. Multiple events can be expected to affect the OA every year, with variable severity. OA residents can use weather advisories to prepare themselves for inclement weather events, but sometimes severe events have limited warning time. Inclement weather has the potential to cause cascading impacts and can damage multiple systems in both limited and widespread areas. Although there have been small decreases in population in recent years, Santa Clara County has experienced significant growth in the past. New development may affect drainage patterns and change impacts from heavy rain. An increase in population coincides with an increased number of people at risk to weather events. As discussed further in Section 11: Climate Change, impacts of severe weather are projected to intensify due to climate change.

9.7 Issues

- Inclement weather is inherently uncertain. Conditions can change rapidly, and the severity and exact locations of an event are highly variable.
- The variable nature of inclement weather makes it difficult to identify specific locations, structures, or systems that might be more likely to be damaged in an event. This makes it difficult to identify priorities or areas for risk reduction projects.
- People may not heed weather warnings.
- Heavy rain events may result in ponding or localized flooding in low-lying areas.
- Heavy rain may result in inland stormwater flooding after stormwater management systems are overwhelmed.
- Inclement weather can cause secondary hazards such as flooding, landslides, mudslides, and disruption of systems or infrastructure.
- Inclement weather events are directly related to climate change; however, climate change impacts still are poorly understood. Average temperatures are expected to increase and changes in precipitation patterns are anticipated, but it is not yet known how that will impact local weather patterns. Impacts of inclement weather events are anticipated to become more severe.

9.8 Consequence Analysis

Inclement weather events occur frequently, and these events are likely to increase in frequency over time. They may cause a wide range of impacts, which vary greatly depending on the level of severity and extent for each event. The information in Table 58 provides the consequence analysis of the potential for detrimental impacts of inclement weather done for accreditation with the Emergency Management Accreditation Program (EMAP).

Table 58: EMAP Consequence Analysis Inclement Weather

Subject	Ranking	Impacts/Inclement Weather
Health and Safety of Public in the Area of the Incident	Severe	Impact of the immediate area could be severe for affected areas and moderate to light for other less affected areas.
Responders	Moderate	Impact to responders could be severe for unprotected personnel and moderate to light for prepared personnel.

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Subject	Ranking	Impacts/Inclement Weather
Continuity of Operations (including continued delivery of services)	Moderate	There is a moderate expectation to execute the COOP, though a severe level of impact can be expected for the full extent of an inclement weather event.
Property, Facilities, and Infrastructure	Minimal to Severe	There is potential for localized impact to facilities and infrastructure in the incident area, which can range from minimal to severe depending on the extent of the incident.
Delivery of Services	Minimal to Severe	Delivery of services could be affected if there is any disruption to the roads and/or utilities due to damages sustained.
Environment	Moderate to Severe	Greatest impact will be to trees, bushes, foliage, crops, and wildlife, which could be severe.
Economic Conditions	Minimal to Severe	Impacts to the economy will greatly depend on the severity of the inclement weather event, longevity of the storm, and any damages sustained such as utilities and
Public Confidence in the Government	Minimal to Severe	Response and recovery will be in question if not timely and effective.

10 Drought

Definitions

- **Meteorological Drought:** Occurs when rainfall has been deficient for an extended period.
- **Hydrological Drought:** Occurs when rainfall deficits impact the water supply available from streams, reservoirs, lakes, and groundwater.
- **Agricultural Drought:** Occurs when factors such as rainfall deficits, soil water deficits, reduced groundwater, or low reservoir levels for irrigation result in impacts on agriculture.
- **Socioeconomic Drought:** Occurs when diminished water supply reduces the supply of economic goods such as fruits, vegetables, grains, or meat.
- **Ecological Drought:** Occurs when a prolonged and widespread deficit in naturally available water supplies—including changes in natural and managed hydrology—creates multiple stresses across ecosystems.

10.1 General Background

Drought is a significant decrease in water supply relative to what is “normal” in a given location. A normal phase in the climate cycle of most geographical regions, drought originates from a deficiency of precipitation over an extended period, usually a season or more. This leads to a water shortage for some activity, group, or environmental sector.

Determination of when drought begins is based on impacts on water users and assessments of the available water supply, including water stored in surface reservoirs or groundwater basins. Different water agencies have different criteria for defining drought. Some issue drought watch or drought warning announcements. The California Water Code does not include a statutory definition of drought; however, analysis of the code indicates that legal matters most frequently focus on drought conditions during times of water shortages.

10.1.1 Monitoring and Categorizing Drought

Drought monitoring at the national, regional, and local levels is an integral part of drought early warning, planning, and mitigation.¹²⁹ Nationally, agencies involved in this effort include the National Oceanic and Atmospheric Administration, National Integrated Drought Information System which produces the U.S. Drought Monitor, and the National Drought Mitigation Center at the University of Nebraska-Lincoln. In California, drought is addressed by the California Department of Water Resources (DWR).

10.1.1.1 The National Oceanic and Atmospheric Administration

The National Oceanic and Atmospheric Administration (NOAA) has developed several indices to measure drought impacts and severity and to map their extent and locations:

- The Palmer Crop Moisture Index measures short-term drought weekly to quantify drought's impacts on agriculture during the growing season.

¹²⁹ National Oceanic and Atmospheric Administration. (n.d.). Monitoring Drought. <https://www.drought.gov/what-is-drought/monitoring-drought>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

- The Palmer Drought Severity Index is based on long-term weather patterns. Long-term drought is cumulative, so the intensity of drought during a given month depends on current weather plus the cumulative weather of previous months. The Palmer Drought Index responds rapidly as weather patterns change quickly.
- The Palmer Z Index measures short-term drought on a monthly scale.
- The hydrological impacts of drought (e.g., reservoir levels, groundwater levels, etc.) take longer to develop and it takes longer to recover from them. The Palmer Hydrological Drought Index is a long-term index to quantify hydrology effects. The Palmer Hydrological Drought Index responds more slowly to changing conditions than the Palmer Drought Index.
- The Standardized Precipitation Index considers only precipitation. In the Standardized Precipitation Index, an index of zero indicates the median precipitation amount; the index is negative for drought and positive for wet conditions. The Standardized Precipitation Index is computed for time scales ranging from one month to 24 months.

The following graphics show the Palmer Drought Index and Palmer Hydrological Drought Index for California Climate Division 4, of which Santa Clara County is a part, from January 1, 2005, to May 20, 2023. Near normal conditions are indicated by -1.9 to +1.9. Drought conditions are indicated by -2.0 to -4.0 or less and wet conditions are indicated by +2.0 to +4.0 or above.

California Climate Division 4

Palmer Drought Index

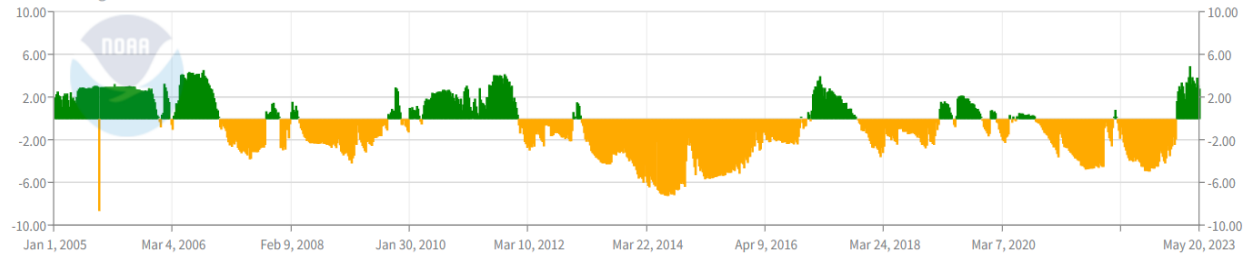


Figure 45: Palmer Drought Index from January 1, 2005, to May 20, 2023.¹³⁰

California Climate Division 4

Palmer Hydrological Drought Index

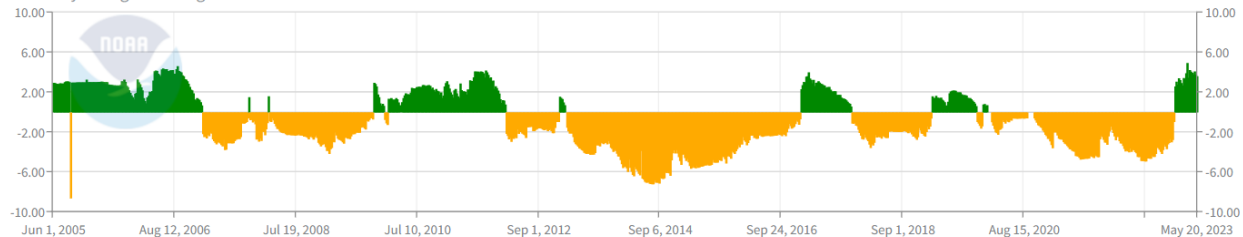


Figure 46: Palmer Hydrological Drought Index from January 1, 2005, to May 20, 2023.¹³¹

¹³⁰ National Centers for Environmental Information. (2023, May). Weekly Palmer Drought Indices Divisional Time Series. <https://www.ncei.noaa.gov/access/monitoring/weekly-palmers/time-series/0404>

¹³¹ National Centers for Environmental Information. (2023, February). North American Drought Monitor. <https://www.ncei.noaa.gov/access/monitoring/nadm/indices/spi/div>

10.1.1.2 U.S. Drought Monitor

The U.S. Drought Monitor (USDM) is a map that is updated weekly to show the location and intensity of drought across the country. The USDM uses a five-category system..¹³²

- D0: Abnormally Dry
 - Short-term dryness slowing planting and growth of crops
 - Some lingering water deficits
 - Pastures or crops not fully recovered
- D1: Moderate Drought
 - Some damage to crops and pastures
 - Some water shortages are developing
 - Voluntary water-use restrictions requested
- D2: Severe Drought
 - Crop or pasture loss likely
 - Water shortages are common
 - Water restrictions imposed
- D3: Extreme Drought
 - Major crop/pasture losses
 - Widespread water shortages or restrictions
- D4: Exceptional Drought
 - Exceptional and widespread crop/pasture losses
 - Shortages of water creating water emergencies

10.1.2 Normal Precipitation in California

Most of California's precipitation comes from storms moving across the Pacific Ocean. Extremely dry and extremely wet years have become more common in California..¹³³ On average, 75 percent of California's annual precipitation occurs between November and March, with 50 percent occurring between December and February. A persistent Pacific high-pressure zone over California in mid-winter signals a tendency for a dry water year. A typical water year produces about 100 inches of rainfall over the North Coast, 50 inches of precipitation (combination of rain and snow) over the Northern Sierra, and 15 inches in Santa Clara County. In extremely dry years, these annual totals can fall to as little as one half, or even one third of these amounts.

¹³² National Integrated Drought Information System. (n.d.). U.S. Drought Monitor (USDM).

<https://www.drought.gov/data-maps-tools/us-drought-monitor#:~:text=Thepercent20U.S.percent20Droughtpercent20Monitorpercent20percent28USDMpercent29percent20ispercent20apercent20map,Severepercent20percent28D2percent29percent2Cpercent20Extremepercent20percent28D3percent29percent20andpercent20Exceptionalpercent20percent28D4percent29percent20Drought.>

¹³³ Office of Environmental Health Hazard Assessment. (2018). Precipitation.

https://oehha.ca.gov/media/epic/downloads/09precipitation_19dec2018.pdf#:~:text=Extremelypercent20drypercent20andpercent20extremelypercent20wetpercent20yearspercent20havepercent20become,thatpercent20providepercent200mostpercent20ofpercent20thepercent20statepercentE2percent80percent99percent20waterpercent20supplies.

As the winter months have become warmer in recent years, more precipitation has been falling as rain instead of snow over the watersheds that provide most of the state's water supplies. With climate change, more intense dry periods under warmer conditions are anticipated, leading to extended, more frequent drought in California. A higher proportion of precipitation falling as rain instead of snow and an increase in the duration, frequency, and intensity of warm, wet storms are also projected. This can result in greater flooding, and force reservoirs to release more water early in the spring, which means less water will be available for agriculture and municipal uses in the summer and fall.¹³⁴

The Sierra Nevada snowpack serves as the primary agent for replenishing water in the San Francisco Bay area, including Santa Clara County, and for much of the State of California. A reduction in spring snowpack runoff, whether due to drier winters or to increasing temperatures leading to more rain than snow, can increase the risk of summer or fall water shortages throughout the region.

Increases in temperature are already causing decreases in snowpack. The mountain snowpack provides as much as a third of California's water supply by accumulating snow during our wet winters and releasing it slowly during our dry springs and summers. Warmer temperatures will melt the snow faster and earlier, making it more difficult to store and use throughout the dry season. The DWR Climate Change Team expects that by the end of this century, California's Sierra Nevada snowpack is projected to experience a 48–65 percent loss from the historical April 1 average of 66.5 inches.¹³⁵

10.1.3 Water Supply Strategy

The Bay Area Water Supply Conservation Agency (BAWSCA) is the main water provider for much of the Bay Area, allowing Santa Clara Valley Water District (SCVWD) to manage the continual water supply necessary to maintain health, safety, and economic wellbeing of residents, businesses, and community organizations. BAWSCA developed a two-phase, long-term water supply strategy for customers throughout the Bay Area, as outlined in the 2015 *Long-Term Reliable Water Supply Strategy Phase II Final Report*.¹³⁶ Purposes of its strategy are as follows:

- Quantifying water supply reliability needs of BAWSCA member agencies through 2040.
- Identifying water supply management programs or programs that can be developed to meet those regional water reliability needs.
- Developing an implementation plan for the water supply strategy.

This strategy recognized that drought-year shortfalls could be significant but determined that normal-year water supply would be adequate through at least 2040. Dry years could result in system-wide cutbacks of up to 20 percent, but 10 to 15 percent is the more consistent standard. BAWSCA noted that the impacts of water shortages would be regional and could lead to secondary detrimental economic effects. To address this concern, the strategy focused on identifying options for filling all or part of the drought-year supply shortfall and investigating and potentially implementing actions that seem most beneficial.¹³⁷

¹³⁴ Office of Environmental Health Hazard Assessment. (2018). Precipitation. https://oehha.ca.gov/media/epic/downloads/09precipitation_19dec2018.pdf#:~:text=Extremelypercent20drypercent20andpercent20extremelypercent20wetpercent20yearspercent20havepercent20become,thatpercent20providepercent20mostpercent20ofpercent20thepercent20statepercent20E2percent20percent80percent99percent20waterpercent20supplies.

¹³⁵ California Department of Water Resources. (n.d.). Climate Change and Water. <https://water.ca.gov/Programs/All-Programs/Climate-Change-Program/Climate-Change-and-Water>

¹³⁶ Bay Area Water Supply Conservation Agency. (2015 February). Long-Term Reliable Water Supply Strategy. <https://bawasca.org/water/reliability/strategy>

¹³⁷ Bay Area Water Supply & Conservation Agency. (n.d.). Water Supply & System. <https://bawasca.org/water/supply>

BAWSCA also developed a *Water Conservation Implementation Plan*,¹³⁸ focusing on the following objectives:

- Help BAWSCA member agencies evaluate potential water savings and cost-effectiveness associated with implementing additional water conservation measures beyond their commitments of 2004.
- Determine potential water savings in 2018 and 2030 based on a selected range of new conservation measures and the 2004 water conservation commitments.
- Determine BAWSCA's role in helping member agencies achieve individual water conservation goals.
- Develop a coordinated regional plan for water conservation implementation measures to serve as a guideline for member agencies.

In the Santa Clara County OA, the following districts and cities are members of BAWSCA: SCVWD, Milpitas, Mountain View, Palo Alto, San José, City of Santa Clara, Sunnyvale, Purissima Hills Water District, and Stanford University.¹³⁹

The SCVWD is the wholesale water and groundwater management agency throughout Santa Clara County, relying on local retailers (municipalities and private companies) to deliver water throughout the County.¹⁴⁰ The following are the retailer water providers for each municipal planning partner:

- Campbell: San José Water Company
- Cupertino: San José Water Company and California Water Service Company
- Gilroy: Gilroy Public Works Department
- Los Altos: California Water Service Company
- Los Altos Hills: Purissima Hills Water District and California Water Service Company
- Los Gatos: San José Water Company
- Milpitas: City of Milpitas Community Services
- Monte Sereno: San José Water Company
- Morgan Hill: City of Morgan Hill
- Mountain View: City of Mountain View Public Works
- Palo Alto: City of Palo Alto Utilities Department
- San José: San José Water Company, Great Oaks Water Company, and San José Municipal Water System
- Santa Clara City: City of Santa Clara Water Department
- Saratoga: San José Water Company

¹³⁸ Bay Area Water Supply & Conservation Agency. (n.d.). Conservation Implementation Plan. <https://bawasca.org/conservation/reports/plan#:~:text=The%20specific%20objectives%20of%20the%20WCIP%20are%20as%20beyond%20what%20they%20had%20committed%20to%20in%202004.>

¹³⁹ Bay Area Water Supply & Conservation Agency. (2020). Member Agency Map. <https://bawasca.org/members/map>

¹⁴⁰ Santa Clara Valley Water District. (2021). Groundwater Management Plan. https://s3.us-west-2.amazonaws.com/assets.valleywater.org/2021_GWMP_web_version.pdf

- Sunnyvale: City of Sunnyvale Public Works Department and California Water Service Company

The SCVWD has its own water supply strategy outlined in the *SCVWD Water Supply Master Plan 2040*.¹⁴¹ The Water Master Plan 2040 outlines a water supply strategy with three key elements:

- Secure existing supplies and facilities.
- Optimize the use of existing supplies and facilities.
- Expand water use efficiency efforts.

Some County residents have domestic wells on their property. The North Central Regional Office of California DWR monitors wells for Santa Clara County to help protect groundwater quality.¹⁴² Under Ordinance 90-1, as of July 1, 2013, a person must obtain a permit from SCVWD to perform any well activities. In response to extreme and expanding drought conditions, as those existing on March 28, 2022, the state can prohibit Valley Water and other well permitting agencies from issuing a construction permit for a new groundwater well.¹⁴³

10.1.4 Water Supply Infrastructure

Figure 46 shows the SCVWD water supply system. Santa Clara County receives 50 percent of its water supply from the San Francisco Bay-Delta watershed. Of this water, 40 percent comes directly through the Delta watershed or water conveyance systems and 10 percent is from the Hetch-Hetchy System. Another 30 percent of the County's supply is local, from natural groundwater, reservoirs to groundwater, and reservoirs to drinking water treatment plans. Five percent is recycled water, primarily used for irrigation, industry, and agriculture. A 15 percent water-use reduction by the community is required to reach the needed water supply total.¹⁴⁴

¹⁴¹ Santa Clara Valley Water District. (2019, November). Water Supply Master Plan 2040. https://www.valleywater.org/sites/default/files/Waterpercent20Supplypercent20Masterpercent20Planpercent202040_11.01.2019_v2.pdf

¹⁴² California Department of Water Resources. (n.d.). Technical Assistance. <https://water.ca.gov/Programs/Integrated-Regional-Water-Management/Technical-Assistance>

¹⁴³ Santa Clara Valley Water District. (n.d.). Well Permits and Inspections. <https://www.valleywater.org/contractors/doing-businesses-with-the-district/wells-well-owners/well-permits-and-inspections>

¹⁴⁴ Santa Clara Valley Water District. (n.d.). Where Your Water Comes From. <https://www.valleywater.org/your-water/where-your-water-comes>

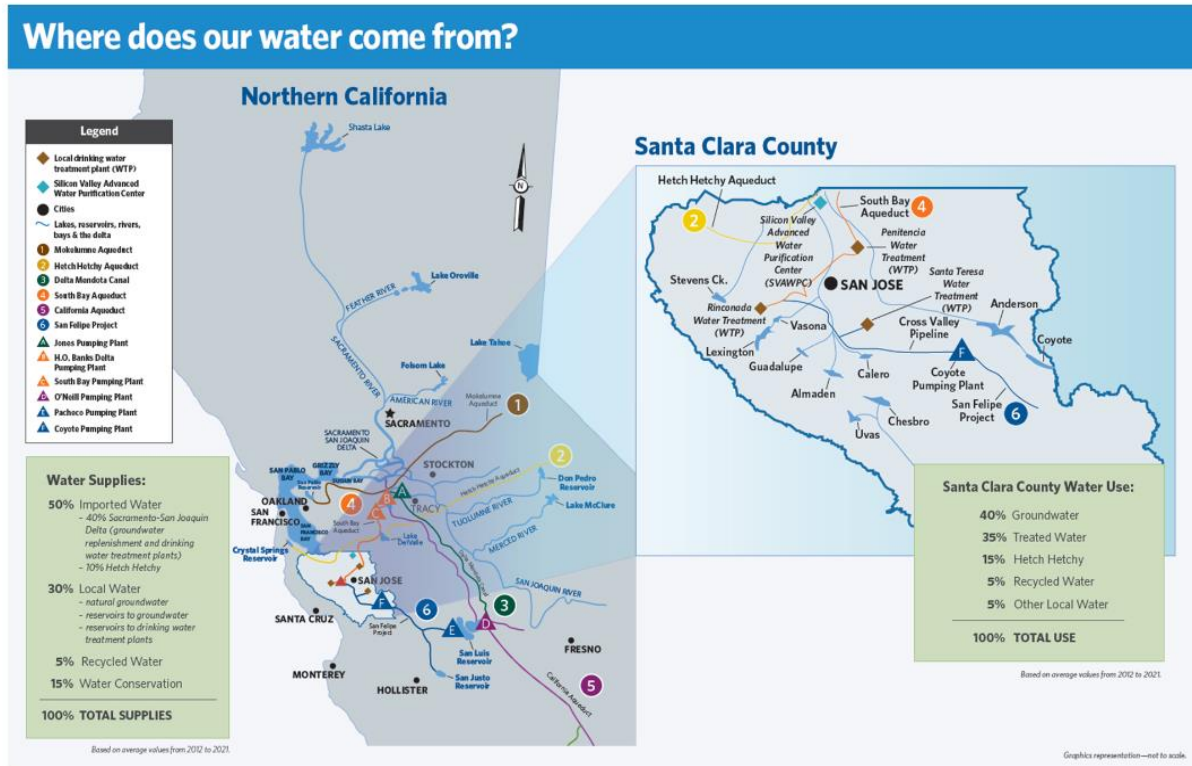


Figure 47: Santa Clara Valley Water District System Water Supply.¹⁴⁵

The Hetch-Hetchy Water System was approved in 1913 under the Raker Act, which allowed use of federal lands to build that water system. The water system was constructed by San Francisco over the next 20 years, with first delivery of water in 1934. Although the system is owned by San Francisco, it was designed from the beginning to serve as a regional water supply system.¹⁴⁶ Figure 47 shows the Hetch-Hetchy Water System.

¹⁴⁵ Santa Clara Valley Water District. (n.d.). Where Your Water Comes From. <https://www.valleywater.org/your-water/where-your-water-comes>

¹⁴⁶ Bay Area Water Supply and Conservation Agency. (n.d.). Hetch Hetchy System. <https://bawsca.org/water/supply/hetchhetchy>

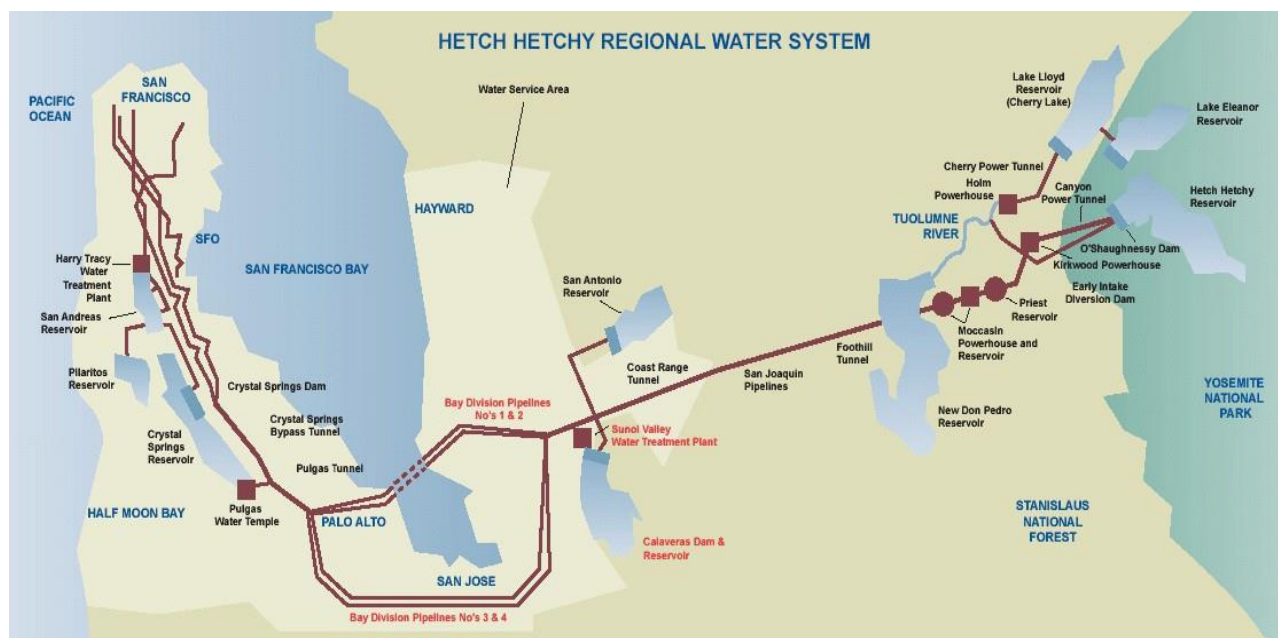


Figure 48: Hetch Hetchy Water System.¹⁴⁷

10.2 Hazard Profile

Droughts originate from a deficiency of precipitation resulting from an unusual weather pattern. Such patterns can be short-term, lasting for a few weeks or months, or long-term, lasting for many months or for years. It is possible for a region to experience a long-term circulation pattern that produces drought, and to have short-term changes in this long-term pattern that result in short-term wet spells. Likewise, it is possible for a long-term wet circulation pattern to be interrupted by short-term weather spells that result in short-term drought. Droughts typically occur after 2 or 3 years of below-average rainfall during the period from November to March, when about 75 percent of California's average annual precipitation falls.

10.2.1 Past Events

California is no stranger to drought; it is a recurring feature of our climate.¹⁴⁸ The DWR has state hydrologic data from as far back as the early 1900s which indicate occurrences of multi-year droughts from 1912 to 1913, 1918 to 1920, and 1922 to 1924. Between 1954 and 2016, California experienced one FEMA-declared emergency (EM) classified as a drought: FEMA Declaration EM-3023 in 1977, which applied to 58 California counties, including Santa Clara County.¹⁴⁹ Santa Clara's drought history includes years of drought followed by years with little drought.

- 1976 to 1977:** California had one of its most severe droughts during the winters of 1976 and 1977. 1977 was the driest period on record in California, with the previous winter recorded as the fourth driest in California's hydrological history. The cumulative impact led to widespread water shortages and severe water conservation measures across the state. Only 37 percent of normal Sacramento Valley runoff was received.

¹⁴⁷ Bay Area Water Supply and Conservation Agency. (n.d.). Hetch Hetchy System.

<https://bawsca.org/water/supply/hetchhetchy>

¹⁴⁸ California Department of Water Resources. (n.d.). Drought. <https://water.ca.gov/drought/>

¹⁴⁹ Federal Emergency Management Agency. (n.d.). California Drought EM-3023-CA. <https://www.fema.gov/disaster/3023>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

- Over \$2.6 billion in crop damage was recorded in 31 counties. Santa Clara County was included in FEMA-3023-EM-CA declaration on January 20, 1977.
- **1987 to 1992:** California's received precipitation was well below average levels for four consecutive years. While the Central Coast was most affected, the Sierra Nevada mountains in Northern California and the San Joaquin Valley (Central Valley) were also affected. Water suppliers did not experience shortages until the third or fourth year of the drought. Reservoir storage provided a buffer against drought impacts during the initial years of the drought. In 1991, the State Water Project sharply decreased deliveries to water suppliers, including the San Francisco Bay Area. The SCVWD implemented drought contingency measures such as rationing and mandatory conservation to reach its 25 percent reduction goal. By February 1991, all 58 counties in California were suffering under drought conditions that affected urban, rural, and agricultural areas. Some counties had declared a local drought emergency, but Santa Clara County was not included.
- **1993 to 2006:** Rainfall in this period reached previous highs, but severe drought conditions returned in 2007.
- **2007 to 2009:** A governor's executive order proclaimed a statewide drought emergency on June 4, 2008, after spring 2008 was the driest spring on record, with low snowmelt runoff. On February 27, 2009, after the largest court-ordered water restriction in state history up to that time, a state of emergency was proclaimed for the entire state as the severe drought conditions continued. Santa Clara County received about half of its water through the Sacramento-San Joaquin River Delta, which was already significantly limited that year because of pumping restrictions mandated under the Endangered Species Act.¹⁵⁰ Water deliveries through the Delta were cut by about 20 to 30 percent. The SCVWD had mandatory water conservation and rationing measures in effect to reduce usage by 15 percent.
- **2012 to 2017:** California's drought has set several records. From 2012 to 2014, it ranked as the driest three consecutive years for statewide precipitation. New climate records were set in 2014 for statewide average temperatures and for record-low water allocations from State Water Project and Central Valley Project contractors. A statewide drought emergency was declared in January 2014. Minimum annual precipitation records were set for many communities in 2013. Executive orders and regulations called for water conservation and management. A new law requires retail urban water suppliers with more than 3,000 customers to establish rules defining "excessive water use" and impose those rules during drought emergencies. On its website, DWR refers to "the five-year drought that ended in 2016."¹⁵¹ On April 2, 2017, Governor Brown lifted the drought emergency imposed in 2014 but declared that California must continue water conservation efforts (USGS).¹⁵²
- **2017 to Present:** The National Drought Mitigation Center developed the Drought Impact Reporter¹⁵³ as a national drought impact database for the United States. Information comes from a variety of sources: on-line, drought-related news stories and scientific publications, members of the public who visit the website and submit a drought-related impact for their region, members of the media, and members of relevant government agencies. The database is being populated beginning with the most recent impacts and working backward in time.

¹⁵⁰ U.S. Fish and Wildlife Service. (n.d.). Endangered Species Act. <https://www.fws.gov/media/endangered-species-act>

¹⁵¹ California Department of Water Resources. (n.d.). Countywide Drought and Water Shortage Contingency Plans. <https://water.ca.gov/Programs/Water-Use-And-Efficiency/2018-Water-Conservation-Legislation/County-Drought-Planning>

¹⁵² USGS. (n.d.). 2012-2016 California Drought: Historical Perspective. (<https://ca.water.usgs.gov/california-drought/california-drought-comparisons.html>)

¹⁵³ National Drought Mitigation Center. (n.d.). Drought Impact Reporter. <https://www.drought.gov/data-maps-tools/drought-impact-reporter-dir>

Between January 2017 and January 2023, the Drought Impact Reporter.¹⁵⁴ described more than fifty incidents of drought-related events in the Santa Clara OA. Highlights of that list are presented below.

- Feb. 8, 2017: The State Water Resources Control Board opted to keep the water restrictions until spring to see how the rest of winter plays out, in terms of precipitation, before making any changes to the restrictions.
- March 22, 2017: Farmers south of the Sacramento-San Joaquin Delta learned that they would receive 65 percent of full allocations from the U.S. Bureau of Reclamation, despite the heavy rainfall the state has received, leading to flooding, full reservoirs, and deep snowpack.
- April 11, 2017: The U.S. Bureau of Reclamation announced that South of Delta water contractors would receive a 100 percent allocation from the Central Valley Project.
- Jan. 30, 2018: The California Department of Water Resources announced that customers of the State Water Project would receive 20 percent of their requests.
- Feb. 22, 2018: Eastside water service contractors will receive 100 percent of their contracts.
- 2019: No relevant reports on drought.
- Feb. 25, 2020: North-of-Delta agriculture contractors will receive 50 percent of their contracted supply, while South-of-Delta agriculture contractors will receive 15 percent.
- Feb. 27, 2020: Northern California ranchers with unirrigated pastures were already giving their cattle supplemental feed as grasses have dried out months earlier than usual.
- May 26, 2020: After a dry winter, the State Water Project increased its allocation to 20 percent following above normal precipitation in May.
- Feb. 23, 2021: The upcoming March snowpack survey and a planned airborne snow survey will provide more information on the amount of water available for growers. The Tuolumne snowpack measured just 55.6 percent of the historical average for the date.
- March 17, 2021: Customers of the Santa Clara Valley Water District were urged to increase their conservation efforts, but no water restrictions were mandated just yet.
- March 23, 2021: The California Department of Water Resources updated its initial water allocation for the 2021 water year to 5 percent of requested supplies, down from 10 percent as announced in December 2020.
- March 23, 2021: The State Water Board sent notices to California's 40,000 water users, including small farms and big cities, to alert them to prepare for cuts in water deliveries.
- April 28, 2021: The board also voted unanimously to double the price it pays homeowners to use drought-tolerant landscaping from \$1 per square foot to \$2. The district serves nearly two million people in Santa Clara County.
- May 5, 2021: Farmers north of the Sacramento-San Joaquin Delta learned that they will not receive even 5 percent of contracted water from the Central Valley Project. Water deliveries were suspended, due to limited supply, according to the Bureau of Reclamation.
- May 26, 2021: The U.S. Bureau of Reclamation announced that municipal water agencies that get water from the Central Valley Project would receive just 25 percent of their allocation.

¹⁵⁴ National Integrated Drought Information System. (n.d.). Drought Impact Reporter Dashboard. <https://unlidroughtcenter.maps.arcgis.com/apps/dashboards/46afe627bb60422f85944d70069c09cf>

- May 27, 2021: The federal government announced water cuts to urban areas of more than half, which will lead the Santa Clara Valley Water District.
- June 10, 2021: Mandatory water restrictions were issued for Santa Clara County, due to the low water supply.
- June 25, 2021: A local emergency was declared in Santa Clara County, due to extreme drought.
- July 4, 2021: Farmers were not getting any water from the state or federal projects.
- July 8, 2021: California Gov. Gavin Newsom requested that people and businesses curb their water use by 15 percent as intense drought persisted.
- Aug 2, 2021: Santa Clara Valley Water District does not have enough water to release to support the fish.
- Nov 23, 2021: The San Francisco Public Utilities Commission urged almost 3 million water customers in the Bay Area to curb water use by 10 percent and declared a water shortage emergency.
- Dec 2, 2021: The State Water Resources Control Board proposed new emergency drought regulations to discourage water waste as water supplies were low after continued drought.
- March 15, 2022: Despite the record dry January and February, Californians are falling short on voluntary water conservation.
- May 23, 2022: Urban water use increased 18.9 percent in March.
- May 25, 2022: Water users in Santa Clara County could be fined \$500, or even up to \$10,000, as the Santa Clara Valley Water District enacted new drought rules.
- June 7, 2022: Public systems, like the City of San Francisco, will have to turn to groundwater or other sources.
- Oct 19, 2022: Many trees in California's forests were turning rust colored as another year of drought and bark beetles or other insects.
- Nov 28, 2022: Water storage was near historic lows, with Shasta Reservoir, the largest reservoir in the Central Valley Project, at 31 percent of capacity.
- Nov 30, 2022: A survey of California urban water agencies representing about 90 percent of the state's population showed that about 18 percent, or 73 of the 414 water suppliers, indicated that they will soon face potential shortages.
- Dec 1, 2022: The Department of Water Resources announced an initial State Water Project allocation of 5 percent of requested supplies for 2023.
- Jan 26, 2023: The series of storms that brought heavy rain and snow to California have partially filled reservoirs, allowing the State Water Project to offer 30 percent of requested water supplies to 29 public water agencies that serve 27 million Californians. The initial allocation in December was just 5 percent.

10.2.1.1 U.S. Department of Agriculture Disaster Declarations

The U.S. Department of Agriculture (USDA) Farm Service Agency provides assistance for natural disaster losses resulting from drought, flood, fire, freeze, tornadoes, pest infestation, and other natural disasters. The USDA Secretary of Agriculture is authorized to designate counties as disaster areas to make emergency loans to producers suffering losses in those counties and in contiguous counties.

For drought-related data between 2017 and 2022, the period for which data was available, California has been included in 55 State and County Level Records of Disaster Designation Information made by the US

Secretary of Agriculture. Santa Clara County was included in seven of these declarations in relation to drought.¹⁵⁵

Table 59: U.S. Department of Agriculture Disaster Declarations Including Santa Clara County, 2017–2022

Year	Declaration Number(s)
2017	S4144 and S4163
2018	None
2019	None
2020	S4697
2021	S4916, S4969, and S4958
2022	S5146

10.2.2 Location

Drought is a regional phenomenon. A drought that affects the Santa Clara County OA would affect all aspects of the environment and the community simultaneously and has the potential to impact every person directly or indirectly in the county as well as adversely affect the local economy.

“The norm for California’s climate is to move back and forth frequently between wet and dry conditions, and water conservation must be a way of life for all who enjoy living in or visiting our state.”

**Karla Nemeth, Director of California Department of Water Resources
March 12, 2018**

10.2.3 Frequency

Historical drought data regarding Santa Clara County indicate four significant droughts over the last 40 years, with drought occurring in 12 of those 40 years.¹⁵⁶ Based on risk factors and this history, droughts likely will continue to occur cyclically in the Santa Clara County OA.

Further information on the impact of climate change on the probability of drought is included in Section 11.

Probability in OA: Likely

¹⁵⁵ U.S. Department of Agriculture. (n.d.). Disaster Designation Information. <https://www.fsa.usda.gov/programs-and-services/disaster-assistance-program/disaster-designation-information/index>

¹⁵⁶ National Integrated Drought Information System. (n.d.). Drought Conditions for Santa Clara County. <https://www.drought.gov/states/california/county/santapercent20clara>

10.2.4 Warning Time

Empirical studies conducted over the past century have shown that meteorological drought is never the result of a single cause. It is the result of many causes, often synergistic in nature; these include global weather patterns that produce persistent, upper-level high-pressure systems along the West Coast with warm, dry air resulting in less precipitation.

Scientists at this time do not know how to predict drought more than a month in advance for most locations. Predicting drought depends on the ability to forecast precipitation and temperature. Anomalies of precipitation and temperature may last from several months to several decades; California is currently finishing a several-year-long drought, while other areas in the United States may undergo droughts as short as 1 or 2 months. How long droughts last depends on interactions between the atmosphere and the oceans, soil moisture and land surface processes, topography, internal dynamics, and the accumulated influence of weather systems on the global scale.

10.2.5 Extent

Figure 48 displays data from the U.S. Drought Monitor for the State of California from 2000 through 2023. Several periods of moderate to extreme drought have occurred during this time. D0 Abnormally Dry represents the least severe drought conditions and D4 Exceptional Drought represents the most severe. As noted in 10.2.1 Past Events, significant droughts have occurred from 2007-2009, 2012-2017 and 2000-2023. During these events, significant portions of the entire state were impacted. The OA has experienced conditions from D0 to D4 at different times within this time frame. Figure 49 displays a snapshot of conditions during the most recent drought. During the fall of 2022, the entire OA was experiencing Severe Drought conditions, with the easternmost part of the county experiencing Extreme Drought. As noted in 10.1.4, a significant portion of the OA water supply originates outside of the area which may experience different drought severity.

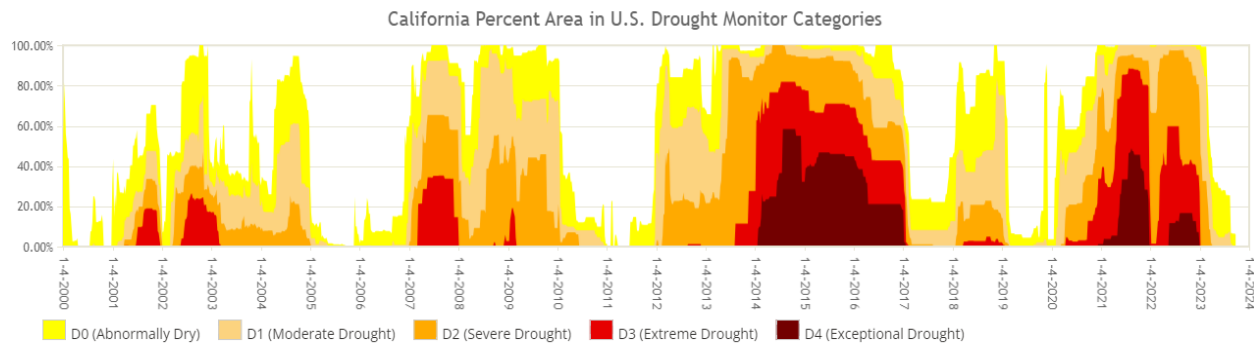


Figure 49: U.S. Drought Monitor Time Series California 2000-2023

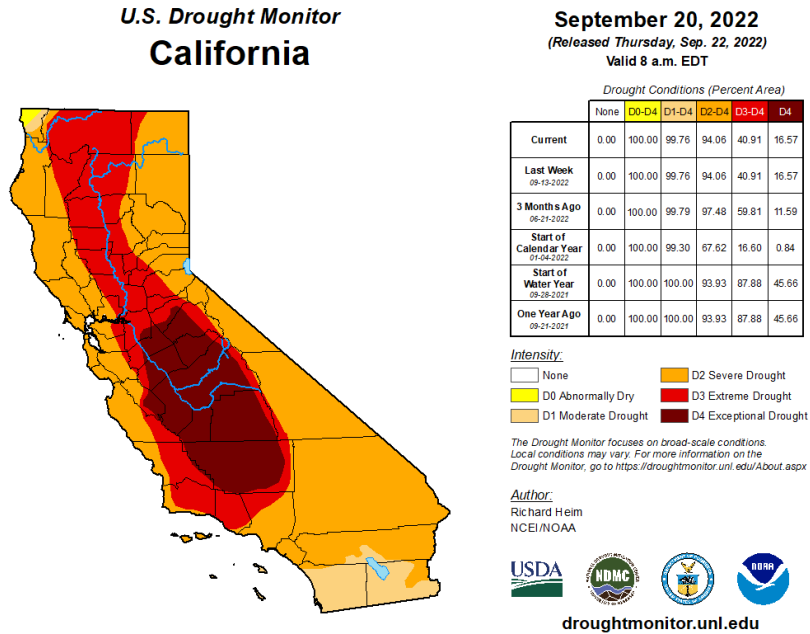


Figure 50: U.S. Drought Monitory Map of California

10.2.6 Severity and Impacts

The severity of a drought depends on the degree of moisture deficiency, the duration, and the size and location of the affected area. The longer the duration of the drought and the larger the area impacted, the more severe the potential impacts. Drought can have a widespread impact on the environment and the economy, although it typically does not result in loss of life or damage to property, as do other natural disasters. Drought affects agriculture, business and industry, energy, fire, plants, tourism and recreation, and water supply and quality.

The Drought Impact Reporter contains information on 154 impacts from droughts that affected Santa Clara County from January 2017 through January 18, 2023. The following are the categories and reported number of impacts. Note that some impacts have been assigned to more than one category.

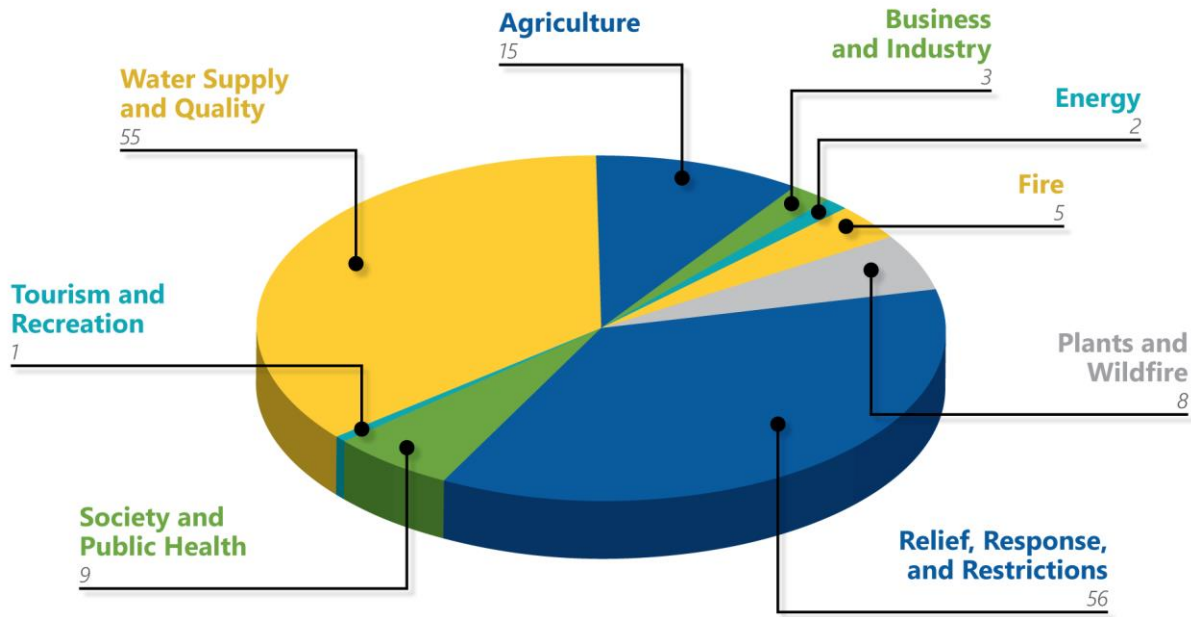


Figure 51: Reported Number of Drought Impacts by Category¹⁵⁷

The National Drought Mitigation Center uses three categories to describe drought impacts:

- **Economic Impacts:** These impacts of drought cost people or businesses money. They include farmers' loss of crops, costs for irrigation or drilling new wells to address low water supply, lost business for companies that sell boats or fishing equipment, and water companies' costs for additional water supplies.
- **Environmental Impacts:** Plants and animals depend on water. When a drought occurs, their food supply can shrink, and their habitat can be damaged.
- **Social Impacts:** Social impacts include public safety, health, conflicts between people when there is not enough water to go around, and changes in lifestyle.

Drought generally does not affect groundwater sources as quickly as surface water supplies, but groundwater supplies generally take longer to recover. Reduced precipitation during a drought means that groundwater supplies are not replenished at a normal rate. This can lead to a reduction in groundwater levels and problems such as reduced pumping capacity or wells going dry. Shallow wells are more susceptible than deep wells. Reduced replenishment of groundwater affects streams. Much of the flow in streams comes from groundwater, especially during the summer when there is less precipitation and after snowmelt ends. Reduced groundwater levels mean that even less water will enter streams when stream flows are lowest.

¹⁵⁷ National Drought Mitigation Center. (n.d.). Drought Impact Reporter. <https://www.drought.gov/data-maps-tools/drought-impact-reporter-dir>

10.2.7 Responses to Recent Drought

Table 60: Recent Federal and State Drought Responses

Date	Federal and State Drought Response
April 2021	Drought emergency proclamation for parts of the state.
May 2021	Drought emergency proclamation issued in April 2021 expanded to include Santa Clara County and \$5.1 billion package to: • Address immediate emergency needs. • Build regional capacity to endure drought. • Safeguard water supplies for communities, the economy, and the environment.
July 2021	Voluntary 15 percent water use reduction.
October 2021	State Water Board empowered to prohibit wasteful uses of potable water such as washing sidewalks or driveways.
January 2022	State Water Board prohibited using drinking water for activities such as filling decorative fountains/ponds, washing sidewalks and driveways, watering lawns during and right after rain, and using hoses without automatic shutoff nozzles.
March 2022	Local water suppliers called to move to Level 2 of their Water Shortage Contingency Plans. U.S Department of Agriculture Livestock Forage Disaster Program activated.
August 2022	California's Water Supply Strategy, which includes creating additional water storage space, recycling and reusing water, increasing efficient water use and conservation, and diversifying water supplies, was released.
September 2022	California Legislature provides additional funds to state residents to replace their lawns with drought-resistant plants and landscaping.
November 2022	The California Department of Water Resources Control Board adopted new performance standards that require urban retail water suppliers to monitor and reduce leakage in their distribution systems. The California Legislature authorized over a billion dollars in funding to the California Department of Water Resources for drought relief in 2021 and 2022.
December 2022	The California Department of Water Resources Control Board extends its emergency regulation to January 2024.

10.2.7.1 Urban Water Suppliers' Responses to Defined Drought Stages

The California Water Code, Sec. 10632 was amended in 2016 to provide guidance on stages of action to be undertaken by urban water suppliers. It requires them to develop a plan that incorporates an urban water shortage contingency analysis that includes each of the following elements that are within the authority of the urban water supplies. Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply.

The extreme drought and water shortage emergency condition in summer 2022 called for water use restrictions. In responding to the drought condition, the SCVWD declared a water shortage emergency condition in June 2021 that called for 15 percent water use reduction to minimize water shortage risk. The call for water conservation has been instrumental in reducing county-wide water use and helps alleviate the negative consequence of the ongoing drought.

Since the call, county-wide water use has been reduced by 6 percent cumulatively against a 2019 baseline.¹⁵⁸ In winter 2023 when this plan is being written, conditions continue to improve; but the county is still in a “D-1 Moderate Drought”. Participating municipality retail water providers’ drought contingency measures are described in the annexes in Volume 2 of this hazard mitigation plan, as applicable.

10.3 Cascading Hazards

When natural hazard events overlap or occur in quick succession, the events can compound and cause detrimental effects. Drought is particularly likely to be part of a cascading hazard because it can cover a large area and go on for a long time.¹⁵⁹

10.3.1 Drought and Wildfire

The hazard most associated with drought is wildfire (see Section 8). A prolonged lack of precipitation dries out vegetation, which becomes increasingly susceptible to ignition as the duration of the drought extends. Reduced ponds, streams, and reservoir levels can also limit withdrawal sources for fighting wildfires. The extreme conditions can also increase the likelihood of shrub and tree mortality by wildfire in previously fire-adapted ecosystems. Millions of board feet of timber have been lost, and in many cases, erosion occurred, which caused considerable damage to aquatic life, irrigation, and power production by heavy silting of streams, reservoirs, and rivers in addition to habitat and infrastructure losses and threats to animal and human life.

10.3.2 Drought and Extreme Heat

Drought is often accompanied by extreme heat, exposing people to the risk of sunstroke, heat cramps and heat exhaustion. Periods of extreme heat increase evaporation, leading to reduced water availability in soils and surface water supplies. Periods of drought can cause extreme heat due to lack of water in the atmosphere, soils, and rivers, where decreased water availability in the system reduces the amount of evaporation happening at the surface, quickly increasing temperatures. Extreme heat can also increase water demands, in which human activities can reduce water supplies, leading to human-caused drought. These hazards occurring together can compound health impacts, reduce energy production, cause loss of aquatic life due to reduced stream and reservoir levels and increased water temperatures, kill vegetation, and create dangerous air quality issues.

10.3.3 Drought and Flooding

Drought, along with wildfires that can stem from drought, increases flood risk. Extended drought and wildfire can stress and reduce the amount of vegetation. When it does rain, the reduction of vegetation can increase flooding due to faster runoff rates, compared to normal conditions when abundant vegetation slows runoff and increases water absorption into the ground. Drought or wildfire conditions prior to flooding can also cause water quality deterioration from the increased soil and ash particles in the runoff. On farmlands, drought conditions prior to flooding may also cause a surge of farm chemicals applied to crops to enter streams through runoff. These factors can affect the water quality for aquatic life, animals, and humans, who are all dependent on the water source. Increased instances of flash flooding may also occur.

¹⁵⁸ Santa Clara Valley Water District. (2022, November 22). Board of Directors Meeting Agenda. <https://scvwd.legistar.com/Calendar.aspx>

¹⁵⁹ American Planning Association. (2019). Falling Dominoes: A Planner’s Guide to Drought and Cascading Impacts. <https://abag.ca.gov/sites/default/files/falling-dominoes-planners-guide-to-drought-and-cascading-impacts.pdf>

10.3.4 Drought and Landslides

Droughts can indirectly cause landslides through a cascade of natural hazards. For example, drought can cause dry conditions and increased fuel loads for wildfires that, in turn, can increase the likelihood of flooding. The ash-infused topsoil, which is water repellent, and loss of vegetation can increase runoff and take large amounts of earthen material with them, causing devastating impacts to populations in the path of the landslide event. Such events could cause the loss of infrastructure and life. From an environmental standpoint, they may also affect the water quality of downstream rivers and streams and the habitat for animals, flora, and fauna. Landslides can also alter the topography of the landscape, which can modify surface and groundwater flow patterns.

10.4 Vulnerability

Changes in conditions: increase in vulnerability

- The CMRA tool in Figure 51 shows an increasing number of days without precipitation and an increase in the consecutive number of days without precipitation.
- Extended periods of drought have the potential to impact the water supply in the OA.
- Drought results in dryer vegetation and increased tree mortality, which compounds conditions that contribute to wildfire risk.
- Loss of vegetation due to drought may increase vulnerability to landslides.
- Ongoing drought may contribute to land subsidence if groundwater is not recharged.
- SCVWD is implementing recycled and purified water programs to provide access to drought-resistant water supply.
- The National Risk Index reports and Expected Annual Loss of \$1,771,981 for drought based on crop impacts.
- Santa Clara has adopted the Water Efficient Landscape Ordinance to promote water use efficiency and sustainable landscape design practices.

Days per year with no precipitation (dry days)

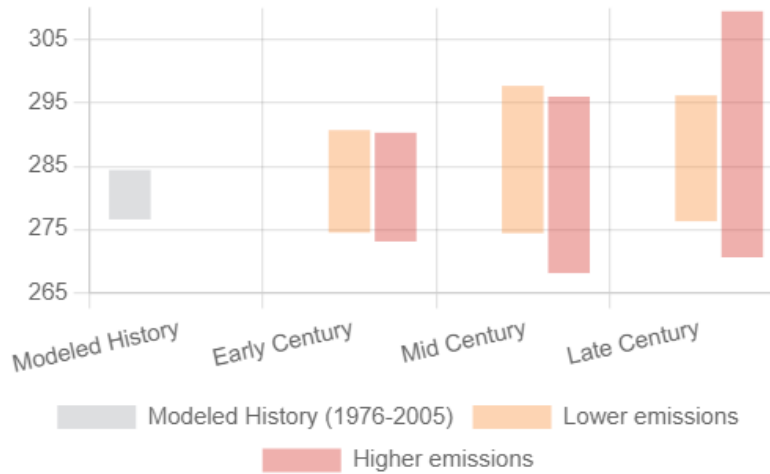


Figure 52: CMRA Drought Hazard: Days without Precipitation Indicator for Santa Clara County

10.4.1 Population

The entire population of the Santa Clara County OA is vulnerable to drought events. Drought can affect people's health and safety, including health problems related to low water flows, insect infestation, poor water quality, or dust. Droughts can also lead to loss of human life.¹⁶⁰ The Centers for Disease Control and Prevention (CDC) has identified the indirect role of drought in people's deaths through disruptions of agriculture and water systems, poor air quality, and increased heat-related and respiratory illnesses. In a recent study, they have also addressed the increased occupational psychosocial stress among U.S. farmers.¹⁶¹ Other possible impacts include recreational risks; effects on air quality; diminished living conditions related to energy, air quality, and hygiene; compromised food and nutrition.

These negative health effects are more likely to impact populations that already have higher health risks, such as the old or young. Hazus 6.0 demographic data indicates that 260,705 persons or 13.5 percent of the population in the OA are over 64 years old and 422,719 persons or 21.8 percent of the population within the OA under 18 years of age. These people may experience worse effects from poor air quality or reduced nutrition resulting from agricultural production loss. It is also estimated that 2.45 percent of the people within the OA are economically disadvantaged, defined as having household incomes of \$20,000 or less. Those with fewer financial resources are often less resilient to hazard impacts.

The SCVWD, BAWSCA, regional water purveyors, and other regional stakeholders have devoted considerable time and effort to protect life, safety, and health during times of consecutive dry years, such as the current drought. Provisions and measures have been taken to analyze and account for anticipated

¹⁶⁰ National Oceanic and Atmospheric Administration. (2016, June 15). Drought in America: Slow Moving, Far Reaching. <https://www.noaa.gov/explainers/drought-in-america-slow-moving-far-reaching>

¹⁶¹ National Integrated Drought Information Systems. (2021, July 24). The Association Between Drought Conditions and Increased Occupational Psychosocial Stress Among U.S. Farmers. <https://www.drought.gov/documents/association-between-drought-conditions-and-increased-occupational-psychosocial-stress>

water shortages. With coordination from its cities, the SCVWD has the ability to minimize and reduce impacts on residents and water consumers in the Santa Clara County OA.

10.4.2 *Property*

Significant depletion of groundwater supplies—from drought, excessive groundwater pumping or both—can lead to subsidence, which is the downward collapse of the land surface when groundwater aquifers lack the water to support the weight of the ground. Compaction of aquifer systems is the greatest cause of subsidence in California. Although this is typically due to groundwater pumping rather than drought, drought creates a need for greater groundwater pumping as freshwater sources disappear. Drought-induced subsidence is not as common as wildfire or extreme heat, but it can significantly impact the local environment, floodplain/wetlands, and water supply, and it typically is irreversible. It may cause wetlands to change size and shape, migrate to lower elevations, or disappear entirely. Rivers may change course, and patterns of erosion and deposition may change.¹⁶²

No structures will be directly affected by drought conditions, though droughts often lead to reduced local fire suppression capabilities which could threaten structures. Some structures may become vulnerable to wildfires, which are more likely following years of drought.

Drought conditions may also be the cause of serious foundation problems and have significant impacts on landscapes, which could cause a financial burden to property owners. However, these impacts are not considered critical in planning for impacts from the drought hazard.

Drought is detrimental to agricultural assets and other natural resources. Although the agricultural sector is relatively small in the OA, a significant area in the southeast area of the county near Gilroy is involved in agricultural production. Extended drought may diminish the productivity of agricultural lands and impact their value. The National Risk Index reports and Expected Annual Loss of \$1,771,981 to crops due to drought in Santa Clara County. This area would likely feel more significant impact of drought due to crop losses caused by drought or impacts to water supplies.

10.4.3 *Critical Facilities*

Critical facilities as defined for this plan will continue to be operational during a drought. Critical facility elements such as landscaping may not be maintained due to limited resources, but the risk to the Santa Clara County OA's critical facilities functions is low.

10.4.4 *Environmental Impact*

Environmental losses from drought are associated with damage to plants, animals, wildlife habitat, and air and water quality; forest and range fires; degradation of landscape quality; loss of biodiversity; and soil erosion. Some of the effects are short-term and conditions quickly return to normal following the end of the drought. Other environmental effects linger for some time or may even become permanent.

Wildlife habitat, for example, may be degraded through the loss of wetlands, lakes, and vegetation. However, many species will eventually recover from this temporary aberration. The degradation of landscape quality, including increased soil erosion, may lead to a more permanent loss of biological productivity. Although environmental losses are difficult to quantify, growing public awareness and

¹⁶² United States Geological Survey. (2000, December). Land Subsidence in the United States. <https://water.usgs.gov/ogw/pubs/fs00165/#:~:text=Thepercent20sitepercent20ispercent20inpercent20thepercent20Sanpercent20Joaquinpercent20Valley,resultedpercent20inpercent20permanentpercent20subsidencepercent20andpercent20relatedpercent20groundpercent20failures.>

concern for environmental quality has forced public officials to focus greater attention and resources on these effects.

10.4.4.1 Santa Clara County Tree Mortality Exposure

Large numbers of trees have died in California since the beginning of the 2012-2016 drought. Most of these trees were stressed from higher temperatures and a shortage of water, making them more vulnerable to insects and diseases. California's pattern of tree mortality corresponds with global trends that are linked to increasingly dry and hot climatic conditions. Prolonged periods of drought, combined with the increased infestation of native bark beetles, have contributed to the death of millions of trees on federal, state, and private lands across the state. Removal of these dead trees can be costly and challenging, which can add to the financial impacts of drought.

"Many trees in California's forests were turning rust colored as another year of drought and bark beetles or other insects led to higher tree mortality. Trees were stressed from inadequate water and could not produce enough sap or pitch to defend themselves against insects."

**Drought Impact Reporter Dashboard
October 19, 2022**

The following figures show the areas where the state is focused for removal of dead trees. The Tier 1 Tree Mortality High Hazard Zones (see Figure 52) represent areas of tree mortality in direct proximity to assets determined to be important to life and property (including communications, transportation, recreation, communities, and utilities). These areas were designated by state and local governments as being in greatest need of dead tree removal, pursuant to the California Governor's Emergency proclamation on October 30, 2015.

The Tier 2 Tree Mortality High Hazard Zones, shown in Figure 53, are defined by watersheds that have elevated tree mortality as well as significant community and natural resource assets.

Santa Clara County Multijurisdictional Hazard Mitigation Plan

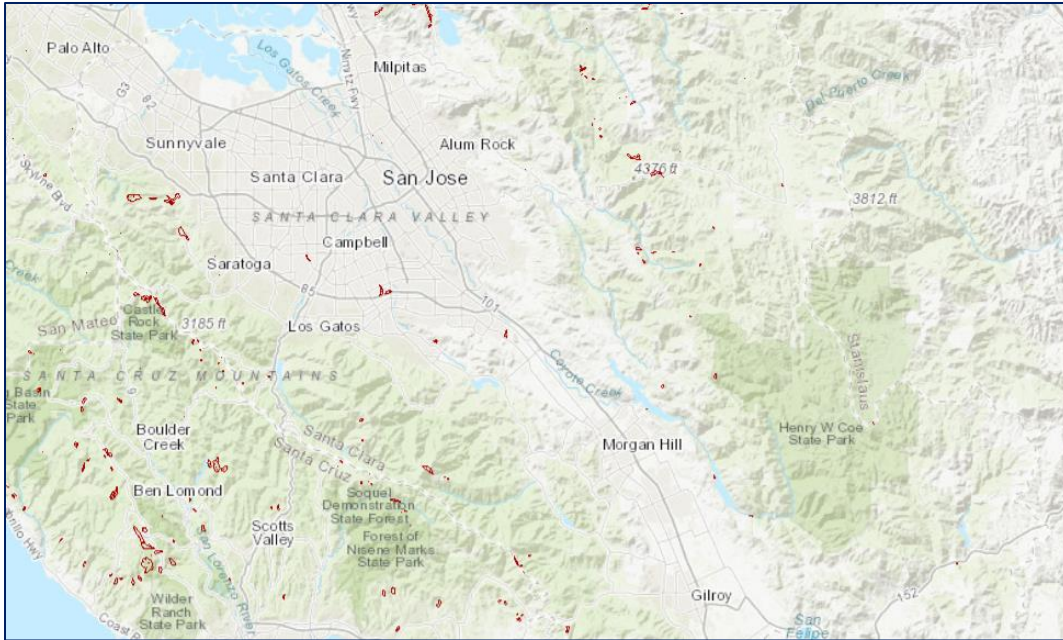


Figure 53: Tier 1 Tree Mortality High Hazard Zones.¹⁶³

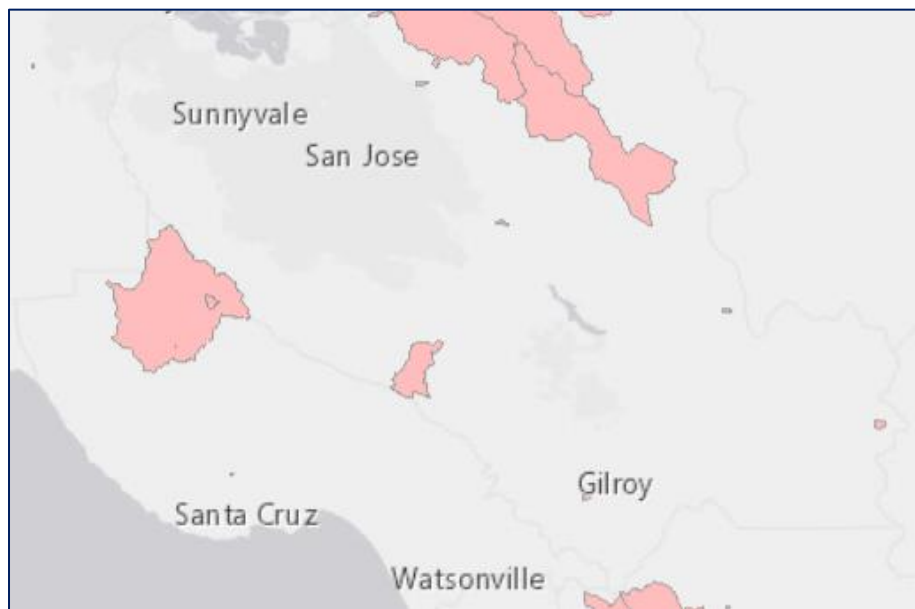


Figure 54: Tier 2 Tree Mortality High Hazard Zones.¹⁶⁴

¹⁶³ California State Geoportal. (2022 June 2). California High Hazard Zones (Tier 1). <https://gis.data.ca.gov/maps/a71a85136b0b414ea734dfbe3d7674a/explore?layer=0&location=37.231739%2C-121.694821%2C9.99>

¹⁶⁴ California State Geoportal. (2022 June 2). California High Hazard Zones (Tier 2). <https://hub.arcgis.com/maps/e50b7577426c4367a518b80b38e9b5d8/explore?location=37.371146%2C-121.549960%2C10.88>

10.4.5 Economic Impact

Drought causes the most significant economic impacts on industries that use water or depend on water for their business, most notably, agriculture and related sectors (forestry, fisheries, and waterborne activities). In addition to losses in yields in crop and livestock production, drought is associated with increased insect infestations, plant diseases, and wind erosion. Water- and lake-related recreational activities including, but not limited to, fishing, swimming, rafting, and canoeing are valuable for the local and regional economy, particularly when the lake/reservoir is located in a rural area with limited other recreational/tourism opportunities. Drought can lead to other losses because so many sectors are affected losses that include reduced income for farmers and reduced business for retailers and others who provide goods and services to farmers.

This leads to unemployment, increased credit risk for financial institutions, capital shortfalls, and loss of tax revenue. Prices for food, energy, and other products may also increase as supplies decrease. When a drought occurs, the agricultural industry faces risk of economic impact and damage. During droughts, crops do not mature, resulting in smaller crop yields, undernourishment of wildlife and livestock, decreases in land values, and ultimately financial losses to farmers.¹⁶⁵ Agriculture production has been a significant and growing factor in Santa Clara County, especially as agricultural effects on the economy start to normalize (after a period of decline).

Evaluation of direct effects (i.e., excluding indirect and induced spending benefits) can occur based on information conveyed in USDA reports. According to the 2017 Census of Agriculture, 890 farms were present in Santa Clara County, encompassing 288,084 acres of total farmland. The average farm size was 324 acres.

Santa Clara County farms had a total market value of products sold of \$310.2 million (\$293.7 million in vegetable crops including nursery and greenhouse; and \$18.4 million in cattle, layers, and horses, and related products), averaging \$348,524 per farm.

A prolonged drought can affect a community's economy significantly. Increased demand for water and electricity may result in shortages and higher costs of these resources. Industries that rely on water for business may be impacted the most (e.g., landscaping businesses). Although most businesses will still be operational, they may be affected aesthetically—especially the recreation and tourism industry. Moreover, droughts within another area could affect food supply/price of food for residents within the Santa Clara County OA.

10.5 Future Trends in Development

Land use planning is also directed by general plans adopted under California's General Planning Law. Municipal planning partners are encouraged to establish General Plans with policies directing land use and dealing with issues of water supply and protection of water resources. These plans increase capability at the local municipal level to protect future development from impacts of drought. All planning partners reviewed their general plans under the capability assessments undertaken for this effort. Deficiencies revealed by these reviews can be identified as mitigation actions to increase capability to deal with future trends in development.

To confront the challenges of increasing drought vulnerability, several efforts are underway to address water needs in the OA. Santa Clara Valley Water District is investing in locally reliable, sustainable and efficient water supplies such as recycled and purified water. Santa Clara County has adopted a modified Water Efficient Landscape Ordinance to guide future landscape and water management practices to promote long-term water efficiency.

¹⁶⁵ National Integrated Drought Information System. (n.d.). Agriculture. <https://www.drought.gov/sectors/agriculture>

10.6 Scenario

Drought is a cyclic part of the climate of California. Continuation or exacerbation of the current situation across the State (i.e., an extreme, multiyear drought associated with record-breaking rates of low precipitation and high temperatures) is the worst-case scenario for Santa Clara County. Low precipitation and high temperatures increase possibility of wildfires throughout the County, increasing need for water when water is already in limited supply. Surrounding counties, also under drought conditions, could increase their demand for the water supplies on which Santa Clara County also relies, triggering social and political conflicts. The higher density population of the Bay Area increases the likelihood of such conflicts. Additionally, the longer drought conditions last in or near the Santa Clara OA, the greater the effect on the local economy; water-dependent industries especially will undergo setbacks. According to the USGS, “Climate change exacerbates droughts by making them more frequent, longer, and more severe.”¹⁶⁶

10.7 Issues

Important issues associated with drought in the OA include the following:

- Identification and development of alternative water supplies.
- Utilization of groundwater recharge techniques to stabilize the groundwater supply.
- The probability of increased drought frequencies and durations due to climate change.
- The promotion of active water conservation even during non-drought periods.
- Monitoring of implementation and benefits of the *Long-Term Reliable Water Supply Strategy* projects, *Water Conservation Implementation Plan* projects, and water system capital improvement upgrades.
- Application of alternative techniques (groundwater recharge, water recycle, local capture and reuse, desalination, and transfer) to stabilize and offset Sierra Nevada snowpack water supply shortfalls.
- Regular occurrence of drought or multiyear droughts that may limit the Operational Area’s ability to successfully recover from or prepare for more occurrences-particularly noteworthy due to longevity of the current ongoing drought.

Table 61: EMAP Consequence Analysis: Drought

Subject	Ranking	Impacts/Drought
Health and Safety of Persons in the Area of the Incident	Minimal to moderate	Drought impact tends to be agricultural; however, because of the lack of precipitation that leads to drought, water supply disruptions can occur, which can affect people. The impact is expected to be minimal.
Responders	Minimal	With proper preparedness and protection, the impact on the responders is expected to be minimal.
Continuity of Operations	Minimal	There is minimal expectation for utilization of the COOP.

¹⁶⁶ U.S. Geological Survey. (n.d.). Droughts and Climate Change. <https://www.usgs.gov/science/science-explorer/climate/droughts-and-climate-change>

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Subject	Ranking	Impacts/Drought
Property, Facilities, and Infrastructure	Minimal to severe	Impact on property, facilities, and infrastructure could be minimal to severe, depending on the length and intensity of the drought. The structural integrity of buildings and buckling of roads could be affected.
Delivery of Services	Minimal	The impact on the delivery of services should be nonexistent or minimal.
Environment	Minimal to severe	The impact on the environment could be severe. Drought can severely affect farming, ranching, wildlife, and plants due to the lack of precipitation.
Economic Conditions	Minimal to moderate	Impacts on the economy will be dependent on how extreme the drought is and how long it lasts. Communities that depend on water recreation could be tested, as well as agricultural.
Public Confidence in Jurisdiction's Governance	Minimal	Confidence could be an issue during periods of extreme drought if planning is not in place to address intake needs and the loss of agricultural crops.

11 Climate Change

11.1 General Background

Definitions

- **Climate Change:** changes in average weather conditions that persist over multiple decades or longer¹⁶⁷.
- **Climate Mitigation:** action taken to curb climate change by reducing or preventing the emission of greenhouse gases.
- **Climate Adaptation:** action taken to protect the community from the impacts of a changing climate.
- **Adaptative Capacity:** an estimate of the community's current ability to deal with the projected impacts of climate change.

Climate, consisting of patterns of temperature, precipitation, humidity, wind and seasons, plays a fundamental role in shaping natural ecosystems and the human economies and cultures that depend on them. Climate change is defined as “changes in average weather conditions that persist over multiple decades or longer. Climate change encompasses both increases and decreases in temperature, as well as shifts in precipitation, changing risk of certain types of inclement weather events, and changes to other features in the climate system.”¹⁶⁷ A key indicator of climate change is the increase of global temperatures.

Multiple temperature records from all over the world have shown a warming trend. The Intergovernmental Panel on Climate Change (IPCC) has stated that the warming of the climate system is unequivocal.¹⁶⁸ The 2022 global average surface temperature was 1.55 °F warmer than the 20th-century average of 57.0 °F and about 1.90 °F warmer than the pre-industrial period (1880-1900). In fact, the ten warmest years on record have all occurred since 2010, with the last nine years of 2014-2022 among the ten warmest years.¹⁶⁹ 2022 ranked as the sixth-warmest year on record since 1880.¹⁷⁰ Although this temperature change may seem small, it means a significant increase in accumulated heat worldwide which is driving regional and seasonal temperature extremes, reducing snow cover and sea ice, intensifying heavy rainfall, and changing habitat ranges for plants and animals—expanding some and shrinking others.¹⁷¹

¹⁶⁷ Globalchange.gov. (No Date). Glossary. <https://www.globalchange.gov/climate-change/glossary>

¹⁶⁸ The Intergovernmental Panel on Climate Change. (n.d.). Summary for Policymakers. https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf

¹⁶⁹ <https://www.noaa.gov/news/2022-was-worlds-6th-warmest-year-on-record>

¹⁷⁰ National Oceanic and Atmospheric Administration. (2023, January 12). 2022 Was World's 6th-Warmest Year on Record. <https://www.noaa.gov/news/2022-was-worlds-6th-warmest-year-on-record>

¹⁷¹ National Oceanic and Atmospheric Administration. (2023, January 18). Climate Change: Global Temperature. <https://www.climate.gov/news-features/understanding-climate/climate-change-global-temperature#SnippetTab>

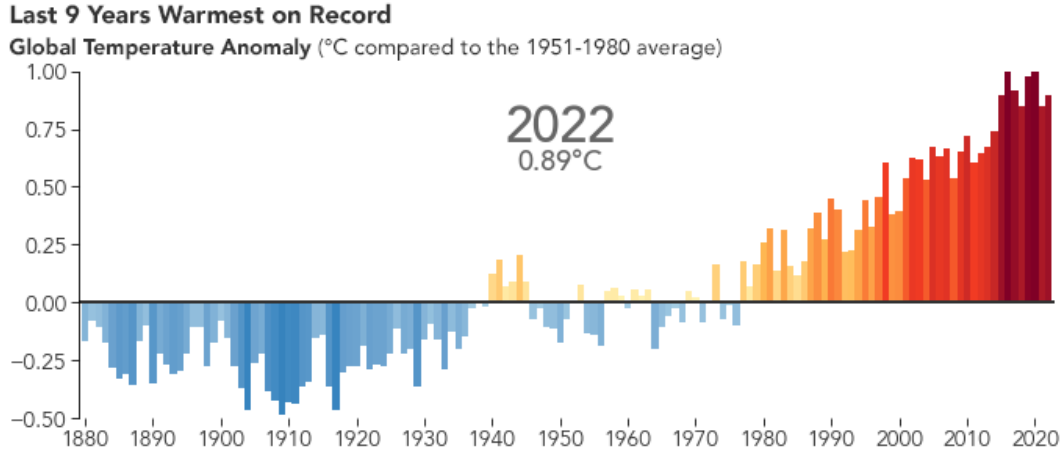


Figure 55: Global Temperature 1880-2022¹⁷²

The global warming temperature trend and its related impacts are caused by an exponential increase of greenhouse gas emissions including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Emissions of these gases come from a variety of sources, such as the combustion of fossil fuels for energy and transportation, agricultural production, changes in land use and volcanic eruptions. According to the U.S. Environmental Protection Agency (EPA), carbon dioxide concentrations measured about 280 parts per million before the industrial era began in the late 1700s and reached 414 parts per million in 2021, a 48% increase.¹⁷³ See Figure 54. In addition, the concentration of methane has more than doubled since pre-industrial times, and nitrous oxide is being measured at a record high of 334 parts per billion.¹⁷⁴

¹⁷² NASA. (n.d.). World of Change: Global Temperatures. <https://earthobservatory.nasa.gov/world-of-change/global-temperatures>

¹⁷³ Environmental Protection Agency. (n.d.) Climate Change Indicators: Atmospheric Concentrations of Greenhouse Gases. <https://www.epa.gov/climate-indicators/climate-change-indicators-atmospheric-concentrations-greenhouse-gases#:~:text=Carbon%20dioxide%20concentrations%20have%20increased,is%20due%20to%20human%20activities>

¹⁷⁴ Wuebbles, D.J., D.W. Fahey, K.A. Hibbard, D.J. Dokken, B.C. Stewart, and T.K. Maycock, eds. (2017). Climate science special report: Fourth National Climate Assessment, volume I. U.S. Global Change Research Program. <https://science2017.globalchange.gov/>.

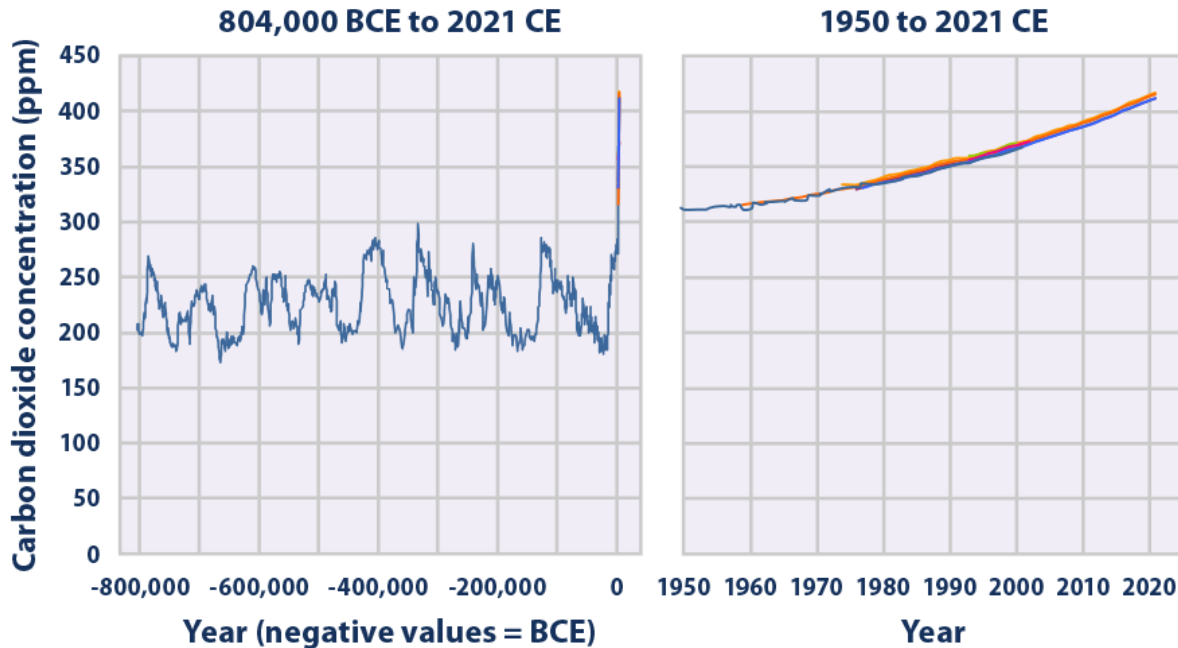


Figure 56: Global Carbon Dioxide Concentrations Over Time.¹⁷⁵

Scientists can place this rise in carbon dioxide in a longer historical context through the measurement of carbon dioxide in ice cores. According to these records and illustrated in Figure 55, carbon dioxide concentrations in the atmosphere are the highest that they have been in 650,000 years.¹⁷⁶

The major scientific agencies of the United States and the world—including NASA, NOAA, and the Intergovernmental Panel on Climate Change (IPCC)—agree that long-term climate change is occurring. There is broad scientific consensus (97 percent of scientists) that the current, unprecedented climate-warming trends are very likely due to human activities.¹⁷⁷ Unless emissions of greenhouse gases are substantially reduced, this warming trend is expected to continue.

11.1.1 Climate Change Indicators

Climate change will affect the people, property, economy, and ecosystems of the Santa Clara County Operational Area (OA) in a variety of ways. Some of these impacts are already being felt. Widespread, pervasive impacts to ecosystems, people, settlements, and infrastructure have resulted from observed increases in the frequency and intensity of climate and weather extremes, including temperature extremes on land and in the ocean, heavy precipitation, drought, and fire weather.¹⁷⁸ Rising global temperatures have also been accompanied by other more localized changes in weather and climate. 2022 serves as a good example of this.

¹⁷⁵ Wuebbles, D.J., D.W. Fahey, K.A. Hibbard, D.J. Dokken, B.C. Stewart, and T.K. Maycock, eds. (2017). Climate science special report: Fourth National Climate Assessment, volume I. U.S. Global Change Research Program. <https://science2017.globalchange.gov/>.

¹⁷⁶ NASA. (2023). Carbon Dioxide. <https://climate.nasa.gov/vital-signs/carbon-dioxide/>

¹⁷⁷ NASA. (n.d.). Scientific Consensus: Earth's Climate is Warming. <https://climate.nasa.gov/scientific-consensus/>

¹⁷⁸ The Intergovernmental Panel on Climate Change. (n.d.). Summary for Policymakers. https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf

The OA started the year in the drought, experienced record high temperatures in the summer that reached as high as 109 degrees Fahrenheit in San José and ended with the start of multiple atmospheric rivers which brought record rainfall and flooding.

California's number of extreme heat events (including both days and nights) has increased. In particular, there has been an increase in nighttime temperatures. Scientists have demonstrated that nighttime temperatures are more sensitive to the greenhouse gases which cause climate change.¹⁷⁹ This example helps demonstrate the consequence of climate change that are already being felt throughout the region.

The planet's oceans and glaciers have also experienced changes: oceans are warming and becoming more acidic, ice caps are melting, and sea levels are rising.^{180, 181} Sea level along the U.S. coastline is projected to rise, on average, 10 to 12 inches in the next 30 years (2020–2050), which will be as much as the rise measured over the last 100 years (1920–2020). This has already put some coastal homes, beaches, roads, bridges, and wildlife at risk. As a coastal county, sea-level rise is one of the most concerning impacts of climate change facing the OA. At the time of the development of this plan, NASA reports the following trends.¹⁸²:

- Carbon Dioxide: Increasing trend, currently at 419 parts per million as of February 2023.
- Global Temperature: Increasing trend, increase of 1.6 °F since 1880.
- Arctic Ice Minimum: Decreasing trend, 12.6% per decade.
- Land Ice: Decreasing trend, Antarctica is losing approximately 150 billion tons a year and Greenland is losing about 270 billion tons per a year.
- Sea Level: Increasing trend, 3.8 inches per year.

Climate change impacts are most frequently associated with negative consequences, for example, warmer average temperatures could increase air conditioning costs and affect the spread of diseases like Lyme disease but could also improve conditions for growing some crops. More extreme variations in weather are also a threat to society. More frequent and intense extreme heat events can increase illnesses and deaths, especially among vulnerable populations, and damage some crops. While increased precipitation can replenish water supplies and support agriculture, intense storms can damage property, cause loss of life and population displacement, and temporarily disrupt essential services such as transportation, telecommunications, energy, and water supplies.¹⁸³ The most important effect for the development of this plan is that climate change will have a measurable impact on the occurrence and severity of natural hazards.

11.1.2 Projected Future Impacts

The *Fourth National Climate Assessment Report for the United States*.¹⁸⁴ indicates that impacts resulting from climate change will continue through the 21st century and beyond. Evidence of human-caused climate change is overwhelming and continues to strengthen.

¹⁷⁹ California Office of Environmental Health Hazard Assessment. (2019, February 11). Extreme Heat Events. <https://oehha.ca.gov/epic/changes-climate/extreme-heat-events>

¹⁸⁰ National Oceanic and Atmospheric Administration. (2023, January 12). 2022 Was World's 6th-Warmest Year on Record. <https://www.noaa.gov/news/2022-was-worlds-6th-warmest-year-on-record>

¹⁸¹ U.S. Geological Survey. (2022, March 1). Global and Regional Sea Level Rise Scenarios for the United States. <https://www.usgs.gov/publications/global-and-regional-sea-level-rise-scenarios-united-states>

¹⁸² NASA. (n.d.). Ice Sheets. <https://climate.nasa.gov/vital-signs/ice-sheets/>

¹⁸³ Environmental Protection Agency. (n.d.). Climate Change Indicators: Weather and Climate. <https://www.epa.gov/climate-indicators/weather-climate>

¹⁸⁴ U.S. Global Change Research Program. (n.d.). Fourth National Climate Assessment. <https://nca2018.globalchange.gov/>

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The impacts of climate change are intensifying across the country and represent a real threat to Americans' physical, social, and economic well-being are rising. These impacts are projected to intensify, however how much they intensify will depend on actions taken to reduce global greenhouse gas emissions and to adapt to the risks from climate change now and in the coming decades.¹⁸⁵

The California Climate Adaptation Planning Guide (APG) outlines the following climate change impact concerns for the Bay Area Region communities.¹⁸⁶:

- Increased temperature
- Reduced precipitation
- Sea level rise – coastal inundation and erosion
- Public health – heat and air pollution
- Reduced agricultural productivity
- Inland flooding
- Reduced tourism

According to the *Fourth U.S. National Climate Change Assessment*, after the third climate assessment where there were more than twice as many high temperature records as low temperature records broken between 2001 and 2012, global high temperature records continued to be broken in 2014, 2015, and 2016. Heavy rainfall events and large forest fire incidents are becoming more frequent and more severe. Long-term impacts, like a continued decline in arctic ice and increase chronic drought, are expected.

Cal-Adapt,¹⁸⁷ a resource for public information on how climate change might impact local communities, based on the most current data available, has projected increases in temperature within the OA in particular. Table 62 shows the expected increases in average maximum temperatures and Table 63 addresses the number of extreme heat days per year. The increase in average surface temperatures can also lead to more intense heat waves that can be exacerbated in urbanized areas by what is known as the urban heat island effect.

Table 62: Average Maximum Temperature – Santa Clara County¹⁸⁸

Baseline (1961–1990)		Medium Emissions (RCP 4.5)		High Emissions (RCP 8.5)	
		Mid-Century	End-Century	Mid-Century	Mid-Century
30-year average	68.6 °F	72.0 °F	73.1 °F	72.8 °F	76.0 °F
30-year range	68.4–68.8 °F	70.5–73.5 °F	71.0–75.7 °F	70.9–75.0 °F	73.2–80.5 °F

¹⁸⁵ U.S. Global Change Research Program. (n.d.). Fourth National Climate Assessment, Chapter 1: Overview. <https://nca2018.globalchange.gov/chapter/1/>

¹⁸⁶ Cal OES. (June 2020). Climate Adaptation Planning Guide. <https://www.caloes.ca.gov/wp-content/uploads/Hazard-Mitigation/Documents/CA-Adaptation-Planning-Guide-FINAL-June-2020-Accessible.pdf>

¹⁸⁷ Cal-Adapt. (n.d.). Explore and analyze climate data from California's Climate Change Assessment. <https://cal-adapt.org/>

¹⁸⁸ Cal-Adapt. (n.d.). Annual Averages. <https://cal-adapt.org/tools/annual-averages>

**Table 63: Number of Extreme Heat Days Per Year
(Heat is above 92.7 °F) Santa Clara County¹⁸⁹**

Baseline (1961-1990)		Medium Emissions (RCP 4.5)		High Emissions (RCP 8.5)	
		Mid-Century	End-Century	Mid-Century	End-Century
30-year average	4 days/yr.	12 days/yr.	17 days/yr.	17 days/yr.	31 days/yr.
30-year range	0–16 days/yr.	0–32 days/yr.	2–44 days/yr.	1–61 days/yr.	0–101 days/yr.

Although the *California Climate Adaptation Planning Guide* projected reduced precipitation in the region, recent Cal-Adapt projections show significant increases in Santa Clara County’s average annual precipitation levels (see Table 64).

Table 64: Average Annual Precipitation – Santa Clara County¹⁹⁰

Baseline (1961-1990)		Medium Emissions (RCP 4.5)		High Emissions (RCP 8.5)	
		Mid-Century	End-Century	Mid-Century	End-Century
30-year average	23.8 inches	26.0 inches	26.0 inches	26.3 inches	9.1–68.6 inches
30-year range	8.2–51.5 inches	9.2–54.5 inches	9.0–51.3 inches	29.2 inches	8.6–63.6 inches

Climate change projections contain inherent uncertainty, largely derived from the fact that they depend on future greenhouse gas emission scenarios. Generally, the uncertainty in greenhouse gas emissions is addressed by the presentation of differing scenarios: low-emissions to high-emissions scenarios. In low-emissions scenarios, there is an effort to limit greenhouse gas emissions leading to emissions starting to decline close to mid-century. In high-emissions scenarios, greenhouse gas emissions continue to increase at current rates through the end of the century. Different climate scenarios can also be described in terms of likelihood and confidence. Likelihood refers to the statistical probability of the effect described occurring. Confidence refers to how valid that result is likely to be, based on available data and its consistency with current literature. There will always be some level of uncertainty when estimating future conditions. Uncertainty in outcomes is addressed by averaging a variety of climate change model outcomes or providing a range of outcomes. Despite this general uncertainty, climate change projections present valuable information to help guide decision-making.

¹⁸⁹ Cal-Adapt. (n.d.). Extreme Heat Days & Warm Nights. <https://cal-adapt.org/tools/extreme-heat>

¹⁹⁰ Cal-Adapt. (n.d.). Annual Averages. <https://cal-adapt.org/tools/annual-averages>

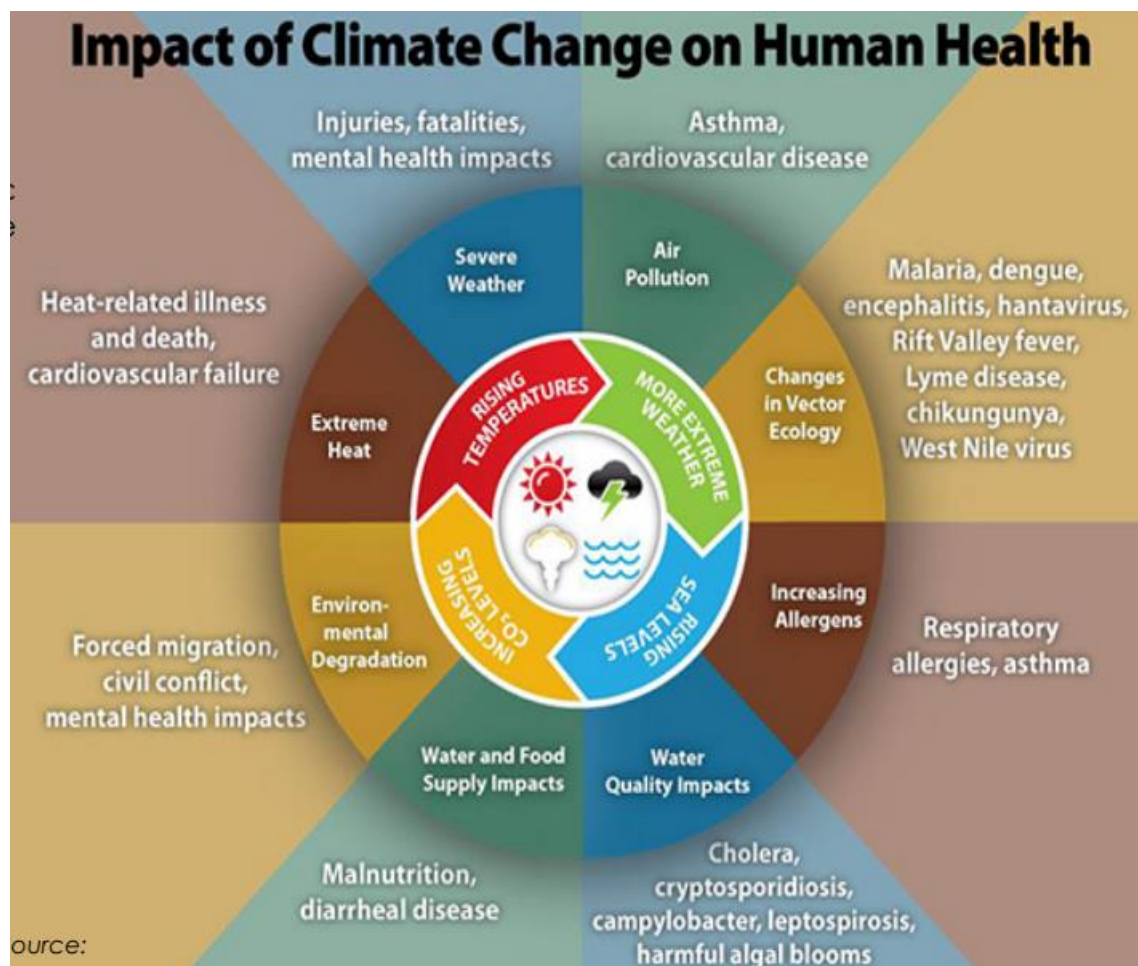


Figure 57: Impacts of Climate Change on Human Health.¹⁹¹

11.1.3 How Climate Change Impacts Hazard Mitigation

An essential aspect of hazard mitigation is estimating the likelihood of hazard events. Traditionally, the probability of a hazard event occurring has been expressed as a statistical projection based on records of past events. This approach assumes that the likelihood of hazard events occurring remains essentially unchanged over time. Thus, averages based on the past frequencies of floods, for example, are used to estimate future flooding frequencies: if a river has flooded an average of once every five years for the past 100 years, then it can be expected to continue to flood an average of once every five years.

For hazards that are affected by climate conditions, the assumption that future behavior will be equivalent to past behavior may not be valid given that climate conditions are changing. As flooding is generally associated with precipitation frequency and quantity, for example, the frequency of flooding will not remain constant if broad precipitation patterns change over time.

¹⁹¹ California Department of Public Health. (February 2017). Climate Change and Health Profile Report – Santa Clara County.
https://www.cdph.ca.gov/Programs/OHE/CDPH%20Document%20Library/CHPRs/CHPR085SantaClara_County2-23-17.pdf

Specifically, as hydrology changes, storms currently considered to be a one percent annual chance flood event (100-year flood) might strike more often, leaving communities at greater risk of flooding. The risks of landslide, severe storms, extreme heat events and wildfire are all affected by climate patterns as well.

For this reason, an understanding of climate change is pertinent to efforts to mitigate natural hazards. Information about how climate patterns are changing provides insight on the reliability of future hazard projections used in mitigation analysis. This section summarizes current understandings about climate change in order to provide a context for the recommendation and implementation of hazard mitigation measures.

Table 65: Potential Direct and Related Climate Change Impacts in the Operational Area

Direct Impacts	Related Impacts
Rising temperatures	• Heat wave • Changes in wind patterns.¹⁹² • Drought • Reduced snowpack • Increased extreme events, including severe storms and wildfires • Shifting human health and disease patterns. • Sea Level Rise • Permanent inundation of previously dry land • Larger area impacted by extreme high tide
Changes in precipitation. ¹⁹³	• Changed seasonal patterns • Flooding • Saturated earth • Reduced snowpack • Drought

The links between these climate change indicators and most of the natural and other hazards of concern profiled in this MJHMP are direct but less clear for other hazards as illustrated in Table 66 and discussed later in this section.

¹⁹² Columbia Climate School. (2021, January 6). Will Global Warming Bring a Change in the Winds? <https://news.climate.columbia.edu/2021/01/06/westerly-winds-climate-change/>

¹⁹³ Columbia Climate School. (2021, January 6). Will Global Warming Bring a Change in the Winds? <https://news.climate.columbia.edu/2021/01/06/westerly-winds-climate-change/>

Table 66: Climate Change Impacts on Natural and Other Hazards

	Negative Impact on Natural and Other Hazards													
Climate Change Indicator	Natural Hazards									Other				
	Dam and Levee Failure	Drought	Earthquake	Flood	Landslide	Inclement Weather	Tsunami	Wildfire	Sea Level Rise	Terrorism	Technological Incidents	Power Outages	Epidemic/ Pandemic	Fog
Rising temperatures		X	X			X	X	X	X			X	X	X
Heat wave		X	X			X	X					X	X	X
Changes in wind patterns. ¹⁹⁴			X	X	X	X	X					X		X
Drought		N/A	X					X				X		
Reduced snowpack		X	X					X						
Increased extreme events, including severe storms and wildfires				X		X	X	N/A				X		
Shifting human health and disease patterns													X	
Sea Level Rise	X			X	X	X	X		N/A			X		X
Changes in precipitation. ¹⁹⁵	X	X	X	X	X	X	X	X	X					
Changes in seasonal patterns	X	X	X	X	X	X		X				X		X
Flooding	X			N/A	X	X			X			X		
Saturated earth	X			X	X				X					X

¹⁹⁴ Columbia Climate School. (2021, January 6). Will Global Warming Bring a Change in the Winds? <https://news.climate.columbia.edu/2021/01/06/westerly-winds-climate-change/>

11.2 Responses to Climate Change

Communities and governments worldwide are working to address, evaluate and prepare for climate changes that are likely to impact communities in coming decades. Climate change discussions encompass two separate but inter-related considerations: mitigation and adaptation. The term “mitigation” can be confusing because its meaning changes across disciplines:

- Mitigation in restoration ecology and related fields generally refers to policies, programs or actions that are intended to reduce or to offset the negative impacts of human activities on natural systems. Mitigation can be understood as avoiding, minimizing, rectifying, reducing, or eliminating, or compensating for known impacts.¹⁹⁶
- Mitigation in climate change discussions is defined as “reducing emissions of and stabilizing the levels of heat-trapping greenhouse gases in the atmosphere.”¹⁹⁷ The goal is to stabilize the climate and avoid significant human interference.
- Mitigation in emergency management is typically defined as the effort to reduce loss of life and property by lessening the impact of disasters.¹⁹⁸

In this section, mitigation is used as defined by the climate change community. In the other sections of this plan, mitigation is primarily used in an emergency management context. The IPCC defines adaptation as “the process of adjustment to actual or expected climate and its effects.” Mitigation and adaptation are related, as the world’s ability to reduce greenhouse gas emissions will affect the degree of adaptation that will be necessary. Moreover, some initiatives and actions can both reduce greenhouse gas emissions and support adaptation to likely future conditions. The ability to adapt to changing conditions is often referred to as adaptive capacity, which is “the ability of systems, institutions, humans and other organisms to adjust to potential damage, to take advantage of opportunities, or to respond to consequences.”¹⁹⁹

Societies across the world are facing the need to adapt to changing conditions and to identify ways to increase their adaptive capacity. Some efforts are already underway. Farmers are altering crops and agricultural methods to deal with changing rainfall and rising temperature; architects and engineers are redesigning buildings; planners are looking at managing water supplies to deal with droughts or flooding.

Adaptive capacity goes beyond human systems, as some ecosystems show a remarkable ability to adapt to change and to buffer surrounding areas from the impacts of change. Forests can bind soils and hold large volumes of water during times of plenty, releasing it through the year; floodplains can absorb vast volumes of water during peak flows; coastal ecosystems can hold out against storms, attenuating waves and reducing erosion. Other ecosystem services—such as food provision, timber, materials, medicines, and recreation—can provide a buffer to societies in the face of changing conditions. Ecosystem-based adaptation is the use of biodiversity and ecosystem services as part of an overall strategy to help people adapt to the adverse effects of climate change. This includes the sustainable management, conservation and restoration of specific ecosystems that provide key services.

¹⁹⁶ Environmental Protection Agency. (n.d.). Types of Mitigation Under CWA Section 404. <https://www.epa.gov/cwa-404/types-mitigation-under-cwa-section-404-avoidance-minimization-and-compensatory-mitigation#:~:text=The%20White%20House%20Council%20on%20Environmental%20Quality%20%28CEQ%29,rectifying%2C%20reducing%20over%20time%2C%20and%20compensating%20for%20impacts.>

¹⁹⁷ NASA. (N.D.). Responding to Climate Change. <https://climate.nasa.gov/solutions/adaptation-mitigation/>

¹⁹⁸ Federal Emergency Management Agency. (2017, November). Fact Sheet, Planning for a Resilient Community. https://www.fema.gov/sites/default/files/documents/fema_planning-resilient-communities_fact-sheet.pdf

¹⁹⁹ Intergovernmental Panel on Climate Change. (n.d.). Annex II, Glossary. https://www.ipcc.ch/site/assets/uploads/2018/02/WGIIAR5-AnnexII_FINAL.pdf

One type of mitigation measure that is also important to acknowledge is nature-based solutions (NBS). FEMA defines NBS as sustainable planning, design, environmental management, and engineering practices that weave natural features or processes into the built environment to promote adaptation and resilience.²⁰⁰ These actions usually have multiple benefits such as reducing flood risk, reducing urban heat, adding recreation space, protecting nature spaces like shorelines and wetlands, and improving water quality in addition to fighting climate change. They may be more cost-effective than traditional grey infrastructure projects and are often more palatable by the public due to their hard to quantify benefits like additional recreation space, community beautification, increased property values, and better public health. The immediacy of some of these benefits can also increase public support for NBS when compared to less clear, long-term benefits of other climate adaptation measures. Many communities within the OA have taken an interest in NBS, also known as green infrastructure, and actively engage in and encourage implementation of NBS separately or in conjunction with traditional infrastructure projects. Further information is included in Volume 2.

A coordinated response to climate change is necessary to implement effective risk reduction measures across the OA. Initiatives including the [Silicon Valley 2.0 Climate Change Preparedness Tool](#), the [Santa Clara County Climate Collaborative](#) and [Climate Resilience Tool](#), and local climate action and adaptation plans reflect the OA's commitment to assessing and implementing climate mitigation and adaptation actions. Assessment of the current efforts and adaptive capacity of the planning partners participating in this hazard mitigation plan are included in the jurisdiction-specific Annexes in Volume 2.

11.3 Vulnerability Assessment – Hazards of Concern

The following sections provide information on how each identified hazard of concern for this planning process may be impacted by climate change and how these impacts may alter current exposure and vulnerability to these hazards for the people, property, critical facilities, and the environment in the OA.

11.3.1 Earthquake

11.3.1.1 Climate Change Impacts on Earthquake

Currently, the impact, if any, of climate change on earthquakes is not well understood. "Climate-related stress changes might or might not promote an earthquake to occur, but we have no way of knowing by how much."²⁰¹ Some scientists say that melting glaciers could induce tectonic activity. As ice melts and water runs off, tremendous amounts of weight are shifted on the earth's crust. As newly freed crust returns to its original, pre-glacier shape, it could cause seismic plates to slip and stimulate volcanic activity, according to research into prehistoric earthquakes and volcanic activity. NASA and USGS scientists found that retreating glaciers in southern Alaska may be opening the way for future earthquakes.²⁰² Other researchers are studying whether the stress of alternating periods of drought and heavy precipitation in the Sierra Nevada could potentially be felt on faults in or near the range and whether the increased pumping of groundwater in the Central Valley during times of drought could have an effect on the seismicity on the adjacent San Andreas Fault.²⁰³

²⁰⁰ FEMA. (May 2023). Nature-Based Solutions. <https://www.fema.gov/emergency-managers/risk-management/nature-based-solutions>

²⁰¹ NASA. (2019, October 29). Can Climate Affect Earthquakes, Or Are the Connections Shaky? <https://climate.nasa.gov/news/2926/can-climate-affect-earthquakes-or-are-the-connections-shaky/>

²⁰² NASA. (2004, August 2). Retreating Glaciers Spur Alaskan Earthquakes. https://www.nasa.gov/home/hqnews/2004/jul/HQ_04252_glaciers.html

²⁰³ NASA. (2019, October 29). Can Climate Affect Earthquakes, Or Are the Connections Shaky? <https://climate.nasa.gov/news/2926/can-climate-affect-earthquakes-or-are-the-connections-shaky/>

Secondary impacts of earthquakes could be magnified by climate change. Soils saturated by repetitive storms or heavy precipitation could experience liquefaction or an increased propensity for slides during seismic activity due to the increased saturation. Dams storing increased volumes of water due to changes in the hydrograph could fail during seismic events.

11.3.1.2 Exposure, Sensitivity, and Vulnerability

Because impacts on the earthquake hazard are not well understood, increases in exposure and vulnerability of the local resources are not able to be determined. In general, everywhere that is susceptible to earthquake-induced liquefaction may be more susceptible if saturated with water due to climate change conditions when an earthquake occurs.

11.3.2 Wildfire

11.3.2.1 Climate Change Impacts on Wildfire

Wildfire risk is determined by climate variability, local topography, and human intervention. Climate change has the potential to affect multiple elements of the wildfire system: fire behavior, ignitions, fire management, and vegetation fuels. The frequency of extreme wildfires which burn over 25,000 acres is also expected to increase by nearly 50 percent across the state by 2100 according to the state's Fourth Climate Change Assessment. Under both high- and medium-emissions scenarios, the change in acres burned in Santa Clara County is likely to increase until 2050 and then decrease by the end of the century. Fire season for the OA is also expected to begin earlier in the year and last longer²⁰⁴. The Cal-Adapt projections²⁰⁵ demonstrating how wildfire risk in the areas surrounding the OA is expected to increase over the next century is shown in Table 67.

Hot, dry spells create the highest fire risk. Increased temperatures may intensify wildfire risk by warming and drying out vegetation. Changes in climate patterns may impact the distribution and perseverance of insect outbreaks that create dead trees and vegetation, increasing the amount of available fire fuel. Wetter periods followed by a drought can result in increased dry vegetative ready to be burned. When climate alters fuel loads and fuel moisture, forest susceptibility to wildfires changes. Climate change also may increase winds that spread fires.

Table 67: Wildfire – Projected Santa Clara County Acres Burned

Baseline (1961–1990)		Medium Emissions (RCP 4.5)		High Emissions (RCP 8.5)	
		Mid-Century	End-Century	Mid-Century	End-Century
30-year average	6212.0 acres	6848.3 acres	6897.2 acres	6957.8 acres	6613.5 acres
30-year range	6143.0– 6366.3 acres	6512–7295.2 acres	6459.2–7388.5 acres	6570.1–7599.1 acres	6158.9–7378.2 acres

²⁰⁴ County of Santa Clara Office of Sustainability. (n.d.). Climate Change Projections in Santa Clara County. <https://siliconvalleytwopointzero.org/climateprojections/wildfire>

²⁰⁵ <https://cal-adapt.org/tools/wildfire>

11.3.2.2 Exposure, Sensitivity, and Vulnerability

Population and Property

While previous Cal-Adapt projections showed wildfire risk in the areas surrounding the OA decreasing over the next century, current projections show increased risk to wildfire, with increases in annual acres burned. Table 68 indicates the population and buildings at risk in the moderate, high, and very high FHSZs. Should the risk increase as Cal-Adapt projects, these totals are likely to increase also. WUI fires are an increased concern of the OA. While not all OA residents may experience increased risk to wildfire directly, secondary impacts, such as smoke and poor air quality will impact many more. These impacts are likely to be felt disproportionately. Vulnerable populations, including the elderly, low-income populations, and people with disabilities, will face some of the greatest negative impacts. Long-term impacts to public health, including mental health, will also be important to consider as the frequency and severity of wildfires increase.

Table 68: Population and Buildings at Risk – Santa Clara County

Moderate FHSZ		High FHSZ		Very High FHSZ	
Buildings	Population	Buildings	Population	Buildings	Population
995	3,714	2,599	9,622	9,547	33,167

Critical Facilities

The risk to critical facilities would increase with the overall increased risk of wildfires. Key infrastructure including utilities, water, gas, electric, and communications infrastructure can be damaged during a wildfire. Secondary impacts, like increased power outages, transportation delays or disruptions, and smoke, are also likely to impact the operations of critical facilities.

Environment

It is possible that the exposure and vulnerability of the environment will be impacted by changes in wildfire risk due to climate change. Natural fire regimes may change, resulting in more frequent or higher intensity burns. While the California ecosystem is adapted to some fire, these types of events and fuel conditions represent risk beyond the norm for the local environment. These changes may alter the composition of the ecosystems in areas in and surrounding the OA including destroying vulnerable fish and wildlife habitats.

Economy

Recent fires destroyed residences, burned thousands of acres, forced people to evacuate. Costs involved included personal and business losses, lost economic activity, and the cost of containing a wildfire. Seasonal agricultural workers and workers outside on poor air quality days are most likely to experience increased negative impacts or disruptions to their work due to increase wildfire events. Transportation infrastructure could also be impacted.

11.3.3 Inclement Weather

11.3.3.1 Climate Change Impacts on Inclement Weather

Climate change presents a challenge for risk management associated with inclement weather. While only slight changes in annual rainfall is expected in the OA, there is an increased risk that this rainfall will occur during an extreme precipitation event. These severe storms will be an essential to replenish fresh water supplies particularly during times of drought however, they may result in increased flooding. The number of weather-related disasters during the 1990s was four times that of the 1950s and led to 14 times as much in economic losses.

Historically, the County has experienced just two extreme precipitation events per year. Depending on the emissions scenario, the OA is predicted to experience 3-5 events per year by the end of the century..²⁰⁶ The type of inclement weather event may also change. Fewer snow events and additional rain events are predicted.

Climate projections such as found in the CMRA tool show an increasing number of days over 95 and over 100 degrees through mid to late century, in both lower and high emission scenarios. Projections also anticipate higher maximum temperatures averaged over a 5 day period, which indicates there may also be extended periods of extreme heat.

Extreme cold events are less common in the OA. The Temperature Minimum explorer as part of the ClimRR climate tool, shows the minimum temperature increasing through mid- to end-century. Current projections suggest that climate change may reduce vulnerability to extreme cold in the OA.

It is not fully understood how climate change may impact high wind events. Climate change is expected to contribute to more severe weather in the future. However, the Wind Explorer in the ClimRR tool shows little difference in wind miles per hour between mid-and end-century. Further investigation may be needed to fully understand how climate change may impact high winds in the OA.

11.3.3.2 Exposure, Sensitivity, and Vulnerability

Population and Property

Population and property exposure and vulnerability would be unlikely to increase as a direct result of climate change impacts on the inclement weather hazard. Inclement weather events may occur more frequently, but exposure and vulnerability will remain the same. Secondary impacts, such as the extent of localized flooding, may increase, impacting greater numbers of people and structures.

Critical Facilities

Critical facility exposure and vulnerability would be unlikely to increase as a result of climate change impacts on the inclement weather hazard; however, critical facility owners and operators may experience more frequent disruption to service provision. For example, more frequent and intense storms may cause more frequent disruptions in power service.

Environment

Exposure and vulnerability of the environment would be unlikely to increase; however, more frequent storms and heat events and more intense rainfall may place additional stressors on already stressed systems.

Economy

Climate change impacts on the inclement weather hazard may impact the local economy through more frequent disruption to services, such as power outages.

11.3.4 Drought

11.3.4.1 Climate Change Impacts on Drought

Due to a warmer climate, droughts could become more frequent, more severe, and longer lasting. As stated in the National Climate Resilience Toolkit, “higher surface temperatures brought about by global warming increase the potential for drought. Evaporation and the higher rate at which plants lose moisture

²⁰⁶ Santa Clara County. (February 2023) Draft Unincorporated Santa Clara County Climate Vulnerability Assessment.

through their leaves both increase with temperature. Unless higher evapotranspiration rates are matched by increases in precipitation, environments will tend to dry, promoting drought conditions..²⁰⁷

Drought is one of the most expensive hazards due to its impacts across sectors, particularly the agricultural industry. Valley Water indicates that it poses a severe threat to their normal operations due to the region's dependency on imported water and increased demand for water across the region. The OA could likely experience what stresses other regions globally have started to experience:

- Growing populations
- Increased competition for available water
- Poor water quality
- Environmental claims
- Uncertain reserved water rights
- Groundwater overdraft
- Aging urban water infrastructure

California is particularly well-aware of the potential negative impacts of prolonged drought. Until storms in early 2023, the entire state, including the entire OA, was in severe to extreme drought. DWR has noted impacts of climate change on statewide water resources by charting changes in snowpack, sea level, and river flow. As temperatures rise and more precipitation comes in the form of rain instead of snow, these changes will likely continue or grow even more significant.

Cal-Adapt indicated in early 2023 that Santa Clara County should expect future April snowpack levels to be reduced by up to 25 inches from the baseline (1961-1990) by 2099..²⁰⁸ These future projections may or may not be adjusted following the area's recent record-breaking snowpack levels. In addition to snowpack resources, the OA's water supply is derived from groundwater and surface water resources. Increased incidence of drought may cause a drawdown in groundwater resources without allowing for the opportunity for aquifer recharge. Under the HadGEM-ES simulation, a high-emissions scenario, an extended drought is predicted for California from 2025–2075..²⁰⁹

11.3.4.2 Exposure, Sensitivity and Vulnerability

Population and Property

Population exposure and vulnerability to drought are unlikely to change as a result of climate change given that the entire OA is already exposed to this hazard. Greater numbers of people may need to engage in behavior change, such as water saving efforts, significant life or health impacts are unlikely so long as water supplies can be managed to account for the additional strain. Property exposure and vulnerability may increase as a result of increased drought resulting from climate change, although this would most likely occur in non-structural property such as crops and landscaping. It is unlikely that structure exposure and vulnerability would increase as a direct result of drought, although secondary impacts of drought, such as wildfire, may increase and threaten structures.

²⁰⁷ U.S. Climate Resilience Toolkit. (n.d.). Drought.

<https://toolkit.climate.gov/topics/water/drought#:~:text=Higher%20surface%20temperatures%20brought%20about%20by%20global%20warming,environments%20will%20tend%20to%20dry%2C%20promoting%20drought%20condition>

²⁰⁸ Cal-Adapt. (n.d.). Snowpack. <https://cal-adapt.org/tools/snowpack/>

²⁰⁹ Santa Clara County. (February 2023) Draft Unincorporated Santa Clara County Climate Vulnerability Assessment.

Critical Facilities

Critical facility exposure and vulnerability are unlikely to increase as a result of increased drought resulting from climate change; however, critical facility operators may be sensitive to changes and need to alter standard management practices and actively manage resources, particularly in water-related service sectors. Water-related infrastructure may experience disruptions.

Environment

The vulnerability of the environment may increase as a result of increased drought resulting from climate change. Ecosystems and biodiversity in the Bay Area are already under stress from development and water diversion activities. Prolonged or more frequent drought resulting from climate change may further stress the ecosystems in the region, which include many special status species.

Economy

Increased incidence of drought could increase the potential for impacts on the local economy including the agricultural and recreational sectors, the wine industry, and related tourism activities. Crop-related losses would be expected to be particularly high given a severe drought.

11.3.5 Dam and Levee Failure

11.3.5.1 Climate Change Impacts on Dam and Levee Failure

Dams and levees are engineered barriers designed to retain surface water based on assumptions including information on a river's flow behavior (depicted on a hydrograph). Safeguards are built into these structures but there is increased risk associated with hazard events that surpass what the impacted dam or levee was designed to withstand. Substantial increases in rainfall or/ or snowmelt in an area can have significant effects on the hydrograph used for the design of a dam or levee. If the hydrograph changes, it is conceivable that the dam or levee can lose some or all of its designed margin of safety, also known as freeboard.

In the case of dams, if freeboard is reduced, dam operators may be forced to release increased volumes early in a storm cycle in order to maintain the required margins of safety. Such early releases of increased volumes can increase flood potential downstream. According to the California Department of Water Resources (DWR), flood flows on many California rivers have been record-setting since the 1950s. This means that water infrastructure, such as dams and levees, have been forced to manage flows for which they were not designed. The California Division of Dam Safety (DSOD) has indicated that climate change may result in the need for increased safety precautions to address higher winter runoff, frequent fluctuations of water levels, and increased potential for sedimentation and debris accumulation from changing erosion patterns and increases in wildfire events. According to the DSOD, climate change also will impact the ability of dam operators to estimate extreme flood events.²¹⁰

Dams are constructed with safety features known as "spillways." Spillways are put in place on dams as a safety measure in the event of the reservoir filling too quickly. Spillway overflow events, often referred to as "design failures," result in increased discharges downstream and increased flooding potential. Although climate change will not increase the probability of catastrophic dam failure, it may increase the probability of design failure.

In the case of levees, a reduction in freeboard caused by a changing hydrograph means that a levee may no longer protect an area against the design-storm standard for which it was originally built. This means that risk to the area that a levee is protecting from inundation will increase.

²¹⁰ California Department of Water Resources. (n.d.). Climate Change Basics. <https://water.ca.gov/Water-Basics/Climate-Change-Basics>

11.3.5.2 Exposure, Sensitivity and Vulnerability

Population and Property

While the exposure and vulnerability of population and property are unlikely to change significantly as result of climate change alone, the likelihood of failure of water infrastructure (dams and levees) is generally expected to increase because of more frequent exposure to extreme events.²¹¹ Dam failures may experience increase overtopping or breaches due to extreme precipitation events, even if the overall precipitation in the OA is expected to decrease.

This problem is exacerbated because of the age of many of the dams in the OA and the increasing population living in potential inundation areas. It should be noted that dams, and those levees in the OA that are accredited, are mapped in a FEMA special flood hazard area where flood insurance applies. If a levee loses its accreditation, additional people and property can be considered exposed to increased flood risk. There are a number of ongoing projects in the OA which would impact the existing FEMA flood layers including the Lower Berryessa Flood Protection Project, Permanente Creek Flood Protection Project, Upper Berryessa Creek Flood Protection Project, and Sunnyvale East and West Channels.²¹² These projects may reduce the local risk to riverine flooding.

Critical Facilities

Dam owners and operators are sensitive to the risk and may need to alter maintenance and operations to account for changes in the hydrograph and increased sedimentation. Critical facility owners and operators in levee failure inundation areas should always be aware of residual risk from flood events that may overtop the levee system.

Environment

The exposure and vulnerability of the environment to dam and levee failure may change as a result of climate change. Cascading hazards, as discussed throughout this plan, could have a notable impact on the environment. For example, if there is a long period of drought caused by climate change prior to a dam failure, it could reduce the land's ability to hold water resulting in increased runoff and damage. Such a scenario could result in additional disaster events, such as landslides and mudslides. Ecosystem services may be used to mitigate some factors that could increase the risk of design failures, such as increasing the natural water storage capacity in watersheds above dams. The use of nature-based solutions or green stormwater infrastructure systems could also help with stormwater collection around the dam.

Economy

Changes in the dam failure hazard related to climate change may affect the local economy. More frequent flooding events due to dam failure would negatively impact the local economy. Economic impacts may also result from changes to the levee failure hazard if accreditation is lost.

11.3.6 Flood

11.3.6.1 Climate Change Impacts on Flood

Climate change is expected to impact both precipitation-driven riverine and surface flooding as well as coastal flooding in the OA. High frequency flood events (e.g., 10-year floods) in particular will likely

²¹¹ Mallakpour, I., AghaKouchak, A., & Sadegh, M. (2019). Climate-induced changes in the risk of hydrological failure of major dams in California. *Geophysical Research Letters*.
<https://agupubs.onlinelibrary.wiley.com/doi/pdfdirect/10.1029/2018GL081888>

²¹² Silicon Valley 2.0. Memorandum SV2.0 Tool Update – Flood Hazard Layer Map Updates. (June 2021).
https://siliconvalleytwopointzero.org/downloads/SiliconValley2.0_Flood-Hazard-Layer-Map-Update-Memo.pdf

increase with a changing climate. What is currently considered a 1-percent-annual-chance (100-year flood) also may strike more often, leaving many communities at greater risk.

Climate change is already impacting water resources, and resource managers have observed the following:

- Historical hydrologic patterns can no longer be solely relied upon to forecast the water future.
- Precipitation and runoff patterns are changing, increasing the uncertainty for water supply and quality, flood management and ecosystem functions.
- Extreme climatic events will become more frequent, necessitating improvement in flood protection, drought preparedness and emergency response.

The amount of snow is critical for water supply and environmental needs, but so too is the timing of snowmelt runoff into rivers and streams. Rising snowlines caused by climate change will allow more mountain areas, such as the Sierra Nevada watersheds, to contribute to peak storm runoff. Changes in watershed vegetation and soil moisture conditions will likewise change runoff and recharge patterns. As stream flows and velocities change, erosion patterns will also change, altering channel shapes and depths, possibly increasing sedimentation behind dams, and affecting habitat and water quality. Intense dry periods followed by wet periods will result in additional flooding. With potential increases in the frequency and intensity of wildfires due to climate change, there is potential for more floods following fire, which increase sediment loads and water quality impacts.

Use of historical hydrologic data has long been the standard of practice for designing and operating water supply and flood protection projects. For example, historical data are used for flood forecasting models and to forecast snowmelt runoff for water supply. This method of forecasting assumes that the climate of the future will be similar to that of the period of historical record. However, the hydrologic record cannot be used to predict changes in frequency and severity of extreme climate events such as floods. Scientists project greater storm intensity with climate change, resulting in more direct runoff and flooding. Going forward, model calibration must happen more frequently, new forecast-based tools must be developed, and a standard of practice that explicitly considers climate change must be adopted.

11.3.6.2 Exposure, Sensitivity, and Vulnerability

Population and Property

Population and property exposure and vulnerability may increase as a result of climate change impacts on the flood hazard. Runoff patterns may change, resulting in flooding in areas where it has not previously occurred. People experiencing homelessness are particularly susceptible to the impacts of climate change, including flooding.

Critical Facilities

Critical facility exposure and vulnerability may increase as a result of climate change impacts on the flood hazard. Runoff patterns may change, resulting in risk to facilities that have not historically been at risk from flooding. Additionally, changes in the management and design of flood protection for critical facilities may be needed as additional stress is placed on these systems. Planners will need to factor a new level of safety into the design, operation, and regulation of flood protection facilities such as dams, bypass channels and levees, as well as the design of local sewers and storm drains.

Environment

The exposure and vulnerability of the environment may increase as a result of climate change impacts on the flood hazard. Changes in the timing and frequency of flood events may have broader ecosystem impacts that alter the ability of already stressed species to survive. The destruction due to fire or sea level rise of habitats with important flood protection ability may impact the vulnerability of the OA.

Economy

If flooding becomes more frequent, there may be impacts on the local economy. More resources may need to be directed to response and recovery efforts, and businesses may need to close more frequently due to loss of service or access during flood events. Flood damage to essential utilities will also present a major concern for the local economy.

11.3.7 Landslide

11.3.7.1 Climate Change Impacts on Landslide

Climate change may impact storm patterns, increasing the probability of more frequent, intense storms with varying duration. Increase in global temperature is likely to affect the snowpack and its ability to hold and store water. Warming temperatures also could increase the occurrence and duration of droughts, which would increase the probability of wildfire, reducing the vegetation that helps to support steep slopes. All of these factors would increase the probability for landslide and/or mudslide occurrences.

11.3.7.2 Exposure, Sensitivity, and Vulnerability

Population and Property

Population and property exposure and vulnerability would be unlikely to increase as a result of climate change impacts on the landslide hazard. Landslide events may occur more frequently, but the extent and location should be contained within mapped hazard areas or recently burned areas.

Critical Facilities

Critical facility exposure and vulnerability would be unlikely to increase as a result of climate change impacts on the landslide hazard; however, critical facility owners and operators may experience more frequent disruption to service provision as a result of landslide hazards. For example, transportation systems may experience more frequent delays if slides blocking these systems occur more frequently. Towers supporting power lines and bridges could also collapse during a landslide event. In addition, increased sedimentation resulting from landslides may negatively impact flood control facilities, such as dams and levees.

Environment

Exposure and vulnerability of the environment would be unlikely to increase as a result of climate change, but more frequent slides in river systems may impact water quality and have negative impacts on stressed species.

Economy

Changes to the landslide hazard resulting from climate change are unlikely to result in significant impacts on the local economy. The economy of the OA is considered to be highly adaptive to landslide risk.

11.3.8 Tsunami

11.3.8.1 Climate Change Impacts on Tsunami

The impacts of global climate change on tsunami probability are unknown. Some scientists say that melting glaciers could induce tectonic activity, inducing earthquakes, which could result in tsunamis. Other scientists have indicated that underwater avalanches (also caused by melting glaciers), may also result in additional tsunamis. Even if climate change does not increase the frequency with which tsunamis occur, it may result in more destructive waves. As sea levels continue to rise, tsunami inundation areas would likely reach further into communities than current mapping indicates.

11.3.8.2 Exposure, Sensitivity, and Vulnerability

As land area likely to be inundated by tsunami waves increases, exposure and vulnerability to the tsunami hazard may increase for population, property, critical facilities, and the environment. Changes to the tsunami hazard from climate change may result in more direct economic impacts on a greater number of businesses and economic centers, as well as the infrastructure systems that support those businesses.

11.3.8.3 Population and Property

The population and property identified in the tsunami inundation areas are mostly likely to experience the most detrimental impacts of a tsunami event. This area is described in Figure 61. While most of the OA is unlikely to experience these impacts, vulnerable populations are at the highest risk of these impacts, including the homeless, elderly, children, and even the historically underserved communities.

Based on the National Structure Inventory, 14 commercial buildings and 2 industrial buildings are potentially vulnerable to tsunami. A tsunami has the potential to cause over \$6 million in damages to these buildings.

If sea level rise increases the tsunami inundation area, then the population and property at risk will increase.

11.3.8.4 Critical Facilities

The risk to critical facilities would be similar to that of the flood risk. Key infrastructure including utilities, water, gas, electric, and communications infrastructure can be damaged during a tsunami. Destructive waves can damage buildings, homes, and businesses. Severe flooding, and other impacts, like power outages, transportation disruptions, are also likely to impact the operations of critical facilities.

11.3.8.5 Environment

A tsunami has the potential to cause detrimental impacts on the OA's environment. This may include uprooted trees and plants and destroyed animal habitats such as nesting sites for birds. Tsunami's may result in the disappearance or abrupt erosion of beaches. During a tsunami event hazardous material infrastructure and pipelines may become damaged, causing the contamination of the environment with oil, raw sewage, and poisonous pollutants.

11.3.8.6 Economy

The cost of repair after a tsunami can impacts the economy. The tourism industry may be impacted as historic coastal properties and popular coastal businesses are damaged. Critical facilities and other important assets may be damaged by temporary inundation, resulting in loss of services such as power or wastewater treatment. Local tax revenue may decline as areas that were previously occupied by houses and businesses that may permanently close or have difficulty repairing.

11.3.9 Extreme Temperatures

11.3.9.1 Climate Change Impacts on Extreme Temperatures

Extreme temperatures are a serious consequence of climate change. Extreme heat is of particular concern to the OA. Climate change is expected to bring longer, more frequent, and more severe extreme heat events to the region.²¹³ By 2100, the area can expect 6 to 10 heat waves a year. Also, by the end of the century according to a medium emissions model, there will also be an estimated 2-44 days per year

²¹³ County of Santa Clara Office of Sustainability. (N.D.). Climate Change Projections in Santa Clara County – Extreme Heat. <https://siliconvalleytwopointzero.org/climateprojections/extremeheat>

defined as extreme heat days – or days where the maximum temperature is above 92.7 °F.²¹⁴ Extreme heat days followed by warm nights are dangerous because they don't allow time for the population, landscapes, and the built environment to cool off. This can result in increased mortality, health issues, and wildfire risk.

11.3.9.2 Exposure, Sensitivity and Vulnerability

Population and Property

Extreme temperature days can directly harm human health. While flooding is the most common natural disaster, extreme temperatures are the deadliest. Extreme heat can result in a variety of heat-related illness from mild heat stress to fatal heat stroke. Mental health stress and other illnesses can also increase. Vulnerable populations, including the elderly, children, and people with pre-existing conditions will be disproportionately impacted by extreme heat. Societally inequities, such as the distribution of minority populations in areas more exposed to the urban heat island effect, can be exasperated by extreme heat conditions.

Critical Facilities

The impacts to critical facilities from extreme heat can range from barely noticeable to profound. More and more the value of using building materials that can reduce or withstand the impacts of extreme temperatures is being acknowledged. When building materials are pushed beyond their temperature thresholds, they are at risk of failure. Transportation infrastructure may also be damaged or destroyed, including asphalt, rail tracks, and cars. There is increased demand on energy utilities as the need for air conditioning rises. Back-up generators or alternative cooling methods such as community resilience hubs may be necessary if power supplies are insufficient to cool the community.

Environment

Extreme temperatures, especially hotter temperatures, can wreak havoc on unprepared ecosystems. They are responsible for reducing biodiversity, resulting in numerous species death. Water supplies are also strained during extreme temperature events. Climate change also alters the range, biogeography, and growth of microbes which could result in additional foodborne and waterborne illnesses.²¹⁵

Economy

The economy will be impacted by the increase in extreme heat days. Extreme heat is associated with loss of productivity, increased chances of mortality, and increased of a workplace accident. A study from UCLA found that workers comp claims occurred more frequently on hotter days for both indoor and outdoor workers. An estimated 15,000 injuries occur per year in California and the financial cost may be between \$750 million to \$1.25 billion per year.²¹⁶ It also costs power more to maintain normal operations, such as keep the air conditioning running in an office. Some industries, such as construction, simply may not be able to function in too hot an environment. Research indicates that overall, economic growth declines and crop yields drop during periods of extreme heat.

²¹⁴ Cal-Adapt. (N.D.) Extreme Heat Days & Warm Nights. <https://cal-adapt.org/tools/extreme-heat/>

²¹⁵ California Department of Public Health. (February 2017). Climate Change and Health Profile Report Santa Clara County. https://www.cdph.ca.gov/Programs/OHE/CDPH%20Document%20Library/CHPRs/CHPR085SantaClara_County2-23-17.pdf

²¹⁶ UCLA Luskin. (June 2021). High Temperatures Increase Workers' Injury Risk Whether They're Outdoors or Inside. <https://luskin.ucla.edu/high-temperatures-increase-workers-injury-risk-whether-theyre-outdoors-or-inside#:~:text=A%20UCLA%20study%20published%20today%20shows%20that%20hot,from%20California%E2%80%99s%20workers%E2%80%99%20compensation%20system%2C%20the%20nation%E2%80%99s%20largest.>

11.3.10 Sea Level Rise

11.3.10.1 Climate Change Impacts on Sea Level Rise

In addition to impacts on the identified hazards of concern, climate change presents risks related to sea level rise. Sea level rise will cause currently dry areas to be permanently inundated. The scope of temporary inundation from extreme tide events and storm surge also will also expand. Within the OA, the cities of Palo Alto, Mountain View, Sunnyvale, Milpitas, and San José are expected to experience the most impacts from sea level rise.²¹⁷ Multiple possible sea level rise scenarios are presented in Table 69. Although the exact extent and timing of sea level rise is still uncertain, assessing potential areas at risk provides important information appropriate for planning purposes.

Table 69: Silicon Valley 2.0 Santa Clara County Sea Level Rise Projections and Inundation Layers

SV 2.0 Tool Scenarios		OPC 2018 Projections		Permanent Sea Level Rise	100-year Storm Surge (+47")	
Timeframe	Scenario	Risk Tolerance	Projection (in)	Inundation Layer Used in Tool (in)	Projection (in)	Inundation Layer Used in Tool (in)
Baseline	Current	n/a	0	none	47	48
Mid-Century	Medium	Top of likely range	13.2	12	60.2	66
	High	1 in 200	22.8	24	69.8	66
Late-Century	Medium	Top of likely range	40.8	36	87.8	84
	Medium-High	1 in 20	52.8	52	99.8	96
	High	1 in 200	82.8	84	129.8	131

²¹⁷ County of Santa Clara Office of Sustainability. (n.d.). Climate Change Projections in Santa Clara County. <https://siliconvalleytwopointzero.org/climateprojections/slr>

11.3.10.2 Exposure, Sensitivity, and Vulnerability

The following assessment was conducted using data provided by the San Francisco Bay Conservation and Development Commission. A sea level rise of 48 inches above current mean higher high water was assumed.

Population

Sea level rise will increase the population exposed to both permanent and temporary inundation. Currently, approximately 0.94 percent of the OA population is estimated to reside in areas subject to sea level rise impacts. The vast majority of these individuals reside in Palo Alto. Table 70 shows exposed population by jurisdiction.

Table 70: Estimated Population Residing in Sea Level Rise Inundation Areas

Jurisdiction	Estimated Population	Estimated Population Exposed	% of Population Exposed
Campbell	43,442	0	0.0%
Cupertino	60,646	0	0.0%
Gilroy	59,472	0	0.0%
Los Altos	31,809	0	0.0%
Los Altos Hills	8,452	0	0.0%
Los Gatos	33,526	0	0.0%
Milpitas	80,248	0	0.0%
Monte Sereno	3,450	0	0.0%
Morgan Hill	45,037	0	0.0%
Mountain View	82,097	60	0.07%
Palo Alto	68,523	9,373	13.68%
San José	1,014,125	6,275	0.62%
Santa Clara (city)	127,608	0	0.0%
Saratoga	31,039	0	0.0%
Sunnyvale	154,808	2,421	1.56%
Unincorporated County	90,253	36	0.04%
Total	1,934,535	18,165	0.94%

Property

The majority of losses from sea level rise are related to residential structures, closely followed by commercial and industrial. The majority of these assets are in Sunnyvale, San José, and Palo Alto.

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Table 71: Structure Type in Sea Level Rise Inundation Areas

Jurisdiction	Residential	Commercial	Industrial	Agricultural	Religious	Government	Education	Total
Campbell	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Cupertino	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Gilroy	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Los Altos	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Los Altos Hills	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Los Gatos	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Milpitas	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Monte Sereno	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Morgan Hill	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Mountain View	\$0	\$128,886,000	\$83,412,000	\$1,034,000	\$836,000	\$6,966,000	\$18,923,000	\$240,057,000
Palo Alto	\$1,415,492,000	\$525,812,000	\$209,418,000	\$4,075,000	\$21,582,000	\$15,911,000	\$206,524,000	\$2,398,814,000
San José	\$489,324,000	\$562,847,000	\$634,429,000	\$4,243,000	\$47,844,000	\$13,429,000	\$16,031,000	\$1,768,147,000
Santa Clara (city)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Saratoga	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sunnyvale	\$314,344,000	\$755,253,000	\$774,439,000	\$377,000	\$238,000	\$5,129,000	\$0	\$1,849,780,000
Unincorporated County	\$0	\$998,000	\$0	\$0	\$0	\$0	\$0	\$998,000.00
Total	\$2,219,160,000	\$1,973,796,000	\$1,701,698,000	\$9,729,000	\$70,500,000	\$41,435,000	\$241,478,000	\$6,257,796,000

Table 72: Structure and Contents Value in Sea Level Rise Inundation Areas

Jurisdiction	Structures Exposed	Estimated Value of Exposed Structures	Estimated Value of Exposed Contents	Estimated Total Value	% of Total Replacement Value
Campbell	0	\$0	\$0	\$0	0.0%
Cupertino	0	\$0	\$0	\$0	0.0%
Gilroy	0	\$0	\$0	\$0	0.0%
Los Altos	0	\$0	\$0	\$0	0.0%
Los Altos Hills	0	\$0	\$0	\$0	0.0%
Los Gatos	0	\$0	\$0	\$0	0.0%
Milpitas	635	\$468,554,661	\$386,407,648	\$854,962,309	4.5%
Monte Sereno	0	\$0	\$0	\$0	0.0%
Morgan Hill	0	\$0	\$0	\$0	0.0%
Mountain View	102	\$1,012,240,021	\$1,110,560,396	\$2,122,800,417	8.5%
Palo Alto	4,014	\$2,069,879,805	\$1,642,022,511	\$3,711,902,316	14.4%
San José	912	\$2,573,152,965	\$2,275,265,284	\$4,848,418,248	2.3%
Santa Clara (city)	450	\$1,273,778,027	\$1,228,024,465	\$2,501,802,492	5.8%
Saratoga	0	\$0	\$0	\$0	0.0%
Sunnyvale	355	\$2,632,745,163	\$3,074,816,827	\$5,707,561,990	13.3%

Table 73: Structure and Contents Value in Sea Level Rise Inundation Areas, Unincorporated Santa Clara County

Jurisdiction	Structures Exposed	Estimated Value of Exposed Structures	Estimated Value of Exposed Contents	Estimated Total Value
Unincorporated County	1	\$262,260	\$131,130	\$393,390
County + All Cities	6,469	\$10,030,612,900	\$9,717,228,260	\$19,747,841,162

Critical Facilities

There are 72 critical facilities located in OA areas subject to impacts from sea level rise.

Table 74: Critical Facilities in Sea Level Rise Inundation Areas

Jurisdiction	Essential Facilities	Transportation	Utilities	Community Assets	Hazardous Materials	Total
Campbell	0	0	0	0	0	0
Cupertino	0	0	0	0	0	0
Gilroy	0	0	0	0	0	0
Los Altos	0	0	0	0	0	0
Los Altos Hills	0	0	0	0	0	0
Los Gatos	0	0	0	0	0	0
Milpitas	0	0	0	0	0	0
Monte Sereno	0	0	0	0	0	0
Morgan Hill	0	0	0	0	0	0
Mountain View	1	0	0	1	2	3
Palo Alto	9	12	3	5	9	29
San José	2	7	1	5	7	20
Santa Clara (city)	0	1	0	0	0	1
Saratoga	0	0	0	0	0	0
Sunnyvale	1	2	0	1	11	14
Unincorporated County	0	0	0	1	0	1
Total	13	26	4	13	29	72

Environment

All sea level rise inundation areas are exposed and vulnerable to impacts. Important coastal habitat may be lost as sea level rise permanently inundates areas, or it may be damaged due to extreme tide and storm surge events. Saltwater intrusion into freshwater resources may occur, further altering habitat and ecosystems and threatening the water supply. Protective ecosystem services may be lost as land area and wetlands are permanently inundated.

Economy

Sea level rise will impact the local economy. The tourism industry may be impacted as historic coastal properties are inundated. Critical facilities and other important assets may be damaged by temporary inundation, resulting in loss of services such as power or wastewater treatment. Coastal businesses may relocate to other areas rather than face high costs from increased risk of storm surge and costs associated with managed retreat. Local tax revenue may decline as areas that were previously occupied by houses and businesses are permanently inundated.

Future Development

The land area of the OA will be reduced as sea level rise permanently inundates areas. This will have significant impacts on land use and planning in local communities. Local General Plans in the OA will guide this future development.

11.4 Issues

This assessment of climate change led to identification of the following issues throughout the Santa Clara County OA:

- Planning for climate change related impacts can be difficult due to inherent uncertainties in projection methodologies.
- Average temperatures are expected to continue to increase in the OA, which may lead to a host of primary and secondary impacts, such as an increased incidence of heat waves.
- Expected changes in precipitation patterns are still poorly understood and could have significant impacts on the water supply and flooding in the OA.
- Some impacts of climate change are poorly understood such as potential impacts on the frequency and severity of earthquakes, thunderstorms, and tsunamis.
- Heavy rain events may result in inland stormwater flooding after stormwater management systems are overwhelmed.
- Permanent and temporary inundation resulting from sea level rise has the potential to impact significant portions of the population and assets in the OA.

Table 75: EMAP Consequence Analysis: Climate Change

Subject	Ranking	Impacts/Climate Change
Public	Minimal to Severe	Residents across the OA will be impacted by climate change. Noticeable impacts will include changes in temperature, increased frequency and severity of natural hazards, and the permanent inundation of part of the community due to sea level rise. Even residents outside of areas immediately impacted by hazard events will experience secondary effects such as smoke, a reduction in air quality, disruption of services, and transportation delays or disruptions.
Responders	Minimal to moderate	Responders will be relied upon when a disaster event occurs. They may need to consider climate change and the changing likelihood of future events when allocating resources towards certain hazards. However, overall, since climate change is a long-term challenge with occurs over many years, there is unlikely to be significant changes needed to responder's immediate response and recovery efforts.
Continuity of Operations (including continued delivery of services)	Minimal to Severe	The impacts on continuity of operations depends largely on facility and critical infrastructure location, hazard location, frequency, and severity, and human interference. Certain types of infrastructure, such as wastewater treatment plants which could be inundated by sea level rise or power utilities in high-risk wildfire areas, are more likely to be disrupted or destroyed. Delivery of services may also be slowed or stopped in impacted areas. Since climate change occurs over time, there is the opportunity for at-risk facilities and organizations to develop continuity of operations plans which address the increased risks associated with climate change.
Property, Facilities, and Infrastructure	Minimal to Severe	The localized impact to properties, facilities, and infrastructure could be severe. Sea level rise impact estimates are one of the best examples of how climate change could directly relate to the complete loss of property, facilities, and infrastructure. Increased frequency and severity of other hazard events will likely result in damage, destruction, or disturbances to other structures and infrastructure across the OA.

Subject	Ranking	Impacts/Climate Change
Environment	Minimal to Severe	California's ecosystem has adapted to some of the impacts of climate change including wildfires. However, the increased frequency and severity of hazard events could strain the adaptive capacity of an ecosystem already stressed by increased human development. Climate change could result in changes to the watershed, water supply, destroy or damage fish and wildlife habitats, destroy crucial flood protective habitats near the ocean, and increase the spread of invasive species and the death of trees and vegetation.
Economic Conditions	Minimal to Severe	Climate change may impact the local economy in multiple different ways. Increased severe hazards events will test the financial resilience of the OA. Certain sectors, including agriculture and tourism, are likely to experience the worse impacts of climate change. Disturbances to transportation, communication, power, and water infrastructure due to climate change can also have a significant impact on the economy. Impacts largely depend on how effectively the population and built environment can respond to changing climate conditions.
Public Confidence in the Government	Minimal to Severe	Climate change is at the forefront of the national discussion on natural disasters. The public often has intense opinions on the subject. In general, climate change adaptation measures are widely supported in the OA. Solutions which consider short-term benefits, such as planting trees which increase shade and enhance the community's curb appeal while at the same time reducing the urban heat island effect, are likely to be the most supported. Consistent messaging, accurate and timely public information, and clear reasoning for climate change adaptation measures will increase public's confidence in the government.

12 Dam and Levee Failure

Definitions

- **Dam:** Any artificial barrier, together with appurtenant works, which does or may impound or divert water, and which is or will be either 25 feet or more in height from the natural bed of the stream or watercourse at the downstream toe of the barrier, as determined by the department, or from the lowest elevation of the outside limit of the barrier, as determined by the department, if it is not across a stream channel or watercourse, to the maximum possible water storage elevation or has or will have an impounding capacity of 50 acre-feet or more.⁴⁰
- **Levee:** A man-made structure, usually an earthen embankment, designed and constructed to prevent inland flooding from major storm events and extreme water levels.
- **Emergency Action Plan:** A formal document that identifies potential emergency conditions at a dam and specifies actions to be followed to minimize property damage and loss of life. It contains procedures and information to help the dam owner issue early warning and notification messages and inundation maps to show emergency management authorities the critical areas for action in case of an emergency.
- **High Hazard Dam:** Dams where failure or improper operation will probably cause loss of at least one human life.
- **Extremely High Hazard Dam:** California's Division of Safety of Dams (DSOD) has classified some High Hazard Dams as Extremely High Dams. These are expected to cause considerable loss of human life or would result in an inundation area with a population of 1,000 or more.

12.1 General Background

Dams and levees are designed to mitigate flood events but sometimes floods larger than the estimated risk occur which can cause a partial or total failure. Other causes of dam and levee failure vary.

12.2 Causes of Dam and Levee Failure

A dam failure occurs when the barrier constructed does not obstruct or restrain water as designed, which can rapidly result in a large area of completely inundated land. Levees, though similar, are embankments built to prevent the overflow of a river or stream.

12.2.1 Causes of Dam Failure

Dam failures can be catastrophic to human life and property downstream. Dam failures in the United States typically occur in one of four ways:

- Overtopping of the primary dam structure, which accounts for 34 percent of all dam failures, can occur due to inadequate spillway design, settlement of the dam crest, blockage of spillways, and other factors.
- Foundation defects due to differential settlement, slides, slope instability, uplift pressures, and foundation seepage can also cause dam failure. These account for 30 percent of all dam failures.
- Failure due to piping and seepage accounts for 20 percent of all failures. These are caused by internal erosion due to piping and seepage, erosion along hydraulic structures such as spillways, erosion due to animal burrows, and cracks in the dam structure.

- Failure due to problems with conduits and valves, typically caused by the piping of embankment material into conduits through joints or cracks, constitutes 10 percent of all failures.

The remaining six percent of U.S. dam failures are due to miscellaneous causes. Many dam failures in the United States have been secondary results of other disasters. The prominent causes are earthquakes, landslides, extreme storms, massive snowmelt, equipment malfunction, structural damage, foundation failures, and sabotage.

The most likely disaster-related causes of dam failure in the OA are earthquakes, excessive rainfall, and landslides. Poor construction, lack of maintenance and repair, and deficient operational procedures are preventable or correctable by a program of regular inspections. Terrorism and vandalism are serious concerns that all operators of public facilities must plan for; these threats are under continuous review by public safety agencies.

12.2.2 Causes of Levee Failure

A levee breach occurs when part of a levee gives way, creating an opening through which floodwaters may pass. A breach may occur gradually or suddenly. The most dangerous breaches happen quickly during periods of high water. The resulting torrent can quickly swamp a large area behind the failed levee with little or no warning. When a levee system fails or is overtopped, severe flood damage can occur.

Earthen levees can be damaged in several ways. Strong river currents and waves can erode the surface. Trees growing on a levee can blow over, leaving a hole where the root wad and soil used to be. Burrowing animals, such as the California ground squirrel, the salt marsh harvest mouse, or the western burrowing owl can create holes that enable water to pass through a levee. If severe enough, any of these situations can lead to a zone of weakness that could cause a levee breach. In seismically active areas, earthquakes and ground shaking can cause a loss of soil strength, weakening a levee and possibly resulting in failure. Seismic activity can also cause levees to slide or slump, both of which can lead to failure.

No levee provides protection from events for which it was not designed, and levees require maintenance to continue to provide the level of protection they were designed and built to offer. Maintenance responsibility belongs to a variety of entities including local, state, and federal government and private landowners.

12.3 Hazard Profiles

Levees and dams serve different purposes. Though both can be made with the same materials, their relationship to water is different. Levees run parallel to water while dams lie across. A levee's primary focus is to reduce flood risk and protect life and property. Dams also serve risk management functions but deliver other infrastructure benefits for communities and industry. The aging dam infrastructure in the OA is notable. Table 76 shows that the Lake Ranch Dam was built in 1877 and ten dams were built in the 1930s.

12.3.1 Past Dam Failure Events

According to the 2018 *State of California Multi-Hazard Mitigation Plan*, there have been ten dam failures in the state since 1950. The most recent dam emergency occurred in February 2017 at Oroville Dam in northern California's Butte County when it was on the verge of overflow. The concrete spillway was damaged by erosion and a massive hole developed. The auxiliary spillway was used to prevent overtopping of the dam and it experiences erosion problems also. Evacuation orders were issued out of concern about a potential large uncontrolled release of water from Lake Oroville. Such a release was ultimately prevented, and evacuees returned to their homes.

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Table 76: Dams Classified as a High Hazard or an Extremely High Hazard Risk ^{218, 219}

Name	National ID #	Hazard Class	Owner	Dam Type	Dam Height (feet)	Crest Length (feet)	Reservoir Capacity (acre-feet)	Year Built	Inundation Map	Closest City
Almaden	CA00289	Extremely High	SCVWD	Earth	110	500	2,000	1936	Yes	San José
Almaden Valley	CA00661	High	San José Water Co.	Earth	38	1,100	27	1955	Yes	San José
Austrian	622.013	Extremely High	San José Water Co.	Earth	185	700	6,200	1950	Yes	Los Gatos
Calero	72.003	Extremely High	SCVWD	Earth	90	840	9,850	1935	Yes	San José
Cherry Flat	CA00158	Extremely High	City of San José	Earth	60	230	500	1936	Yes	San José
Coyote	CA00287	Extremely High	SCVWD	Earth and Rock	140	980	22,541	1936	Yes	Gilroy
Coyote Percolation (Steel flashboard dam being replaced with an inflatable rubber dam)	CA00286	High	SCVWD	Steel Flashboard	24	204	72	1934	Yes	San José
DeBell	CA00686	High	City of Gilroy	Earth	53	580	120	1952	Yes	Gilroy
Ed R. Levin	CA00890	Extremely High	County of Santa Clara	Earth	38	470	150	1968	Yes	Milpitas
Elmer J. Chesbro	CA00806	Extremely High	SCVWD	Earth and Rock	95	690	8,086	1955	Yes	Morgan Hill

²¹⁸ National Inventory of Dams. (n.d.). Dams of the Nation. <https://nid.sec.usace.army.mil/#/>

²¹⁹ California Department of Water Resources. (n.d.). California Dam Breach Inundation Maps. <https://fmds.water.ca.gov/maps/damim/>

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Name	National ID #	Hazard Class	Owner	Dam Type	Dam Height (feet)	Crest Length (feet)	Reservoir Capacity (acre-feet)	Year Built	Inundation Map	Closest City
Felt Lake	CA00670	Extremely High	Stanford University Board of Trustees	Earth	67	590	900	1930	Yes	Palo Alto
Foothill Park	CA00868	High	City of Palo Alto	Earth	86	600	67	1988	Yes	Palo Alto
Guadalupe	CA00290	Extremely High	SCVWD	Earth	142	695	3,460	1935	Yes	San José
Higuera	CA00687	Extremely High	Wells Fargo Bank	Earth	44	525	65	1953	Yes	Milpitas
James J. Lenihan, "Lexington Reservoir"	CA00293	Extremely High	SCVWD	Earth	208	810	21,430	1953	Yes	Los Gatos
Kuhn	CA00683	Extremely High	Private Entity	Earth	67	312	85	1947	Yes	San José
Lake Ranch	CA00676	High	San José Water Co.	Earth	38	160	215	1877	Yes	San José
Leroy Anderson (inactive)	CA00294	Extremely High	SCVWD	Earth	235	1,430	91,300	1950	Yes	Morgan Hill
North Fork	CA00299	Extremely High	Pacheco Pass Water District	Earth	100	600	6,150	1939	No	Hollister
Rinconada Reservoir	CA00295	High	SCVWD	Earth	40	240	46	1969	Yes	Campbell
Stevens Creek	CA00292	Extremely High	SCVWD	Earth	132	1,080	3,074	1935	Yes	Cupertino
Uvas	CA00807	Extremely High	SCVWD	Earth	118	1,100	10,000	1957	Yes	Morgan Hill
Vasona Percolating	CA01516	Extremely High	SCVWD	Earth	34	1,00	410	1935	Yes	Los Gatos
San Mateo County Dam with an Inundation Area extending into the OA.										

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Name	National ID #	Hazard Class	Owner	Dam Type	Dam Height (feet)	Crest Length (feet)	Reservoir Capacity (acre-feet)	Year Built	Inundation Map	Closest City
Searsville	CA00669	Extremely High	Stanford Board of Trustees	Masonry	68	260	1,840	1890	Yes	Palo Alto

Historically, overtopping caused two of the state's nine dam failures; the others were caused by seepage or leaks. One failure, the 1963 Baldwin Hills Dam Failure in Los Angeles County, resulted in three deaths because the leak turned into a washout. The historical record indicates that California has had about 45 failures of non-federal dams. The failures occurred for a variety of reasons, the most common being overtopping. Other reasons include shortcomings in the dams or an inadequate assessment of surrounding geomorphologic characteristics.

One dam failure event was recorded in the OA in 2017. After a series of slow-moving storms fronts, despite attempts to release water through at outlet at the bottom of the dam, the man-made Anderson Reservoir in Morgan Hill reached its peak capacity and water overtopped Anderson Dam, resulting in flooding downstream along Coyote Creek. The flooding was estimated to have cause \$100 million in damages and displaced 14,00 residents.²²⁰

12.3.2 Dam Location and Extent

According to the USACE National Inventory of Dams (NID), there are 44 regulated dams in the OA (Figure 57). Extremely high hazard dams are indicated in red, high hazard dams are indicated in orange, and dams with a significant hazard are shown in green. Low hazard dams are not mapped.

The DSOD has certified all these dams and has designated all of them with a Condition Assessment of "Satisfactory." In addition, these dams all have the emergency action plan (EAP) required for all dams that do not have a low downstream hazard potential designation.²²¹ The EAP requirements include an early warning system and operational procedures that may be used, such as reducing reservoir levels and reducing downstream flows, as well as procedures for notifying affected residents and agencies responsible for emergency management. The Searsville Dam, an Extremely High Hazard Dam located in San Mateo County, has an inundation area that could impact parts of the City of Palo Alto. This dam has been added to Table 76.

The Anderson Dam, located three miles east of U.S. 101 in Morgan Hill, was discussed in the 2019 MJHMP but on February 24, 2020, the Federal Energy Regulatory Commission ordered that Anderson Lake should be drained due to earthquake risk. At the time of writing this update, work on the \$576-million Anderson Dam Seismic Retrofit Project continues. The project is expected to be complete by 2031.

12.3.2.1 Dam Inundation Mapping

The most significant issue associated with dam failure involves the potential impact on properties and populations in the inundation zones. As listed in Table 76, all but two of the dams have an approved inundation map. Flooding because of a dam failure would significantly impact these areas. Figure 58 shows dam inundation depth grids within the County.

²²⁰ San José Spotlight. (2022, June 1). Valley Water settles with San José residents over 2017 flood. [San José flood victims get multimillion-dollar settlement - San José Spotlight \(sanjosespotlight.com\)](https://sanjosespotlight.com/victims-get-multimillion-dollar-settlement-san-jose-spotlight/)

²²¹ California Legislative Information. (n.d.). Water Code, Division 3, Dams and Reservoirs. Chapter 8. https://leginfo.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=WAT&division=3.&title=&part=&chapter=&article=&nodetreepath=4

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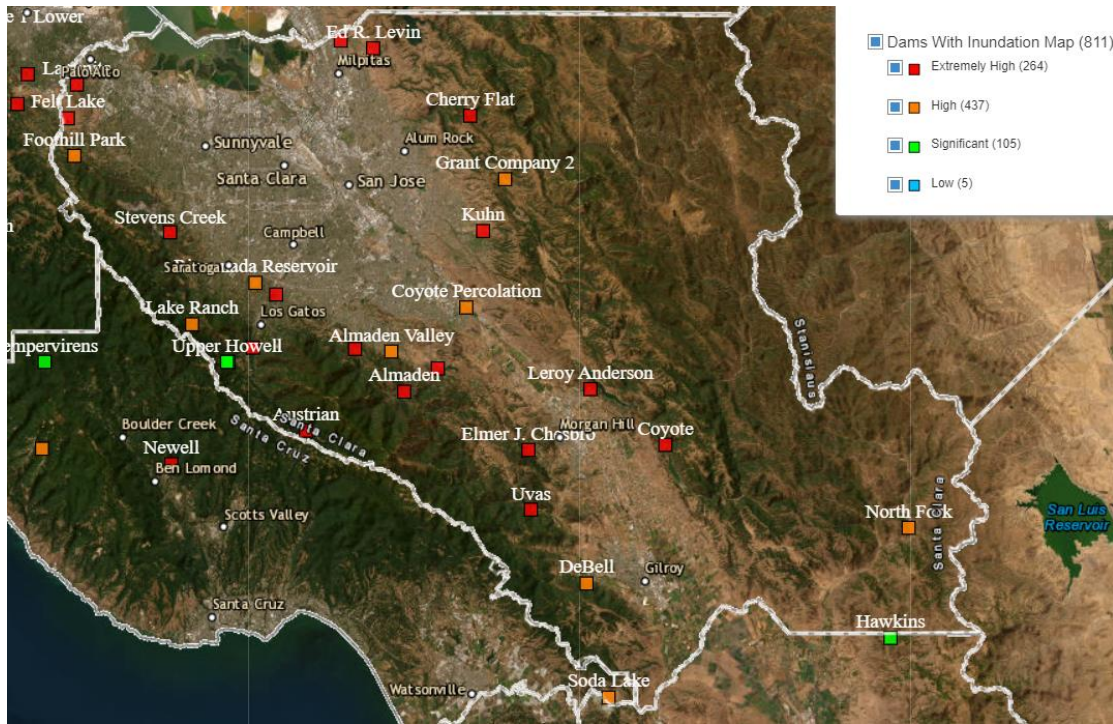


Figure 58: Location of Dams Impacting Santa Clara County²²²

²²² California Department of Water Resources, Division of Safety of Dams. (n.d.). Dam Breach Inundation Map Web Publisher. https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2

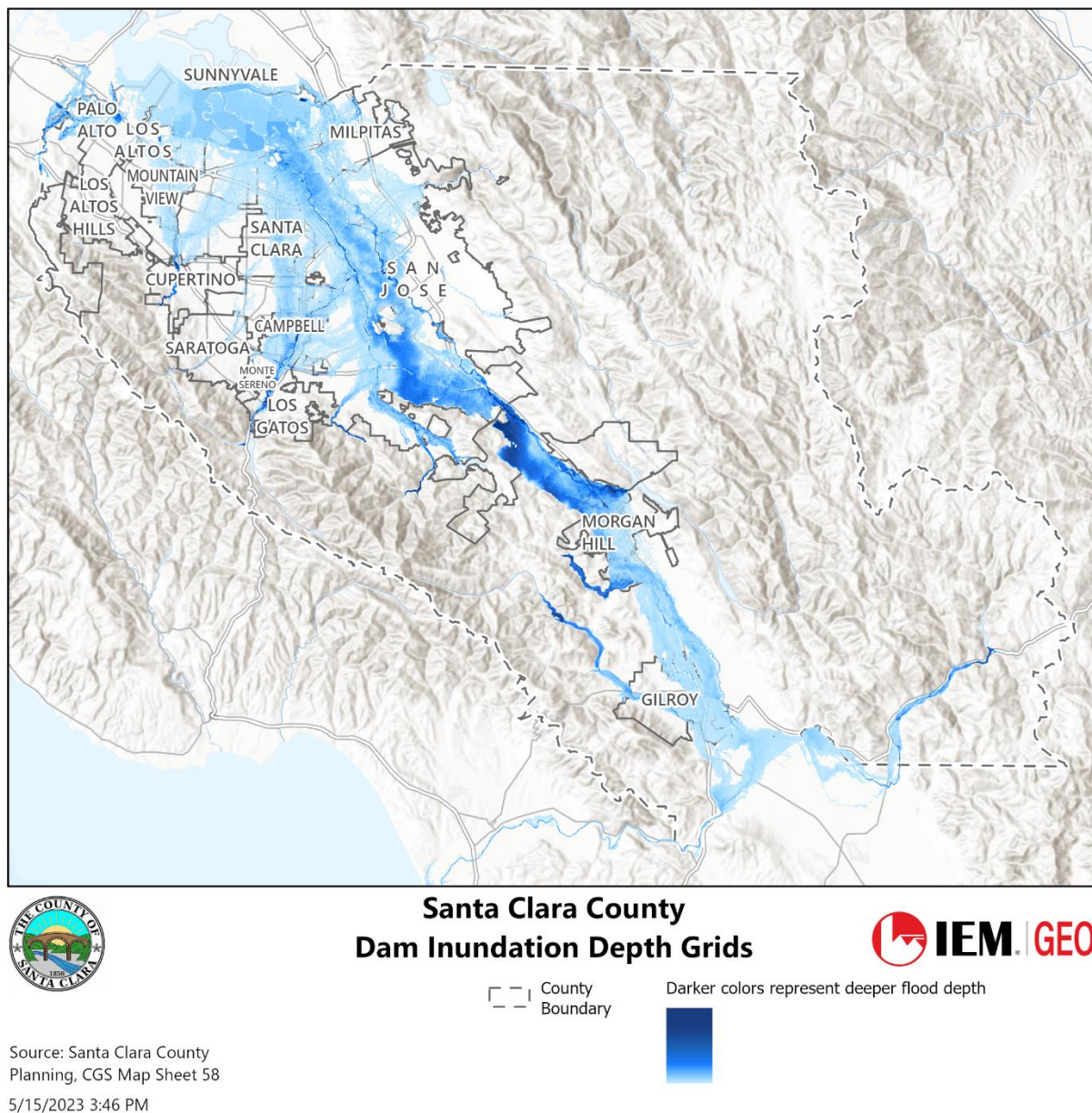


Figure 59: Dam Inundation Depth Grids

12.3.3 Levee Location

Currently, there are 89 levees listed by the United States Army Corps of Engineers (USACE) in Santa Clara County,²²³ a significant increase from the seven levees listed in 2017. As shown in Figure 59, most of these structures are located in the South San Francisco Bay area.

²²³ National Levee Database. (n.d.). Levees of the Nation. <https://levees.sec.usace.army.mil/#/>

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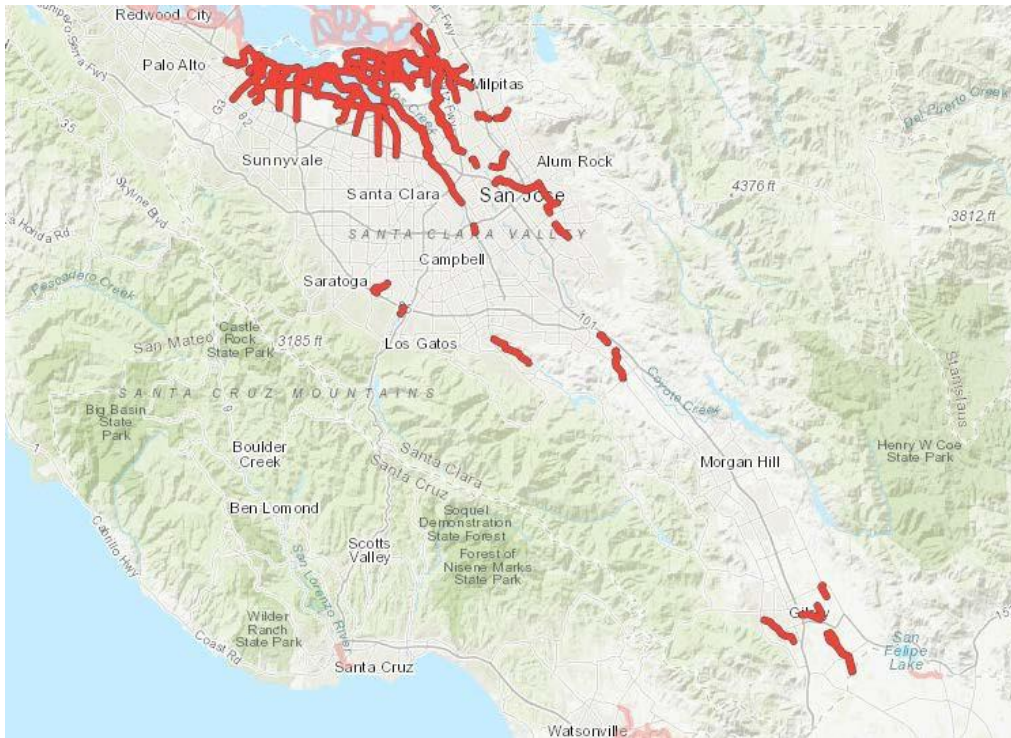


Figure 60: Levees in Santa Clara County²²⁴

The Santa Clara Valley Water District (SCVWD) owns and maintains most of these levees. It manages approximately 100 miles of levees in Santa Clara County. About 50 miles provide 100-year flood protection and nearly 18 miles were constructed in partnership with the Corps. Other levee sponsors include U.S. Fish and Wildlife Service (USFWS) (12), the City of Palo Alto (2) Caltrans District 4, and the Alameda County Flood Control District with Santa Clara County (1). Table 77 provides information about levees in the County.

Most of the levees have not been screened by the USACE for risk. Of the seven that have been screened, three are considered to be low risk, three are considered moderate risk and one review is labeled “No Verdict.” Of the 89 levees, a total of 14 have been accredited by FEMA and recognized on a Flood Insurance Rate Map (FIRM). One levee is designated as a Provisionally Accredited Levee (PAL). This designation may be used for a levee system that FEMA has previously accredited as providing base flood hazard reduction on an effective FIRM, and for which FEMA is awaiting data and/or documentation that will show the levee system is compliant with 44 CFR 65.10.

²²⁴ National Levee Database. (n.d.). Levees of the Nation. <https://levees.sec.usace.army.mil/#/>

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Table 77: Levees in Santa Clara County ²²⁵

FEMA - NFIP/FIRM Information Only listing active levees	County	Sponsor	Total Miles	What is Behind the Levee			Risk	Accredited Levee*	USACE Rehab**
				Population	Buildings	Property Value			
Coyote Creek, Santa Clara – LB	Santa Clara	SCVWD	6.72	9,477	1,879	\$1.59B	Low	A	A
Coyote Creek, Santa Clara – RB	Santa Clara	SCVWD	4.9	26,188	4,721	\$3.47B	Moderate	A	A
Coyote Creek, Santa Clara – RB Bypass	Alameda, Santa Clara	SCVWD	1.67	1,247	21	\$219M	No Verdict	N	A
Cunningham Flood Detention Facility Certification Project	Santa Clara	SCVWD	4.32	20,689	3,588	\$3.08B	Not Screened	A	N
Cunningham Flood Detention Facility Certification Project 2	Santa Clara	State	4.5	32,882	6,174	\$3.64B	Not Screened	A	N
Guadalupe River - LB	Santa Clara	SCVWD	8.48	30,391	3,364	\$3.85B	Moderate	A	A
Guadalupe River - RB	Santa Clara	SCVWD	6.9	24,361	2,335	\$3.21B	Moderate	A	A
King & Lyons	Alameda and Santa Clara	Alameda County Flood Control	3.5	3,497	62	\$449M	Low	PAL	A
Los Gatos Creek	Santa Clara	Caltrans District 4	.41	92	27	\$29.9M	Not Screened	A	N
Santa Clara County Levee 1	Alameda, Santa Clara	Local	1.33	0	0	0	Not Screened	N	N

²²⁵ National Levee Database. (n.d.). Levees of the Nation. <https://levees.sec.usace.army.mil/#/>

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FEMA - NFIP/FIRM Information Only listing active levees	County	Sponsor	Total Miles	What is Behind the Levee			Risk	Accredited Levee*	USACE Rehab**
				Population	Buildings	Property Value			
Santa Clara County Levee 10	Santa Clara	USFWS	0.68	0	1	0	Not Screened	N	N
Santa Clara County Levee 11	Santa Clara	USFWS	2.28	0	0	0	Not Screened	N	N
Santa Clara County Levee 12	Santa Clara	SCVWD	0	0	4	\$212M	Not Screened	N	N
Santa Clara County Levee 13	Santa Clara	City of Palo Alto	0.62	0	0	0	Not Screened	N	N
Santa Clara County Levee 14	Santa Clara	Local	1.06	0	0	0	Not Screened	N	N
Santa Clara County Levee 15	Santa Clara	SCVWD	1.13	1,632	298	\$436M	Not Screened	N	N
Santa Clara County Levee 16	Santa Clara	USFWS	8.66	0	0	0	Not Screened	N	N
Santa Clara County Levee 17	Santa Clara	SCVWD	1.39	140	21	\$248M	Not Screened	N	N
Santa Clara County Levee 18	Santa Clara	USFWS	1.67	0	0	0	Not Screened	N	N
Santa Clara County Levee 19	Santa Clara	SCVWD	1.42	2,181	727	\$450M	Not Screened	N	N
Santa Clara County Levee 20	Santa Clara	SCVWD	0.19	269	89	\$134M	Not Screened	N	N
Santa Clara County Levee 21	Santa Clara	SCVWD	1.97	1,512	420	\$364M	Not Screened	N	N
Santa Clara County Levee 22	Santa Clara	USFWS	3.24	0	0	0	Not Screened	N	N
Santa Clara County Levee 23	Santa Clara	SCVWD	1.56	1,722	628	\$401M	Not Screened	N	N

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FEMA - NFIP/FIRM Information Only listing active levees	County	Sponsor	Total Miles	What is Behind the Levee			Risk	Accredited Levee*	USACE Rehab**
				Population	Buildings	Property Value			
Santa Clara County Levee 24	Santa Clara	USFWS	1.24	0	0	0	Not Screened	N	N
Santa Clara County Levee 25	Santa Clara	USFWS	0.43	0	0	0	Not Screened	N	N
Santa Clara County Levee 26	Santa Clara	SCVWD	2.86	0	0	0	Not Screened	N	N
Santa Clara County Levee 27	Santa Clara	USFWS	0.66	0	0	0	Not Screened	N	N
Santa Clara County Levee 28	Santa Clara	SCVWD	4.01	0	0	0	Not Screened	N	N
Santa Clara County Levee 29	Santa Clara	SCVWD	3.05	5,409	1,719	\$1.08B	Not Screened	N	N
Santa Clara County Levee 3	San Mateo, Santa Clara	SCVWD	7.56	17,748	6,351	\$4.45B	Not Screened	N	N
Santa Clara County Levee 30	Santa Clara	SCVWD	1.31	3,389	750	\$628M	Not Screened	A	N
Santa Clara County Levee 30.2	Santa Clara	-	1.21	4,107	1,315	\$777M	Not Screened	N	N
Santa Clara County Levee 31	Santa Clara	USFWS	1.01	0	0	0	Not Screened	N	N
Santa Clara County Levee 32	Santa Clara	-	0.66	0	0	0	Not Screened	N	N
Santa Clara County Levee 33	Santa Clara	-	0.11	0	2	\$1.09	Not Screened	N	N
Santa Clara County Levee 34	Santa Clara	USFWS	1.8	0	0	0	Not Screened	N	N
Santa Clara County Levee 35	Santa Clara	SCVWD	5.7	21,352	715	\$6.03B	Not Screened	A	N

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FEMA - NFIP/FIRM Information Only listing active levees	County	Sponsor	Total Miles	What is Behind the Levee			Risk	Accredited Levee*	USACE Rehab**
				Population	Buildings	Property Value			
Santa Clara County Levee 36	Santa Clara	SCVWD	5.19	0	0	0	Not Screened	N	N
Santa Clara County Levee 37	Santa Clara	SCVWD	2.76	32,113	5,873	\$10.6B	Not Screened	A	N
Santa Clara County Levee 37 North	Santa Clara	-	8.89	0	0	0	Not Screened	N	N
Santa Clara County Levee 38	Santa Clara	SCVWD	3.78	0	0	0	Not Screened	N	N
Santa Clara County Levee 4	Santa Clara	-	0.08	0	0	0	Not Screened	N	N
Santa Clara County Levee 40	Santa Clara	SCVWD	1.26	8,031	43	\$169M	Not Screened	N	N
Santa Clara County Levee 41	Santa Clara	SCVWD	3.7	2,454	208	\$951M	Not Screened	A	N
Santa Clara County Levee 42	Santa Clara	SCVWD	3.52	11,654	4,092	\$2.99B	Not Screened	N	N
Santa Clara County Levee 43	Santa Clara	SCVWD	0.02	0	0	0	Not Screened	N	N
Santa Clara County Levee 44	Santa Clara	-	0.26	0	0	0	Not Screened	N	N
Santa Clara County Levee 45	Santa Clara	SCVWD	3.56	0	0	0	Not Screened	N	N
Santa Clara County Levee 46	Santa Clara	SCVWD	1.11	5,616	53	\$641M	Not Screened	N	N
Santa Clara County Levee 47	Santa Clara	-	0.54	0	0	0	Not Screened	N	N
Santa Clara County Levee 48	Santa Clara	City of Palo Alto	0.29	865	33	\$82M	Not Screened	N	N

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FEMA - NFIP/FIRM Information Only listing active levees	County	Sponsor	Total Miles	What is Behind the Levee			Risk	Accredited Levee*	USACE Rehab**
				Population	Buildings	Property Value			
Santa Clara County Levee 49	Santa Clara	USFWS	0.41	0	0	0	Not Screened	N	N
Santa Clara County Levee 5	Santa Clara	-	0.21	0	0	0	Not Screened	N	N
Santa Clara County Levee 50	Santa Clara	-	1.44	0	0	0	Not Screened	N	N
Santa Clara County Levee 52	Santa Clara	USFWS	2.5	0	0	0	Not Screened	N	N
Santa Clara County Levee 53	Santa Clara	-	0.03	0	0	0	Not Screened	N	N
Santa Clara County Levee 54	Santa Clara	SCVWD	1.83	8,645	688	\$1.54B	Not Screened	A	N
Santa Clara County Levee 55	Santa Clara	City of Palo Alto	0.33	2	2	\$3.93M	Not Screened	N	N
Santa Clara County Levee 56	Santa Clara	-	0.72	0	0	0	Not Screened	N	N
Santa Clara County Levee 57	Santa Clara	-	0.36	0	0	0	Not Screened	N	N
Santa Clara County Levee 58	Santa Clara	-	1.78	0	0	0	Not Screened	N	N
Santa Clara County Levee 6	Santa Clara	SCVWD	1.51	6,548	1,840	\$1.2B	Not Screened	N	N
Santa Clara County Levee 61	Santa Clara	SCVWD	1.58	2,370	382	\$247M	Not Screened	N	N
Santa Clara County Levee 62	San Benito, Santa Clara	SCVWD	2.41	41	14	\$24.4M	Not Screened	N	N
Santa Clara County Levee 64	Santa Clara	SCVWD	1.06	50,774	1,610	\$10.2B	Not Screened	N	N

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FEMA - NFIP/FIRM Information Only listing active levees	County	Sponsor	Total Miles	What is Behind the Levee			Risk	Accredited Levee*	USACE Rehab**
Levee Name				Population	Buildings	Property Value			
Santa Clara County Levee 65	Santa Clara	-	1.39	12,714	2,494	\$2.6B	Not Screened	N	N
Santa Clara County Levee 67	Santa Clara	-	0.88	180	48	\$82.7M	Not Screened	N	N
Santa Clara County Levee 7	Santa Clara	-	0.2	0	0	0	Not Screened	N	N
Santa Clara County Levee 72	Santa Clara	SCVWD	0.86	0	5	\$2.27M	Not Screened	N	N
Santa Clara County Levee 73	Santa Clara	SCVWD	0.94	475	186	\$97.6M	Not Screened	N	N
Santa Clara County Levee 74	Santa Clara	-	0.62	413	128	\$63.7M	Not Screened	N	N
Santa Clara County Levee 75	Santa Clara	SCVWD	1.09	181	21	\$100M	Not Screened	N	N
Santa Clara County Levee 79	Santa Clara	-	0.87	6,131	1,840	\$917M	Not Screened	N	N
Santa Clara County Levee 8	Santa Clara	-	0.56	0	0	0	Not Screened	N	N
Santa Clara County Levee 80	Santa Clara	-	0.72	47	7	\$1.87M	Not Screened	N	N
Santa Clara County Levee 81	Santa Clara	SCVWD		0	0	0	Not Screened	N	N
Santa Clara County Levee 82	Santa Clara	SCVWD		0	0	0	Not Screened	N	N
Santa Clara County Levee 83	San Benito, Santa Clara	SCVWD	2.65	149	19	\$22.5M	Not Screened	N	N
Santa Clara County Levee 84	Santa Clara	SCVWD	0.54	1,647	759	\$253M	Not Screened	N	N

Santa Clara County Multijurisdictional Hazard Mitigation Plan

FEMA - NFIP/FIRM Information Only listing active levees	County	Sponsor	Total Miles	What is Behind the Levee			Risk	Accredited Levee*	USACE Rehab**
				Population	Buildings	Property Value			
Santa Clara County Levee 85	Santa Clara	-	0.87	1,767	551	\$246M	Not Screened	N	N
Santa Clara County Levee 86	Santa Clara	SCVWD	1.88	0	0	0	Not Screened	N	N
Santa Clara County Levee 88	Santa Clara	SCVWD	0.75	1,517	244	\$633M	Not Screened	N	N
Santa Clara County Levee 89	Santa Clara	SCVWD	1.04	9,275	2,261	\$1.97B	Not Screened	A	N
Santa Clara County Levee 9	Santa Clara	SCVWD	3.41	12,080	1,617	\$2.79B	Not Screened	N	N
Santa Clara County Levee 90	Santa Clara	SCVWD	0.81	2,052	344	\$191M	Not Screened	N	N
Santa Clara County Levee 92	Santa Clara	SCVWD	0.21	5,982	295	\$4224M	Not Screened	N	N
Santa Clara County Levee 93	Santa Clara	-	1.3	13	5	\$238M	Not Screened	N	N
Santa Clara County Levee 96	Santa Clara	-	0.5	273	5	\$27.7M	Not Screened	N	N
Uvas Creek - LB	Santa Clara	SCVWD	2.19	14,505	4,377	\$1.72B	Low	A	A

*Accredited Levee column abbreviations: accredited (A), not accredited (N), and Provisionally Accredited Levee (PAL).

**USACE Rehab column abbreviations: active (A) and not active (N).

12.3.4 Frequency of Dam and Levee Failure

Dam and levee failure events are infrequent and usually coincide with events that cause them, such as earthquakes, landslides and excessive rainfall and snowmelt. There is a “residual risk” associated with dams that remains after safeguards have been implemented. The residual risk is associated with events beyond those that the facility was designed to withstand. However, the probability of occurrence of any type of dam failure event is low in today’s regulatory and safety oversight environment.

Further information on the impact of climate change on the probability of dam failure is included in Section 11.

Probability in OA: Unlikely

12.3.5 Severity

FEMA categorizes the downstream hazard potential of a dam into three categories in increasing severity: Low, Significant, and High. The state’s Division of Safety of Dams (DSOD) adds a fourth category of “Extremely High.” The OA has dams in all four categories; this plan focuses on the Extremely High Hazard and High Hazard dams.

Table 78: Potential Downstream Hazard from Dams²²⁶

Hazard Potential	Potential Downstream Impacts to Life and Property	Number of Dams in the OA
Low	No probable loss of human life and low economic and environmental losses. Losses are expected to be principally limited to the owner’s property.	13
Significant	No probable loss of human life but can cause economic loss, environmental damage, impacts to critical facilities, or other significant impacts.	4
High	Expected to cause loss of at least one human life.	6
Extremely High	Expected to cause considerable loss of human life or would result in an inundation area with a population of 1,000 or more.	18

12.3.6 Warning Time for Dam Failure

EAPs are critical in identifying areas downstream from dams requiring warning and evacuation in the event of dam failure. Warning and evacuation time can dramatically influence the number of persons at risk and the number of fatalities per dam failure.

²²⁶ California Department of Water Resources. (2021, September). Downstream Hazard. <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/All-Programs/Division-of-Safety-of-Dams/Files/Publications/Division-of-Safety-of-Dams-Definitions-for-Downstream-Hazard-and-Condition-Assessment.pdf>

12.3.6.1 Advance Warning of Failure

Warning time for dam failure varies depending on the cause of the failure. In events of extreme precipitation or massive snowmelt, evacuations can be planned with sufficient time. In the event of a structural failure due to earthquake, there may be no warning time.

12.3.6.2 Time for the Failure to Occur

A dam's structural type also affects warning time. Earthen dams do not tend to fail completely or instantaneously. Once a breach is initiated, discharging water erodes the breach until either the reservoir water is depleted, or the breach resists further erosion. Concrete gravity dams also tend to have a partial breach as one or more monolith sections are forced apart by escaping water. The time of breach formation ranges from a few minutes to a few hours.²²⁷

12.3.6.3 Time after Failure for Notification

Time available to notify those in the impacted area will depend on the dam's distance from it and the river flow. The warning and protective action process is divided into the following three time periods:

- Warning delay time is the period between when a threat is first detected, or when an emergency manager is first notified of the threat and when an emergency manager issues a first alert/warning.
- Warning diffusion time is the period after the first alert/warning is issued and the time that people receive that alert/ warning.
- Protective action initiation time is the period after people receive the first alert/ warning and when they initiate protective action. In this time period, most people take a range of actions to prepare to implement a protective action and may receive subsequent warning messages.²²⁸

Santa Clara County and its planning partners have established protocols for emergency warning and response through the County's adopted emergency operations plan²²⁹. The SCVWD Dam Safety Program maintains the operation of its dams and works with Santa Clara County Emergency Management to provide copies of the most recent dam EAPs and inundation maps and uses this information to plan notification needs for downstream areas in the event of a failure.

12.3.7 Warning Time for Levee Failure

As with dam failure, warning time for levee failure depends on the cause of the failure. A levee failure caused by structural failure can be sudden and occur with little to no warning. If heavy rains are impacting a levee system, communities located in the immediate danger zone can be evacuated before a failure occurs. If the levee failure is caused by overtopping, the community may or may not be able to recognize the impending failure and evacuate. If a levee failure occurs suddenly, evacuation may not be possible.

²²⁷ Starosolszky, O. and Melder, O.M. (2014, April 23) *Hydrology of Disasters: Proceedings of the World Meteorological Organization Technical Conference Held in Geneva, November 1988*. https://books.google.com/books?id=DSFpAwAAQBAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false

²²⁸ U.S. Army Corps of Engineers. (2019 April 30). A Guide to Public Alerts and Warnings for Dam and Levee Emergencies. <https://www.publications.usace.army.mil/Portals/76/Users/182/86/2486/EP%201110-2-17.pdf?ver=2019-06-20-152050-550>

²²⁹ Santa Clara County. (2017, January). County of Santa Clara Emergency Operations Plan. [Emergency Operations Plan \(EOP\) - Office of Emergency Management - County of Santa Clara \(sccgov.org\)](https://www.sccgov.org/emergency/operations-plan)

12.4 Exposure

Exposure to the dam failure hazard was assessed by use of GIS spatial analysis, overlaying the inundation areas with data from the underlying population, buildings, and critical facilities. The consistency of the data available to support this risk assessment varied greatly within the OA. The level of analyses varied based on available data.

12.4.1 Population

The estimated total population living in the inundation area of an Extremely High Hazard, or a High Hazard dam is 32.17% of the total county population.

12.4.2 Property

Table 79 summarizes the estimated property exposure in the inundation area of an Extremely High Hazard or a High Hazard dam. These estimates were determined using a combination of Hazus and GIS data.

Table 79: Estimated Exposure and Value of Structures in the Dam Failure Inundation Area

Exposure	County Total
Inundation Area	162.90 square miles
Number of Buildings Exposed	168,271
Percentage of Exposed Buildings in the County	31.43%
Exposed Value in the County	\$131,358,283,000
Total Percentage of Exposed Value in the County	34.48%

12.4.3 Environment

The environment would be exposed to a number of risks in the event of dam failure. The inundation could introduce many foreign elements into local waterways. This could result in destruction of downstream habitat and could have detrimental effects on many species.

12.5 Vulnerability

The vulnerability of people, property, critical facilities, and the environment was evaluated for the combined dam failure inundation area. Countywide summaries are provided below.

Change in conditions: no change in vulnerability

- Growth in population and building is slow and not concentrated in areas at particular risk to dam failure.
- No new dams have been constructed in the OA.
- Dams with significant or high hazard potential are required to have an EAP.
- Dam safety programs include inspection, maintenance, and ongoing monitoring of dams to ensure stability and proper functioning of dams.

- DSOD and dam owners such as SCVWD periodically undertake special engineering studies to ensure that its dams are compliant with the latest design guidelines and regulations to minimize seismic risks to its dams.
- Although vulnerability to dams is not increasing, risk to people and structures in dam inundation remains high. In the unlikely even of a failure, the high volume and velocity of resulting flood waters can have devastating impacts downstream.

12.5.1 Population

All populations downstream from dam failures that are incapable of escaping the area within the allowable time period are vulnerable. Those that particularly vulnerable includes the elderly and children, people with medical conditions, people who are visually impaired and/or have vision loss, people with public transportation needs, people with non-visible disabilities, people with limited English proficiency. The vulnerable population also includes those who would not have adequate warning from a television or radio emergency warning system or cell phone alert or people who may unable to get themselves out of the inundation area. The potential for loss of life is affected by the capacity and number of evacuation routes available to populations living in areas of potential inundation. Those who are located closest to the dam would have the least warning time.

Table 80 shows the number of households and population within potential dam inundation areas in each city in the OA. These values were obtained using Hazus 6.0 dasymetric census blocks that were within a dam inundation boundary.

Table 80: Population in Dam Inundation Area

Jurisdiction	Population	Households
Campbell	32,482	13,326
Cupertino	840	284
Gilroy	27,185	7,752
Los Altos	3,242	1,097
Los Altos Hills	0	0
Los Gatos	5,721	2,523
Milpitas	14,242	4,315
Morgan Hill	25,469	8,296
Monte Sereno	0	0
Mountain View	17,931	7,215
Palo Alto	8,200	3,318
San Jose	396,703	137,686
Santa Clara	51,519	18,932
Saratoga	350	111
Sunnyvale	30,143	11,832
Unincorporated	8,955	2,629
Total	622,982	219,316

12.5.2 Property

Vulnerable properties are those closest to the dam inundation area. These properties would experience the largest, most destructive surge of water. Low-lying areas are also vulnerable since they are where the dam waters would collect. Dam inundation areas can be extensive depending on the volume of water contained by the dam. Table 81 shows the value of buildings exposed to potential dam inundation within the OA. This does not take into account any damage functions based on depth of flooding, it is only a summary of building values within the potential inundation zone.

12.5.3 Critical Facilities

Typical vulnerabilities of critical facilities impacted by dam failure include road failure with road segments and bridges washed out creating isolation issues., This includes all roads, railroads, and bridges in the path of the dam inundation. Those that are most vulnerable are those that are already in poor condition and would not be able to withstand a large water surge. Utilities such as overhead power lines, cable and phone lines could also be damaged from the rushing water. Other critical facilities buildings can become flooded and inoperable. Loss of these utilities could create additional isolation issues for the inundation areas. Emergency response could also be delayed. The analysis in Santa Clara County shows the following facilities could be impacted by dam failure:

- Highway bridges: 352
- Rail bridges: 67
- Light rail bridges: 6
- Light rail facilities: 36
- Wastewater treatment facilities: 1
- Schools: 158
- Fire stations: 24
- Hospitals: 7
- Communication Facilities: 6
- Electric Power Facilities: 7

12.5.4 Environment

The environment would be vulnerable to multiple risks in the event of dam failure. The inundation could introduce foreign elements into local waterways, resulting in destruction of downstream habitat and detrimental effects on many species of animals, especially endangered species such as coho salmon. The extent of the vulnerability of the environment is the same as the exposure of the environment.

Reservoirs held behind dams affect many ecological aspects of a river. River topography and dynamics depend on a wide range of flows, but rivers below dams often experience long periods of very stable flow conditions or saw-tooth flow patterns caused by releases followed by no releases. Water releases from dams usually contain very little suspended sediment; this can lead to scouring of riverbeds and banks.

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Table 81: Value of Exposed Structures in the Dam Inundation Area by Jurisdiction

Jurisdiction	Residential	Commercial	Industrial	Agricultural	Religious	Government	Educational	Total
Campbell	\$4,338,205,000	\$1,534,627,000	\$418,973,000	\$13,221,000	\$90,790,000	\$14,829,000	\$216,448,000	\$6,627,093,000
Cupertino	\$160,643,000	\$6,496,000	\$2,027,000	\$0	\$675,000	\$1,054,000	\$5,339,000	\$176,234,000
Gilroy	\$2,768,627,000	\$1,566,395,000	\$507,771,000	\$19,205,000	\$24,057,000	\$66,266,000	\$204,184,000	\$5,156,505,000
Los Altos	\$687,482,000	\$6,339,000	\$12,817,000	\$0	\$4,831,000	\$0	\$19,788,000	\$731,257,000
Los Altos Hills	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Los Gatos	\$758,943,000	\$615,193,000	\$67,764,000	\$251,000	\$32,366,000	\$28,170,000	\$107,868,000	\$1,610,555,000
Milpitas	\$1,497,684,000	\$626,566,000	\$811,058,000	\$156,000	\$23,605,000	\$1,175,000	\$31,025,000	\$2,991,269,000
Monte Sereno	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Morgan Hill	\$4,114,421,000	\$1,308,828,000	\$773,853,000	\$17,254,000	\$96,415,000	\$46,581,000	\$161,812,000	\$6,519,164,000
Mountain View	\$2,615,045,000	\$1,500,804,000	\$562,361,000	\$3,282,000	\$67,756,000	\$19,574,000	\$57,915,000	\$4,826,737,000
Palo Alto	\$1,478,921,000	\$420,664,000	\$27,422,000	\$464,000	\$5,489,000	\$0	\$157,677,000	\$2,090,637,000
San José	\$46,073,871,000	\$17,490,269,000	\$7,035,829,000	\$96,030,000	\$748,644,000	\$925,107,000	\$4,665,413,000	\$77,035,163,000
Santa Clara (city)	\$6,161,892,000	\$3,784,586,000	\$2,203,267,000	\$22,795,000	\$175,731,000	\$44,789,000	\$123,534,000	\$12,516,594,000
Saratoga	\$66,875,000	\$202,000	\$5,927,000	\$0	\$0	\$0	\$0	\$73,004,000
Sunnyvale	\$4,084,357,000	\$1,325,027,000	\$745,125,000	\$303,000	\$36,082,000	\$15,642,000	\$110,192,000	\$6,316,728,000
Unincorporated County	\$2,183,239,000	\$1,458,486,000	\$315,766,000	\$406,032,000	\$40,527,000	\$83,070,000	\$200,223,000	\$4,687,343,000
Total	\$76,990,205,000	\$31,644,482,000	\$13,489,960,000	\$578,993,000	\$1,346,968,000	\$1,246,257,000	\$6,061,418,000	\$131,358,283,000

12.6 Cascading Hazards

Dam and levee failures can lead to cascading hazards including landslides, bank erosion, and destruction of downstream habitat. It could also impact future drought events by releasing stored water resources.

12.7 Regulatory Oversight for Dams

Responsibility for dam safety in the OA is distributed among federal agencies, state agencies, the SCVWD and private dam owners.

12.7.1 *National Dam Safety Act*

Potential for catastrophic flooding due to dam failures led to passage of the National Dam Safety Act (Public Law 92-367). The goal of this FEMA-monitored effort is to identify and mitigate the risk of dam failure so as to protect the lives and property of the public. The National Dam Safety Program is a partnership among the states, federal agencies, and other stakeholders that encourages individual and community responsibility for dam safety. Under FEMA's leadership, state assistance funds have allowed all participating states to improve their programs through increased inspections, emergency action planning, and purchases of needed equipment. FEMA has also expanded existing and initiated new training programs. Grant assistance from FEMA provides support for improvement of dam safety programs that regulate most of the dams in the United States.²³⁰

12.7.2 *U.S. Army Corps of Engineers Dam Safety Program*

The USACE is responsible for safety inspections of some federal and non-federal dams in the United States that meet size and storage limitations specified in the National Dam Safety Act. The USACE has inventoried dams; surveyed each state and federal agency's capabilities, practices, and regulations regarding design, construction, operation, and maintenance of dams; and developed guidelines for inspection and evaluation of dam safety.²³¹

12.7.3 *Federal Energy Regulatory Commission Dam Safety Program*

The Federal Energy Regulatory Commission (FERC) cooperates with a large number of federal and state agencies to ensure and promote dam safety. More than 3,000 dams are part of regulated hydroelectric projects in the FERC program. Two-thirds of these are more than 50 years old. As dams age, concern about their safety and integrity grows, so oversight and regular inspection are important.

FERC inspects hydroelectric projects on an unscheduled basis to investigate the following:

- Potential dam safety problems
- Complaints about constructing and operating a project
- Safety concerns related to natural disasters
- Issues concerning compliance with the terms and conditions of a license

²³⁰ Federal Emergency Management Agency. (n.d.). Dam Safety. <https://www.fema.gov/emergency-managers/risk-management/dam-safety>

²³¹ U.S. Army Corps of Engineers. (n.d.). Dam Safety Program. <https://www.usace.army.mil/Missions/Civil-Works/Dam-Safety-Program/>

Every five years, an independent consulting engineer, approved by the FERC, must inspect and evaluate projects with dams higher than 32.8 feet (10 meters), or with a total storage capacity of more than 2,000 acre-feet.

FERC monitors and evaluates seismic research in geographic areas such as California where there are concerns about possibly seismic activity. This information is applied in investigating and performing structural analyses of hydroelectric projects. FERC also evaluates the effects of potential and actual large floods on the safety of dams. During and following floods, FERC visits dams and licensed projects, determines the extent of damage, if any, and directs any necessary studies or remedial measures the licensee must undertake. The FERC publication *Engineering Guidelines for the Evaluation of Hydropower Projects (2021)* guides the FERC engineering staff and licensees in evaluating dam safety. The publication is frequently revised to reflect current information and methodologies.

FERC requires dam licensees to prepare EAPs and conducts training sessions on how to develop and test these plans. The EAPs outline an early warning system if there is an actual or potential sudden release of water from a dam due to failure. The plans include operational procedures that may be used, such as reducing reservoir levels and reducing downstream flows, as well as procedures for notifying affected residents and agencies responsible for emergency management. These plans are frequently updated and evaluated to ensure that everyone knows what to do in emergency situations.²³²

12.7.4 State of California

One of the earliest state regulatory programs was enacted in California in the 1920s. California's Division of Safety of Dams (DSOD) monitors dam maintenance and safety at the state level. When a new dam is proposed, DSOD engineers and geologists inspect the site and the subsurface. Upon submittal of an application, DSOD reviews the plans and specifications prepared by the owner to ensure that the dam is designed to meet minimum requirements and that the design is appropriate for the known geologic conditions. After approval of the application, DSOD inspects all aspects of the construction to ensure that the work accords with the approved plans and specifications. After construction, DSOD inspects each dam annually to ensure performance as intended and to identify developing problems. DSOD periodically reviews stability of dams and their major appurtenances in light of improved design approaches, requirements, and new findings regarding earthquake hazards and hydrologic estimates in California.²³³ Finally, on June 27, 2017, SB 92 required an EAP for all dams that do not have a low downstream hazard potential designation.²³⁴

An EAP is a dam owner's formal plan that identifies potential emergency conditions at a dam and specifies actions to be followed to minimize loss of life and property damage. It includes information that dam owners use to notify local emergency management officials and state and federal dam safety regulators. The EAPs must do all of the following:

- Be based upon an inundation map approved by DWR pursuant to Section 6161 of the state's Water Code.
- Be developed by the dam's owner in consultation with any local public safety agency that may be impacted by an incident involving the dam, to the extent a local public safety agency wishes to consult.

²³² Federal Energy Regulatory Commission. (2015, July). Chapter VI, Emergency Action Plans.

<https://cmsstage.ferc.gov/sites/default/files/2020-04/chap6.pdf>

²³³ California Department of Water Resources. (2021, June 1). Dam Safety and the Importance of the Division of Safety of Dams with Andy Mangney. <https://water.ca.gov/News/Blog/2020/June/DSOD-Andy-Mangney-QA#:~:text=DSOD%20also%20conducts%20independent%20reviews%20of%20applications%20for,in%20light%20of%20improved%20design%20approaches%20and%20requirements.>

²³⁴ California Legislative Information. (2021). Government Code Title 2, Division 1, Chapter 7.

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=8589.5&lawCode=GOV

- Adhere to FEMA guidelines, and include, at a minimum, all of the following:
 - Notification flowcharts and contact information
 - The response process
 - The roles and responsibilities of the dam owner and impacted jurisdictions following an incident involving the dam
 - Preparedness activities and exercise schedules
 - Inundation maps approved by the Department of Water Resources pursuant to Section 6161 of the Water Code
 - Any additional information that may impact life or property

12.7.5 Santa Clara Valley Water District

The SCVWD Dam Safety Program includes four main components²³⁵:

- **Periodic Special Engineering Studies**

The SCVWD periodically undertakes special engineering studies to ensure that its dams are compliant with the latest design guidelines and regulations to keep pace with the growing body of knowledge surrounding earthquakes. In addition to seismic studies, the SCVWD periodically conducts other special engineering studies to minimize the risks to its dams. Though not required by the regulatory agencies, the water district has proactively expanded this potential failure mode analysis approach to the remainder of our dams.

- **Surveillance and Monitoring**

Instrumentation placed in and on the dam furnishes data for water district engineers to determine if the structure is functioning as intended. SCVWD continuously monitors the conditions of its dams and uses automated instrumentation at five dams. The equipment can collect, check, record, and archive the collected data and alert staff when parameters exceed set threshold limits.

- **Dam Inspections and Maintenance**

SCVWD routinely inspects and monitors the condition of each dam and provides an annual surveillance report to the DSOD and each year they also jointly inspect each of its dams with DSOD.

- **Emergency Response and Preparedness**

At the core of the Dam Safety Program's emergency response and preparedness is its post-earthquake dam evaluation program team. After significant earthquakes, trained personnel inspect the dams for any signs of damage or potential for failure. SCVWD works with various agencies on emergency action planning and training exercises each year. Under the Dam Safety Program, SCVWD is developing updated maps which estimate what areas could flood in the highly unlikely event of a dam failure.

²³⁵ Santa Clara Valley Water District. (n.d.). Dam Safety Program. <https://www.valleywater.org/flooding-safety/dam-safety-program>

12.7.6 Regulatory Oversight for Levees

Regulatory oversight depends on whether the levee is accredited or not. The USACE has recently updated its guidance for evaluating, designing, and constructing levees. Engineer Manual (EM) 1110-2-1913. The document has been available for review and publication was expected at the end of December 2022.

12.7.6.1 Federal Emergency Management Agency (FEMA)

FEMA does not evaluate the performance of a levee system—this is the responsibility of the levee owner. FEMA is responsible for establishing levee system evaluation and mapping standards for an accredited levee, determining flood insurance risk zones, and reflecting these determinations on FIRMs.

12.7.6.2 State of California

The Department of Water Resources (DWR), Division of Flood Management inspects the levees annually and prepares a report which addresses vegetation, animal control, slope stability, erosion, and vehicle traffic.

12.8 Future Trends in Development

Land use in the OA is directed by general plans adopted under state law and local regulations. The safety elements of the general plans establish standards and plans for the protection of the community from hazards. Dam and levee failure are currently not addressed as stand-alone hazards in the safety elements, but flooding is. Municipalities participating in this MJHMP have established comprehensive policies regarding sound land use in identified flood hazard areas. Most of the areas vulnerable to the more severe impacts from dam and levee failure intersect the mapped flood hazard areas. Flood-related policies in the general plans will help to reduce the risk associated with dam and levee failure hazard for all future development in the OA.

12.9 Scenario

An earthquake in the region could lead to liquefaction of soil around a dam. This could occur without warning during any time of the day. A terrorist or other intentional attack also could cause a catastrophic failure of a dam that impacts the OA. While the probability of dam failure is very low, the probability of flooding associated with changes to dam operational parameters in response to climate change is higher. Dam designs and operations are developed based on hydrographs with historical record. If these hydrographs experience significant changes over time due to the impacts of climate change, the design and operations may no longer be valid for the changed condition. This could have significant impacts on dams that provide flood control. Specified release rates and impound thresholds may have to be changed. This would result in increased discharges downstream of these facilities, thus increasing the probability and severity of flooding.

12.10 Issues

There is often limited warning time for dam failure. These events are frequently associated with other natural hazard events such as earthquakes, landslides, or inclement weather, which limits their predictability and compounds the hazard. Important issues associated with dam failure hazards include the following:

- Federally regulated dams have an adequate level of oversight and sophistication in the development of an EAP for public notification in the unlikely event of failure. However, the protocol for notification of downstream citizens of imminent failure needs to be tied to local emergency response planning.

- Mapping for federally regulated dams is required and available; however, mapping for non-federal-regulated dams that estimates inundation depths is needed to better assess the risk associated with dam failure from these facilities. Moreover, although mapping is required for federally regulated dams, development downstream of dams and upgrades to older dams may have altered inundation areas; however, these inundation maps may not have been updated for significant periods of time. Encouraging property owners of dams to update EAPs and inundation maps will ensure availability of the most accurate data to assist emergency planners and local officials.
- Most dam failure mapping required at federal levels requires determination of the probable maximum flood. While the probable maximum flood represents a worst-case scenario, it is generally the event with the lowest probability of occurrence. For non-federal-regulated dams, mapping of dam failure scenarios that are less extreme than the probable maximum flood but have a higher probability of occurrence can be valuable to emergency managers and community officials downstream of these facilities. This type of mapping can illustrate areas potentially impacted by more frequent events to support emergency response and preparedness.
- The concept of residual risk associated with structural flood control projects should be considered in the design of capital projects and the application of land use regulations.
- Addressing security concerns and the need to inform the public of the risk associated with dam failure is a challenge for public officials.
- Limited financial resources for dam maintenance during economic downturns result in decreased attention to dam structure operational integrity because available funding is often directed to more urgent needs. This could increase potential for maintenance failures. Dam failure inundation areas are often not considered special flood hazard areas under the NFIP, so flood insurance coverage in these areas is not common.

12.11 Consequence Analysis

When a dam fails, the stored water can be suddenly released and have catastrophic effects on life and property downstream. The amount of warning time depends largely on the nature of the failure. Homes, bridges, and roads may be demolished in minutes. The impact of the event may be felt for an extended period of time. Residents near a significant or high-hazard dam should become familiar with the dam's emergency action plans if one is available. EAPs written for dams include procedures for notification and coordination with law enforcement and other governmental agencies; information on the potential inundation area; plans for warning and evacuation; and procedures for making emergency repairs.

The information in Table 82 provides the consequence analysis of the potential for detrimental impacts of dam failure done for accreditation with the Emergency Management Accreditation Program (EMAP).

Table 82: EMAP Consequence Analysis: Dam Failure

Subject	Ranking	Impacts/Dam Failure
Health and Safety of Public in the Area of the Incident	Severe	The localized impact is expected to be severe for the inundation area and moderate to minimal for other affected areas.
Responders	Minimal	The impact on responders is expected to be minimal with proper training. The impact could be severe if there is a lack of training.
Continuity of Operations (including continued delivery of services)	Minimal	Temporary relocation may be necessary if inundation affects government facilities.

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Subject	Ranking	Impacts/Dam Failure
Property, Facilities, and Infrastructure	Minimal to severe	The localized impact could be severe for facilities and infrastructure in the inundation area of the incident. The farther away from the incident area, the more likely the damage will lessen, from moderate to minimal.
Delivery of Services	Minimal to severe	Delivery of services could be affected if there is any disruption to the roads and/or utilities due to the inundation. Minimal to severe, depending on area size and location affected.
Environment	Severe	The impact will be severe for the immediate area. The impact will lessen as distance increases from the immediate incident area.
Economic Conditions	Minimal to severe	Impacts on the economy will greatly depend on the scope of the inundation and the amount of time it takes for the water to recede.
Public Confidence in the Government	Minimal to severe	The public's confidence will vary, depending on the perception of whether the failure could have been prevented, the warning time, and the time it takes for response and recovery.

13 Flood

Definitions

- **Flood:** The inundation of normally dry land.
- **Floodplain:** The land area along the sides of a river that becomes inundated with water during a flood.
- **1-Percent-Annual-Chance (100-Year) Floodplain:** The area flooded by the flood that has a 1-percent chance of being equaled or exceeded in a given year. The 1-percent-annual-chance flood is the standard used by most federal and state agencies.
- **0.2-Percent-Annual-Chance (500-Year) Floodplain:** The area flooded by the flood that has a 0.2-percent chance of being equaled or exceeded in a given year.
- **Regulatory Floodway:** Channel of a river or other water course and adjacent land areas that must be reserved for discharge of the base flood without cumulatively increasing water surface elevation more than a designated height. Communities must regulate development in these floodways to ensure no increases in upstream flood elevations.
- **Return Period:** The average number of years between occurrences of a hazard (equal to the inverse of the annual likelihood of occurrence).
- **Riparian Zone:** The area along the banks of a natural watercourse.

13.1 General Background

Flooding is a temporary condition in which normally dry land is partially or completely inundated. There are number of ways in which flooding can happen. The water levels in bodies such as streams, rivers, lakes, and reservoirs can exceed the water body's banks, causing water to overflow into nearby areas. Heavy precipitation can overwhelm the ability of soil to absorb water or local storm drains to carry it away, causing water to build up on the surface. Water from oceans and bays can inundate shoreline areas during exceptionally high tides or be pushed ashore by the winds of an intense storm during coastal floods. Flooding may also occur from infrastructure failure, such as a burst water tank or pipe. Dam inundation, a specific type of infrastructure failure flood that occurs when a dam partially or completely fails, is discussed separately under Dam Failure. Flooding is California's second most frequent disaster after wildfire.

A floodplain is the area adjacent to a river, creek, or lake that becomes inundated during a flood. Floodplains may be broad, as when a river crosses an extensive flat landscape, or narrow, as when a river is confined in a canyon.

When floodwaters recede after a flood event, they leave behind layers of rock and mud. These gradually build up to create a new floor of the floodplain. Floodplains generally contain unconsolidated sediments (accumulations of sand, gravel, loam, silt, and/or clay), often extending below the bed of the stream. These sediments provide a natural filtering system, with water percolating back into the ground and replenishing groundwater. These are often important aquifers, the water drawn from them being filtered compared to the water in the stream. Fertile, flat reclaimed floodplain lands are commonly used for agriculture, commerce, and residential development.

Connections between a river and its floodplain are most apparent during and after major flood events. These areas form a complex physical and biological system that not only supports a variety of natural resources but also provides natural flood and erosion control. When a river is separated from its

floodplain with levees and other flood control facilities, natural, built-in benefits can be lost, altered, or significantly reduced.

Coastal communities face additional unique flooding hazards. This includes storm surge, waves, and erosion. Coastal flooding can be especially dangerous when high waters combine with the power of waves. Storm surge refers to the abnormal rise in seawater level during a storm. It can cause major coastal and inland flooding. Waves are generated by wind blowing across water. During a storm, wind speeds tend to be higher and last longer, creating larger, more powerful waves. These waves can cause significant damage to anything they impact along the coast. In this case, erosion refers to the wearing away of beaches, dunes, or bluffs by the forces of waves, flowing water, and/or winds. This process can quickly change the appearance of a coastline.

13.1.1 *Measuring Floods and Floodplains*

Flood frequency and severity are calculated using a number of variables. Flood studies determine the likelihood that a certain river discharge (flow) level will occur in a given year. For example, the 100-year flood has a 1-percent chance of being equaled or exceeded in any given year. For many years, federal agencies referred to the flood frequency statistics in terms of reoccurrence intervals (i.e., the “100-year” or “500-year” flood). However, these measurements reflect statistical averages only; it is possible for two or more floods with a 100-year or higher recurrence interval to occur in a short time. The same flood can have different recurrence intervals at different points on a river. In recent years, the terminology has changed to the annual exceedance probability (i.e., 1%, 0.2% chance of occurring) to clear up this confusion.²³⁶ The “annual flood” is the greatest flood event expected to occur in a typical year.

The extent of flooding associated with a 1-percent annual probability of occurrence (the base flood or 100-year flood) is the standard regulatory boundary for many organizations. Also referred to as the special flood hazard area (SFHA), this boundary is a convenient tool for assessing vulnerability and risk in flood-prone communities. Many communities have maps that show the extent and likely depth of flooding for the base flood. Corresponding water-surface elevations describe the elevation of water that will result from a given discharge level which is important to understand for floodplain management and community development in order to mitigate risk to new and existing structures.

13.1.2 *Floodplain Ecosystems*

Floodplains can support ecosystems that are rich in plant and animal species. A floodplain can contain 100 or even 1,000 times as many species as a river. Wetting of the floodplain soil releases an immediate surge of nutrients: those left over from the last flood, and those that result from the rapid decomposition of organic matter that has accumulated since then. Microscopic organisms thrive and larger species enter a rapid breeding cycle. Opportunistic feeders (particularly birds) move in to take advantage. The production of nutrients peaks and falls away quickly, but the surge of new growth endures for some time. This makes floodplains valuable for agriculture. Species growing in floodplains are markedly different from those that grow outside floodplains. For instance, riparian trees (trees that grow in floodplains) tend to be very tolerant of root disturbance and very quick growing compared to non-riparian trees.²³⁷

²³⁶ U.S. Geological Survey. (2018, June 7). The 100-Year Flood. <https://www.usgs.gov/special-topics/water-science-school/science/100-year-flood#:~:text=The%20USGS%20and%20other%20agencies%20often%20refer%20to,and%20this%20corresponds%20to%20a%205-year%20recurrence-interval%20flood.>

²³⁷ International Union of Forest Research Organizations. (n.d.). Riparian and Coastal Ecosystems. <https://www.iufro.org/science/divisions/division-8/80000/80100/80105/>

13.1.3 *Effects of Human Activities*

Because they border water bodies, floodplains have historically been popular sites to establish settlements. Human activities tend to concentrate in floodplains for a number of reasons: water is readily available; land is fertile and suitable for farming; transportation by water is easily accessible; and land is flatter and easier to develop. But human development in floodplains frequently interferes with the natural function of floodplains. It can affect the distribution and timing of drainage, thereby increasing flood problems. Urbanization can create local flooding problems by altering or confining drainage channels. This increases flood potential in two ways: it reduces the stream's capacity to contain flows, and it increases flow rates or velocities downstream during all stages of a flood event. River debris, such as the dumping of waste and rubbish, can decrease the conveyance of the river channels. Mining and other industries can change water patterns. Sometimes, humans intentionally make changes, through structural flood control measures such as dams, levees, and embankments.

13.1.4 *Federal Flood Programs*

13.1.4.1 **FEMA Regulatory Flood Zones**

FEMA Flood Zones are geographic areas FEMA has defined according to their levels of flood risk. These areas are determined via statistical analyses of records of river flow, storm tides, and rainfall; information obtained through consultation with the community; floodplain topographic surveys; and hydrologic and hydraulic analysis. These zones are described in terms of high-, moderate-, and low-risk. The "low-risk" area does not mean "no-risk." Anywhere it rains, it can flood. About 25-percent of NFIP claims come from properties in a low-risk flood zone. Everyone is in a flood zone, but not everyone is in a Special Flood Hazard Area (SFHA). The SFHA is the high-risk area, or the land area covered by floodwaters during the base flood where communities that participate in the NFIP must enforce floodplain management regulations and where mandatory purchase of flood insurance applies for federally backed mortgages. A structure within a 1-percent annual chance floodplain (the SFHA) has a 26-percent chance of undergoing flood damage during the term of a 30-year mortgage.

FEMA Flood Zones are further defined as follows:

- Zones A1-30 and AE: SFHAs that are subject to inundation by the base flood, determined using detailed hydraulic analysis. Base Flood Elevations are shown within these zones.
- Zone A (Also known as Unnumbered A-zones): SFHAs where no Base Flood Elevations or depths are shown because detailed hydraulic analyses have not been performed.
- Zone AO: SFHAs subject to inundation by types of shallow flooding where average depths are between 1 and 3 feet. These are normally areas prone to shallow sheet flow flooding on sloping terrain.
- Zone VE, V1-30: SFHAs along coasts that are subject to inundation by the base flood with additional hazards due to waves with heights of 3 feet or greater. Base Flood Elevations derived from detailed hydraulic analysis are shown within these zones.
- Zone B and X (shaded): Moderates flood hazard areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood.
- Zones C and X (unshaded): Areas of minimal flood hazards outside the SFHA with an elevation higher than the 0.2-percent-annual-chance flood.

Modern visualizations can help residents understand their flood risk. DFIRMS identify locations of specific properties in relation to SFHAs; base flood elevations (1-percent annual chance) at specific sites; magnitudes of flood within specific areas; undeveloped coastal barriers where flood insurance is not available; and regulatory floodways and floodplain boundaries (1-percent and 0.2-percent annual chance floodplain boundaries). FEMA's National Flood Hazard Layer is a compilation of GIS data including a

nationwide digital Flood Insurance Rate Map and updated data, like a LOMA (Letter of Map Amendment) or LOMR (Letters of Map Revision) which amend the FIRM.

Risk changes over time. These flood maps are not designed to incorporate future conditions including climate change, sea-level rise, and changes in development. Additional studies are necessary when significant changes occur in order to keep up with changing conditions.

13.1.4.2 Risk Mapping, Assessment, and Planning

FEMA's Risk Mapping, Assessment and Planning (Risk MAP) program develops non-regulatory guidance documents. Risk MAP supports community resilience by providing data, building partnerships, and supporting long-term hazard mitigation planning.²³⁸ Each Risk Map product is tailored to the needs of the individual community and may involve different steps, processes, and end results. A "whole community" approach is used throughout the development of these products and the public is provided multiple opportunities to participate. The resulting products are intended to help property owners, community planners, emergency management officials, and others make risk-informed planning and development decisions. Additionally, at the end these products should help local officials identify mitigation opportunities that will work for their communities.

There are currently no Risk MAP products available for the Operational Area (OA). However, through Risk MAP FEMA is looking to conduct flood hazard studies for all the populated coastlines in order to update their FIRMs and Flood Insurance Studies (FISs) so communities have access to the best available data on their coastal flood risk.²³⁹

13.1.4.3 National Flood Insurance Program

The NFIP makes federally backed flood insurance available to homeowners, renters, and business owners in participating communities. A federal disaster declaration is not necessary for an NFIP payout. Insurance can also cover significantly more than FEMA's Individuals and Household Program, which is sometimes available post-disaster. The average NFIP Claims Payment for California between 1996 and 2019 was \$18,400.²⁴⁰ Most homeowner's insurance does not cover flood insurance. Flood insurance is an important measure of a community's resiliency to the flood hazard.

For most participating communities, FEMA has prepared a detailed Flood Insurance Study (FIS). The study presents water surface elevations for floods of various magnitudes, including the 1-percent annual chance (100-year) flood and the 0.2-percent annual chance (500-year) flood. Base flood elevations and the boundaries of the 100- and 500-year floodplains are shown on Flood Insurance Rate Maps (FIRMs), which are the principal tools for identifying the extent and location of the flood hazard. FIRMs are the most detailed and consistent data source available, and for many communities they represent the minimum area of oversight under their floodplain management program. Santa Clara County also has DFIRMs. This means the FIRM data is accessible to residents, local governments, and stakeholders online at FEMA's Map Service Center and National Flood Hazard Layer websites.

²³⁸ Federal Emergency Management Association. (2021, November 4). Risk Mapping, Assessment and Planning (Risk MAP). <https://www.fema.gov/flood-maps/tools-resources/risk-map>

²³⁹ Federal Emergency Management Association. (2021, November 4). Risk Mapping, Assessment and Planning (Risk MAP). <https://www.fema.gov/flood-maps/tools-resources/risk-map>

²⁴⁰ Federal Emergency Management Association. (2022). Historical Flood Risks and Costs. <https://www.fema.gov/data-visualization/historical-flood-risk-and-costs>

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Participants in the NFIP must, at a minimum, regulate development in the SFHA in accordance with NFIP criteria. The minimum criteria for NFIP participation include, but are not limited to²⁴¹:

- Require permits for all proposed construction or other development in the community to determine whether such construction or development will be place in flood-prone areas.
- Review proposed development to assure that all necessary permits have been received.
- Require the elevation of new and substantially improved residential structures to above the base flood level.
- Require the elevation or dry floodproofing (making watertight) new or substantially improved non-residential structures in Zone A.
- With limited exception, prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway.
- Adhere to additional requirements to protect buildings in coastal areas from the impacts of waves, high velocity, and storm surge.

Table 83 lists each participating municipal jurisdiction's date of entrance into the NFIP and the effective date for its current FIRM.

Table 83: NFIP Status in the Operational Area

Community	NFIP Community #	NFIP Entry Date	Current Effective FIRM
City of Campbell	060338	06/30/1976	02/19/2014
City of Cupertino	060339	05/01/1980	05/18/2009
City of Gilroy	060340	08/01/1980	05/18/2009
City of Los Altos	060341	07/16/1980	05/18/2009
Los Altos Hills	060342	01/02/1980	05/18/2009
Los Gatos	060343	01/17/1979	02/19/2014
City of Milpitas	060344	07/16/1980	02/19/2014
City of Monte Sereno	060345	05/18/2009	02/19/2014
City of Morgan Hill	060346	06/18/1980	05/18/2009
City of Mountain View	060347	08/15/1980	05/18/2009
City of Palo Alto	060348	09/19/1984	10/16/2012
City of San José	060349	08/02/1982	02/19/2014
City of Santa Clara	060350	07/16/1980	02/19/2014
City of Saratoga	060351	01/17/1979	02/19/2014
City of Sunnyvale	060352	05/15/1978	05/18/2009
Unincorporated County	060337	08/02/1982	02/19/2014

²⁴¹ Federal Register. (2021). Request for Information on the National Flood Insurance Program's Floodplain Management Standards. <https://www.federalregister.gov/documents/2021/10/12/2021-22152/request-for-information-on-the-national-flood-insurance-programs-floodplain-management-standards-for#:~:text=The%20minimum%20NFIP%20requirements%20for%20participating%20communities%20include%2C,impacts%20of%20waves%2C%20high%20velocity%2C%20and%20storm%20surge.>

Building codes are an important part of developing resilient communities. All community's that participate in the NFIP must adhere to the NFIP floodplain management criteria, including adopting a flood damage prevention ordinance. The California Department of Water Resources (DWR) has developed a 2020 model ordinance which reflects NFIP requirements and California Building Standards Code (CCR Title 24). Communities that did not use this ordinance may make amendments to their existing regulations. This ordinance reflects the fact that the flood provisions of CCR Title 24 meet or exceed the minimum requirements for buildings and structures.²⁴²

"Substantial improvement" refers to any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent (or less, if defined as so in the jurisdiction's floodplain management ordinance) of the market value of the structure before the start of construction of the improvement. "Substantial damage" means any damage of any origin sustained by a structure that would cause the cost of restoring the structure to its before damage condition to equal or exceed 50 percent of the market value of the structure before the damage occurred. The repairs to a substantially damaged structure are considered a substantial improvement and that structure would be required to meet current NFIP standards in order to protect it from future flood losses. These kind of post-disaster policies and procedures are further described in Volume 2, as applicable.

All participating planning partners are currently in good standing with the provisions of the NFIP. In California, the DWR is the coordinating agency for floodplain management. The DWR works with FEMA and local governments by providing grants and technical assistance, evaluating community floodplain management programs, reviewing local floodplain ordinances, participating in statewide flood hazard mitigation planning, and facilitating annual statewide workshops. Compliance is monitored by FEMA regional staff and by the DWR. Maintaining compliance under the NFIP is an important component of flood risk reduction. All planning partners that participate in the NFIP have identified actions to maintain compliance and good standing. Details about participation in the NFIP are further described the individual annexes in Volume 2 of this plan.

13.1.4.4 Risk Rating 2.0

FEMA recently updated the pricing methodology for the NFIP through Risk Rating 2.0. This new methodology builds on years of investment in flood hazard information by leveraging new technology and best practices such as private sector data sets, catastrophe models, and evolving actuarial science to develop rates that are actuarially sound, equitable, easier to understand, and better reflective of risk.²⁴³

Previously, rates were based on relatively static measurements, emphasizing a property's zone on the FIRM. Now, FEMA is able to incorporate additional flood risk variables into their rating calculations. This includes flood frequency, multiple flood types – river overflow, storm surge, coastal erosion, and heavy rainfall – and distance to water source, along with such property characteristics as elevation, numbers of floors, and the cost to rebuild. This reflects a significant change to their rating system. It is intended to make flood insurance more equitable. Before, policyholders where lower-valued homes were paying more than their share of the risk while policy holders with higher-valued homes were paying less than their share. With Risk Rating 2.0, FEMA is able to distribute premiums across all policyholders based on home value and a property's unique flood risk.²⁴⁴

Risk Rating 2.0 rates went into effect for new policies in October 2021. All remaining policies renewed on or after April 1, 2022, utilize the new rating methodology as well. The FEMA estimated first-year premium changes for existing NFIP policies in Santa Clara County is displayed in Figure 60: Risk Rating 2.0: Project Premium Changes for Santa Clara County.

²⁴² California Department of Water Resources. (n.d.). National Flood Insurance Program. <https://water.ca.gov/nfip/>

²⁴³ Federal Emergency Management Association. (2022, April 18). Risk Rating 2.0: Equity in Action. <https://www.fema.gov/flood-insurance/risk-rating>

²⁴⁴ Federal Emergency Management Association. (2022, April 18). Risk Rating 2.0: Equity in Action. <https://www.fema.gov/flood-insurance/risk-rating>

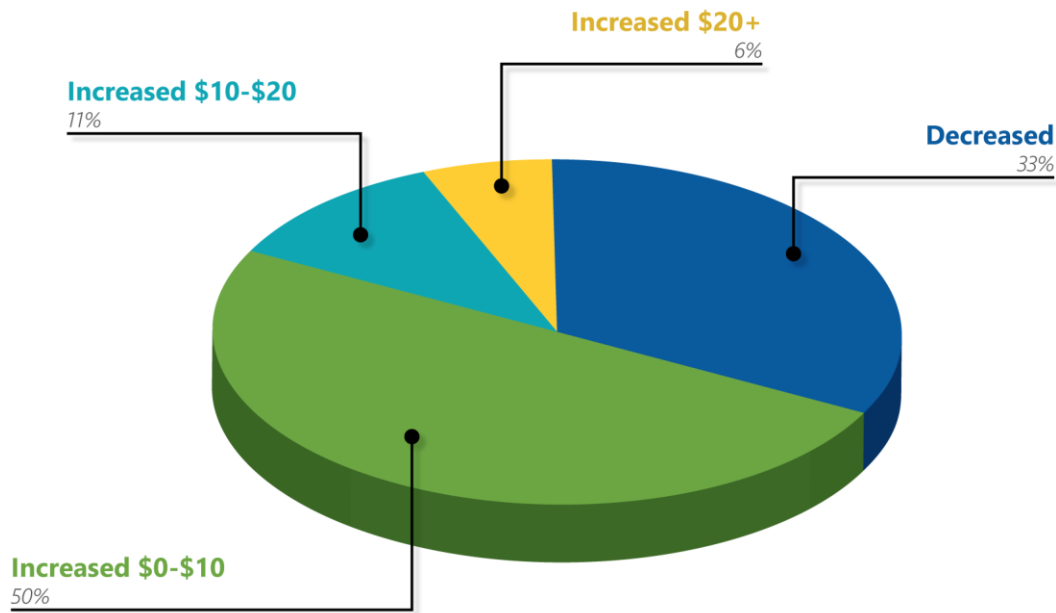


Figure 61: Risk Rating 2.0: Project Premium Changes for Santa Clara County²⁴⁵

13.1.4.5 The Community Rating System

The community rating system (CRS) is a voluntary program within the NFIP that encourages floodplain management activities that exceed the minimum NFIP requirements. Flood insurance premiums are discounted to reflect the reduced flood risk resulting from community actions meeting the following three goals of the CRS:

- Reduce flood damage to insurable property.
- Strengthen and support the insurance aspects of the NFIP.
- Encourage a comprehensive approach to floodplain management.

For participating communities, flood insurance premium rates are discounted in increments of 5 percent. For example, a Class 1 community would receive a 45 percent premium discount, and a Class 9 community would receive a 5 percent discount. (Class 10 communities are those that do not participate in the CRS; they receive no discount.) Previously, properties outside of the SFHA received smaller discounts: a 10-percent discount if the community is at Class 1 to 6 and a 5-percent discount if the community is at Class 7 to 9. Now, under Risk Rating 2.0, the discount is applied uniformly to all policies throughout the participating community regardless of whether the structure is located in the SFHA.

The CRS classes for local communities are based on 19 creditable activities in the following categories:

- Public information
- Mapping and regulations

²⁴⁵ Association of State Floodplain Managers. (2021, September). Data Visualization Dashboards for FEMA's Risk Rating 2.0 Projected Premium Change Analysis. <https://floodsciencecenter.org/projects/data-visualization-dashboards-for-fema-risk-rating-2-0-projected-premium-change-analysis/>

- Flood damage reduction
- Warning and response

Figure 61 shows the nationwide number of CRS communities by class as of October 2022, when there were 1,353 communities receiving flood insurance premium discounts under the CRS program.

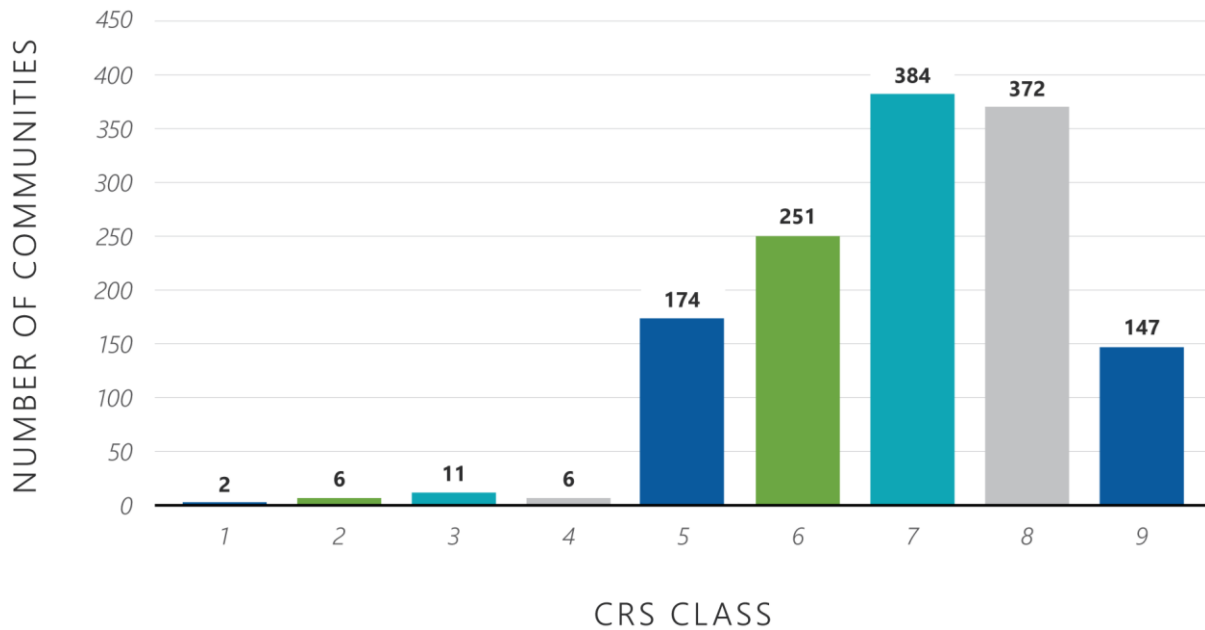


Figure 62: CRS Communities by Class Nationwide as of October 2022²⁴⁶

CRS activities can help to save lives and reduce property damage. Communities participating in the CRS represent a significant portion of the nation's flood risk; over 70 percent of the NFIP's policy base is located in these communities. Communities receiving premium discounts through the CRS range from small to large and represent a broad mixture of flood risks, including both coastal and riverine flood risks.

Table 84: CRS Community Status in the Operational Area²⁴⁷

Community	NFIP Community #	CRS Entry Date	Current CRS Classification	% Premium Discount, SFHA/non-SFHA
Cupertino	060339	10/01/2005	7	15/5
Gilroy*	060340	05/01/2007	8	10/5
Los Altos	060341	10/01/1991	8	10/5
Milpitas	060344	10/01/1991	7	15/5
Morgan Hill	060346	05/01/2003	7	15/5

²⁴⁶ Federal Emergency Management Association. (2022, October). Community Rating System. <https://www.fema.gov/floodplain-management/community-rating-system>

²⁴⁷ FEMA. (2023). Community Rating System. <https://www.fema.gov/floodplain-management/community-rating-system>

Community	NFIP Community #	CRS Entry Date	Current CRS Classification	% Premium Discount, SFHA/non-SFHA
Mountain View	060347	05/01/2002	8	10/5
Palo Alto	060348	10/01/1991	6	20/10
San José	060349	10/01/1991	7	15/5
Santa Clara (city)	060350	05/01/2002	7	15/5
Sunnyvale	060352	10/01/1998	7	15/5

*Gilroy CRS rating is 8 as of 5/1/2007. Starting 10/1/2023, the rating will be a 7 with a percentage premium discount of 15% of SFHA and 5% for non-SFHA.

Santa Clara Valley Water will lead the development of a separate Floodplain Management Plan specifically dedicated to meeting the CRS planning requirements, allowing planning partners that participate in the CRS program to maintain or enhance their CRS classifications. Relevant information from this Hazard Mitigation Plan will be incorporated into the Floodplain Management Plan.

13.2 Hazard Profile

The following information is extracted from the Santa Clara County Flood Insurance Study²⁴⁸:

- The mountains and foothills in northern Santa Clara County are the sources of the watercourses that flow through the north portion of the OA. Near San José, the major waterways include Los Gatos, Guadalupe, and Alamitos Creeks flowing out of the Santa Cruz Mountains; Coyote Creek and a host of tributaries, including Upper Penitencia and Silver Creeks, flowing out of the Diablo Range; and Fisher Creek with headwaters on the western side of the Coyote Creek Valley. The 75-mile-long Coyote Creek is the primary natural drainage facility for the eastern side of the Santa Clara Valley.
- Permanente and Stevens Creeks, which flow north through the OA near Mountain View, are the primary runoff drainage channels in that area. In addition to providing flood control, these creek beds provide gravel lenses that penetrate the impervious underground clay layers. These lenses allow rain runoff to percolate down to replenish the underground water supply.
- The principal watercourses in the south portion of the OA are Llagas, Uvas, and Coyote Creeks. Edmundson (Little Llagas), Church, Center, Tennant, Maple, and Foothill Creeks also flow through the area. The area is unusual in that creeks originate in both the Diablo Range, to the east, and the Santa Cruz Mountains, to the west. Waters originating in the area are conveyed to Monterey Bay via the Pajaro River.
- Drainage-ways in the OA are a combination of natural channels (creek beds) and channels altered by human activity.
- Drainage patterns in the OA have been altered by urbanization, and the runoff, which has increased, is a greater flood threat than in previous years. The construction of water-conservation flood retention facilities has also altered the drainage pattern.
- A variety of conditions cause flooding in the Santa Clara County OA. In smaller drainage basins, flooding is usually the result of intense storms. In larger basins, flooding results from storms of long duration. Shallow overland flooding often occurs due to the small capacity of the creeks.

²⁴⁸ Federal Emergency Management Association. (2014, February 19). Flood Insurance Study Santa Clara County. <https://www.milpitas.gov/pdfs/FISReport.pdf>

13.2.1 Types of Flood-Related Hazards

Flooding in the Santa Clara County OA typically occurs during the rainy winter season. Four types of flooding primarily affect the County: stormwater runoff, riverine, flash floods, and tidal floods.

13.2.1.1 Stormwater Runoff Floods

Stormwater runoff is generated from rain and snowmelt events that flows over land or impervious surfaces, such as parking lots and roads, without being absorbed.²⁴⁹ Stormwater flooding is a result of local drainage issues and high groundwater levels. Locally, heavy precipitation, especially during high lunar tide events, may induce flooding within areas other than delineated floodplains or along recognizable channels. If local conditions cannot accommodate intense precipitation through a combination of infiltration and surface runoff, water may accumulate and cause flooding problems. Flooding issues of this nature generally occur within areas with flat gradients, and generally increase with urbanization, which speeds accumulation of floodwaters because of impervious areas.²⁵⁰ Pump stations may be unable to pump stormwater during a large precipitation event due to insufficient channel capacity or submergence of the pump station, rendering it inoperable. Shallow street flooding can occur unless channels have been improved to account for increased flows. Numerous areas within the County undergo stormwater flooding that contributes to street and structure inundation.

Urban flooding is by increased water runoff due to urban development and drainage systems. Drainage systems are designed to remove surface water from developed areas as quickly as possible to prevent localized flooding on streets and within other urban areas. These systems utilize a closed conveyance system that channels water away from an urban area to surrounding streams, and bypasses natural processes of water filtration through the ground, containment, and evaporation of excess water. Because drainage systems reduce the amount of time surface water takes to reach surrounding streams, flooding in those streams can occur more quickly and reach greater depths than prior to development within that area.²⁵¹

13.2.1.2 Riverine Floods

Riverine flooding is overbank flooding of rivers and streams. Natural processes of riverine flooding add sediment and nutrients to fertile floodplain areas. Flooding in large river systems typically results from large-scale weather systems that generate prolonged rainfall over a wide geographic area, causing flooding in hundreds of smaller streams, which then drain into the major rivers. Shallow area flooding is a special type of riverine flooding. FEMA defines shallow flood hazards as areas inundated by the 100-year flood with flood depths of only 1 to 3 feet. These areas are generally flooded by low-velocity sheet flows of water. Two types of flood hazards are generally associated with riverine flooding:

- **Inundation:** Inundation occurs when floodwater is present, and debris flows through an area not normally covered by water. These events cause minor to severe damage, depending on velocity and depth of flows, duration of the flood event, quantity of logs and other debris carried by the flows, and amount and type of development and personal property along the floodwater's path.
- **Channel Migration:** Erosion of banks and soils worn away by flowing water, combined with sediment deposition, causes migration or lateral movement of a river channel across a floodplain. A channel can also abruptly change location (termed "avulsion"); a shift in channel location over a large distance can occur within as short a time as one flood event.

²⁴⁹ Environmental Protection Agency. (2023, February 2). National Pollutant Discharge Elimination System (NPDES) Stormwater Program. <https://www.epa.gov/npdes/npdes-stormwater-program>

²⁵⁰ FEMA. (1997, January). *Multi Hazard Identification and Risk Assessment: The Cornerstone of the National Mitigation Strategy*. <https://babel.hathitrust.org/cgi/pt?id=pst.000032338492&view=1up&seq=5>

²⁵¹ Environmental Protection Agency. (n.d.). Flow Alteration. <https://www.epa.gov/caddis-vol2/flow-alteration>

Natural stream channels in rural parts of the Santa Clara County OA typically can accommodate average rainfall amounts and mild storm systems; however, severe floods occur in years of abnormally high rainfall or unusually severe storms. During those periods of severe floods, high-velocity floodwaters carry debris over long distances, block stream channels, and create severe localized flooding.

13.2.1.3 Flash Floods

The National Weather Service defines a flash flood as a rapid and extreme flow of high water into a normally dry area, or a rapid water level rise in a stream or creek above a predetermined flood level. Such floods generally begin within 6 hours of the rain event that causes them. Ongoing flooding can intensify to flash flooding in cases where intense rainfall results in a rapid surge of rising flood waters.²⁵²

Flash floods can tear out trees, undermine buildings and bridges, and scour new channels. In urban areas, flash flooding is an increasingly serious problem due to removal of vegetation and replacement of ground cover with impermeable surfaces such as roads, driveways, and parking lots. The greatest risk from flash floods is occurrence with little to no warning. Major factors in predicting potential damage are intensity and duration of rainfall, and steepness of watershed and streams.

13.2.1.4 Coastal Floods

Coastal flooding of normally dry land by the coastline is caused by abnormally high tides, storm surge, and persistent onshore winds and waves. Rising and falling water levels, breaking waves, and shifting sands are common sights along the shore. Typically, they are a normal part of life on the coast, however when they strengthen intensity they can threaten life, property, and livelihoods of coastal populations. Coastal floods come with a unique range of concerns including storm, waves, and erosion. All of these can contribute to extensive damage to homes, businesses, and infrastructure. The flooding of bay adjacent SFHAs is likely in the Santa Clara County OA, particularly where land is at or slightly above sea level. Areas mapped as Zone V and Zone VE are considered at high-risk from coastal flooding and are subject to stricter building requirements because of the likelihood of damage from strong waves.

13.2.1.5 High Tide Floods

It no longer takes a strong storm or hurricane to flood coastal areas. Tidal floods are characterized by inundation of normally dry lands by the coast, often caused by extreme high tide events that result in shallow flooding of low-lying coastal areas. Colloquially known as “King Tides,” these tides exceed the highest water level reached at high tide on an average day and normally occur once or twice per year. King Tide events are the leading cause of flooding by bay waters.

Tidal flooding is becoming increasingly exacerbated by sea level rise as a result of climate change or tectonic activity.²⁵³ Average daily water levels are rising along with the oceans. As a result, high tides are reaching higher and extending further inland than in the past. Additional information regarding the impacts and exposure of the OA to sea level rise is presented in Section 11, Climate Change.

²⁵² National Weather Service. (n.d.). Flood Related Hazards. <https://www.weather.gov/safety/flood-hazards>

²⁵³ National Oceanic and Atmospheric Administration. (n.d.). Flooding on a Sunny Day? Here's How. <https://oceanoday.noaa.gov/flooding-sunny-day/>

13.2.2 Principal Flooding Sources

FEMA's Flood Insurance Study for Santa Clara County assessed over 50 creeks, channels, and water bodies, including the following principal flooding sources²⁵⁴:

- Adobe Creek
- Alamitos Creek
- Alviso Slough
- Arastradero Creek
- Arroyo Calero
- Barron Creek
- Berryessa Creek
- Calabazas Creek
- Canoas Creek
- Concepcion Drain
- Coyote Creek
- Daves Creek
- East Little Llagas Creek
- East Penitencia Creek
- Evergreen Creek
- Fisher Creek
- Fisher Creek Overbank
- Flint Creek
- Fowler Creek
- Guadalupe River
- Guadalupe Slough
- Hale Creek
- Lions Creek
- Llagas Creek
- Llagas Overbank
- Los Gatos Creek
- Lower Penitencia Creek
- Matadero Creek
- Miguelita Creek
- Miller Slough
- North Morey Creek
- Permanente Creek
- Permanente Diversion
- Purissima Creek
- Quimby Creek
- Ronan Channel
- Ross Creek
- Ruby Creek
- San Francisco Bay
- San Francisquito Creek
- San Joaquin River
- Santa Teresa Creek
- San Tomas Aquino Creek
- San Tomas Aquino Creek Reach 2
- Saratoga Creek
- Silver Creek
- Smith Creek
- South Babb Creek
- South Morey Creek
- Stevens Creek
- Sunnyvale East Channel
- Sunnyvale West Channel
- Thompson Creek
- Upper Penitencia Creek
- Upper Penitencia Creek Reach 2
- Upper Penitencia Creek Reach 2 Overflow
- Uvas Creek
- West Branch Llagas Creek
- West Little Llagas Creek
- Wildcat Creek

Understanding watershed conditions can help clarify the OA's vulnerability to flooding. A watershed is the area of land that drains to a common waterway. Every watershed has unique qualities that affect its response to rainfall. Stormwater discharge is influenced by the watershed's soil type, geology, typography, vegetation, shape, and land use.²⁵⁵ The Santa Clara County OA contains five watersheds²⁵⁶:

- Coyote Watershed is the OA's largest watershed, with 322 square miles. It contains Coyote Creek, which is the longest creek in the county.
- Guadalupe Watershed drains the Guadalupe River and its tributaries through downtown San José.
- Lower Peninsula Watershed is a small-creek watershed that feeds tidal wetlands along the San Francisco Bay's southwest shoreline.
- Uvas-Llagas Watershed is mainly agricultural land and natural areas. This is the only watershed in the county in which waterways flow southward.

²⁵⁴ Federal Emergency Management Association. (2014, February 19). Flood Insurance Study Santa Clara County. <https://www.milpitas.gov/pdfs/FISReport.pdf>

²⁵⁵ USGS. (2019, June 8). Surface Runoff and the Water Cycle. <https://www.usgs.gov/special-topics/water-science-school/science/surface-runoff-and-water-cycle>

²⁵⁶ Santa Clara Valley Water District. (n.d.). Watersheds of Santa Clara Valley. <https://www.valleywater.org/learning-center/watersheds-santa-clara-valley>

- West Valley Watershed is the smallest watershed in the county, covering 85 square miles of numerous small creeks.



Figure 63: Watersheds in the Operational Area²⁵⁷

13.2.3 Past Events

Based on NOAA's National Centers for Environmental Information, 141 flood events in the OA were recorded between 1950 and 2022, as summarized in Table 85: History of Flood Events²⁵⁷. These events include flash floods, lakeshore floods, coastal floods, and flooding from heavy multi-day rain events. Since 1954, 10 presidential-declared flood events in the OA have caused in excess of \$4.468 billion in property damage throughout the region.

According to the USDA's Risk Management Agency, Santa Clara County received \$13,131,222 in payments for insured crop losses on 5,031 affected acres as a result of excessive moisture and flood events between 2003 and 2022. Table 86: Crop Insurance Claims Paid from Excessive Moisture and Flood, 2003-2022 summarizes these payments. The highest damaging year was 2016. Additionally, 39 flood-related federally declared disasters or emergencies have occurred in California since 1953. This equates to a major flood event impacting the state around once every 2 years.

²⁵⁷ Santa Clara Valley Water District. (2023). Watersheds of Santa Clara Valley. <https://www.valleywater.org/learning-center/watersheds-santa-clara-valley>

Table 85: History of Flood Events.^{258, 259}

Date	Declaration #	Type of Event	Estimated Damage
2/5/1954	15	Flood & Erosion	Not available
12/23/1955	47	Flood	Coyote Creek, Stevens Creek, Matadero Creek, San Francisquito Creek, and Guadalupe River flooded
4/4/1958	82	Heavy Rainstorms and Flood	Penitencia Creek, Guadalupe River, San Tomas Aquinas Creek, Stevens Creek, Permanente Creek, Matadero Creek, and San Francisquito Creek flooded. \$20 million, plus \$4 million agricultural damage
3/6/1962	122	Floods	Not available
10/24/1962	138	Severe Storms and Flooding	\$4 million in regional flooding
2/25/1963	145	Severe Storms, Heavy Rains and Flooding	Not available
1/16/1973	None	Severe Storms and Flooding	\$86,207 in damage
1/7/1982	651	Severe Storms, Flood, Mudslides and High Tide	\$273 million, 256 homes and 41 businesses destroyed; 6,259 homes and 1,276 businesses damaged.
2/9/1983	677	Coastal Storms, Floods, Slides and Tornadoes	\$523 million
2/21/1986	758	Severe Storms and Flooding	\$407 million; 1,382 homes and 185 businesses destroyed; 12,447 homes and 967 businesses damaged.
2/11/1992–2/14/1992	None	Severe Storms and Flooding	\$20,000 in damage
1/13/1993	None	Severe Storms and Flooding	\$112,000 in damage
1/10/1995	1044	Severe Winter Storms, Flooding, Landslides, Mud Flows	\$741 million total; 11 deaths
3/12/1995	1046	Severe Winter Storms, Flooding Landslides, Mud Flow	Approx. \$1.1 billion total; damage to homes: major 1,322; minor 2,299; destroyed 267.
12/10/1996	None	Flood	Not available
1/01/1997	None	Flash Floods	Not available

²⁵⁸ National Oceanic and Atmospheric Administration. (2017). Storm Events Database.

<https://www.ncdc.noaa.gov/stormevents/>

²⁵⁹ Association of Bay Area Governments. (2010). Data and Research. <https://abag.ca.gov/our-work/resilience/data-research>

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1/4/1997	1155	Severe Storms, Flooding, Mud and Landslides	\$1.8 billion total; 23,000 homes; 2,000 businesses damaged or destroyed.
1/25/1997	None	Flash Flood	Not available
2/3/1998	None	Flash Flood	Not available
2/7/1998	None	Flash Flood	Not available
2/8/1998	None	Flash Flood	Not available
2/9/1998	1203	Severe Winter Storms and Flooding	\$550 million; 17 deaths
2/13/2000	None	Flash Flood	Mainly on Coyote Creek
10/13/2009	None	Heavy Rain and Flooding	\$400,000
1/18/2010–1/20/2010	None	Heavy Rain and Flooding	Localized flooding, roads closed, damage estimate not available.
12/23/2012	None	Heavy Rain and Tornado	Localized flooding, levee overtopped in East Palo Alto.
2/28/2014	None	Heavy Rain and Flooding	Flooding of urban areas, small streams and creeks, and a few localized mud and rockslides.
12/2/2014	None	Flood	Not available
12/3/2014	None	Flood	Not available
12/11/2014	None	Heavy Rain and Flooding	Flooding and mudslides
2/06/2015	None	Heavy Rain and Flooding	Multiple off ramps from I-280 flooded.
10/28/2016	None	Flood	Not available
12/10/2016	None	Flood	Not available
2/7/2017	None	Flash Flood	Not available
2/9/2017	None	Flood	Not available
2/14/2017	4301	Severe Winter Storms, Flooding, and Mudslides	34 of 57 CA Counties declared for flooding events that occurred from January 3 to January 12, 2017
2/20/2017	None	Flood, Flash Flood	Not available
2/21/2017	None	Flood	Not available
1/8/2018	None	Flood	Not available
1/9/2018	None	Flood	Not available
1/25/2018	None	Flood	Not available
3/1/2018	None	Flood	Not available
4/6/2018	None	Flood	Not available
11/22/2018	None	Flood	Not available
11/23/2018	None	Flood	Not available
11/29/2018	None	Flood	Not available

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Date	Declaration #	Type of Event	Estimated Damage
12/17/2018	None	Flood	Not available
1/6/2019	None	Flood	Not available
1/16/2019	None	Flood	Not available
1/17/2019	None	Flood	Not available
2/4/2019	None	Flood	Not available
2/13/2019	None	Flood	Not available
2/14/2019	None	Flood	Not available
2/27/2019	None	Flood	Not available
5/15/2019	None	Flood	Not available
11/26/2019	None	Flood	Not available
12/1/2019	None	Flood	Not available
12/2/2019	None	Flood	Not available
1/16/2020	None	Flood	Not available
1/27/2021	None	Flood	Not available
3/10/2021	None	Flood	Not available
12/27/2022– 1/31/2023	4683	Severe Winter Storms, Flooding, Landslides, and Mudslides	Damage estimates are ongoing at the time of this writing. Damage was sufficient for a Presidential Disaster Declaration.

Note: N/A = Not Applicable.

Table 86: Crop Insurance Claims Paid from Excessive Moisture and Flood, 2003-2022²⁶⁰

Crop Year	Commodity	Acres Affected	Indemnity Amount
2003	None	None	None
2004	None	None	None
2005	All Other Crops	79	\$13,144
2006	All Other Crops	83	\$6,937
2007	None	None	None
2008	None	None	None
2009	None	None	None
2010	None	None	None
2011	Walnuts, Cherries, Processing Apricots	910	2,706,413
2012	Cherries	239	\$113,052
2013	None	None	None
2014	Cherries	18	\$29,015

²⁶⁰ United States Department of Agriculture. (n.d.). Cause of Loss Historical Data Files.
<https://www.rma.usda.gov/Information-Tools/Summary-of-Business/Cause-of-Loss>

Crop Year	Commodity	Acres Affected	Indemnity Amount
2015	Cherries, Processing Apricots, All Other Crops	322	\$1,053,095
2016	Cherries, Processing Apricots	1,059	\$4,279,020
2017	Cherries, Processing Apricots	119	\$69,405
2018	None	None	None
2019	Cherries, Cultivated Wild Rice, All Other Crops	1,725	\$3,975,874
2020	Cherries, Processing Apricots, All Other Crops	245	\$337,118
2021	Cherries, Grapes	80	\$122,467
2022	Cherries	152	\$425,682
Total		5,031	\$13,131,222

13.2.4 Location

Flooding that has occurred in portions of the OA has been extensively documented by gage records, high water marks, damage surveys, and personal accounts. This documentation was the basis for the 2014 FIRMs generated by FEMA for the Santa Clara County OA. The 2014 current effective Flood Insurance Study is the sole source of data used in this risk assessment to map the extent and location of the flood hazard, as shown in Figure 63: Mapped Flood Hazard Areas in the Operational Area.

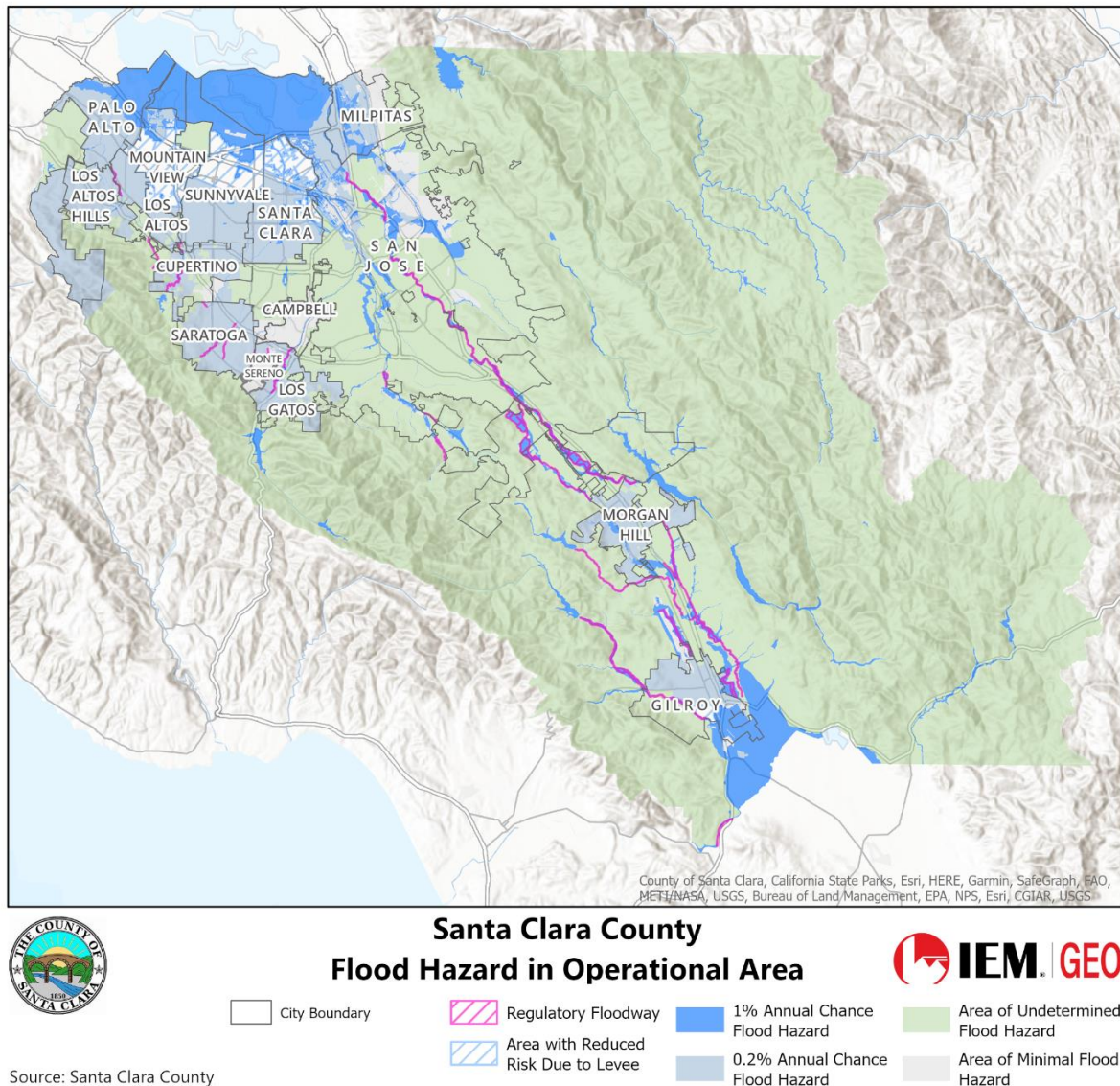


Figure 64: Mapped Flood Hazard Areas in the Operational Area

13.2.5 Frequency

Recurrence intervals and average annual numbers of events in the Santa Clara County OA were calculated based on data from 1996 to 2022 in NOAA's Storm Events Database. Santa Clara County has experienced one hundred fourteen significant events since 1996 classified as "flood" in the database. Smaller floods may occur more frequently and be categorized as a different event type, typically "flash flood" or "winter storm." Based on these data, floods have a 158 percent chance of occurring in any given year, flash floods have a 33 percent chance, and coastal floods have a 4 percent chance. The total estimated percent chance of occurrence for any type of flood in a given year is 100 percent, meaning that flooding will likely continue to be an annual hazard.

The frequency and magnitude of floods will likely be influenced by climate change. Climate change may cause an increase in the number of intense rainfall events, resulting in increased flood risk. Sea level rise, which may exacerbate the risk of flooding in shore areas, is also of concern.

Further information on the impact of climate change on the probability of flooding is included in Section 11.

Probability in OA: Occasional

13.2.6 Severity

The principal factors affecting flood damage are flood depth and velocity. The deeper and faster flood flows become, the more damage they can cause. Shallow flooding with high velocities can cause as much damage as deep flooding with slow velocity. This is especially true when a channel migrates over a broad floodplain, redirecting high velocity flows and transporting debris and sediment. Another element that characterizes the community's flood threat is length of time floodwaters remain above flood stage.

Although jurisdictions can implement mitigation and take preventative actions to significantly reduce severity and threat of flood events, some type of residual risk will always exist (i.e., risk of a hazard event occurring despite technical and scientific measures applied to reduce/prevent it). Threats associated with residual risk could include failure of a reservoir, a dam breach, or other infrastructure failure, or a severe flood event that exceeds flood design standards or drainage capacity.

Flood severity is often evaluated by examining peak discharges. Table 87 lists peak flows used by FEMA to map the floodplains of the OA as found in the effective Santa Clara County Flood Insurance Study.

Table 87: Summary of Peak Discharges Within the Operational Area²⁶¹

Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
Adobe Creek				
• Above Railroad (At El Camino Real)	1,350	2,500	2,700a	2,700a
• At East Charleston Road	1,400a	1,400a	1,400a	1,400a
• At East Meadow Drive	1,350	1,350	1,350	1,350
• At Edith Road	1,000	1,830	2,140	2,700
• At El Monte Avenue	690	1,340	1,700	2,370
• At corporate limits	890	1,650	1,920	2,400
• At Foothill Expressway	1,070	2,120	2,320	2,690
• At Middlefield Road	1,020a	1,020a	1,020a	1,020a
• At Moody Road	590	1,150	1,430	1,930
• At Old Altos Road	960	1,760	2,050	2,490
• At Pine Lane	1,110	2,150	2,360	2,730

²⁶¹ Federal Emergency Management Agency. (2014, February 19). Flood Insurance Study. <https://map1.msc.fema.gov/data/06/S/PDF/06085CV002B.pdf?LOC=65c0f78954006b048e415150264ffe4b>

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Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
• At Railroad	1,350	1,450a	1,450a	1,450a
• At U.S. Highway 101	1,660	1,780	1,780	1,780
• At Van Buren Road	1,060	1,890	2,220	2,810
• Below Alma Street	1,450	1,700	1,700	1,750
• Below Purissima Creek	1,040	1,980	2,200	2,510
Alamitos Creek				
• Downstream of confluence with Arroyo Calero	2,150	5,180	6,750	11,000
• Downstream of confluence with Golf Creek	3,530	7,020	8,680	12,700
• Downstream of confluence with Greystone Creek	2,940	6,200	7,800	11,800
• Downstream of confluence with Randol Creek	2,660	5,800	7,380	11,400
• Upstream of confluence with Arroyo Calero	1,430	3,580	4,750	7,900
• Upstream of confluence with Guadalupe River	3,630	7,180	8,860	12,900
Alamitos Creek By-Pass Channel	b	B	3,250	b
Alamitos Creek Overflow Area	b	B	140	b
Arastradero Creek				
At Page Mill Road	140	300	360	460
Arroyo Calero				
• Downstream of confluence with Santa Teresa Creek	1,020	1,820	2,180	3,010
• Upstream of confluence with Alamitos Creek	1,180	1,980	2,330	3,110
• Upstream of confluence with Santa Teresa Creek	660	1,120	1,320	1,770
Arroyo De Los Coches				
• At confluence with Berryessa Creek	b	B	1,420	b
Barron Creek				
• At El Camino Real	270	270	270	270
• At Foothill Expressway	176	364	453	640
• At Foothill Expressway	320	630	760	1,100
• At Laguna Avenue	180b	180b	180b	180b
• At Lower Fremont Road	96	208	268	390
• At mouth	320	430	430	430
• At Ramona Street	320	430a	430a	430a

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Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
• At Railroad	320	675	675	675
• At Upper Fremont Road	32	77	98	143
• Downstream of El Camino Real	270	270	270	270
• Upstream of Barron Creek Diversion	b	B	740	b
• Upstream of Fabian Way	b	B	250	b
• Upstream of Laguna Avenue	b	B	1,603	b
• Upstream of Railroad	320	820	920	1,080
Berryessa Creek				
• At confluence with Calera Creek	b	B	3,600a	b
• At confluence with Sierra Creek	1,230	2,250	2,580	1,230
• At confluence with Tularcitos Creek	b	B	2,500a	b
• At confluence with Wrigley Ditch	b	B	2,000a	b
• At Morrill Avenue	1,230	1,700 ¹	1,750a	1,230
• At Piedmont Road	b	B	1,600	b
• Downstream of confluence with Arroyo De Los Coches	b	B	2,000a	b
• Downstream of Montague Expressway	800a	800a	800a	800a
Calabazas Creek				
• Above Prospect Road	b	B	1,800	b
• Above Railroad and Prospect Creek	b	B	1,140	b
• At Coffin Road	3,000	4,100	4,600	5,800
• At El Camino Real	2,090 ^d	2,290 ^d	2,340 ^d	2,360 ^d
• At Grant Road	1,200	1,600	1,800	2,300
• At Interstate Highway 280	1,950	2,490	2,700	3,360
• At Junipero Serra	2,000	2,700	3,100	3,900
• At Kifer Road	2,600	3,600	4,000	5,200
• At Lawrence Expressway	2,100	3,000	3,300	4,200
• At Rainbow Drive Below La Mar Court	750	1,070	1,310	1,370
• Below Miller Avenue	1,670	2,050	2,210	2,670
• Below Tantau Avenue/Upstream of Pruneridge Avenue	1,700a	1,900a	1,950a	2,000a
• Downstream of confluence with Rodeo Creek	1,170	1,700	1,950	2,610
• Downstream of Prospect Road	750 ¹	1,000 ^e	1,180 ^e	1,220 ^e
• Downstream of U.S. Highway 101	2,760 ^d	3,200 ^f	4,780 ^f	5,510 ^f
• Through box culvert at Miller Avenue	1,400a	1,550a	1,600a	1,600a

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
• Upstream of Benton Street	2,100d	2,170a	2,170a	2,200a
• Upstream of Kifer Road	2,550d	2,820d	3,000d	3,340d
• Upstream of Lawrence Expressway	2,050d	2,310d	2,370d	2,540d
• Upstream of Pomeroy Avenue	2,190d	2,200d	2,200d	2,200d
• Upstream of U.S. Highway 101	2,760d	3,020d	3,200d	3,550d
• Upstream of State Highway 237	3,010d	3,420d	5,000d	5,100d
Calera Creek				
• At confluence with Berryessa Creek	b	B	920	b
• Upstream of Interstate Highway 680	b	B	850	b
Canoas Creek				
• At Blossom Hill Road	1,320	1,390	1,400	1,420
• At Capitol Expressway	1,850	1,910	1,960	2,000
• At confluence with Guadalupe River	1,900a	1,950a	1,970a	2,000a
• At Cottle Road	480	500	510	530
• At Santa Teresa Boulevard	780	810	830	850
• Upstream of Nightingale Drive	1,990	2,250	2,350	2,500
Concepcion Drainage				
• At Alto Verde Lane	22	51	68	102
Coyote Creek				
• At Interstate Highway 280	3,880	10,180	12,630	14,700
• At U.S. Geological Survey gage near Edenvale	4,050	10,940	13,670	14,700a
• At U.S. geological Survey gage near Madrone	4,500	12,000	15,000	24,000
• Downstream of Anderson Reservoir	4,500	11,000	15,000	23,500
• Downstream of confluence with Berryessa Creek	7,300	10,500	12,800	15,000
• Downstream of confluence with Silver Creek	6,200	10,300	12,500	15,000
• Downstream of Silver Creek Diversion	4,000	10,680	13,330	14,700
• Upstream of confluence with Fisher Creek	4,410	12,010	14,830	16,400a
• Upstream of confluence with Silver Creek	3,790	9,920	11,400a	11,400a
• Upstream of Silver Creek Diversion	4,000	10,680	13,330	14,700

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Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
Daves Creek				
• At Los Gatos Creek	130	230	270	370
East Little Llagas Creek				
• Approx. 1,500 ft. upstream of Sycamore Avenue	b	B	2,211	b
• At confluence of Church Creek	b	B	5,355	b
• At confluence of San Martin Creek	b	B	3,712	b
• At U.S. Highway 101	700	1,200	1,300	1,700
• At Tenant Creek confluence	b	B	2,881	b
• Upstream of Seymour Avenue	330	430	460	490
East Penitencia Creek				
• Downtown of Trimble Road	280	340a	340a	340a
• Upstream of confluence with Lower Penitencia Creek	480	970h	1,080h	1,280h
• Upstream of Trimble Road	280	400	450	540
Fisher Creek				
• At confluence with Coyote Creek	700a	700a	700a	700a
• At Kalana Avenue	470	960	1,130	1,500
• At Miramonte Avenue	300	600	710	930
• At Richmond Avenue	450	700	700	700
• At Willow Springs Road	270	460	560	810
• Downstream of Bailey Avenue	1,000	1,810	2,160	2,950
• Upstream of Bailey Avenue	620	900	900	900
• Upstream of Railroad	1,260	2,310	2,560	3,530
Fisher Creek Overbank				
• 500 feet downstream of Richmond Avenue	250	630	900	1,540
• At Bailey Avenue	220b	680	970	1,670
Guadalupe River				
• At Blossom Hill Road	3,500	8,500	11,500	19,000
• At Coleman Avenue	7,000	13,500a	15,500a	15,500a
• At Hedding Street	7,500	9,800a	9,800a	9,800a
• At Hobson Avenue	7,000	11,400a	11,400a	11,400a
• At Interstate Highway 280	6,000	7,000a	7,000a	7,000a
• At Malone Road	5,600	11,500	11,900a	11,900a
• At Railroad	5,800	10,900a	10,900a	10,900a

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Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
• Downstream of confluence with Canoas Creek	5,500	11,000	12,800	12,800
• Downstream of confluence with Los Gatos Creek	7,000a	10,000a	10,000a	10,000a
• Downstream of confluence with Ross Creek	4,500	9,000	12,500	20,000
• Downstream of State Highway 17	7,500	12,000a	13,000a	17,000a
• Upstream of confluence with Canoas Creek	4,500	9,500	12,000a	12,000a
Hale Creek				
• At Berry Avenue	510	1,020	1,120	1,580
• At confluence with Permanente Creek	710	880	900	960
• At Cuesta Drive/North Springer Road	595	750	760	810
• At Foothill Expressway	460	970	1,060	1,490
• At Interstate Highway 280	101	218	284	440
• At Rosita Avenue	595	700a	700a	700a
• At Summer Hill Avenue	177	370	472	735
Lions Creek				
• Upstream of West Branch Llagas Creek	b	b	1,840	b
Llagas Creek				
• At Rucker Avenue	4,900i	9,700i	10,200i	12,700i
• At Railroad	2,200	3,900	5,300	8,500
• Downstream of Buena Vista Creek	5,200	10,400	11,000	11,500a
• Downstream of Chesbro Reservoir	900	3,100	3,900	6,000
• Downstream of East Little Llagas Creek	5,000	9,800	10,400	12,900
• Downstream of Hayes Creek	1,800	3,800	4,800	7,500
• Downstream of Leavesley Road	5,200d	5,200d	5,200d	5,200d
• Downstream of Live Oak Creek	5,500	9,700	9,800	10,300
• Downstream of Machado Creek	1,400	3,600	4,500	7,000
• Downstream of Panther Creek	5,300	9,700a	9,800a	10,100a
• Downstream of Princevalle Drain	b	b	18,800	b
• Downstream of West Branch Llagas Creek	b	b	17,800	b
• Upstream of East Little Llagas Creek	2,500	4,300	5,400	8,600
• Upstream of Jones Creek	b	b	18,800	b
• Upstream of Panther Creek	5,200	9,400a	9,400a	9,400a

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Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
Los Gatos Creek				
• At Leigh Avenue	1,680	6,510	7,440	11,340
• At Meridian Avenue	1,770	6,620	7,570	11,500
• At Park Road	1,580	6,140	6,990	10,630
• At State Highway 17	1,540k	6,370	7,300	11,200
• Below Lexington Dam	1,610	5,850	6,650	9,630
• Below Vasona Dam	1,550	6,100	6,950	10,600
• Upstream of confluence with Guadalupe River	2,130	7,000	7,980	11,900
Lower Penitencia Creek				
• At Capitol Avenue	740	1,200	1,210	1,220
• At confluence with Berryessa Creek	2,550	3,700	3,700	3,700
• At Nimitz Freeway	1,750a	3,500a	3,500a	3,500a
• At Redwood Avenue	850	1,150j	1,150j	1,150j
• At South Main Street	7003	1,120j	1,120j	1,120j
• Downstream of confluence with Berryessa Creek	2,550	2,600a	2,600a	2,600a
• Downstream of confluence with East Penitencia Creek	800	1,670	2,150	2,840
• Downstream of Trimble Road	320	1,060h	1,510h	1,620h
Madrone Channel				
• At East Dunne Avenue	b	b	600	b
• Upstream of East Little Llagas Creek	b	b	1,200	b
Matadero Creek				
• Above confluence with Arastradero Creek	194	392	506	690
• Approximately 270 feet upstream of U.S. Highway 101	b	b	2,800	b
• At Alma Street	1,380	2,000a	2,000a	2,000a
• At corporate limits	402	795	970	1,300
• At El Camino Real	1,100	2,100	2,280	2,690
• At Louis Road	1,380	1,500b	1,500b	1,500b
• At Middlefield Road	1,380	1,900b	1,500b	1,900b
• At Railroad	b	b	2,435	b
• At U.S. Highway 101	1,660	1,775	1,775	1,775
• Below confluence with Arastradero Creek	325	660	790	1,030
• Downstream of Foothill Expressway	b	b	1,900	b

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Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
• Downstream of Park Boulevard	b	b	2,700	b
• Downstream of U.S. Highway 101	b	b	3,100	b
• Upstream of Railroad	1,220	2,170	2,520	2,810
Mayfield Slough				
At Embarcadero Road	10.00	b	10.5	10.8
Miller Slough				
• At U.S. Highway 101	b	b	760	b
Middle Road Overflow Area				
• At convergence with Llagas Creek	b	b	39	b
• At divergence from West Little Llagas Creek	b	b	658	b
North Morey Creek				
• Upstream of Lions Creek	b	b	485	b
Pajaro River				
• At U.S. Highway 101	b	b	30,500	b
Permanente Creek				
• At confluence with Hale Creek	780l	1,650l	1,780l	1,980l
• At El Camino Real	1,150	1,310	1,310	1,310
• At Railroad	1,270	1,470	1,600	1,600
• Downstream of confluence with Hale Creek	1,000a	1,000a	1,000a	1,000a
• Downstream of East Charleston Road	1,390n	1,400a	1,400a	1,400a
• Downstream of Miramonte Avenue	370	760	890	1,030
• Downstream of Permanente Road	760	1,260	1,480	1,960
• Downstream of Portland Avenue	1,340	2,050	2,050	2,050
• Downstream of U.S. Highway 101	1,350	1,400a	1,400a	1,400a
• Upstream of confluence with Hale Creek	440l	840l	980l	1,110l
• Upstream of Interstate Highway 280	1,250	2,160	2,570	3,480
• Upstream of Portland Avenue	1,340	2,220	2,700	3,440
• Upstream of Tributary, 700 feet upstream of Highway 280	860	1,460	1,720	2,310
• Upstream of U.S. Highway 101	1,350	2,250f	4,000f	7,100f
Permanente Diversion				
• At confluence with Stevens Creek	1,230	1,280	1,390	1,550
• At Grant Road	1,200	1,240a	1,340a	1,490a
• Downstream of Carmel Terrace	1,075a	1,075a	1,075a	1,075a

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Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
• Downstream of Diversion Structure	1,190	1,610	1,610	1,610
Prospect Creek				
• Upstream of confluence with Calabazas Creek	b	b	635	b
Purissima Creek				
• At corporate limits	147	320	402	588
• At Interstate Highway 280	37	82	104	153
• At Viscaino Road	88	182	227	320
San Francisco Bay				
At confluence of Guadalupe Slough and Coyote Creek	b	b	10.8	b
At crossing of Railroad and Alviso Slough	b	b	11.3	B
At Milpitas	b	b	11.4	B
At Mountain View	10.2	b	10.7	11.0
At Palo Alto	9.9	b	10.5	10.8
At Sunnyvale	3.7	b	10.7	B
San Francisquito Creek				
• At Alma Street	4,350	7,050	8,280	9,850a
• At U.S. Geological Survey gage	4,050	6,700	7,860	10,500
• Downstream of Chaucer Road	4,350	6,000a	6,000a	6,200a
• Downstream of Middlefield Road	4,350	6,350a	6,690a	7,410a
• Near Pasteur Drive	4,200	6,850	8,070	10,400
• Upstream of Middlefield Road	4,350	7,100	8,330	9,850a
San Francisquito Creek – Overflow				
• At Chaucer Street	b	b	563	B
• At Middlefield Road	b	b	752	B
• Combined Middlefield/Chaucer Overflows	b	b	1,080	B
San Thomas Aquino Creek				
• At Cabrillo Avenue	2,560f	2,920f	2,920f	2,920f
• At confluence with Saratoga Creek	5,900	8,300	9,100	11,000
• At El Camino Real	3,570	3,610	3,610	3,610
• At Homestead Road	3,450f	3,450f	3,450f	3,450f
• At Pruneridge Avenue	3,460	3,820f	3,820f	3,820f
• At Saratoga and Los Gatos Roads	620	990	1,140	1,480
• At Stevens Creek Boulevard	3,300	3,820f	3,820f	3,820f

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
• At U.S. Highway 101	5,900	8,300	9,100	11,000
• At U.S. Highway 237	5,900	8,300	9,100	11,000
• Downstream of Railroad	5,900	8,300	9,100	11,000
• Upstream of Westmont Avenue	2,000	2,900	3,200	4,077o
• Near Bicknell and Quito Roads	670	1,050	1,230	1,580
• Near Old Adobe and Quito Roads	730	1,150	1,350	1,720
Saratoga Creek				
• At confluence with San Tomas Aquino Creek	2,700	3,750	4,100	4,800
• At El Camino Road	2,700	3,750	4,100	4,800
• At Herriman Avenue	1,550	3,020	3,750	4,630
• At Homestead Road	2,700	3,750	4,100	4,800
• At Kiely Boulevard	2,700	3,750	4,100	4,800
• At Stevens Creek Boulevard	2,500	3,500	3,900	4,600
• At U.S. Geological Survey gage at Springer	1,350	2,750	3,490	4,450
• At Railroad	1,760	3,230	3,950	4,800
• Downstream of Benton Street	2,700	3,750	4,100	4,800
• Downstream of Kiely Boulevard	2,700	3,750	4,100	4,800
• Downstream of Warburton Avenue	2,700	3,750	4,100	4,800
Silver Creek				
• At confluence with Coyote Creek	2,550	2,650	2,670	2,750
• At intersection of King and McKee Roads	2,000a	2,000a	2,000a	2,000a
• At Interstate Highway 680	2,210	2,400	2,400	2,400
• At Ocala Avenue	1,530	2,000p	2,000p	2,000p
• Downstream of confluence with Thompson Creek	2,080	3,200	3,600	4,300
• Downstream of Cunningham Avenue	1,420p	2,150p	2,580p	2,600p
• Downstream of confluence with Miguelita Creek	2,300	2,300	2,300	2,300
• Downstream of confluence with North Babb Creek	1,500a	1,500a	1,500a	1,500a
• Downstream of confluence with South Babb Creek	1,940	2,600	2,700	2,700
Smith Creek				
• At Railroad	200	370	440	610
• At Wedgewood Avenue	160	300	350	480

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Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
• Below Smith Creek Drive	125	230	280	390
South Babb Creek				
• At Clayton Road	390	760	890	1,150
• At confluence with Silver Creek	200a	200a	200a	200a
• Downstream of White Road	390a	390a	390a	390a
• Upstream of Clayton Road	B	b	890	B
• Upstream of Lochner Drive	400	550a	550a	550a
• Upstream of White Road	400	570a	570a	570a
South Morey Creek				
• Upstream of Lions Creek	B	b	420	B
Stevens Creek				
• At Crittenden Lane	2,350g	2,350g	2,350g	2,350g
• At Homestead Road	1,110m	4,530	5,570	7,470
• At Interstate Highway 280	1,110m	4,460	5,460	7,310
• At Stevens Creek Boulevard	1,110m	4,430m	5,430	7,240
• At U.S. Geological Survey gaging station No. 262	1,200	2,800	5,400	7,000
• At U.S. Highway 101	3,030	5,550	5,750	5,950
• Downstream of Interstate Highway 280	1,110	4,460	5,460	7,310
• Downstream of Junipero Serra	1,550	3,200	5,580	7,650
• Downstream of Stevens Creek Dam	1,140	4,440	5,280	6,940
• Downstream of Railroad	2,750	5,350g	5,350g	5,350g
• Upstream of Junipero Serra	1,500	3,150	5,500	7,500
• Upstream of Permanente Diversion	1,750	3,600	6,000	8,200
• Upstream of Railroad	2,750	6,110	7,360	9,610
Sunnyvale East Channel				
• Downstream of Caribbean Drive	B	b	1,100	B
Sunnyvale West Channel				
• Downstream of Highway 237	B	b	360	B
Tennant Creek				
• Approximately 1,250 feet upstream of Hill Avenue	B	b	420	B
• Downstream of Maple Avenue	B	b	650	B
• Upstream of confluence with East Little Llagas Creek	B	b	2,015	B

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
Thompson Creek				
• 2,000 feet downstream of Aborn Road	1,440	2,550	3,000	3,700
• At Aborn Road	1,440	2,350	2,700	3,250
• At Quimby Road	1,480	1,900a	1,900a	1,900a
• Downstream of Yerba Buena Creek	1,060	1,750	1,950	2,400
Upper Penitencia Creek				
• At Capitol Avenue	1,350a	1,350a	1,350a	1,350a
• At confluence with Coyote Creek	1,110	1,110	1,110	1,110
• At Gridley Street	1,460	3,050	3,600	4,950
• Upstream of North Jackson Avenue	1,350a	1,350a	1,350a	1,350a
• At King Road	960a	960a	960a	960b
• At Mabury Avenue	1,050a	1,050a	1,050a	1,050a
• At Upper Penitencia Road	1,460	2,810a	2,950a	2,950a
• At U.S. Geological survey gage at Dorel Road	1,400	2,940	3,600	5,170
Uvas Creek				
• At confluence with Bodfish Creek	B	b	10,910	B
• At confluence with Little Arthur Creek	B	b	8,500	B
• At downstream face of Watsonville Road Bridge	B	b	10,360	B
• At Thomas Road	B	b	14,000	B
• At Railroad	B	b	5,2003	B
• At U.S. Highway 101	B	b	8,0003	B
• At Uvas Road	B	b	7,800	B
• Downstream of Hecker Pass Road	B	b	13,550	B
• Downstream of Santa Teresa Boulevard	B	b	14,000	B
Uvas Creek – East Overbank Above Highway 101				
• Approximately 1,200 feet above U.S. Highway 101	Q	b	2,200	B
• At U.S. Highway 101	Q	b	1,100	B
Uvas Creek – East Overbank Above Railroad				
• At downstream limit of flooding	Q	b	3,200	B
• At upstream limit of flooding	Q	b	2,100	B
Watson Road Overflow Area				
• At convergence with Llagas Creek	B	b	447	B

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Flooding Source and Location	Discharge (Cubic Feet/Second)			
	10-Year	50-Year	100-Year	500-Year
• At divergence from West Little Llagas Creek	B	b	97	B
West Branch Llagas Creek				
• Downstream of divergence from West Branch Llagas Creek – East Split	B	b	160	B
• Upstream of divergence from West Branch Llagas Creek – East Split	B	b	1,400	B
West Branch Llagas Creek – Lower Split				
• At Day Road Interceptor (NRCS PL566)	Q	b	1,200	B
West Branch Llagas Creek – Middle Split				
• Downstream of Highland Avenue	Q	q	80	Q
West Branch Llagas Creek – Upper Split				
• Upstream of Highland Avenue	Q	q	200	Q
West Little Llagas Creek				
• 1,000 feet upstream of Wright Avenue	A	a	1882	A
• At Fourth Street	A	a	9002	A
• At U.S. Highway 101	A	a	1,080 ^b	A
• Downstream of Edmundson Avenue	A	a	1,269	A
• Downstream of Monterey Highway	A	a	8132	A
• Downstream of Railroad	A	a	4602	A
• Upstream of Llagas Avenue	A	a	1,702 ^b	A
• Upstream of Monterey Highway	A	a	1,936	A
• Upstream of Seymour Avenue	A	a	1,770 ^b	A
Wildcat Creek				
• Above Portos Drive	480	810	960	1,230
• At Saratoga and Los Gatos Roads	310	500	570	740
• Below Douglas Lane	430	710	840	1,070

^a Decrease in flow rate based on capacity restrictions.

^b Data not available/computed.

^c Discharge decrease due to Barron Creek Diversion.

^d Flow rate accounts for upstream channel spills.

^e Slow rate reflects upstream capacity restriction.

^f Flow influenced by spill from adjoining watercourse.

^g Flow reduction due to bridge or channel capacity restriction.

^h Increase in flow rate due to spills from neighboring subbasins.

ⁱ Flow rate reduction due to attenuation in the floodplain.

^j Reduction in flood rate due to storage behind railroad.

^k Flow rate reduction due to attenuation in reservoirs.

^l High flows affected by Permanente Diversion.

^m Decrease in flow rate due to storage along channel.

ⁿ High flows diverted to Stevens Creek.

^o Logarithm extrapolation.

^p Flow rate reduction due to storage in Lake Cunningham.

^q Flooding due to spill—drainage area not applicable.

13.2.7 Warning Time

Advanced warning is essential for quick and effective response to a flood threat. Because of the sequential pattern of weather conditions needed to cause serious flooding, occurrence of a flood without warning is unusual. Warning times for floods can be between 24 and 48 hours. Flash flooding can be less predictable, but populations in potential hazard areas can be warned in advance of flash flooding danger. NWS issues watches and warnings when forecasts indicate rivers may approach bank-full levels. Flood extent or severity categories used by NWS include minor flooding, moderate flooding, and major flooding, based on property damage and public threat²⁶²:

- **Minor Flooding:** Minimal or no property damage, but possibly some public threat or inconvenience.
- **Moderate Flooding:** Some inundation of structures and roads near streams. Some necessary evacuations of people and/or transfer of property to higher elevations.
- **Major Flooding:** Extensive inundation of structures and roads. Significant evacuations of people and/or transfer of property to higher elevations.

When a watch is issued, the public should prepare for the possibility of a flood. When a warning is issued, the public is advised to stay tuned to a local radio station for further information and be prepared to take quick action if needed. A warning means a flood is imminent, generally within 12 hours, or is occurring. Local media broadcast NWS warnings. Thresholds for flood warnings have been established on some of the major rivers in Santa Clara County, based on available stream gage information. Current stream flows are gathered from the following USGS stream gauges in the county²⁶³:

- USGS 11153000 Pacheco Creek, Dunneville, CA
- USGS 11153650 Llagas Creek, Gilroy, CA
- USGS 11164500 San Francisquito Creek, Stanford University
- USGS 11169025 Guadalupe River along Highway 101, San José, CA
- USGS 11169500 Saratoga Creek, Saratoga, CA
- USGS 11169800 Coyote Creek, Gilroy, CA
- USGS 11173200 Arroyo Hondo, San José CA

13.3 Cascading Impacts

One of the most problematic cascading impacts of flooding is bank or coastal erosion, which in some cases can be more harmful than the actual flood. This is especially true in the upper courses of rivers with steep gradients, where floodwaters may pass quickly and without much damage, but scour the banks, edging properties closer to the floodplain or causing them to fall in.

Flooding is also responsible for hazards such as landslides or mud flows when high flows over-saturate soils on steep slopes, causing them to fail. In California, there are significant ties between wildfire, floods, and subsequently landslides as one hazard cascades into the next.

²⁶² National Weather Service. (n.d.). Severe Weather 101 – Floods.

<https://www.nssl.noaa.gov/education/svrwx101/floods/faq/>

²⁶³ U.S. Geological Survey. (2023). Current Conditions for California: Streamflow.

<https://waterdata.usgs.gov/ca/nwis/current/?type=flow>

Hazardous materials spills are also a secondary hazard of flooding if storage tanks rupture and spill into streams, rivers, or storm sewers. Debris of any kind could impact water quality and change the natural flow of water. This could potentially increase the risk next time there is a storm event.

Floods could also cause dam failure, or overtopping. The risk of dam failure is described more in Section 12. This risk is of particular concern because it may create a flood substantially larger than the original flood. Depending on the topography of the area downstream of a dam failure event, the floodwaters could remain constrained in a narrow canyon area, preventing them from slowing down before the reach urbanized flatter terrain.²⁶⁴ Furthermore, while floodwaters will travel down and absorb into the ground in flat areas, the water will also pick up sediment and debris as it travels. The sediment and debris in the water may pose additional risks.

13.4 Exposure

The Level 2 Hazus protocol was used to assess flood risk in the OA. The model used census data at the block level and FEMA floodplain data, which has a level of accuracy acceptable for planning purposes. Where possible, the Hazus default data was enhanced using local GIS data from local, state, and federal sources.

13.4.1 Population

Population counts of those living in the floodplain within the OA were generated by estimating percent of residential buildings in each jurisdiction within the 1-percent-annual-chance flood hazard areas and multiplying this by total population within the OA. This approach yielded an estimated population in the OA of 176,882 living within the 100-year floodplain (9.14% percent of the total OA population). Table 88 lists population estimates by jurisdiction living in the 10-percent, 1-percent and 0.2-percent annual chance flood hazard areas. The City of Gilroy, City of Santa Clara, Sunnyvale, San José, Campbell, Milpitas, and Morgan hill have the highest percentage of population exposed to 1% annual flood hazard,

Table 88: Population Within the 10-Percent, 1-Percent, and 0.2-Percent Annual Chance Flood Hazard Areas

Jurisdiction	10-Percent Annual Chance Flood Hazard Area		1-Percent Annual Chance Flood Hazard Area		0.2-Percent Annual Chance Flood Hazard Area	
	Population Exposed ^a	% Total of Population	Population Exposed ^a	% of Total Population	Population Exposed ^a	% of Total Population
Campbell	2446	5.63	3685	8.48	4608	10.61
Cupertino	0	0.00	1311	2.16	1740	2.87
Gilroy	5,742	9.65	10,361	17.42	13,398	22.53
Los Altos	0	0.00	0	0.00	11	0.03
Los Altos Hills	0	0.00	0	0.00	0	0.00
Los Gatos	273	0.81	1,216	3.63	1,485	4.43

²⁶⁴ Santa Clara Valley Water District. (2017, October). Local Hazard Mitigation Plan. [https://s3.us-west-1.amazonaws.com/valleywater.org.us-west-1/s3fs-public/2021-05/R14163%20%202017%20FINAL%20LOCAL%20HAZARD%20MITIGATION%20PLAN%20v.%2004-09-21%20\(04-12-21\).pdf](https://s3.us-west-1.amazonaws.com/valleywater.org.us-west-1/s3fs-public/2021-05/R14163%20%202017%20FINAL%20LOCAL%20HAZARD%20MITIGATION%20PLAN%20v.%2004-09-21%20(04-12-21).pdf)

Jurisdiction	10-Percent Annual Chance Flood Hazard Area		1-Percent Annual Chance Flood Hazard Area		0.2-Percent Annual Chance Flood Hazard Area	
	Population Exposed ^a	% Total of Population	Population Exposed ^a	% of Total Population	Population Exposed ^a	% of Total Population
Milpitas	2,691	3.35	5,335	6.65	9,457	11.78
Monte Sereno	0	0.00	0	0.00	0	0.00
Morgan Hill	1,758	3.90	2,979	6.61	3,412	7.58
Mountain View	1,687	2.05	4,063	4.95	6,525	7.95
Palo Alto	617	0.90	629	0.92	4,534	6.62
San José	52,257	5.15	111,750	11.02	190,009	18.74
Santa Clara (city)	10,239	8.02	16,644	13.04	35,182	27.57
Saratoga	587	1.89	1,487	4.79	1,790	5.77
Sunnyvale	2,786	1.80	13,969	9.02	21,284	13.75
Unincorporated County	2,241	2.48	3,453	3.83	4,579	5.07
Total	83,324	4.31	176,882	9.14	298,014	15.40

13.4.2 Property

13.4.2.1 Exposed Value

Table 89, Table 90, and Table 91 summarize the estimated value of exposed buildings in the OA. This methodology estimated \$8.7 billion worth of exposure to the 10-percent-annual-chance flood, representing 2.3 percent of the total replacement value of the OA, \$22.4 billion worth of building-and-contents exposure to the 1-percent-annual-chance flood, representing 9.1 percent of the total replacement value of the OA, and \$40 billion worth of building-and-contents exposure to the 0.2-percent-annual-chance flood, representing 10.56 percent of the total.

Table 89: Value of Structures in the 10-Percent Annual Chance Flood Hazard Area

Jurisdiction	Estimated Value within the Floodplain			% of Total Replacement Value
	Structure	Contents	Total	
Campbell	\$46,559,000	\$43,284,000	\$140,698,000	1.60
Cupertino	\$0	\$0	\$0	0.00
Gilroy	\$96,223,000	\$165,308,000	\$574,813,000	4.86
Los Altos	\$0	\$0	\$0	0.00
Los Altos Hills	\$0	\$0	\$0	0.00
Los Gatos	\$16,191,000	\$22,610,000	\$109,895,000	1.14
Milpitas	\$44,056,000	\$47,811,000	\$224,231,000	1.40
Monte Sereno	\$0	\$0	\$0	0.00
Morgan Hill	\$30,975,000	\$18,233,000	\$67,576,000	0.63
Mountain View	\$22,645,000	\$33,678,000	\$140,380,000	0.83

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Jurisdiction	Estimated Value within the Floodplain			% of Total Replacement Value
	Structure	Contents	Total	
Palo Alto	\$7,892,000	\$163,325,000	\$91,985,000	0.45
San José	\$1,187,925,000	\$2,015,872,000	\$6,140,963,000	3.56
Santa Clara (city)	\$178,713,000	\$233,150,000	\$766,887,000	2.77
Saratoga	\$21,643,000	\$16,633,000	\$51,942,000	0.56
Sunnyvale	\$41,315,000	\$68,059,000	\$216,544,000	0.74
Unincorporated County	\$67,392,000	\$67,064,000	\$255,548,000	1.25
Total	\$1,761,529,000	\$2,895,027,000	\$8,781,462,000	2.30

Table 90: Value of Structures in the 1-Percent Annual Chance Flood Hazard Area

Jurisdiction	Estimated Value within the Floodplain			% of Total Replacement Value
	Structure	Contents	Total	
Campbell	\$91,932,000	\$80,508,000	\$257,047,000	8.48
Cupertino	\$24,021,000	\$18,081,000	\$59,916,000	2.16
Gilroy	\$225,196,000	\$420,220,000	\$1,346,610,000	17.42
Los Altos	\$1,351,000	\$710,000	\$2,234,000	0.00
Los Altos Hills	\$0	\$0	\$0	0.00
Los Gatos	\$30,840,000	\$42,934,000	\$168,827,000	3.63
Milpitas	\$115,342,000	\$137,652,000	\$548,317,000	6.65
Monte Sereno	\$0	\$0	\$0	0.00
Morgan Hill	\$115,482,000	\$81,114,000	\$259,011,000	6.61
Mountain View	\$75,707,000	\$109,233,000	\$416,222,000	4.95
Palo Alto	\$18,739,000	\$40,559,000	\$157,789,000	0.92
San José	\$3,271,469,000	\$5,761,915,000	\$15,986,581,000	11.02
Santa Clara (city)	\$360,286,000	\$476,086,000	\$1,462,841,000	13.04
Saratoga	\$100,151,000	\$73,527,000	\$226,648,000	4.79
Sunnyvale	\$208,800,000	\$260,543,000	\$832,836,000	9.02
Unincorporated County	\$157,862,000	\$178,277,000	\$682,246,000	3.83
Total	\$4,797,178,000	\$7,681,359,000	\$22,407,125,000	9.14

Table 91: Value of Structures in the 0.2-Percent Annual Chance Flood Hazard Area

Jurisdiction	Estimated Value within the Floodplain			% of Total Replacement Value
	Structure	Contents	Total	
Campbell	\$127,488,000	\$110,733,000	\$355,863,000	4.04
Cupertino	\$36,263,000	\$29,154,000	\$94,619,000	0.66
Gilroy	\$319,375,000	\$641,660,000	\$2,015,006,000	17.03
Los Altos	\$1,791,000	\$948,000	\$3,090,000	0.04
Los Altos Hills	\$0	\$0	\$0	0.00
Los Gatos	\$39,193,000	\$56,508,000	\$212,717,000	2.21
Milpitas	\$191,075,000	\$242,248,000	\$934,245,000	5.84
Monte Sereno	\$0	\$0	\$0	0.00
Morgan Hill	\$161,794,000	\$109,502,000	\$350,641,000	3.25
Mountain View	\$119,699,000	\$166,238,000	\$669,226,000	3.95
Palo Alto	\$76,861,000	\$100,127,000	\$367,056,000	1.81
San José	\$5,656,110,000	\$10,606,664,000	\$28,947,287,000	16.79
Santa Clara (city)	\$812,021,000	\$1,177,901,000	\$3,760,129,000	13.60
Saratoga	\$127,579,000	\$96,493,000	\$289,244,000	3.09
Sunnyvale	\$351,074,000	\$419,774,000	\$1,361,761,000	4.64
Unincorporated County	\$225,387,000	\$262,239,000	\$929,177,000	4.53
Total	\$8,245,710,000	\$14,020,189,000	\$40,290,061,000	10.56

13.4.3 Critical Facilities and Infrastructure

Table 92, Table 93, and Table 94 summarize the critical facilities and infrastructure in the 10-, 1-, and 0.2-percent-annual-chance flood hazard areas. Details are provided in the following sections.

13.4.3.1 Toxic Release Inventory Reporting Facilities

Toxic Release Inventory (TRI) facilities are known to manufacture, process, store, or otherwise use certain chemicals above minimum thresholds. If damaged by a flood, these facilities could release chemicals that cause cancer or other human health effects, significant adverse acute human health effects, or significant adverse environmental effects.²⁶⁵ During a flood event, containers holding these materials can rupture and leak into the surrounding area, disastrously affecting the environment and residents. Seventy-eight facilities within the 1-percent-annual-chance flood zone are TRI reporting facilities.

²⁶⁵ Environmental Protection Agency. (n.d.). Flooding. <https://www.epa.gov/natural-disasters/flooding>

Table 92: Critical Facilities in the 10-Percent Annual Chance Flood Hazard Area

Jurisdiction	Number of Facilities in the Floodplain					
	Essential Facilities	Transportation	Utilities	Community Assets	Hazardous Materials	Total
Campbell	0	1	0	1	0	2
Cupertino	0	0	0	0	0	0
Gilroy	1	8	0	1	0	10
Los Altos	0	0	0	0	0	0
Los Altos Hills	0	0	0	0	0	0
Los Gatos	0	6	0	0	0	6
Milpitas	2	2	0	1	1	6
Monte Sereno	0	0	0	0	0	0
Morgan Hill	0	0	0	1	0	1
Mountain View	0	0	0	1	2	3
Palo Alto	0	1	0	0	3	4
San José	17	50	1	19	37	124
Santa Clara (city)	3	2	0	2	9	16
Saratoga	0	3	0	0	0	3
Sunnyvale	1	1	0	0	2	4
Unincorporated County	0	32	0	3	0	35
Total	24	106	1	29	54	214

Table 93: Critical Facilities in the 1-Percent Annual Chance Flood Hazard Area

Jurisdiction	Number of Facilities in the Floodplain					
	Essential Facilities	Transportation	Utilities	Community Assets	Hazardous Materials	Total
Campbell	1	1	0	2	0	4
Cupertino	0	2	0	1	0	3
Gilroy	5	15	0	5	1	26
Los Altos	0	0	0	0	0	0
Los Altos Hills	0	0	0	0	0	0
Los Gatos	0	7	0	2	0	9
Milpitas	3	10	0	2	1	16
Monte Sereno	0	0	0	0	0	0
Morgan Hill	0	1	0	1	0	2
Mountain View	1	1	0	3	3	8

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Jurisdiction	Number of Facilities in the Floodplain					
	Essential Facilities	Transportation	Utilities	Community Assets	Hazardous Materials	Total
Palo Alto	0	1	0	0	4	5
San José	35	87	0	38	48	208
Santa Clara (city)	5	2	3	4	18	32
Saratoga	0	7	0	1	0	8
Sunnyvale	4	2	0	2	3	11
Unincorporated County	4	49	0	3	0	56
Total	58	185	3	64	78	388

Table 94: Critical Facilities in the 0.2-Percent Annual Chance Flood Hazard Area

Jurisdiction	Number of Facilities in the Floodplain					
	Essential Facilities	Transportation	Utilities	Community Assets	Hazardous Materials	Total
Campbell	1	1	0	2	0	4
Cupertino	0	4	0	1	0	5
Gilroy	7	16	0	6	1	30
Los Altos	0	0	0	0	0	0
Los Altos Hills	0	0	0	0	0	0
Los Gatos	0	8	0	2	0	10
Milpitas	4	11	0	3	3	21
Monte Sereno	0	0	0	0	0	0
Morgan Hill	1	1	0	1	0	3
Mountain View	2	1	0	4	3	10
Palo Alto	2	3	1	0	5	11
San José	52	125	7	60	62	306
Santa Clara (city)	8	7	2	7	51	75
Saratoga	1	11	0	1	0	13
Sunnyvale	7	2	0	3	6	18
Unincorporated County	4	54	0	4	0	62
Total	89	244	10	94	131	568

13.4.3.2 Utilities and Infrastructure

It is important to determine who may be at risk if infrastructure is damaged by flooding. Roads or railroads that are blocked or damaged can isolate residents and can prevent access throughout the OA, including for emergency service providers needing to get to vulnerable populations or to make repairs. Bridges washed out or blocked by floods or debris also can cause isolation. Water and sewer systems can be flooded or backed up, causing health problems. Underground utilities can be damaged. Dikes can fail or be overtopped, inundating the land that they protect. The following sections describe specific types of critical infrastructure.

Roads

The following major roads in the OA pass through the 1-percent-annual-chance flood zone and thus are exposed to flooding:

- US 101
- Interstate 280
- Interstate 680
- Interstate 880
- State Route 9
- State Route 17
- State Route 82
- State Route 85
- State Route 87
- State Route 152
- State Route 237

Some of these roads are built above the flood level, and others function as levees to prevent flooding. Still, in severe flood events these roads can be blocked or damaged, preventing access to some areas.

Infrastructure Lifelines

Flooding events can significantly impact critical infrastructure lifelines such as highways, bridges, airports, water and wastewater facilities and communication facilities. An analysis showed that there are 629 infrastructure lifelines (241 are bridges) that are in or cross over the 1-percent-annual-chance flood zone and 928 infrastructure lifelines in the 0.2-percent-annual-chance flood zone.

Water and Sewer Infrastructure

Water and sewer systems can be affected by flooding. Floodwaters can back up drainage systems, causing localized flooding. Culverts can be blocked by debris from flood events, also causing localized urban flooding. Floodwaters can get into drinking water supplies, causing contamination. Sewer systems can be backed up, causing wastewater to spill into homes, neighborhoods, rivers, and streams.

Levees

SCVWD constructed flood protection levees in the north, central, and southern portions of the county, some of which provide 1-percent-annual-chance flood protection. The levees along Uvas Creek, King Creek, Lyons Creek, and Coyote Creek participate in Corps' Levee Program. Levees along the Guadalupe River do not participate. SCVWD does not believe the majority of levees could withstand intensities of a 1-percent annual chance flood. Additionally, coastal flooding from San Francisco Bay circumvents levees near the Bay. Moreover, current flood levels do not account for potential sea level rise, which would exacerbate vulnerability and further reduce the ability of the levees to prevent or reduce flooding.

The presence and effects of levee systems in the Santa Clara County OA are not reflected on the FIRM, meaning that areas, structures, and populations vulnerable to failures of those levees cannot be determined. Levee failures could place large numbers of people and great amounts of property at risk. Unlike dams, levees do not serve any purpose beyond providing flood protection and (less frequently) recreational space for residents. A levee failure could be devastating, depending on severity of flooding and amount of land development present. In addition to damaging buildings, infrastructure, trees, and other large objects, levee failure can result in significant water quality and debris disposal issues. Severe erosion is also a consideration.

13.4.4 Environment

Loss estimation platforms such as Hazus are not currently equipped to measure environmental impacts of flood hazards. The best gauge of vulnerability of the environment would be a review of damage from past flood events. Loss data that segregates damage to the environment was not available at the time of this plan. Capturing this data from future events could be beneficial in measuring the vulnerability of the environment for future updates. Habitats that are expected to be impacted by riverine flooding are shown in Table 95.

Table 95: Habitats Expected to Be Impacted by Riverine Flooding²⁶⁶

Habitat Type	FEMA 100-Year Storm Riverine Flooding
Bay Wetlands: Coastal Salt Marsh and Coastal Brackish Marsh	1,695 acres (84%)
Freshwater Wetland	2,350 acres (64%)
Grassland	3,176 acres (2%)
Riparian and Riverine	546 acres (19%)
Freshwater Lake and Pond	1,792 acres (57%)
Chaparral and Scrubland	358 acres (0.3%)
Coastal Scrubland	9 acres (0.2%)
Coniferous Forest	20 acres (0.2%)
Hardwood Forest	314 acres (0.5%)
Oak Woodland	1,341 ac (0.7%)
Redwood Forest	40 ac (0.3%)

Note: Given that vulnerability to riverine flooding is currently determined by FEMA Flood Insurance Rate Maps (FIRMS), it is possible that the flooding near the Bay could be occurring from either storm surge or riverine flooding. Specific strategies for each will be required once source confirmation is made. Habitats with vulnerability of less than 1% were not considered highly vulnerable.

²⁶⁶ County of Santa Clara Office of Sustainability and Climate Action. (2015, August). Silicon Valley 2.0 Climate Adaptation Guidebook. https://sustainability.sccgov.org/sites/g/files/exjcpb976/files/documents/1_150803_Final%20Guidebook_W_Appendices.pdf

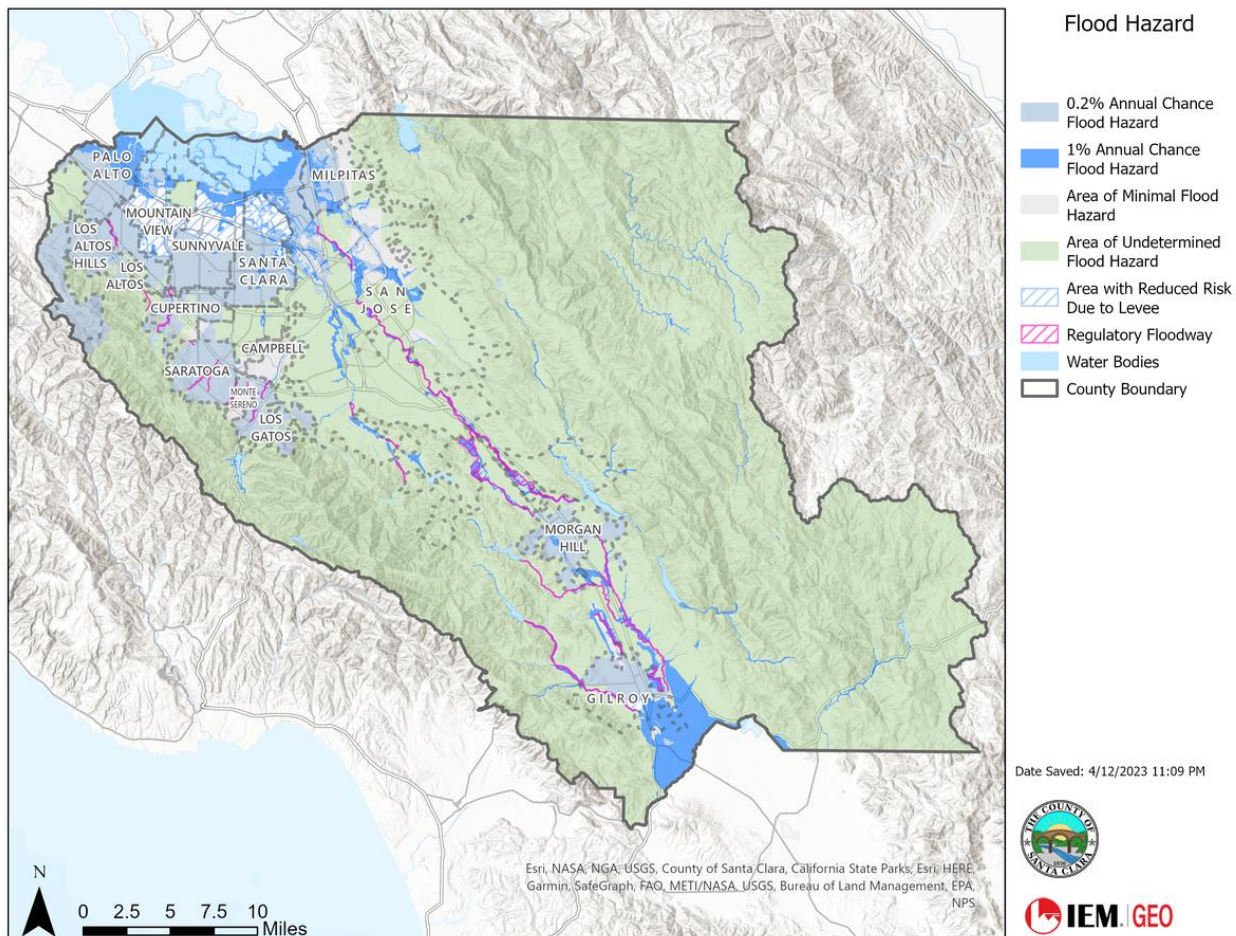


Figure 65: 100-Year Floodplain Area Land Cover²⁶⁷

13.5 Vulnerability

Changes in Conditions: No change in vulnerability

- The areas vulnerable to 1% and 0.2% flood events have as mapped in FIRMs have not changed.
- Population growth and building growth in the OA have been slow.
- Flooding can occur in localized areas not identified in special flood hazard areas (SFHAs) during heavy rain. These are more difficult to anticipate in advance and areas at risk may not yet have been recognized.
- New development may alter local drainage patterns and change flood potential.

²⁶⁷ County of Santa Clara Office of Sustainability and Climate Action. (2015, August). Silicon Valley 2.0 Climate Adaptation Guidebook. https://sustainability.sccgov.org/sites/g/files/exjcpb976/files/documents/1_150803_Final%20Guidebook_W_Appendices.pdf

- Warming temperature from climate change may alter the frequency and intensity of storms and increase the associated runoff.

13.5.1 Population

13.5.1.1 Vulnerable Populations

A geographic analysis of demographics using the Hazus model identified populations vulnerable to the flood hazard as follows:

- **Economically Disadvantaged Populations:** It is estimated that 2.76 percent of the people within the 100-year floodplain are economically disadvantaged, defined as having household incomes of \$20,000 or less.
- **Population over 64 Years Old:** It is estimated that 20,723 persons or 11.7 percent of the population in the census blocks that intersect the 100-year floodplain are over 64 years old.
- **Population under 16 Years Old:** It is estimated that 38,185 persons or 19.9 percent of the population within census blocks located in or near the 100-year floodplain are under 18 years of age.

Commuters and visitors are also vulnerable to the flood hazard, in part because they may not be as familiar with evacuation routes and areas that typically flood. Commuters whose workplaces or major transportation routes are in or near the 1-percent-annual-chance flood zone may be especially vulnerable.

The most at-risk members of society often experience the greatest losses from disasters. Socially vulnerable populations often live in high-risk floodplains due to lack of affordable housing, historical inequitable land use and housing practices, and other societal barriers. Disasters can exacerbate pre-existing racial and social disparities. According to Plan Bay Area 2050, homes in Equity Priority Communities may be over 50% more likely to experience flooding from sea level rise.²⁶⁸

13.5.1.2 Estimated Impacts on Persons and Households

Impacts on persons and households in the OA were estimated for the 10-, 1-, and 0.2-percent-annual-chance flood events through the Level 2 Hazus analysis. Table 96 summarizes the results.

Table 96: Estimated Flood Impact on Persons

Jurisdiction	Number of Displaced Persons			Number of Persons Requiring Short-Term Shelter		
	10% Annual Chance Flood	1% Annual Chance Flood	0.2% Annual Chance Flood	10% Annual Chance Flood	1% Annual Chance Flood	0.2% Annual Chance Flood
Campbell	2,297	3,796	5,047	106	204	232
Cupertino	0	1,078	1,543	0	199	284
Gilroy	5,343	9,782	13,209	304	443	581
Los Altos	0	11	21	0	1	1
Los Altos Hills	0	0	0	0	0	0

²⁶⁸ Plan Bay Area. (2021, October). Final Plan Bay Area 2050. <https://www.planbayarea.org/finalplan2050>

Jurisdiction	Number of Displaced Persons			Number of Persons Requiring Short-Term Shelter		
	10% Annual Chance Flood	1% Annual Chance Flood	0.2% Annual Chance Flood	10% Annual Chance Flood	1% Annual Chance Flood	0.2% Annual Chance Flood
Los Gatos	571	980	1140	48	53	85
Milpitas	4,288	8,115	13,191	304	451	592
Monte Sereno	0	0	0	0	0	0
Morgan Hill	1,424	2,700	3,304	32	32	38
Mountain View	1,505	4,056	6,842	51	244	336
Palo Alto	313	392	3,872	58	72	137
San José	54,856	115,365	192,561	3,879	7,005	11,625
Santa Clara (city)	10,888	17,583	35,621	456	678	1,161
Saratoga	454	1,738	2,022	44	67	73
Sunnyvale	3,054	12,386	21,405	85	448	730
Unincorporated County	1,965	3,522	4,839	90	123	149
Total	86,958	181,504	304,617	5,457	10,020	16,024

13.5.1.3 Public Health and Safety

Floods and their aftermath present numerous threats to public health and safety:

- **Unsafe food:** Floodwaters contain disease-causing bacteria, dirt, oil, human and animal waste, and farm and industrial chemicals. Their contact with food items, including food crops in agricultural lands, can make that food unsafe to eat. Refrigerated and frozen foods are affected during power outages caused by flooding. Foods in cardboard, plastic bags, jars, bottles, and paper packaging may be unhygienic with mold contamination.
- **Contaminated drinking and washing water and poor sanitation:** Flooding impairs clean water sources with pollutants. The pollutants also saturate into the groundwater. Flooded wastewater treatment plants can be overloaded, resulting in backflows of raw sewage. Private wells can be contaminated by floodwaters. Private sewage disposal systems can become a cause of infection if they overflow.
- **Mosquitoes and animals:** Floods provide new breeding grounds for mosquitoes in wet areas and stagnant pools. The public should dispose of dead animals that can carry viruses and diseases only in accordance with guidelines issued by local animal control authorities. Leptospirosis—a bacterial disease associated predominantly with rats—often accompanies floods in developing countries, although the risk is low in industrialized regions unless cuts or wounds have direct contact with disease-contaminated floodwaters or animals.
- **Mold and mildew:** Excessive exposure to mold and mildew can cause flood victims—especially those with allergies and asthma—to contract upper respiratory diseases, triggering cold-like symptoms. Molds grow in as short a period as 24 to 48 hours in wet and damp areas of buildings and homes that have not been cleaned after flooding, such as water-infiltrated walls, floors, carpets, toilets, and bathrooms. Very small mold spores can be easily inhaled by human bodies and, in large enough quantities, cause allergic reactions, asthma episodes, and other respiratory problems. Infants, children, elderly people, and pregnant women are considered most vulnerable to mold-induced health problems.

- **Carbon monoxide poisoning:** In the event of power outages following floods, some people use alternative fuels for heating or cooking in enclosed or partly enclosed spaces, such as small gasoline engines, stoves, generators, lanterns, gas ranges, charcoal, or wood. Built-up carbon monoxide from these sources can poison people and animals.
- **Hazards when reentering and cleaning flooded homes and buildings:** Flooded buildings can pose significant health hazards to people entering them. Electrical power systems can become hazardous. Gas leaks can trigger fire and explosion. Flood debris—such as broken bottles, wood, stones, and walls—may cause injuries to those cleaning damaged buildings. Containers of hazardous chemicals may be buried under flood debris. Hazardous dust and mold can circulate through a building and be inhaled by those engaged in cleanup and restoration.
- **Mental stress and fatigue:** People who live through a devastating flood can experience long-term psychological impact. The expense and effort required to repair flood-damaged homes places severe financial and psychological burdens on the people affected. Post-flood recovery can cause, anxiety, anger, depression, lethargy, hyperactivity, and sleeplessness. There is also a long-term concern among the affected that their homes can be flooded again in the future.

Current loss estimation models such as Hazus are not equipped to measure public health impacts such as these. The best preparation for these effects includes awareness that they can occur, education of the public on prevention, and planning to deal with them during responses to flood events.

13.5.2 Property

13.5.2.1 Structures and Contents

Hazus calculates losses to structures from flooding by looking at depth of flooding and type of structure. Using historical flood insurance claim data, Hazus estimates the percentage of damage to structures and their contents by applying established damage functions to an inventory. The analysis is summarized in Table 97, Table 98, and Table 99 for the 10-, 1-, and 0.2-percent-annual-chance flood events, respectively.

Table 97: Loss Estimates for 10-Percent-Annual-Chance Flood

Jurisdiction	Structures Impacted ^a	Estimated Loss Associated with Flood			% of Total Replacement Value
		Structure	Contents	Total	
Campbell	278	\$46,559,000	\$43,284,000	\$140,698,000	1.60
Cupertino	0	\$0	\$0	\$0	0
Gilroy	382	\$96,223,000	\$165,308,000	\$574,813,000	4.86
Los Altos	0	\$0	\$0	\$0	0
Los Altos Hills	0	\$0	\$0	\$0	0
Los Gatos	17	\$16,191,000	\$22,610,000	\$109,895,000	1.14
Milpitas	234	\$44,056,000	\$47,811,000	\$224,231,000	1.40
Monte Sereno	0	\$0	\$0	\$0	0
Morgan Hill	373	\$30,975,000	\$18,233,000	\$67,576,000	.63
Mountain View	112	\$22,645,000	\$33,678,000	\$140,380,000	.83
Palo Alto	40	\$7,892,000	\$163,325,000	\$91,985,000	.45
San José	4,541	\$1,187,925,000	\$2,015,872,000	\$6,140,963,000	3.56

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Jurisdiction	Structures Impacted ^a	Estimated Loss Associated with Flood			% of Total Replacement Value
		Structure	Contents	Total	
Santa Clara (city)	918	\$178,713,000	\$233,150,000	\$766,887,000	2.77
Saratoga	74	\$21,643,000	\$16,633,000	\$51,942,000	.56
Sunnyvale	245	\$41,315,000	\$68,059,000	\$216,544,000	.74
Unincorporated County	104	\$67,392,000	\$67,064,000	\$255,548,000	1.25
Total	7,318	\$1,761,529,000	\$2,895,027,000	\$8,781,462,000	2.30

Note: Values shown are accurate for comparison of results in this plan. See Section 6 for discussion of data limitations.

^a Impacted structures are those with finished floor elevations below the flood event water surface elevation. These structures are the most likely to receive significant damage in a flood event.

Table 98: Loss Estimates for 1-Percent-Annual-Chance Flood

Jurisdiction	Structures Impacted ^a	Estimated Loss Associated with Flood			% of Total Replacement Value
		Structure	Contents	Total	
Campbell	478	\$91,932,000	\$80,508,000	\$257,047,000	2.92
Cupertino	61	\$24,021,000	\$18,081,000	\$59,916,000	.42
Gilroy	1,116	\$225,196,000	\$420,220,000	\$1,346,610,000	11.38
Los Altos	0	\$1,351,000	\$710,000	\$2,234,000	.03
Los Altos Hills	0	\$0	\$0	\$0	0.00
Los Gatos	131	\$30,840,000	\$42,934,000	\$168,827,000	1.76
Milpitas	797	\$115,342,000	\$137,652,000	\$548,317,000	3.43
Monte Sereno	0	\$0	\$0	\$0	0
Morgan Hill	722	\$115,482,000	\$81,114,000	\$259,011,000	2.4
Mountain View	414	\$75,707,000	\$109,233,000	\$416,222,000	2.46
Palo Alto	70	\$18,739,000	\$40,559,000	\$157,789,000	.79
San José	12,496	\$3,271,469,000	\$5,761,915,000	\$15,986,581,000	9.27
Santa Clara (city)	1,999	\$360,286,000	\$476,086,000	\$1,462,841,000	5.29
Saratoga	276	\$100,151,000	\$73,527,000	\$226,648,000	2.42
Sunnyvale	1,520	\$208,800,000	\$260,543,000	\$832,836,000	2.84

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Jurisdiction	Structures Impacted ^a	Estimated Loss Associated with Flood			% of Total Replacement Value
		Structure	Contents	Total	
Unincorporated County	346	\$157,862,000	\$178,277,000	\$682,246,000	3.33
Total	20,366	\$4,797,178,000	\$7,681,359,000	\$22,407,125,000	5.87

Note: Values shown are accurate for comparison of results in this plan. See Section 6 for discussion of data limitations.

^a Impacted structures are those with finished floor elevations below the flood event water surface elevation. These structures are the most likely to receive significant damage in a flood event.

Table 99: Loss Estimates for 0.2-Percent-Annual-Chance Flood

Jurisdiction	Structures Impacted ^a	Estimated Loss Associated with Flood			% of Total Replacement Value
		Structure	Contents	Total	
Campbell	666	\$127,488,000	\$110,733,000	\$355,863,000	4.04
Cupertino	83	\$36,263,000	\$29,154,000	\$94,619,000	0.66
Gilroy	1,469	\$319,375,000	\$641,660,000	\$2,015,006,000	17.03
Los Altos	0	\$1,791,000	\$948,000	\$3,090,000	0.04
Los Altos Hills	0	\$0	\$0	\$0	0.00
Los Gatos	147	\$39,193,000	\$56,508,000	\$212,717,000	2.21
Milpitas	1,197	\$191,075,000	\$242,248,000	\$934,245,000	5.84
Monte Sereno	0	\$0	\$0	\$0	0
Morgan Hill	837	\$161,794,000	\$109,502,000	\$350,641,000	3.25
Mountain View	732	\$119,699,000	\$166,238,000	\$669,226,000	3.95
Palo Alto	495	\$76,861,000	\$100,127,000	\$367,056,000	1.81
San José	22,052	\$5,656,110,000	\$10,606,664,000	\$28,947,287,000	16.79
Santa Clara (city)	4,635	\$812,021,000	\$1,177,901,000	\$3,760,129,000	13.60
Saratoga	357	\$127,579,000	\$96,493,000	\$289,244,000	3.09
Sunnyvale	2,478	\$351,074,000	\$419,774,000	\$1,361,761,000	4.64
Unincorporated County	541	\$225,387,000	\$262,239,000	\$929,177,000	4.53
Total	35,689	\$8,245,710,000	\$14,020,189,000	\$40,290,061,000	10.56

Note: Values shown are accurate for comparison of results in this plan. See Section 6 for discussion of data limitations.

^a Impacted structures are those with finished floor elevations below the flood event water surface elevation. These structures are the most likely to receive significant damage in a flood event.

Key results are as follows:

- There would be up to \$8.7 billion of flood loss from a 10-percent-annual-chance flood event in the OA. This represents 2.3 percent of the total replacement value for the OA.
- There would be up to \$22.4 billion of flood loss from a 1-percent-annual-chance flood event in the OA. This represents 5.87 percent of the total replacement value for the OA.
- There would be \$40.29 billion of flood loss from a 0.2-percent-annual-chance flood event in the OA. This represents 10.56 percent of the total replacement value.

Structures permitted or built in the OA before the initial FIRM date are called “pre-FIRM” structures, and structures built after the FIRM date are called “post-FIRM.” The insurance rate is different for the two types of structures. Generally, it can be assumed that unmitigated pre-FIRM structures are more vulnerable to flooding than post-FIRM.

13.5.2.2 Flood-Caused Debris

Left over debris from flooding can be costly to remove and have significant consequences if not dealt with properly. The Hazus analysis estimated the amount of flood-caused debris within the OA generated by flooding, as summarized in Table 100. The model breaks debris into three general categories; Finishes (dry wall, insulation, etc.), Structural (wood, brick, etc.), and Foundations (concrete slab, concrete block, rebar, etc.).

Table 100: Estimated Flood-Caused Debris

Annual Flood Chance	Finishes (Tons)	Structure (Tons)	Foundation (Tons)	Total Debris (Tons)
10% Annual-Chance Flood	24,095	3,963	3,847	31,905
1% Annual-Chance Flood	82,351	8,119	7,945	98,415
0.2% Annual-Chance Flood	162,896	14,307	14,287	191,490

13.5.2.3 Flood Insurance

Flood Insurance Statistics

Table 101 lists flood insurance statistics that help identify vulnerability in the OA. All 16 municipal planning partners participate in the NFIP, with 12,159 flood insurance policies providing \$3.6 billion in insurance coverage. According to FEMA statistics, 1,556 flood insurance claims were paid between November 1978 and February 23, 2023, for a total of \$22,996,576, an average of \$14,779 per claim.

Properties constructed after a FIRM has been adopted are eligible for reduced flood insurance rates. Such structures are less vulnerable to flooding since they were constructed after regulations and codes were adopted to decrease vulnerability. Properties built before a FIRM is adopted are more vulnerable to flooding because they do not meet code or are located in hazardous areas. The first FIRMs in the OA were available in 1975.

Table 101: Flood Insurance Statistics²⁶⁹

Jurisdiction	Date of Entry Initial FIRM Effective Date	# of Flood Insurance Policies as of 2/23/2023	Total Coverage	Total Annual Premium	Claims, 11/1978 to 2/23/2023	Value of Claims paid, 11/1978 to 2/23/2023
Campbell	06/30/1976	28	8,541,000	16,222	1	\$0
Cupertino	04/18/1975	64	20,042,400	64,687	20	\$812,171
Gilroy	06/04/1976	100	46,698,600	140,441	33	\$287, 117
Los Altos	09/24/1976	101	31,769,400	79,333	13	\$5,896
Los Altos Hills	11/26/1976	34	11,036,000	26,775	16	\$45,641
Los Gatos	02/27/1976	66	20,606,800	39,411	17	\$51,957
Milpitas	03/28/1975	1,025	288,494,700	1,062,641	69	\$27,829
Monte Sereno	05/18/2009	9	3,150,000	5,123	4	\$41,974
Morgan Hill	06/18/1980	309	93,061,100	285,955	74	\$603,444
Mountain View	09/19/1975	344	117,867,000	263,363	8	\$8,501
Palo Alto	09/06/1989	2,377	655, 737, 600	2,601,795	474	\$8,936,790
San José	04/09/1976	4,872	1,351,586,300	4,412,960	626	\$10,284,648
Santa Clara (city)	02/11/1977	683	222,286,800	643,583	29	\$264,753
Saratoga	11/28/1975	67	22,554,900	58,630	17	\$53,676
Sunnyvale	12/05/1975	527	183,134,600	543,354	10	\$68,655
Unincorporated County	06/20/1978	276	74,048,500	410,772	130	\$1,654,709
Unknown	-	1,440	382,986,000	1,555,609	15	135,932
Total		12,322	\$2,877,864,100	\$12,210,654	1,556	\$22,996,576

This data likely has some limitations. The “Unknown” category was not included in the 2016 dataset used in the 2017 Hazard Mitigation Plan. It also reflects a decrease in policies since the 2017 plan in every jurisdiction except Los Altos, which gained a total of 18 policies, for a total of 5,000 less policies in force across the OA. It is unclear if this is due to the rising cost of flood insurance, voluntary suspension of flood insurance, or another reason.

NFIP Participation

As participating communities, each jurisdiction within the OA was required to adopt floodplain management criteria via local regulations that meets NFIP minimum standards. Multiple communities have adopted regulations that exceed these standards. Further detail is included in each annex in Volume II and in the following table. The special districts and fire department that participated in this plan update are not eligible to participate in the NFIP.

²⁶⁹ FEMA Region IX on 2/23/2023

Table 102: Date of Floodplain Management Regulation Adoption

Jurisdiction	Adoption Date
City of Campbell	January, 2014
City of Cupertino	June, 2016
City of Gilroy	January, 2017
City of Los Altos	March, 2009
City of Milpitas	November, 1995
City of Morgan Hill	September, 2017
City of Mountain View	April, 2023
City of Palo Alto	2004
City of San Jose	April, 2009
City of Santa Clara	June, 2023
City of Saratoga	1996
City of Sunnyvale	November, 1994 – anticipated update Oct. 2023
County of Santa Clara	April, 2009
Town of Los Altos Hills	November, 2001
Town of Los Gatos	2003

Repetitive Loss and Severe Repetitive Loss

A repetitive loss property is defined by FEMA as an NFIP-insured property that has experienced any of the following since 1978, regardless of any changes in ownership:

- Four or more paid losses in excess of \$1,000.
- Two paid losses in excess of \$1,000 within any rolling 10-year period.
- Three or more paid losses that equal or exceed the current value of the insured property.

A severe repetitive loss property is further defined as follows:

- Four or more paid losses in excess of \$5,000 each, with the cumulative amount of such claim payments exceeding \$20,000.
- At least two separate claim payments made, with the cumulative amount of the building portion of such claims exceeding the market value of the building.
- At least two of the above referenced claims occurred within any rolling 10-year period and must be more than 10 days apart.

Repetitive loss properties make up only 1 percent of flood insurance policies in force nationally, yet they account for 25 to 30 percent of the nation's flood insurance claim payments. According the draft 2023 State of California Hazard Mitigation Plan, 34.8 percent of the repetitive properties in the state are located outside of the SFHA. The government has instituted programs encouraging communities to identify and mitigate the causes of repetitive losses. The key identifiers for repetitive loss properties are the existence of flood insurance policies and claims paid by the policies. This doesn't include properties which have flooded repeatedly but don't have insurance. Over 50 percent of severe repetitive loss structures nationally are estimated to be without NFIP coverage.

FEMA-sponsored programs, such as the CRS, require participating communities to identify repetitive loss areas. A repetitive loss area is the portion of a floodplain holding structures that FEMA has identified as meeting the definition of repetitive loss. Identifying repetitive loss areas helps to identify structures that are at risk but are not on FEMA's list of repetitive loss structures because no flood insurance policy was in force at the time of loss.

FEMA's list of repetitive loss properties identifies four such properties in the OA as of February 23, 2023. The breakdown of the properties by jurisdiction is presented in Table 103. With the potential for flood events annually, all of the mapped floodplain is considered to be susceptible to repetitive flooding.

Table 103: Repetitive Loss Properties

Jurisdiction	Number of Repetitive Loss Properties	Type of Repetitive Loss Properties	Number of Severe Repetitive Loss Properties	Type of Severe Repetitive Loss Properties
Cupertino	3	Single Family (1) Other Nonresidential (2)	-	-
Los Gatos	1	2-4 Family (1)	-	-
Morgan Hill	2	Single Family (2)	4	Single Family (2) Business (1) Other Nonresidential (1)
Palo Alto	4	Single Family (3) Other Nonresidential (1)	1	Business (1)
San José	6	Single Family (6)	1	Single Family (1)
Sunnyvale	1	Other Nonresidential (1)	-	-
Unincorporated County	8	Single Family (8)	3	Single Family (3)
Unknown	1	2-4 Family (1)	-	-
Total	25	Single Family (20) Other Nonresidential (4) 2-4 Family (2)	9	Single Family (6) Business (2) Other Nonresidential (1)

Note: Based on FEMA Region IX Report of Repetitive Losses, 2/23/2023.

Substantial Improvement/Substantial Damage

In order to be a part of the NFIP, participating jurisdictions commit to implementing substantial improvement / substantial damage provisions of their floodplain management regulations after an event. According to FEMA, these terms are defined as:

- Substantial Improvement means any reconstruction, rehabilitation, addition or other improvement to a structure, the total cost of which equals or exceeds 50 percent of the market value of the structure before the state of construction of the improvement.
- Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Multiple jurisdictions within the OA have adopted higher standards, including a repetitive loss or cumulative damage. These higher standards are described further in Volume II in addition to additional information on how these provisions are implemented.

Table 104: Substantial Damage/Substantial Improvement Implementation

Jurisdiction	Responsible Party	Higher Standard?
City of Campbell	Floodplain Administrator	No
City of Cupertino	Building Official	Yes
City of Gilroy	Floodplain Administrator	Yes
City of Los Altos	Floodplain Administrator, Building Official	No
City of Milpitas	City Manager, Floodplain Administrator	Yes
City of Morgan Hill	Floodplain Administrator	Yes
City of Mountain View	Floodplain Administrator or designee	Yes
City of Palo Alto	Floodplain Administrator	No
City of San Jose	Floodplain Manager, other departments/divisions including public works as necessary	No
City of Santa Clara	Floodplain Administrator, Building Official	No
City of Saratoga	City Manager or designee, usually someone from Public Works or Community Development	No
City of Sunnyvale	Floodplain Administrator, Building Official	No
County of Santa Clara		Yes
Town of Los Altos Hills	Floodplain Administrator	No
Town of Los Gatos	Floodplain Administrator	No

13.5.3 Critical Facilities and Infrastructure

Percentage of damage and functional down-time estimates were not generated for critical facilities and infrastructures in the flood scenarios. However, a count of facilities within the flood hazard boundaries was obtained using the Hazus facility inventory (Tables 92-94). Replacement values provided in Hazus were used to estimate the flood loss potential to critical facilities exposed to the flood risk. The Hazus critical facility results are presented in Table 105, Table 106, and Table 107.

Table 105: Estimated Damage to Critical Facilities and Infrastructure from the 10% Annual Chance Flood

Type of Critical Facility	Number of Facilities Affected	Estimated Replacement Cost
Essential Facilities	24	\$236,048,440
Transportation	106	\$474,684,230
Utilities	1	\$1,030,643,100
Community Assets	29	Not Available

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Type of Critical Facility	Number of Facilities Affected	Estimated Replacement Cost
Hazardous Materials	54	Not Available
Total/Average	214	\$1,741,375,770

Note: N/A = Not Applicable.

Table 106: Estimated Damage to Critical Facilities and Infrastructure from the 1% Annual Chance Flood

Type of Critical Facility	Number of Facilities Affected	Estimated Replacement Cost
Essential Facilities	58	\$871,412,940
Transportation	185	\$959,350,260
Utilities	3	\$1,070,055,100
Community Assets	64	Not Available
Hazardous Materials	78	Not Available
Total/Average	388	\$2,900,818,300

Note: N/A = Not Applicable.

Table 107: Estimated Damage to Critical Facilities and Infrastructure from the 0.2% Annual Chance Flood

Type of Critical Facility	Number of Facilities Affected	Estimated Replacement Cost
Essential Facilities	89	\$3,478,003,120
Transportation	244	\$1,348,101,860
Utilities	10	\$2,057,661,430
Community Assets	94	Not Available
Hazardous Materials	131	Not Available
Total/Average	568	\$6,883,766,410

Note: N/A = Not Applicable.

These tables indicate that a significant number of important assets are currently located within the 10-, 100-, and 500-year floodplains. A breakdown of the number of critical facilities at risk for each jurisdiction can be found in Table 92 through Table 94. Flooding could impact response facilities such as fire and police stations which may directly damage facilities and equipment within buildings, as well as impact their ability to provide response activities in the immediate aftermath of a flood. Several schools are also in flood hazard zones. Transportation networks such as roadways and railways may be damaged or become temporarily impassable during a flood, which may provide further difficulty for people displaced from their homes and seeking shelter. Numerous other community facilities included in the community assets category are also in hazard zones, which indicates a variety of community support services may be disrupted by flooding. Facilities with hazardous materials on site may be compromised by flooding, which may result in contamination of floodwaters and dispersal of harmful materials. The City of San Jose, the City of Gilroy, and the unincorporated county have the highest number of critical facilities and infrastructure at risk to flooding.

13.5.4 Environment

Flooding is a natural event, and floodplains provide many natural and beneficial functions. Nonetheless, flooding can impact the environment in negative ways. Migrating fish can wash into roads or over dikes into flooded fields, with no possibility of escape. Pollution from roads, such as oil, and hazardous materials can wash into rivers and streams. During floods, these can settle onto normally dry soils, polluting them for agricultural uses. Human development such as bridge abutments and levees, and logjams from timber harvesting can increase stream bank erosion, causing rivers and streams to migrate into non-natural courses.

Additionally, while the vulnerability assessment typically focuses on human vulnerability to flood events, the opposite is also worth noting. Floodplains have many natural and beneficial functions; however, due to negative impacts of floods, many structural and other measures have been devised to limit how far a floodplain can extend. Disruption of natural systems can have long-term consequences for entire regions; however, this potential impact has only recently been noted. Some well-known, water-related functions of floodplains include the following²⁷⁰:

- Natural flood and erosion control.
- Provide flood storage and conveyance.
- Reduce flood velocities.
- Reduce flood peaks.
- Reduce sedimentation.
- Surface water quality maintenance.
- Filter nutrients and impurities from runoff.
- Process organic wastes.
- Moderate temperatures of water.
- Groundwater recharge.
- Promote infiltration and aquifer recharge.
- Reduce frequency and duration of low surface flows

Areas within the floodplain that typically provide these natural functions are wetlands, riparian areas, sensitive areas, and habitats for rare and endangered species. In the northern end of the county, wetlands (both Bay Wetlands and Freshwater Wetlands) will be impacted by flooding adjacent to the coastline. In the southern end of the county, flooding of the Pajaro River watershed would impact Grassland, Riparian, and Freshwater Wetland habitats.²⁷¹ Riparian habitat would be impacted throughout the county; however, this habitat type is naturally adapted to withstand some degree of seasonal flooding.

13.5.5 Economic Impact

Locations of flooding will experience the heaviest economic impact. Within these areas, renovations of commercial buildings may be necessary, disrupting associated services. Additionally, significant damage within agricultural areas may occur with destruction of crops and other agricultural products. The tourism industry may also be affected by major flood events, as popular vacation areas tend to overlap flood hazard zones. Finally, flooding can cause extensive damage to public utilities and disruptions to delivery of services. Loss of power and communications may occur; and drinking water and wastewater treatment facilities may be temporarily out of operation.

²⁷⁰ FEMA. (2022, April 1). Benefits of Natural Floodplains. <https://www.fema.gov/floodplain-management/wildlife-conservation/benefits-natural>

²⁷¹ Santa Clara Valley Water District. (2017, October). Local Hazard Mitigation Plan. [Microsoft Word - R14163 2017 FINAL LOCAL HAZARD MITIGATION PLAN v. 04-09-21 \(amazonaws.com\)](#)

13.6 Future Trends in Development

Pre-pandemic, Santa Clara County had been one of the state's fastest growing counties, averaging a 1.21-percent increase in population per year from 2005 through 2015. The Silicon Valley job market grew, and many young tech employees elected to live in an urban environment rather than commute from the suburbs. The area has not recovered economically since the pandemic. The population decreased slightly from 2021 to 2022, and employment levels for almost all major areas of the economy were still below pre-pandemic levels at last indication.²⁷² Almost 90,000 tech industry employees were laid off in 2022 alone. The Silicon Valley housing market has cooled, but not crashed. A decrease in population and employment, particularly in high-income industries, may reduce the amount of new development in the SFHA. The Santa Clara County Planning Department Website did not show any significant development being proposed in the SFHA in the unincorporated areas of the county at the time of this writing. It is unclear if these trends will continue over the next five years.

Any areas of growth could be impacted by the flood hazard if located within the identified hazard areas. The planning partners have appropriate policies, plans, and programs in place to address future growth within flood hazard areas. The SCVWD intends to discourage development within vulnerable areas and/or to encourage higher regulatory standards on the local level. Additionally, all municipal planning partners are participants in the NFIP and have adopted flood damage prevention ordinances which regulate development in high-hazard areas. All municipal planning partners also have general plans that address frequently flooded areas in their safety elements. All partners have committed to linking their general plans to this hazard mitigation plan. More information on planning partners' development is available in Volume 2 of this plan.

With around 60 percent of communities in the OA participating in the CRS program, there is incentive to adopt consistent, appropriate, higher regulatory standards in areas with the highest degree of flood risk.

Additionally, there are many active regional partners involved in land use planning and risk reduction in the Bay Area. Plan Bay Area 2050 is the nine-county San-Francisco Bay Area plan for long-term development. This plan includes 35 strategies for housing, the economy, transportation, and the environment. It maintains urban growth boundaries in order to curb urban sprawl and identifies other strategies to reduce risk from flooding. The 2015 *Stronger Housing, Safer Communities* report led by ABAG developed a series of strategies for developing safe, smart growth in the Bay Area, including recommendations for flood protection measures.

The County of Santa Clara's Office of Sustainability and Climate Action has also developed the Silicon Valley 2.0 Climate Adaptation Guidebook which provides additional recommendations and examples. Jurisdictions in the OA can expand upon these and other resources to make risk-informed land use and flood mitigation decisions in light of future growth.

13.7 Scenario

Historically, floods have regularly affected the Santa Clara County OA. The OA can expect noteworthy flooding about once a year, with a flash flood every 2 to 3 years. Duration and intensity of heavy winter rains and atmospheric river events that cause flooding may increase due to climate change. The floodplains mapped and identified for the Santa Clara County OA will continue to take the brunt of these floods. OA residents prepare themselves for flooding by seeking and receiving information, and by pursuing mitigation. Impacts of flood events should decrease as the OA continues to promote and implement hazard mitigation and preparedness.

²⁷² Silicon Valley Indicators. (n.d.). Data about Silicon Valley's Economy and Community Health. <https://siliconvalleyindicators.org/>

The worst-case scenario would be a series of heavy rains or storm events during an atmospheric river event, particularly if the rains also occur at high tide. These rains could flood numerous areas within a short time. This could overwhelm the response and floodplain management capability within the OA, as the OA would be subject immediately to flash flooding and coastal flooding, with subsequent influences on the County's streams. Major roads could be blocked, preventing critical access for many residents and critical functions. High in-channel flows could cause water courses to scour, possibly washing out roads and creating more isolation problems. In the event of multi-basin flooding, Santa Clara County would not be able to make repairs quickly enough to restore critical facilities and assets.

13.8 Issues

Important issues associated with floods in the OA include the following:

- The extent of the flood-protection currently provided by flood control facilities (dams, dikes, and levees) is not known due to the lack of an established national policy on flood protection standards.
- The levee system within the OA is not consistently adequate to mitigate effects of a 1-percent annual chance flood.
- The risk associated with the flood hazard overlaps the risk associated with other hazards such as earthquake, landslide, mud slides and fishing losses. This provides an opportunity to seek mitigation alternatives with multiple objectives that can reduce risk for multiple hazards.
- There is no consistency of land-use practices and floodplain management scope within the OA.
- How climate change will affect flood conditions in the OA is uncertain.
- More information is needed on flood risk to support the concept of risk-based analysis of capital projects.
- There needs to be a sustained effort to gather historical damage data, such as high-water marks on structures and damage reports, to measure the cost-effectiveness of future mitigation projects.
- Ongoing flood hazard mitigation will require funding from multiple sources.
- There needs to be a coordinated hazard mitigation effort between jurisdictions affected by flood hazards in the OA.
- Floodplain residents need to continue to be educated about flood preparedness and the resources available during and after floods.
- The concept of residual risk should be considered in the design of future capital flood control projects and should be communicated with residents living in the floodplain.
- The promotion of flood insurance as a means of protecting private property owners from the economic impacts of frequent flood events should continue.
- Existing floodplain-compatible uses such as agricultural and open space need to be maintained. There is constant pressure to convert these existing uses to more intense uses within the OA during times of moderate to high growth.
- The economy affects a jurisdiction's ability to manage its floodplains. Budget cuts and personnel losses can strain resources needed to support floodplain management.

Table 108: EMAP Consequence Analysis: Flood

Subject	Ranking	Impacts/Flood
Public	Minimal to severe	The localized impact is expected to be severe for persons living within the inundation area. Residents of the SFHA are most at risk from flooding. Flooding can result in injury, loss of life, and the loss of property and livelihood. Daily life of residents, visitors, and commuters would be disrupted, particularly if evacuations are necessary. Flood waters could carry containments which impact public health. Water that is slow to recede could act as a habitat for disease-carrying insects. The public would be exposed to risk during flood clean-up, including mold. Vulnerable populations may be disproportionately impacted by a flood event and have unique response and recovery needs. There may long-term public health consequences of a flood event.
Responders	Minimal to moderate	Responders may be responsible for supporting evacuations, closing roads, assisting injured members of the public, and managing the overall incident. Depending on the event, responders may play a significant role in locating and assisting survivors after the flood. During the course of their duties, responders will likely face increased risk of personal injury. They may be directly exposed to the flood water, including any containments.
Continuity of Operations (including continue delivery of services)	Minimal to severe	Temporary relocation may be necessary if inundation affects government facilities. Delivery of services could be affected if there is any disruption to facilities, roads, and/or utilities due to the inundation or cascading impacts.
Property, Facilities, and Infrastructure	Minimal to severe	The localized impact could be severe for property, facilities and infrastructure that are inundated. Additional damage or disruption could be caused by debris, road closures, and stormwater issues. Water and wastewater treatments plants may be overloaded.
Environment	Minimal to severe	Flooding can provide benefits to environment. However, it also can potentially expose the environment to containments, hazardous materials, silt, and debris. Flooding can damage or destroy natural habitats and wildlife like fish caught up in the flood water can die. Floods can additionally cause erosion, landslides, and changes to the watershed.
Economic Conditions	Minimal to severe	Impacts on the economy will greatly depend on the scope of the inundation and the amount of time it takes for the flood water to recede. A major flood event could be costly. There would be emergency response needs, disaster cleanup, delays and disruption in services and transportation, and potential closure to local businesses due to direct flood losses or lack of employees or customers.
Public Confidence in the Government	Minimal to severe	The public's confidence will vary, depending on the perception of the warning time, the information shared, and the time it takes for response and recovery. Accurate and timely distribution of information before, during, and after the event will influence public trust.

14 Landslide/Mass Movement

Definitions

- **Landslide:** The movement of masses of loosened rock and soil down a hillside or slope. Slope failures occur when the strength of the soils forming the slope is exceeded by the pressure, such as weight or saturation, acting upon them.
- **Mass Movement:** A collective term for landslides, debris flows, and sinkholes.
- **Mudslide (or Debris Flow):** A river of rock, earth, organic matter, and other materials saturated with water. Mudslides develop in the soil overlying bedrock on sloping surfaces when water rapidly accumulates in the ground, such as during heavy rainfall or rapid snowmelt. Water pressure in the pore spaces of the material increases to the point that the internal strength of the soil is drastically weakened. The soil's reduced resistance can then easily be overcome by gravity, changing the earth into a flowing river of mud or "slurry."

14.1 General Background

The U.S. Geological Survey defines landslides to include a wide range of ground movement, such as rock falls, deep failure of slopes, and shallow debris flows. Although gravity acting on an over-steepened slope is the primary reason for a landslide, there are other contributing factors.

Landslides and mudslides can be initiated by storms, earthquakes, fires, volcanic eruptions, or human modification of the land. They can move rapidly down slopes or through channels and can strike with little or no warning at avalanche speeds, posing a serious hazard to properties on or below hillsides.

When landslides occur—in response to such changes as increased water content, earthquake shaking, addition of load, or removal of downslope support—they deform and tilt the ground surface. The result can be destruction of foundations, offset of roads, breaking of underground pipes, or overriding of downslope property and structures.

The USGS defines land subsidence as the loss of surface elevation due to the removal of subsurface support. In California, the two principal causes for land subsidence are aquifer compaction due to excessive groundwater pumping and decomposition of wetland soils exposed to air after wetland conversion to farmland.

14.1.1 Landslide Types

Landslides are commonly categorized by the type of initial ground failure. Common types of slides are shown in Figure 65. The most common is the shallow colluvial slide, occurring particularly in response to intense, short-duration storms. The extent of landslides can range from mild to severe and are dependent on several factors, including the type of event. The largest and most destructive are deep-seated slides (greater than 10 to 15 feet deep), although they are less common than other types.

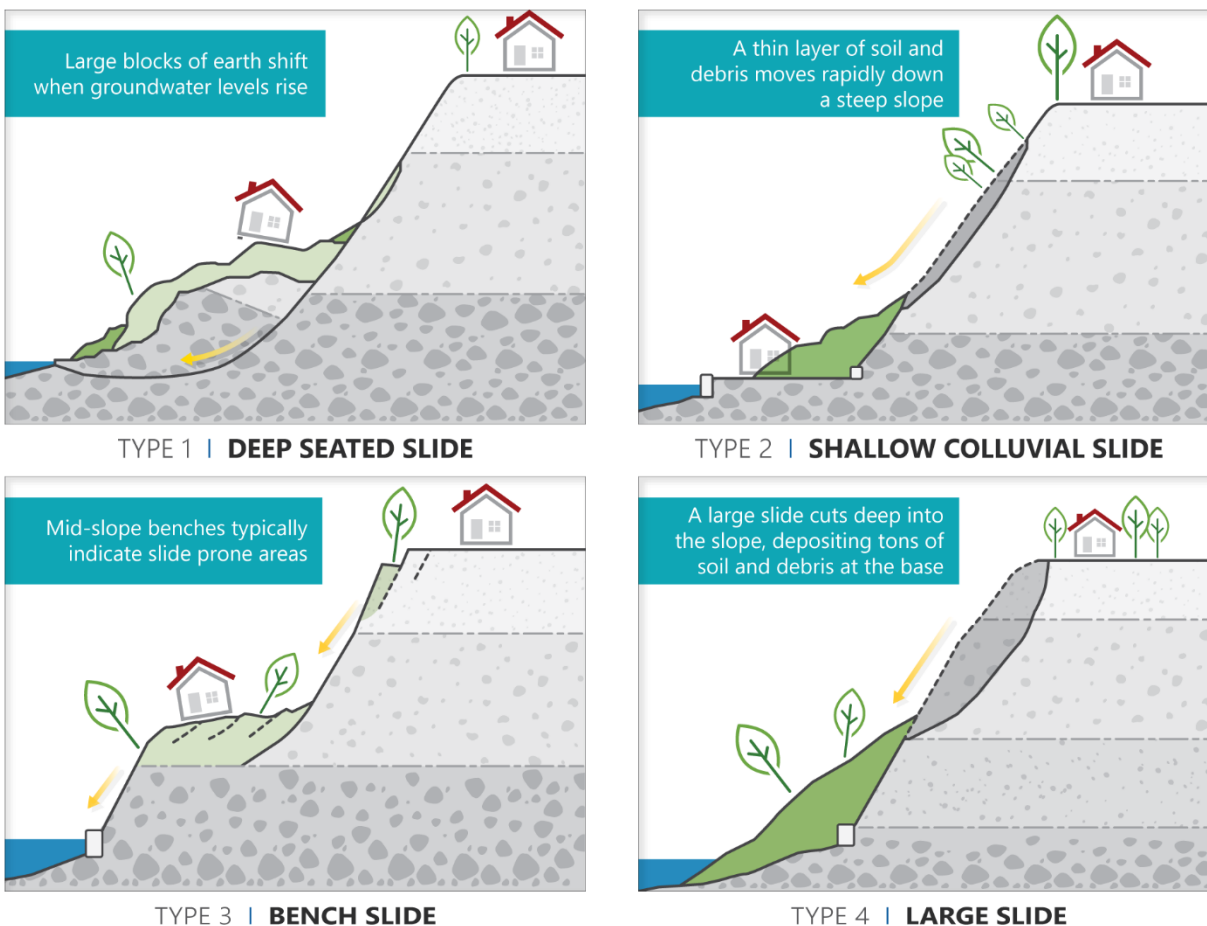


Figure 66: Common Types of Landslides

Mudslides (or debris flows) are rivers of rock, earth, organic matter, and other soil materials saturated with water. They develop in the soil overlying bedrock on sloping surfaces when water rapidly accumulates in the ground, such as during heavy rainfall or rapid snowmelt. Water pressure in the pore spaces of the material increases to the point that the internal strength of the soil is drastically weakened. The soil's reduced resistance can then easily be overcome by gravity, changing the earth into a flowing river of mud.

A debris avalanche (see Figure 66) is a fast-moving debris flow that travels faster than about 10 miles per hour (mph). Speeds in excess of 20 mph are not uncommon, and speeds in excess of 100 mph, although rare, can occur. The slurry can travel miles from its source, growing as it descends, picking up trees, boulders, cars, and anything else in its path. Although these slides behave as fluids, they pack many times the hydraulic force of water due to the mass of material included in them. They can be among the most destructive events in nature.

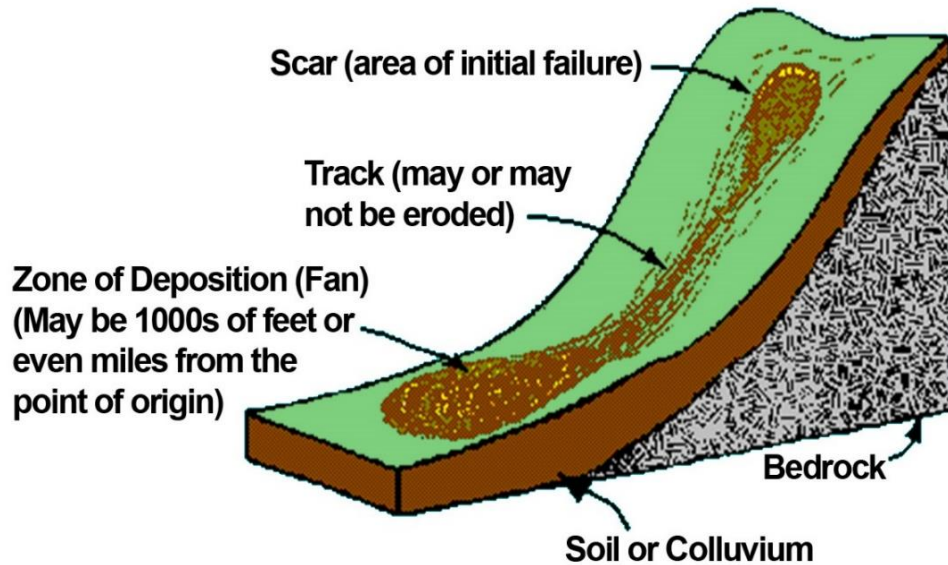


Figure 67: Typical Debris Avalanche Scar and Track²⁷³

Landslides also include the following:

- **Rock Falls:** Blocks of rock that fall away from a bedrock unit without a rotational component.
- **Rock Topples:** Blocks of rock that fall away from a bedrock unit with a rotational component.
- **Rotational Slumps:** Blocks of fine-grained sediment that rotate and move down slope.
- **Transitional Slides:** Sediments that move along a flat surface without a rotational component.
- **Earth Flows:** Fine-grained sediments that flow downhill and typically form a fan structure.
- **Creep:** A slow-moving landslide often only noticed through crooked trees and disturbed structures.
- **Block Slides:** Blocks of rock that slide along a slip plane as a unit down a slope.

14.1.2 Landslide Modeling

Two characteristics are essential to conducting an accurate risk assessment of the landslide hazard:

- The type of initial ground failure that occurs, as described above
- The post-failure movement of the loosened material (“runout”), including travel distance and velocity

All current landslide models—those in practical applications and those more recently developed—use simplified hypothetical descriptions of mass movement to simulate the complex behavior of actual flow. The models attempt to reproduce the general features of the moving mass of material through measurable factors, such as base shear, that define a system and determine its behavior.

²⁷³ California Department of Conservation. (n.d.). Hazards from “Mudslides” ...Debris Avalanches and Debris Flows in Hillside and Wildfire Areas. https://www.conservation.ca.gov/cgs/Pages/Publications/Note_33.aspx

Due to the lack of experimental data and the limited current knowledge about the behavior of the moving flows, landslide models use simplified parameters to account for complex aspects that may not be defined. These simplified parameters are not related to specific physical processes that can be directly measured, and there is a great deal of uncertainty in their definition. Some, but not all, models provide estimates of the level of uncertainty associated with the modeling approach.

Run-out modeling is complicated because the movement of materials may change over the course of a landslide event, depending on the initial composition, the extent of saturation by water, the ground shape of the path traveled and whether there is additional material incorporated during the event..²⁷⁴

14.1.3 Landslide Causes

Mass movements are caused by a combination of geological and climate conditions, as well as encroaching urbanization. Vulnerable natural areas are affected by residential, agricultural, commercial, and industrial development and the infrastructure that supports it. The following factors can contribute to landslide: change in slope of the terrain, increased load on the land, shocks and vibrations, change in water content, groundwater movement, frost action, weathering of rocks, and removing or changing the type of vegetation covering slopes.

14.1.3.1 Excavation and Grading

Slope excavation is common in development of home sites or roads on sloping terrain. Grading can result in slopes that are steeper than the pre-existing natural slopes. These steeper slopes can be at an increased risk for landslides. The added weight of fill on slopes can also result in an increased landslide hazard. Small landslides can be common along roads, in either the road cut or the road fill. Landslides below new construction sites are indicators of the potential impacts stemming from excavation.

14.1.3.2 Drainage and Groundwater Alterations

Water flowing through or above ground is often the trigger for landslides. Any activity that augments the amount of water flowing into landslide-prone slopes can increase landslide hazards. Broken or leaking water or sewer lines can be especially problematic, as can water retention facilities that direct water onto slopes. However, even lawn irrigation and minor alterations to small streams in landslide-prone locations can result in damaging landslides. Ineffective stormwater management and excess runoff can also cause erosion and increase the risk of landslide hazards. Drainage can be affected naturally by the geology and topography of an area. Development that results in an increase in impervious surface impairs the ability of the land to absorb water and may redirect water to other areas. Channels, streams, flooding, and erosion on slopes all indicate potential slope problems.

Road and driveway drains, gutters, downspouts, and other constructed drainage facilities can concentrate and accelerate flow. Ground saturation and concentrated velocity flow are major causes of slope problems and may trigger landslides.

14.1.3.3 Changes in Vegetation

Removing vegetation from very steep slopes can increase landslide hazards. Areas that have experienced wildfire and land clearing for development may experience long periods of increased landslide hazard. In addition, woody debris in stream channels (both natural and man-made from logging) may cause the impacts from debris flows to be more severe.

²⁷⁴ McDougall, S. (2016). 2014 Canadian Geotechnical Colloquium: Landslide runout analysis — current practice and challenges. *Canadian Geotechnical Journal*. 54(5): 605-620. <https://doi.org/10.1139/cgj-2016-0104>

14.1.4 Landslide Management

While small landslides are frequently a result of human activity, the largest landslides are often naturally occurring phenomena with little or no human contribution. The sites of large landslides are typically areas of previous landslide movement that are periodically reactivated by significant precipitation or seismic events. These naturally occurring landslides can disrupt roadways and other infrastructure lifelines, destroy private property, and cause flooding, bank erosion, and rapid channel migration.

Landslides can create immediate, critical threats to public safety. Engineering solutions to protect structures on or adjacent to large active landslides are often extremely or prohibitively expensive. Despite their destructive potential, landslides can serve beneficial functions to the natural environment. They supply sediment and large wood to the channel network and can contribute to complexity and dynamic channel behavior critical for aquatic and riparian ecological diversity. Effective landslide management should include the following elements:

- Continuing investigation to identify natural landslides, understand their mechanics, assess their risk to public health and welfare, and understand their role in ecological systems.
- Regulation of development in or near existing landslides or areas of natural instability through the Santa Clara County Code and City ordinances.
- Preparation for emergency response to landslides to facilitate rapid, coordinated action among Santa Clara County, local cities, and state and federal agencies, and to provide emergency assistance to affected or at-risk citizens.
- Evaluation of options including landslide stabilization or structure relocation where landslides are identified that threaten critical public structures or infrastructure.

14.1.5 Land Subsidence Effects

Subsidence is one of the most diverse forms of ground failure, ranging from small or local collapses to broad regional lowering of the earth's surface. The causes of subsidence, mostly associated with human activities, are as diverse as the forms of failure, and include dewatering (oxidation) of peat or organic soils, dissolution in limestone aquifers, first-time wetting of moisture-deficient low-density soils, natural compaction, liquefaction, crustal deformation, subterranean mining, and withdrawal of fluids (groundwater, petroleum, geothermal).

The compaction of susceptible aquifer systems caused by excessive groundwater pumping is the single largest cause of subsidence in California. The second largest cause of subsidence in California is the oxidation (decomposition) of organic soils.²⁷⁵ Alteration to the Sacramento-San Joaquin Delta in the late 1800s through the creation of levees and ground water pumping is known as the single largest human alternation of the Earths' surface topography, but it left over 5,200 square miles of areas susceptible to subsidence, primarily from decomposition of organic carbon in the peat soils.²⁷⁶

²⁷⁵ U.S. Geological Survey. (2018, October 18). Decomposition of Organic Soils in the Sacramento-San Joaquin Delta. <https://www.usgs.gov/centers/land-subsidence-in-california/science/decomposition-organic-soils-sacramento-san-joaquin>

²⁷⁶ U.S. Geological Survey. (2018, November 29). Land Subsidence Along the California Aqueduct in West-central San Joaquin Valley, California. <https://www.usgs.gov/publications/land-subsidence-along-california-aqueduct-west-central-san-joaquin-valley-california>

14.1.5.1 Aquifer Compaction

Aquifer compaction due to groundwater pumping affects both manmade infrastructures and natural systems. The greatest effects are on infrastructure that traverses a subsiding area. In the San Joaquin Valley, the main problems reported are related to water conveyance structures. Many water conveyance structures, including long stretches of the California Aqueduct, are gravity driven through the use of very small gradients; even minor changes in these gradients can cause reductions in designed flow capacity. Managers of the canals, such as the California Department of Water Resources, the San Luis Delta-Mendota Authority, the Bureau of Reclamation, and the Central California Irrigation District, have to repeatedly retrofit their canals to keep the water flowing, even at reduced amounts. Subsidence also affects roads, railways, bridges, pipelines, buildings, and wells.

Compaction of an aquifer system may permanently decrease the aquifer's capacity to store water. Even when water levels rise, sediments can remain compacted; most compaction that occurs as a result of historically low groundwater levels is irreversible.

Additionally, as the topography of the land changes by varying amounts in different places, low areas, such as wetlands, change size and shape, migrate to lower elevations, or even disappear. Rivers may change course or erosion/deposition patterns to reach a new equilibrium.

14.1.5.2 Decomposition of Wetland Soils

The Sacramento-San Joaquin Delta of California was once a great tidal freshwater marsh. It is blanketed by peat and peaty alluvium deposited where streams that originate in the Sierra Nevada, Coast Ranges, and South Cascade Range enter San Francisco Bay. In the late 1800s, levees were built along the stream channels, and the land thus protected from flooding was drained, cleared, and planted. The leveed tracts and islands help to protect water-export facilities in the southern Delta from saltwater intrusion by displacing water and maintaining favorable freshwater gradients. However, the decomposition of organic carbon in the peat soils causes land subsidence in the Delta and increases stresses on the levees. Ongoing subsidence behind the levees, where the land has been drained, exposed to the atmosphere, and planted, increases stresses on the levee system, making it less stable. This threatens to damage agricultural and developed lands and degrade water quality in the massive water-transfer system.

14.2 Hazard Profile

14.2.1 Past Events

Losses from landslides are typically lower than those from flooding. However, in the El Niño storms of early 1998, the USGS documented \$150 million in losses due to approximately 300 landslides in the Bay Area and Santa Clara County. The slides ranged from a 25-cubic-meter failure of engineered material to reactivation of the 13 million-cubic-meter Mission Peak earth flow complex in Alameda County.

Landslides have occurred in conjunction with earthquakes and heavy rains events in Santa Clara County. Table 109 lists known landslide events that affected Santa Clara County between 1980 and 2023. Other landslides around the Bay Area near the OA, particularly in the Santa Cruz Mountains, are documented by the California Geological Survey.²⁷⁷

²⁷⁷ California Geological Survey. (2011). Susceptibility to Deep-Seated Landslides in California. https://www.conservation.ca.gov/cgs/Documents/Publications/Map-Sheets/MS_058.pdf

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Table 109: Landslide Events in Santa Clara County^{278, 279, 280, 281, 282}

Dates of Event	Event Type	FEMA Declaration	Location	Losses/Impacts
12/19/1981 to 1/08/1982	Severe storms, flood, mudslides, high tide	651	San Francisco Bay area	Prolonged heavy rains and saturated soils caused numerous slope failures and mud flows on steep and unstable slopes throughout the San Francisco Bay area.
1/21/1983 to 3/30/1983	Coastal storms, floods, slides, tornadoes	677	San Francisco Bay area	A landslide restricted Clayton Road to one lane just east of the community of Alum Rock. Another, on the east side of Milpitas, resulted in vertical and horizontal offset of a roadway.
4/24/1984	Morgan Hill Earthquake	None	Calaveras fault east of San José.	This 6.2 magnitude earthquake caused minor landslides throughout the region.
10/17/1989	Loma Prieta Earthquake	845	San Andreas fault near Loma Prieta.	Landslides and rockslides in Santa Clara County on steep slopes in the Santa Cruz Mountains blocked roads, damaged structures, and caused at least two deaths.
1/03/1995 to 2/10/1995	Severe winter storms, flooding, landslides, mud flows	1044	San Francisco Bay area	Minor landslide damage in Santa Clara County was attributed to heavy rains and saturated soils.
2/13/1995 to 4/19/1995	Severe winter storms, flooding, landslides, mud flows	1046	San Francisco Bay area	Minor landslide damage in Santa Clara County was attributed to heavy rains and saturated soils.

²⁷⁸ Association of Bay Area Governments. (2011). 2011 Bay Area Hazard Mitigation Plan. <https://abag.ca.gov/2011-bay-area-hazard-mitigation-plan>

²⁷⁹ U.S. Geological Survey. (1987). The Morgan Hill, California, Earthquake of April 24, 1984. U.S. Geological Survey Bulletin 1639. <https://pubs.usgs.gov/bul/1639/report.pdf>

²⁸⁰ U.S. Geological Survey (1989). The Severity of an Earthquake. https://pubs.usgs.gov/gip/earthq4/severity_text.html

²⁸¹ NOAA. (2023). Storm Events Database. <https://www.ncdc.noaa.gov/stormevents/>

²⁸² California Department of Conservation. (n.d.). Reported California Landslides Database. <https://www.conservation.ca.gov/cgs/landslides>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Dates of Event	Event Type	FEMA Declaration	Location	Losses/Impacts
2/02/1998 to 4/30/1998	Severe Winter Storms and El Nino Rainstorm	1203	San Francisco Bay region	\$7.6 million in Santa Clara County landslide damage occurred mostly in the northern county, along the range front of the Santa Clara Valley. \$6.1 million in damage was attributed to reactivation of three local landslides. The rest was attributed to small debris flows along road cuts or narrow canyon walls. In Alum Rock, the Penitencia Creek landslide caused extensive damage to water and sewer lines and closed roads. Another landslide closed Clayton Road east of Alum Rock area. The third, near Old Piedmont Road on the east side of Milpitas, had a displacement near the toe of about 20 cm.
1/10/2017	Debris Flow, Heavy Rain	None	Santa Clara, Montalvo	The third and final system in a string of Atmospheric River events between January 2 to 11. This system resulted in widespread roadway flooding and debris flows across the CWA. Black road at Gist Road is impassable due to major mudslide or rockslide.
1/18/2017	Debris Flow, Heavy Rain	None	Santa Clara, Redwood Estates	Three storm systems swept through the region between January 18-23. The first occurred on January 18 as a cold front moved through. Heavy rain, widespread flooding, and debris flows were observed. Mud/rock/dirt slide blocking one lane heading towards Highway 17 from Bear Creek Rd.
2/07/2017	Debris Flow, Heavy Rain	None	Santa Clara, Los Gatos	An atmospheric river swept through the Bay Area beginning on the night of Feb 6. This system produced widespread roadway flooding, debris flows, and strong winds. Mud slide reported at 18500 Limekiln Canyon Road.
2/09/2017	Debris Flow, Heavy Rain	None	Santa Clara, Los Altos Hills	A cold front passed over the area Thursday Feb 9. There were strong winds ahead of the front and heavy rains associated with the frontal passage that produced roadway flooding and debris flows. Mud/dirt/rockslide blocking south bound lanes Skyline Dr at Alpine.

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Dates of Event	Event Type	FEMA Declaration	Location	Losses/Impacts
2/09/2017	Debris Flow, Heavy Rain	None	Santa Clara, Saratoga	A cold front passed over the area Thursday, Feb 9. There were strong winds ahead of the front and heavy rains associated with the frontal passage that produced roadway flooding and debris flows. Second mudslide in area and a tree down partially blocking 23600 SR9 near Savannah-Chanelle Vineyard.
2/20/2017	Debris Flow, Heavy Rain	None	Santa Clara, Los Gatos	Potent AR brought copious amounts of rain to the region causing widespread flooding, debris flow, accidents, and over topping of reservoir spillways. Highway 17 southbound shut down due to a rockslide just north of Lexington Reservoir.
1/06/2019	Debris Flow, Heavy Rain	None	Santa Clara, Los Gatos	A vigorous cold front swept through California on January 5th bringing widespread rainfall and gusty winds. Unstable air behind the frontal passage and sufficient low level shear allowed shallow thunderstorms to develop over the coastal waters, some of which contained rotating cells. Two waterspouts developed and made landfall as tornadoes on the 6th. Additionally, heavy rainfall and strong winds caused roadway flooding, minor debris flows, and numerous downed trees across the region. This storm system caused two fatalities; one caused by a downed tree in Berkeley and another man died in Santa Rosa Creek due to rising waters. Mud slide reported at Cats/Lexington south side on Hwy 17.
1/17/2019	Flood, Heavy Rain	None	Santa Clara, Saratoga	A moderate to strong atmospheric river impacted much of California in the middle of the month. A weak surface low developed off the coast on January 15th bringing moderate to heavy rainfall to portions of the region. Over the next 24 to 36 hours a second strong low pressure system moved to the north and east bringing heavy rain, destructive winds, high surf, flooding, and thunderstorms to the Bay Area. Numerous reports were received of downed trees and power lines. Winds were recorded between 60 and 100 mph. Downed trees resulted in two fatalities. Mud/dirt/rock at Mt Eden Rd and Orchard Meadow Dr blocking most of roadway.

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Dates of Event	Event Type	FEMA Declaration	Location	Losses/Impacts
2/04/2019	Debris Flow, Heavy Rain	None	Santa Clara, Redwood Estates	A mid/upper low with a very cold airmass moved through in early February bringing snow to lower elevation peaks across the region prompting a rare Winter Weather Advisory. Junipero Serra Peak received around a foot of snow. Rainfall just ahead of this system also brought roadway flooding and minor debris flows. Mud, rock, and debris covered Hicks Road resulting in a multiday closure. Highway 35 closed due to sinkhole.
2/10/2019	Debris Flow, Heavy Rain	None	Santa Clara, Bells Station	A cold front moved through the region into February 10th lowering snow levels below 1500 ft, per the Bodega Bay Profiler. The areas peaks saw another dusting to several inches of snow as a result with Mount Hamilton recording almost 6 inches. Additionally, showers ahead of the front the previous evening caused some minor roadway flooding. Mud and rocks in slow lane on WB HWY 152.
2/11/2019	Landslide	None	Santa Clara	160 meters east of intersection of Hicks Road and Pheasant Road. Mud, rock, and debris covered Hicks Road resulting in multiday closure
2/13/2019	Debris Flow, Heavy Rain	None	Santa Clara, Robertsville	An atmospheric river with an associated cold front moved through the region from February 12th to the 15th bringing widespread flooding and debris flows. Multiple mainstem rivers flooded prompting evacuations from local officials. Strong wind gusts caused downed trees, power outages, and structural damage. Additionally, a tree fell on a car causing one fatality and one serious injury on Highway 17 while another downed tree caused a serious multi-car traffic accident that resulted in another fatality as well as major injuries. The areas peaks received upwards of 10 inches of rainfall and widespread wind gusts of 50 to 60 mph were observed. Mount Saint Helena recorded wind gusts of 80 mph. Mudslide blocking both lanes of Hicks Rd in south San José.

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Dates of Event	Event Type	FEMA Declaration	Location	Losses/Impacts
2/13/2019	Flood, Heavy Rain	None	Santa Clara, Saratoga	An atmospheric river with an associated cold front moved through the region from February 12th to the 15th bringing widespread flooding and debris flows. Multiple mainstem rivers flooded prompting evacuations from local officials. Strong wind gusts caused downed trees, power outages, and structural damage. Additionally, a tree fell on a car causing one fatality and one serious injury on Highway 17 while another downed tree caused a serious multi-car traffic accident that resulted in another fatality as well as major injuries. The areas peaks received upwards of 10 inches of rainfall and widespread wind gusts of 50 to 60 mph were observed. Mount Saint Helena recorded wind gusts of 80 mph. Mud in NB lane of CA-9 1 mile south of Redwood Gulch.
2/14/2019	Debris Flow, Heavy Rain	None	Santa Clara, Saratoga	An atmospheric river with an associated cold front moved through the region from February 12th to the 15th bringing widespread flooding and debris flows. Multiple mainstem rivers flooded prompting evacuations from local officials. Strong wind gusts caused downed trees, power outages, and structural damage. Additionally, a tree fell on a car causing one fatality and one serious injury on Highway 17 while another downed tree caused a serious multi-car traffic accident that resulted in another fatality as well as major injuries. The areas peaks received upwards of 10 inches of rainfall and widespread wind gusts of 50 to 60 mph were observed. Mount Saint Helena recorded wind gusts of 80 mph. Mud slide blocking lanes at SR 9 and Booker Creek Rd.

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Dates of Event	Event Type	FEMA Declaration	Location	Losses/Impacts
1/27/2021	Debris Flow, Heavy Rain	None	Santa Clara, Coyote	A plume of moisture from the tropical Pacific brought an Atmospheric River to the Bay Area January 26–29. This system generated heavy rain rates causing flooding and debris flows over area burn scars as well as 15 to 20 inches of rain in the Santa Lucia Mountains. Mudflows near the River Fire burn scar in Monterey County caused damage to homes, covered roadways, and trapped animals at local ranches. Debris flows near the Dolan Fire burn scar caused an entire section of Highway 1 near Rat Creek to collapse into the Pacific Ocean. This was an unusually cold system for an Atmospheric River resulting in lower snow levels and allowing for accumulating snow as low as 1300 feet in elevation. Additionally, strong south to southeast winds gusted to 60-70 mph across area peaks with Mt Diablo reaching 80 mph. Valley locations were gusting up to 40 mph. Numerous trees fell across the region including into homes and onto cars. Multiple power outages were also reported. It is estimated that the storm caused millions of dollars in damage across Santa Cruz County. Mud/dirt/rocks in roadway at Metcalf Rd and Monterey Hwy.
3/10/2021	Flood, Heavy Rain	None	Santa Clara, San José	A cold upper low moved through the region in early March bringing widespread showers and isolated thunderstorms to the Greater Bay Area. This system caused roadway flooding, debris flows, lightning, and small hail. Snow was also reported on some of the area's peaks throughout the region as snow levels dropped down to 2,000 ft. A mudslide occurred along the River Fire burn scar in Monterey County sending mud and debris into nearby homes. Roadway flooding northbound 280 & 87 due to heavy rain.

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Dates of Event	Event Type	FEMA Declaration	Location	Losses/Impacts
3/10/2021	Hail	None	Santa Clara, San José International Airport	A cold upper low moved through the region in early March bringing widespread showers and isolated thunderstorms to the Greater Bay Area. This system caused roadway flooding, debris flows, lightning, and small hail. Snow was also reported on some of the area's peaks throughout the region as snow levels dropped down to 2,000 ft. A mudslide occurred along the River Fire burn scar in Monterey County sending mud and debris into nearby homes. Image on social media showing small hail near the San José International Airport.



Figure 68: A Santa Clara County Debris Flow Triggered by Winter Storms Following the Loma Fire, 2017.²⁸³

According to the Santa Clara Valley Water District,²⁸⁴ Santa Clara County has experienced as many as 13 feet of subsidence caused by excessive pumping of groundwater in the early 1900s. The SCVWD was created in the early 1930s to protect groundwater resources and minimize land subsidence. To reduce the demand on groundwater and minimize subsidence, the SCVWD uses a combination of imported surface water (from the State Water Project and San Francisco's Hetch-Hetchy system), recycled water, and groundwater. Figure 68 shows the history of land surface elevation, groundwater elevation, and the estimated population of Santa Clara County from 1900 up to 2020. The SCVWD started importing water in the 1960s when the groundwater elevation reached its lowest elevation.

²⁸³ Swanson, B. (n.d.). A Santa Clara County debris flow triggered by winter storms following the Loma Fire, 2017 [Photograph]. California Geologic Survey.

²⁸⁴ SCVWD. (n.d.). Subsidence. <https://www.valleywater.org/your-water/where-your-water-comes/groundwater/subsidence#:~:text=Land%20subsidence%20is%20a%20settling%20of%20the%20Earth%27s,Jose%20to%20southern%20San%20Francisco%20Bay%20were%20impacted.>

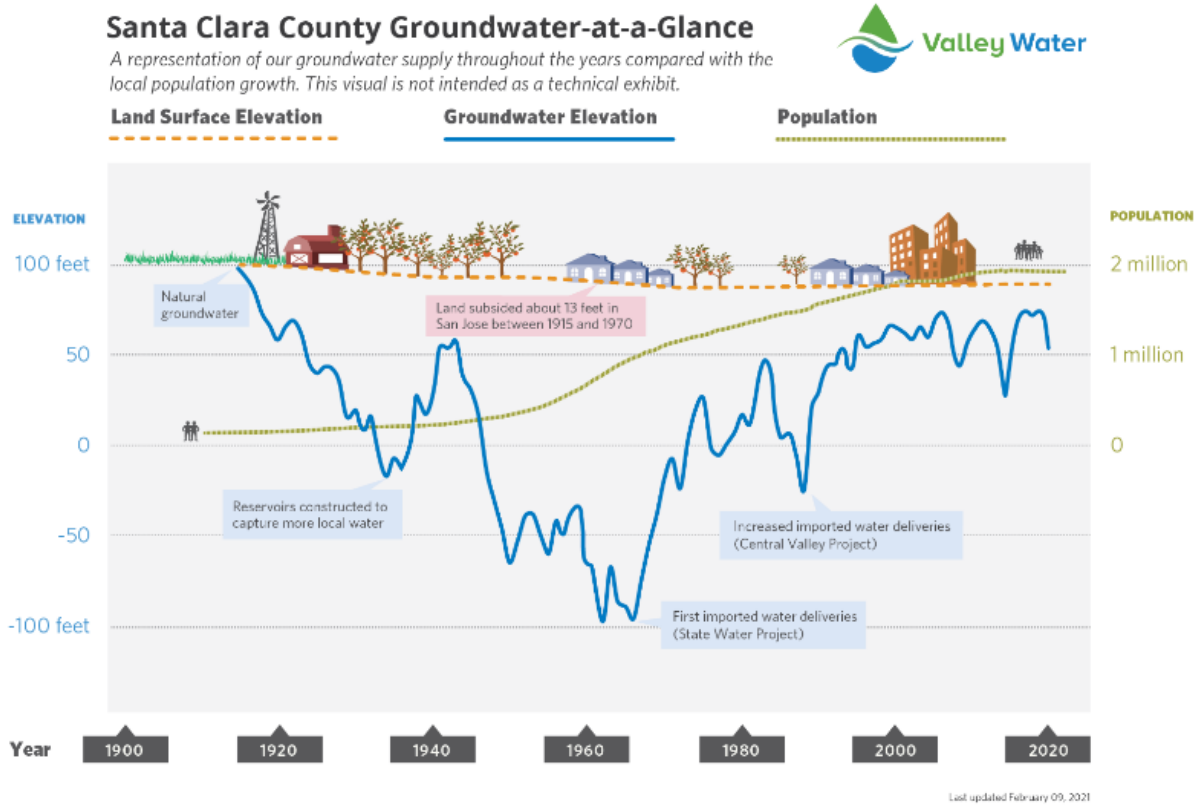


Figure 69: SCVWD Historic Groundwater Conditions²⁸⁵

14.2.2 Location

In general, landslide hazard areas are where the land has characteristics that contribute to the risk of the downhill movement of material, such as the following:

- A history of landslide activity or movement during the last 10,000 years.
- A steep slope.
- Stream or wave activity, which has caused erosion, undercut a bank, or cut into a bank to cause the surrounding land to be unstable.
- Recent wildfires, as debris flows often occur in areas that experienced wildfires the previous year.²⁸⁶
- Recent construction, construction debris, or erosion due to construction.
- The presence of an alluvial fan (geologic features built by runoff spreading out in a wide fan-like area), indicating vulnerability to the flow of debris or sediments.

²⁸⁵ Santa Clara Valley Water District. (2021). Imported Water: Vital to Santa Clara Valley [Photograph]. <https://www.valleywater.org/your-water/where-your-water-comes/imported-water>

²⁸⁶ USGS California Water Science Center. (2018, October 31). Post-Fire Flooding and Debris Flow. <https://ca.water.usgs.gov/wildfires/wildfires-debris-flow.html>

- The presence of impermeable soils, such as silt or clay, which are mixed with granular soils such as sand and gravel.

The best available predictor of where movement of slides and earth flows might occur is the location of past movements. Past landslides can be recognized by their distinctive topographic shapes, which can remain in place for thousands of years. Most landslides recognizable in this fashion range from a few acres to several square miles. Most show no evidence of recent movement and are not currently active. A small proportion of them may become active in any given year, with movements concentrated within all or part of the landslide masses or around their edges.

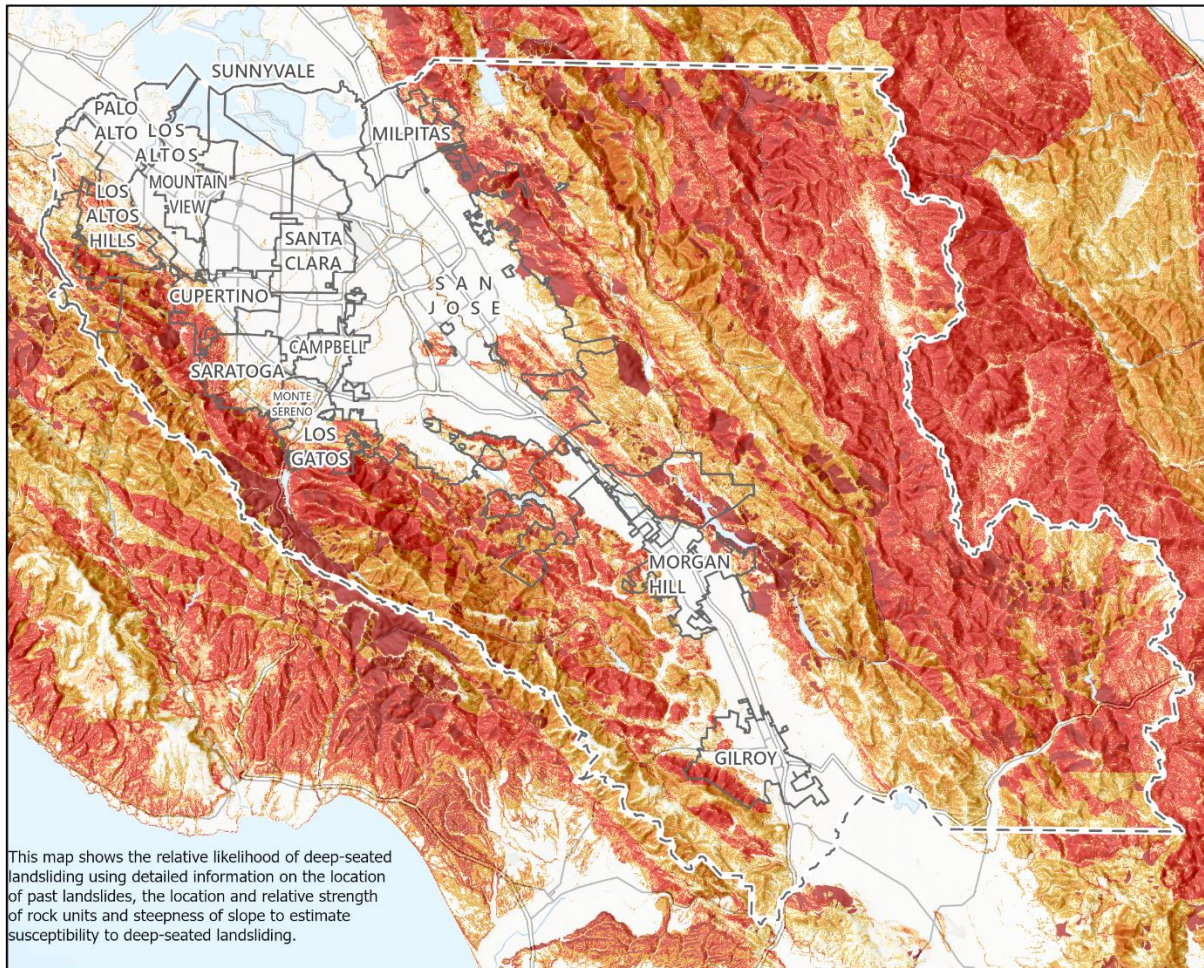
The recognition of ancient dormant mass movement sites is important in the identification of areas susceptible to flows and slides because they can be reactivated by earthquakes or by exceptionally wet weather. Also, because they consist of broken materials and frequently involve disruption of groundwater flow, these dormant sites are vulnerable to construction-triggered sliding.

The California Landslide Hazard Identification Act directs the State Geologist to identify and map hazardous landslide areas for use by municipalities in planning and decision-making on grading and building permits. Three factors that characterize landslide hazard areas include significant slope, weak rocks, and heavy rains. This program focuses on urban areas and growth areas that exhibit these characteristics. The OA includes both high- and low-risk landslide areas.

The Association of Bay Area Governments Resilience Program²⁸⁷ provides more detailed mapping for the Bay Area through use of USGS *Summary of Distribution of Slides and Earth Flows* (1997) and *Map Showing Principal Debris-Flow Source Areas* (1997). The County of Santa Clara overlaid these data on its jurisdictional boundaries to develop Geological Hazard Zones to suggest areas specific geologic hazards may be present. Additional geologic reports are required for construction in areas where a specific geologic hazard may be present.

²⁸⁷ Association of Bay Area Governments. (n.d.). Resilience. <https://abag.ca.gov/our-work/resilience>

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Source: Santa Clara County
Planning, CGS Map Sheet 58
5/13/2023 12:58 PM

Santa Clara County Deep-Seated Landslide Susceptibility



County Boundary

Landslide Susceptibility Classes

0
III

V
VI
VII
VIII

IX
X

Figure 70: Deep-Seated Landslide Susceptibility in Santa Clara County

14.2.3 Frequency

There are over 75,000 active and dormant landslides mapped in the Bay Area and other natural hazards such as earthquakes, heavy rain, floods, or wildfires continue to trigger landslides so there will likely be more landslide activity in the OA on an annual basis.²⁸⁸ In the OA, landslides typically occur where landslides and earth flows have occurred in the past. These previous locations may not show any evidence of recent movement and may not be currently active, but some portion of them may become active in any given year from natural hazard events. As shown in Table 109, damage from the El Niño rainstorm event in 1998 was mainly attributed to reactivation of landslide locations and because of sequential severe storms that saturated steep, vulnerable soils. Landslide events occurred during the severe storms of 1983, 1995, and 1998. Atmospheric rivers that occurred along the west coast in 2021 and 2022 also caused landslide events in California. As more frequent storms hit the west coast and wildfires become more frequent due to climate change, there will likely be increased landslide incidents. Until better data is generated specifically for landslide hazards, this severe storm frequency is appropriate for the purpose of ranking risk associated with the landslide hazard. Subsidence is hard to predict. Given that it is a generally slow and gradual process which develops over time including in areas like the San Joaquin River Delta, it can be assumed the OA is at continuous risk from this hazard.

Further information on the impact of climate change on the probability of landslide/mass movement is included in Section 11.

Probability in OA: Occasional

14.2.4 Severity

Landslides destroy property and infrastructure and can take the lives of people. Slope failures in the United States result in an average of 25 to 50 lives lost per year and are estimated to cost society billions of dollars in damages. Landslides can pose a serious hazard to properties on or below hillsides. When landslides occur—in response to such changes as increased water content, earthquake shaking, addition of load, or removal of downslope support—they deform and tilt the ground surface. The result can be destruction of foundations, offset of roads, breaking of underground pipes, or overriding of downslope property and structures.

14.2.5 Warning Time

The speed of mass movements may range from inches per year to many feet per second, depending on slope, material, and water content. Some monitoring methods can provide an idea of the type of movement and the amount of time prior to failure. It is also possible to determine what areas are at risk during general time periods. Assessing geology, vegetation and predicted precipitation can help in predictions. Landslide early warning systems (LEWS) have gained more attention from researcher, government officials, and other decision makers in recent years.²⁸⁹ The San Francisco Bay region was once home to the first public debris-flow hazard advisory in the United States however, it had to be shut down due to lack of resources. There is currently no practical warning system for individual landslides. The current standard operating procedure is to monitor situations case-by-case and respond after the event has occurred. Warning signs for landslide activity include the following:

- Springs, seeps, or saturated ground in areas that have not typically been wet before

²⁸⁸ Santa Clara Valley Water District. (2017). Local Hazard Mitigation Plan. <https://www.valleywater.org/flooding-safety/local-hazard-mitigation-plan>

²⁸⁹ Guzzetti, F., & Gariano, S. L., & Peruccacci, S., & Brunetti, M. T., & Marchesini, I., & Rossi, M., & Melillo, M. (2020, January). Geographical Landslide Early Warning Systems. *Earth-Science Reviews*. <https://www.sciencedirect.com/science/article/pii/S0012825219304635>

- New cracks or unusual bulges in the ground, street pavements or sidewalks
- Soil moving away from foundations
- Ancillary structures such as decks and patios tilting and/or moving relative to the main house
- Tilting or cracking of concrete floors and foundations
- Broken water lines and other underground utilities
- Leaning telephone poles, trees, retaining walls or fences
- Offset fence lines
- Sunken or down-dropped roadbeds
- Rapid increase in creek water levels, possibly accompanied by increased turbidity (soil content)
- Sudden decrease in creek water levels though rain is still falling or just recently stopped
- Sticking doors and windows, and visible open spaces indicating jambs and frames out of plumb
- A faint rumbling sound that increases in volume as the landslide nears
- Unusual sounds, such as trees cracking or boulders knocking together

14.3 Cascading Impacts

Landslides can cause secondary effects such as blocking access to roads, which can isolate residents and businesses and delay transportation. This could result in economic losses for businesses. Other potential problems resulting from landslides are power and communication failures. Vegetation or poles on slopes can be knocked over, resulting in possible losses to power and communication lines. Landslides also have the potential of destabilizing the foundation of structures, which may result in monetary loss for residents. The damage or destruction of culverts, levees, dams, or other flood mitigation infrastructure during a landslide can result in increased likelihood and damage from flooding. They also can damage rivers or streams, potentially harming water quality, fisheries, and spawning habitat.

14.4 Exposure

14.4.1 Population

Population could not be examined by landslide hazard area because the boundaries of census block groups do not coincide with the hazard area boundaries. However, population was estimated using the building count from the National Structure Inventory multiplied by the most recent average household size from the U.S. Census Bureau. Using this approach, the estimated population living in a moderate to high landslide risk area is 182,752. Table 110 shows the population residing in landslide hazard areas by city.

Table 110: Population Exposed to Landslide Hazard

Jurisdiction	Population in hazard area	% of Total City Population
Campbell	629	1.45
Cupertino	4,530	7.47
Gilroy	2,578	4.33
Los Altos	1,082	3.40

Jurisdiction	Population in hazard area	% of Total City Population
Los Altos Hills	2,986	35.33
Los Gatos	7,527	22.45
Milpitas	2,217	2.76
Monte Sereno	575	16.67
Morgan Hill	4,583	10.18
Mountain View	337	.41
Palo Alto	620	.90
San Jose	39,694	3.91
Santa Clara	614	.48
Saratoga	6,639	21.39
Sunnyvale	611	.39
Unincorporated	16,158	17.90
County Total	91,379	4.72

14.4.2 Property

There are 506,562 acres of land in the OA in a moderate to high landslide risk area. There is also a high number of existing structures and personal vehicles in the OA with an estimated value of \$23 billion. Table 111 shows the number and replacement value of structures exposed to the landslide risk and Table 112 shows the land by acreage exposed to moderate to high landslide hazard in the OA.

Table 111: Exposure and Value of Structures in Moderate to High Landslide Risk Areas

Jurisdiction	Estimated Value within the Landslide Risk Area				% of Total Replacement Value
	Structure	Contents	Vehicle	Total	
Campbell	\$119,347,275	\$93,490,164	\$17,091,000	\$229,928,440	1.45
Cupertino	\$642,077,740	\$352,803,132	\$46,269,000	\$1,041,149,872	7.47
Gilroy	\$426,639,497	\$241,668,405	\$24,615,000	\$692,922,903	4.33
Los Altos	\$183,084,928	\$112,059,655	\$11,295,000	\$306,439,583	3.40
Los Altos Hills	\$551,842,500	\$29,164,233	\$30,159,000	\$611,165,733	35.33
Los Gatos	\$1,329,885,950	\$802,145,351	\$97,668,000	\$2,229,699,302	22.45
Milpitas	\$280,013,499	\$146,512,485	\$22,212,000	\$448,737,984	2.76
Monte Sereno	\$102,860,017	\$52,144,778	\$6,264,000	\$161,268,795	16.67
Morgan Hill	\$636,319,187	\$339,329,715	\$46,368,000	\$1,022,016,903	10.18
Mountain View	\$50,017,254	\$26,790,401	\$6,714,000	\$83,521,656	0.41
Palo Alto	\$278,075,584	\$207,755,004	\$33,669,000	\$519,499,589	0.90
San José	\$5,567,073,749	\$3,165,037,570	\$450,567,000	\$9,182,678,320	3.91

Jurisdiction	Estimated Value within the Landslide Risk Area				% of Total Replace ment Value
	Structure	Contents	Vehicle	Total	
Santa Clara (city)	\$84,759,092	\$49,960,448	\$14,184,000	\$148,903,541	0.48
Saratoga	\$1,136,966,663	\$661,435,350	\$78,399,000	\$1,876,801,014	21.39
Sunnyvale	\$104,153,879	\$87,361,931	\$8,604,000	\$200,119,810	0.39
Unincorporated County	\$2,611,823,403	\$1,557,860,929	\$220,905,000	\$4,390,589,332	17.90
Total	\$14,104,940,226	\$7,925,519,558	\$1,114,983,000	\$23,145,442,784	4.72

Table 112: Acreage in Moderate to High Landslide Hazard Areas

Jurisdiction	Moderate to High Hazard Area	
	Area (acres)	% of Total
Campbell	143.29	3.7%
Cupertino	2616.51	36.3%
Gilroy	3880.9	36.6%
Los Altos	247.32	5.9%
Los Altos Hills	2321.63	40.0%
Los Gatos	2954.63	39.6%
Milpitas	1572.02	18.1%
Monte Sereno	222	21.4%
Morgan Hill	1996.03	24.2%
Mountain View	105.14	1.3%
Palo Alto	4605.85	27.7%
San José	24693.71	21.3%
Santa Clara (city)	121.54	1.0%
Saratoga	2999.47	36.7%
Sunnyvale	144.7	1.0%
Unincorporated County	457938.24	75.9%
Total	506562.98	60.7%

14.4.3 Critical Facilities and Infrastructure

Table 113 summarizes critical facilities exposed to the landslide hazard in moderate, high, and very high risk areas. No loss estimation of these facilities was performed due to the lack of established damage functions for the landslide hazard. A significant amount of infrastructure, under the Infrastructure Lifeline category, can be exposed to mass movements:

- **Roads:** Access to major roads is crucial after a disaster event. Landslides can block roads, causing neighborhood isolation and transportation delays. This can result in economic losses for businesses.
- **Bridges:** Landslides can damage road bridges. Mass movements can knock out bridge abutments or significantly weaken the soil supporting them, making them hazardous for use.
- **Power Lines:** Power lines are generally elevated above steep slopes; but the towers supporting them can be subject to landslides. A landslide could trigger failure of the soil underneath a tower, causing it to collapse and ripping down the lines.

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Table 113: Critical Facilities and Infrastructure in Moderate to Very High Landslide Risk Areas

Jurisdiction	Essential Facilities	Transportation	Utilities	Community Assets	Hazardous Materials	Total
Campbell	0	5	0	1	0	6
Cupertino	0	10	0	2	0	12
Gilroy	0	0	0	1	0	1
Los Altos	1	3	0	0	0	4
Los Altos Hills	2	10	0	0	0	12
Los Gatos	3	12	0	0	0	15
Milpitas	0	5	0	0	0	5
Monte Sereno	0	0	0	0	0	0
Morgan Hill	1	1	0	0	0	2
Mountain View	0	9	0	0	0	9
Palo Alto	0	5	1	3	0	9
San José	11	110	1	10	0	132
Santa Clara (city)	0	11	0	1	0	12
Saratoga	5	14	0	3	0	22
Sunnyvale	0	2	0	0	0	2
Unincorporated County	12	73	4	30	0	119
Total	35	269	6	49	0	359

14.4.4 Environment

Environmental problems as a result of mass movements can be numerous. Landslides that fall into streams may significantly impact fish and wildlife habitat, as well as affecting water quality. Hillsides that provide wildlife habitat can be lost for prolonged periods of time due to landslides. Some habitat types support more diverse species than others. In California, riparian areas contain the greatest diversity of species. For an area such as Santa Clara County, where steep slopes, landslide potential, and other related geologic hazards are prevalent, erosion control is important to minimize the related adverse effects of a mass-movement event.²⁹⁰

14.5 Vulnerability

Change in conditions: Increase in vulnerability

- As shown in section 14.2.1, an increasing number of landslide events have been documented since 2017.
- There has been a recent increase in the number of heavy rainfall events. Increased precipitation contributes to saturated soils which may stimulate landslide movement.
- Landslide risk is highest in the foothills. Roads here are often narrow, or may have limited access such as dead-end spur roads. This makes ingress and egress difficult if roadways become blocked by slides.

14.5.1 Population

All of the estimated 91,379 persons exposed to high landslide risk areas are considered to be vulnerable. Los Altos Hills, Los Gatos, and Saratoga have the highest percentage of population residing in areas at high risk to landslides. Increasing population and the fact that many homes are built on view property atop or below bluffs and on steep slopes subject to mass movement, increases the number of lives endangered by this hazard. Landslide losses don't tend to be as heavily felt by socially vulnerable populations as other hazards. Everyone that lives in high-risk areas is at risk. There has been little research on human vulnerability to landslide as most research focuses on structural vulnerability however, some studies suggest that human behavior can play an important role in predicting potential losses.²⁹¹ While the size and timing of some landslides mean that injury or death is highly likely, advanced warning and immediate action (such as moving to a higher floor) can sometimes make all the difference. Education and outreach could help mitigate this risk to the public.

Some landslides onset too quickly for protective action to be taken, which can affect all demographic groups. However, residents who are older, those who are young, those who are visually or hearing impaired, or those who have mobility difficulties due to physical impairments may be particularly at risk to landslide. In cases where warning time is possible prior to a landslide, people with limited English proficiency may have difficulty receiving or understanding warning from a television, radio emergency warning system or cell phone alert to take appropriate action.

²⁹⁰ County of Santa Clara. (1994). Santa Clara County General Plan.
https://stgenpln.blob.core.windows.net/document/GP_Book_A.pdf

²⁹¹ Pollock, W. & Wartman, J. (2020, October 4). Human Vulnerability to Landslides. National Library of Medicine.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7567151/>

14.5.2 Property

Although complete historical documentation of the landslide threat in the OA is lacking, the mountainous terrain surrounding the Santa Clara Valley indicates potential for landslides. Loss estimations for the landslide hazard are not based on modeling utilizing damage functions, because no such damage functions have been generated. Instead, loss estimates were developed representing 10 percent, 30 percent, and 50 percent of the replacement value of exposed structures. This allows emergency managers to select a range of economic impact based on an estimate of the percent of damage to the general building stock. Table 114 shows the general building stock loss estimates in the aggregate of all landslide risk areas.

Table 114: Loss Potential Based on All Building Stock in Aggregated Landslide Areas

Jurisdiction	Exposed Value	Estimated Loss Potential from Landslide		
		10% Damage	30% Damage	50% Damage
Campbell	\$229,928,440	\$22,992,844	\$68,978,532	\$114,964,220
Cupertino	\$1,041,149,872	\$104,114,987	\$312,344,962	\$520,574,936
Gilroy	\$692,922,903	\$69,292,290	\$207,876,871	\$346,461,452
Los Altos	\$306,439,583	\$30,643,958	\$91,931,875	\$153,219,792
Los Altos Hills	\$611,165,733	\$61,116,573	\$183,349,720	\$305,582,867
Los Gatos	\$2,229,699,302	\$222,969,930	\$668,909,791	\$1,114,849,651
Milpitas	\$448,737,984	\$44,873,798	\$134,621,395	\$224,368,992
Monte Sereno	\$161,268,795	\$16,126,880	\$48,380,639	\$80,634,398
Morgan Hill	\$1,022,016,903	\$102,201,690	\$306,605,071	\$511,008,452
Mountain View	\$83,521,656	\$8,352,166	\$25,056,497	\$41,760,828
Palo Alto	\$519,499,589	\$51,949,959	\$155,849,877	\$259,749,795
San José	\$9,182,678,320	\$918,267,832	\$2,754,803,496	\$4,591,339,160
Santa Clara (city)	\$148,903,541	\$14,890,354	\$44,671,062	\$74,451,771
Saratoga	\$1,876,801,014	\$187,680,101	\$563,040,304	\$938,400,507
Sunnyvale	\$200,119,810	\$20,011,981	\$60,035,943	\$100,059,905
Unincorporated County	\$4,390,589,332	\$439,058,933	\$1,317,176,800	\$2,195,294,666
Total	\$23,145,442,784	\$2,314,544,278	\$6,943,632,835	\$11,572,721,392

14.5.3 Critical Facilities and Infrastructure

There are 398 critical facilities exposed to the landslide hazard to some degree. A more in-depth analysis of the mitigation measures taken by these facilities to prevent damage from mass movements should be done to determine if they could withstand impacts of a mass movement.

Several types of infrastructure are exposed to mass movements, including transportation, water and sewer and power infrastructure. Highly susceptible areas of the OA include mountain roads and transportation infrastructure. At this time all infrastructure and transportation corridors identified as exposed to the landslide hazard are considered vulnerable until more information becomes available.

14.5.4 Environment

Landslides and other mass movements impact the environment through changing the earth's topography; diverting or reducing the quality of rivers, streams, and groundwater; destroying forests and vegetation; and the destruction of natural habitats particularly around at-risk water bodies. Erosion from landslide can significantly degrade the potability water and its capacity to serve as a habitat for fish and other wildlife. Landslides are difficult to predict. The environment most vulnerable to landslide hazard is the same as the environment exposed to the hazard.

14.6 Future Trends in Development

Santa Clara County has been one of the state's fastest growing counties from 2010-2020, but more recently has experienced a decrease in population. It can be assumed the OA will continue to grow, though at a slower pace. Mass movements are becoming more of a concern as development moves outside of urban centers and into areas less developed in terms of infrastructure. The planning partners are equipped to handle future growth within landslide hazard areas. Landslide risk areas are addressed in the safety elements of local general plans. All planning partners have committed to linking their general plans to this hazard mitigation plan. This will create an opportunity for wise land use decisions as future growth impacts landslide hazard areas.

Additionally, the State of California has adopted the International Building Code (IBC) by reference in its California Building Standards Code. The IBC includes provisions for geotechnical analyses in steep slope areas that have soil types considered susceptible to landslide hazards. These provisions assure that new construction is built to standards that reduce the vulnerability to landslide risk. California real estate disclosure laws will also help ensure the public is aware of their risk.

14.7 Scenario

Major landslides could occur in the OA as a result of soil conditions that have been affected by severe storms, groundwater, or human development. The worst-case scenario for landslide hazards in the OA would generally correspond to a severe storm such which includes heavy rain and causes flooding in the OA. Landslides are most likely during late winter when the water table is high. After heavy rains from November to December, soils become saturated with water. As water seeps downward through upper soils that may consist of permeable sands and gravels and accumulates on impermeable silt, it will cause weakness and destabilization in the slope. As rains continue, the groundwater table rises, adding to the weakening of the slope. Gravity, poor drainage, a rising groundwater table and poor soil exacerbate hazardous conditions. An intense storm could cause saturated soil to move, resulting in landslides.

Continued heavy rains and flooding will complicate the problem further. As emergency response resources are applied to problems with flooding, it is possible they will be unavailable to assist with landslides occurring all over the OA. In this scenario, it is probable that private and public property, including infrastructure, could be affected. Members of the public could be injured or killed. Road obstructions caused by mass movements would create isolation problems for residents and businesses in sparsely developed areas. Mass movements could affect bridges that pass over landslide prone ravines and knock out rail service through the OA. Landslides carrying vegetation such as shrubs and trees may cause a break in utility lines, cutting off power and communication access to residents. The impacts to the immediate vicinity of a landslide would be severe while the impacts to the OA would depend on what public infrastructure, including transportation routes, are involved.

14.8 Issues

Important issues associated with landslides in the OA include the following:

- There are existing homes in landslide risk areas throughout the OA. The degree of vulnerability of these structures depends on the codes and standards the structures were constructed to. Information to this level of detail is not currently available.

- Future development could lead to more homes in landslide risk areas.
- Mapping and assessment of landslide hazards are constantly evolving. As new data and science become available, assessments of landslide risk should be reevaluated.
- The impact of climate change on landslides is uncertain. If climate change impacts atmospheric conditions, then exposure to landslide risks is likely to increase.
- Landslides may cause negative environmental consequences, including water quality degradation.
- The risk associated with the landslide hazard overlaps the risk associated with other hazards such as earthquake, flood, and wildfire. This provides an opportunity to seek mitigation alternatives with multiple objectives that can reduce risk for multiple hazards.

Table 115: EMAP Consequence Analysis: Landslide/Mass Movement

Subject	Ranking	Impacts/Landslide/Mass Movement
Public	Minimal to moderate	The public is at risk from injury, loss of life, and loss of property from a landslide, debris flow, or other mass movement event. Because of the localized nature of these events, the damage would be severe in the immediate vicinity and less impactful further away from the site.
Responders	Minimal	Responders may be called upon in the event of a landslide/mass movement event. They may be asked to assess the situation, rescue survivors, divert traffic, and manage the overall incident. During the course of their duties, they may be exposed to an increased risk of personal injury. Responders responding to another hazard event could also be at risk from a landslide caused by an event like an earthquake's aftershock or flood.
Continuity of Operations (including continued delivery of services)	Minimal to moderate	Continuity of operations and continued delivery of services would depend on if a facility was in the immediate vicinity of the landslide/mass movement event. There also may be transportation delays if key roadways are impacted.
Property, Facilities, and Infrastructure	Minimal to severe	Landslides are a serious hazard to property, facilities, and infrastructure. They can result in damage and destruction to property through the destruction of foundations, offset of roads, destruction of bridges, breaking of underground pipes, or overriding of downslope property and structures.
Environment	Minimal to moderate	Landslides and other mass movement events can alter the earth's topography, change water courses and water quality, remove forests and vegetation, destroy natural habitats, and cause erosion. Landslide areas are prone to repeated slides.
Economic Conditions	Minimal to moderate	Impacts to the economy will depend on the location of the event. Disruptions to impacted facilities, critical infrastructure, or transportation routes could have a long-term effect on the local economy.

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Subject	Ranking	Impacts/Landslide/Mass Movement
Public Confidence in the Government	Minimal to severe	The public's confidence will depend on the government's ability to manage and properly message the event. Prompt and accurate information will influence public trust.

15 Tsunami

Definitions

- **Tsunami:** A series of traveling ocean waves of extremely long wavelength usually caused by displacement of the ocean floor and typically generated by seismic or volcanic activity or by underwater landslides.
- **Seiche:** A standing wave in an enclosed or partially enclosed body of water such as bays and lakes. Seiches are typically caused when strong winds and rapid changes in atmospheric pressure or an earthquake push water from one end of a body of water to the other.

15.1 General Background

15.1.1 Tsunami

A tsunami consists of a series of high-energy waves that radiate outward like pond ripples from an area where a generating event occurs. Earthquakes may produce displacements of the sea floor that can set the overlying column of water in motion, initiating a tsunami, depending on the magnitude of the earthquake and the type of faulting. Landslides, including from glaciers melting, and underwater volcanos are also sources of these events.

Tsunamis are typically classified as local or distant. Locally generated tsunamis have minimal warning times, leaving few options except to relocate to high ground. They may be accompanied by damage resulting from the triggering earthquake due to ground shaking, surface faulting, liquefaction, or landslides.

Distant tsunamis may travel for hours before striking a coastline, giving a community a chance to implement evacuation plans. In the open ocean, a tsunami may be only a few inches or feet high, but it can travel with speeds approaching 600 miles per hour. Tsunami waves arrive at shorelines over an extended period. Figure 70 shows likely travel times across the Pacific Ocean for a tsunami generated along the California coastline near the San Francisco Bay Area.

As a tsunami enters the shoaling waters near a coastline, its speed diminishes, its wavelength decreases, and its height increases greatly. The first wave usually is not the largest. Several larger and more destructive waves often follow the first one. As tsunamis reach the shoreline, they may take the form of a fast-rising tide, a cresting wave, or a bore (a large, turbulent wall-like wave). The bore phenomenon resembles a step-like change in the water level that advances rapidly (from 10 to 60 miles per hour).

The configuration of the coastline, the shape of the ocean floor, and the characteristics of advancing waves play important roles in the destructiveness of the waves. Offshore canyons can focus tsunami wave energy and islands can filter the energy. The orientation of the coastline determines whether the waves strike head-on or are refracted from other parts of the coastline. A wave may be small at one point on a coast and much larger at other points. Bays, sounds, inlets, rivers, streams, offshore canyons, islands, and flood control channels may cause various effects that alter the level of damage. It has been estimated, for example, that a tsunami wave entering a flood control channel could reach a mile or more inland, especially if it enters at high tide.

The first visible indication of an approaching tsunami may be recession of water (draw down) caused by the trough preceding the advancing, large inbound wave crest. Rapid draw down can create strong currents in harbor inlets and channels that can severely damage coastal structures due to erosive scour around piers and pilings. As the water's surface drops, piers can be damaged by boats or ships straining at or breaking their mooring lines. The vessels can overturn or sink due to strong currents, collisions with other objects, or impact with the harbor bottom.

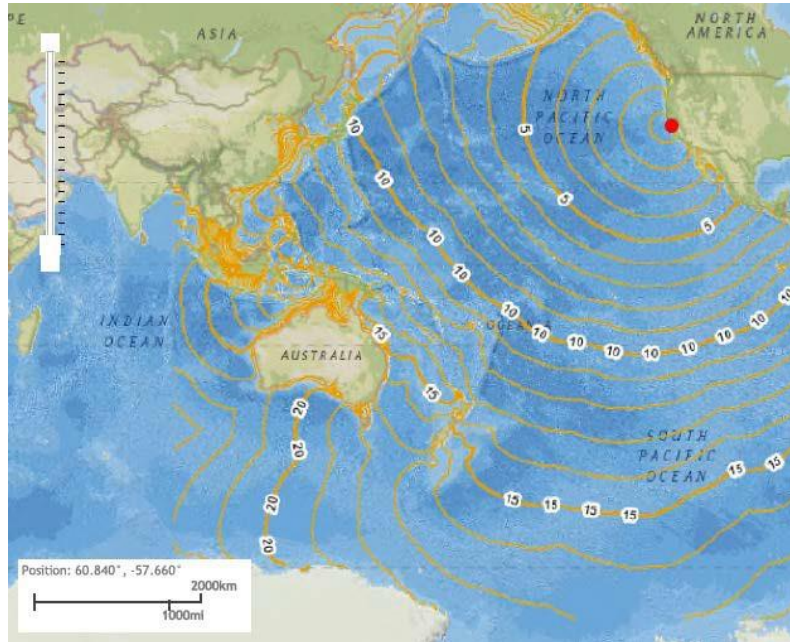


Figure 71: Potential Tsunami Travel Times in the Pacific Ocean, In Hours²⁹²

Conversely, the first indication of a tsunami may be a rise in water level. The advancing tsunami may initially resemble a strong surge increasing the sea level like the rising tide, but the tsunami surge rises faster and does not stop at the shoreline. Even if the wave height appears to be small, 3 to 6 feet for example, the strength of the accompanying surge can be deadly. Waist-high surges can cause strong currents that float cars, small structures, and other debris. Boats and debris are often carried inland by the surge and left stranded when the water recedes.

At some locations, the advancing turbulent wave front will be the most destructive part of the wave. In other situations, the greatest damage will be caused by the outflow of water back to the sea between crests, sweeping all before it and undermining roads, buildings, bulkheads, and other structures. This outflow action can carry enormous amounts of highly damaging debris with it, resulting in further destruction. Ships and boats, unless moved away from shore, may be dashed against breakwaters, wharves, and other craft, or be washed ashore and left grounded after the withdrawal of the seawater.

²⁹² National Oceanic and Atmospheric Administration. (n.d.). Estimated Tsunami Travel Times to Coastal Locations. https://www.ncei.noaa.gov/maps/ttt_coastal_locations/

15.1.2 Seiche

A seiche is a standing wave in an enclosed or partially enclosed body of water, such as San Francisco Bay. Seiches are typically caused when strong winds and rapid changes in atmospheric pressure or an earthquake push water from one end of a body of water to the other. The largest seiche that was ever measured in the San Francisco Bay, following the 1906 earthquake, was 4 inches high. The Bay Area has not been adversely affected by seiches.²⁹³ However, the OA may see seiches on creeks if there was a local earthquake event. These kinds of seiches could have devastating environmental impacts.

15.2 Hazard Profile

15.2.1 Past Events

According to the 2023 California State Hazard Mitigation Plan,²⁹⁴ over 80 tsunamis have been observed or recorded along the coast of California in the past 150 years. The National Centers for Environmental Information²⁹⁵ has recorded the California coastline being impacted by tsunami wave events on six dates since 2005: November 15, 2006, February 27, 2010, March 11, 2011, September 16, 2015, January 1, 2022, and January 15, 2022. Together these events caused approximately \$55 million in property damage and cost one life. The Santa Clara County OA has never been impacted by a tsunami. The closest tsunami to affect the OA was the tsunami event on March 10, 2011, that occurred in Japan and traveled across the Pacific Ocean to create wave surges that damaged coastal areas in nearby Santa Cruz and Monterey Counties. These counties were included in FEMA-1968-DR-CA declaration. The largest impact of this tsunami experienced in the San Francisco Bay was at Berkeley Marina, where the tsunami caused about \$50,000 in damages.

15.2.2 Location

Although the OA has not been significantly impacted by tsunami or seiche events before, the recent tsunamis due to disaster events around the world – including earthquakes and an underwater volcano eruption - has underscored how vulnerable the California coastline is to this type of hazard. Following these events, there have been a number of new studies and reports expanding on the State of California's understanding of its exposure to tsunami risk. Cal OES, in conjunction with the University of Southern California and FEMA, developed Tsunami Hazard Areas Maps to assist cities and counties in identifying their tsunami hazard for tsunami response planning utilizing the best available scientific information. The risk areas are not defined in terms of human-created geographic features, however, according to the 2022 California Geological Survey Tsunami Hazard Area Map²⁹⁶ – County of Santa Clara, approximately the area of the OA around the San Francisco Bay including parts of Sunnyvale, San José, Palo Alto, and Mountain View are in the Tsunami Hazard Area.

While only a relatively small portion of the OA may be directly impacted by a tsunami wave, additional tsunami impacts could be felt in the OA along area creeks that would rise with floodwaters from a San Francisco Bay tsunami caused by a local earthquake.

²⁹³ Alameda County Community Development Agency. (2022, March 17). Safety Element of the Alameda County General Plan. <https://www.acgov.org/cda/planning/generalplans/documents/SafetyElement-updateapprovedbyBOS31722-FINAL.pdf>

²⁹⁴ California Office of Emergency Services. (2023). Hazard Mitigation Planning. <https://www.caloes.ca.gov/office-of-the-director/operations/recovery-directorate/hazard-mitigation/state-hazard-mitigation-planning/>

²⁹⁵ National Centers for Environmental Information. (n.d.). Storm Events Database. <https://www.ncdc.noaa.gov/stormevents/>

²⁹⁶ California Department of Conservation. (2022, October 7). California Tsunami Maps and Data. <https://www.conservation.ca.gov/cgs/tsunami/maps>

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Figure 71 shows potential tsunami inundation areas on the southern portion of the San Francisco Bay and Coyote Creek, which is the northern portion of the Santa Clara County OA.

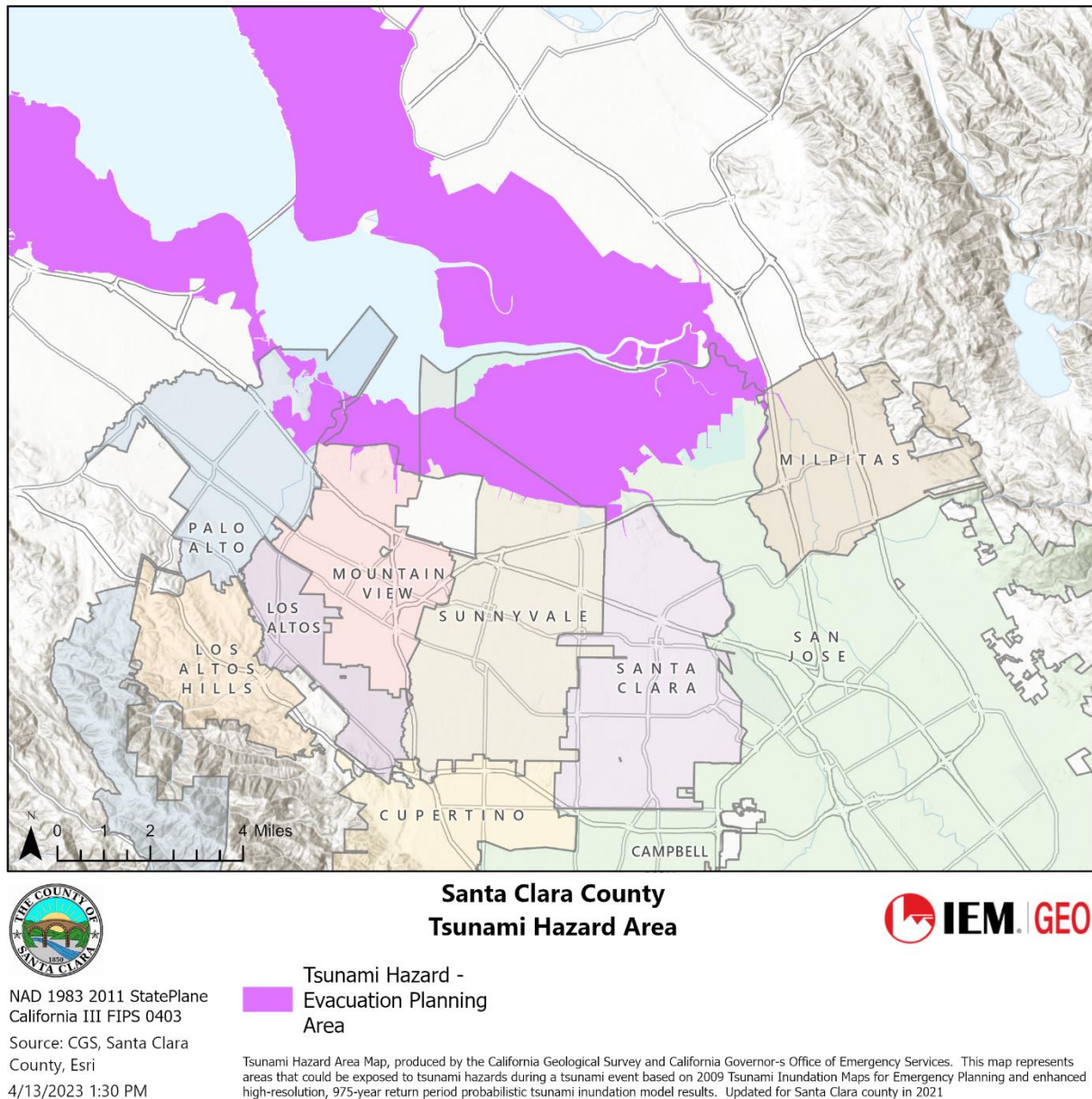


Figure 72: Tsunami Hazard Area

15.2.3 Frequency

The frequency of tsunamis is related to the frequency of the events that cause them, so it is similar to the frequency of seismic, volcanic activities, or landslides around the Pacific Basin. Generally, four or five tsunamis occur every year in the Pacific Basin.

It is unclear what impact future conditions such as climate change may have on the frequency of tsunami events. It is possible that increased severe flood events, wildfires, and warming conditions could impact

the frequency of landslides, which are one known sources of tsunamis. However, they make up only a relatively small percentage of the root causes of tsunamis. Earthquakes are the most common cause of tsunamis. Current data indicates that there is not a statistically significant impact of climate change as we know it on earthquakes. This doesn't necessarily mean that climate change does not have impact. Current science may simply lack the capability to distinguish a direct correlation between these hazards. For example, earthquakes can be triggered by changes to the amount of stress on a fault. According to NASA's Jet Propulsion Laboratory at the California Institute of Technology, changing conditions, such as surface water levels, due to hazards such as flooding and droughts may impact earthquakes, but we have no way of knowing by how much. It is unlikely that the OA would notice a significant change in the frequency of tsunami events due to climate change.

Further information on the impact of climate change on the probability of tsunamis is included in Section 11.

Probability in OA: Unlikely

15.2.4 Severity

Tsunamis are a threat to life and property to anyone living or visiting near the ocean. The full extent of a tsunami event can be severe, and is often measured by magnitude, similar to earthquakes. The higher the magnitude, the more severe and destructive the tsunami may be.

From 1950 to 2007, 478 tsunamis were recorded globally. Fifty-one of these events caused fatalities, to a total of over 308,000 coastal residents. The overwhelming majority of these events occurred in the Pacific basin. Recent tsunamis have struck Nicaragua, Indonesia, and Japan, killing several thousand people. Property damage due to these waves was nearly \$1 billion. The San Francisco Bay faces the greatest threat from distant tsunamis originating in areas such as Alaska, Washington, and Japan.

It is general consensus that the Santa Clara County OA would not likely see significant impacts from a tsunami originating in the Pacific Ocean, given the area's primarily inland location. The extent of the damage would be limited to the immediate area. Boats, docks, and property near the bay may suffer some impacts if they were to be hit directly. Additionally, the OA would likely see minor tsunami impacts on creeks from a local earthquake event, with any floodwaters flowing up creeks impacting people visiting the creeks. A local earthquake tsunami can occur any time, and the resulting floodwater waves can carry damaging debris.

Some studies suggest that future conditions such as climate change are likely to increase the severity of tsunamis. Sea-level rise is one of the main reasons why. These additional impacts will most severely be experienced in low-elevation Pacific islands however, all coastal communities are at risk of the dangers associate with sea-level rise. Scientists studying the probability of an Alaska-Aleutian subduction zone earthquake and the subsequent impact to southern California supported the conclusion that rising sea levels can increase tsunami impacts. If the sea continues to rise as predicted, someday the impacts of a small tsunami will be similar to a large tsunami of today. The risk to the OA may change over time.

15.2.5 Warning Time

Typical signs of a tsunami hazard are earthquakes and/or sudden and unexpected rise or fall in coastal water. The large waves are often preceded by coastal flooding and followed by a quick recession of the water. Tsunamis are difficult to detect in the open ocean; with waves less than 3 feet high. The tsunami's size and speed, as well as the coastal area's form and depth, affect the impact of a tsunami; wave heights of 50 feet are not uncommon. In general, scientists believe it requires an earthquake of at least a magnitude 7 to produce a tsunami.

The Pacific tsunami warning system evolved from a program initiated in 1946. It is a cooperative effort involving 26 countries along with numerous seismic stations, water level stations and information distribution centers. The National Weather Service²⁹⁷ operates two regional information distribution centers. One is located in Ewa Beach, Hawaii, and the other is in Palmer, Alaska. The Ewa Beach center also serves as an administrative hub for the Pacific warning system.

The warning system only begins to function when a Pacific basin earthquake of magnitude 6.5 or greater triggers an earthquake alarm. When this occurs, the following sequence of actions occurs:

- Data is interpolated to determine epicenter and magnitude of the event.
- If the event is magnitude 7.5 or greater and located at sea, a TSUNAMI WATCH is issued.
- Participating tide stations in the earthquake area are requested to monitor their gages. If unusual tide levels are noted, the tsunami watch is upgraded to a TSUNAMI WARNING.
- Tsunami travel times are calculated, and the warning is transmitted to the disseminating agencies and thus relayed to the public.
- The Ewa Beach center will cancel the watch or warning if reports from the stations indicate that no tsunami was generated or that the tsunami was inconsequential.

This system is not considered to be effective for communities located close to the tsunami because the first wave would arrive before the data were processed and analyzed. In this case, strong ground shaking would provide the first warning of a potential tsunami.

15.2.6 Extent

The extent of Tsunami can be measured through the new tsunami intensity scale which was proposed by Papadopoulos and Imamura in 2001. This intensity scale defines the ranges of anticipated intensities of Tsunami as:

Table 116: Tsunami Intensity Scale²⁹⁸

Category	Description
I. Not Felt	a) Not felt even under the most favorable circumstances. b) No effect. c) No damage.
II. Scarcely Felt	a) Felt by a few people on board in small vessels. Not observed in the coast. b) No effect. c) No damage.
III. Weak	a) Felt by most people on board in small vessels. Observed by a few people in the coast. b) No effect. c) No damage.

²⁹⁷ National Weather Service. (n.d.). Pacific Tsunami Warning Center. <https://www.tsunami.gov/?page=history>

²⁹⁸ UNESCO. (n.d.) *The New Tsunami Intensity Scale*. <https://neamtic.ioc-unesco.org/images/Neamtic/PDF/intensity-scale.pdf>

Category	Description
IV. Largely Observed	a) Felt by all on board in small vessels and by few people on board in large vessels. b) Few small vessels move slightly onshore. c) No damage.
V. Strong	a) Felt by all on board in large vessels and observed by all in the coast. Few people are frightened and run to higher ground. b) Many small vessels move strongly onshore, few of them crash each other or overturn. Traces of sand layer are left behind in grounds of favorable conditions. Limited flooding of cultivated land. c) Limited flooding of outdoor facilities (e.g. gardens) of near-shore structures.
VI. Slightly Damaging	a) Many people are frightened and run to higher ground. b) Most small vessels move violently onshore, or crash strongly into each other, or overturn. b) Damage and flooding in a few wooden structures. Most masonry buildings withstand.
VII. Damaging	a) Most people are frightened and try to run in higher ground. b) Many small vessels damaged. Few large vessels oscillate violently. Objects of variable size and stability overturn and drift. Sand layer and accumulations of pebbles are left behind. Few aquaculture rafts washed away. c) Many wooden structures damaged, few are demolished or washed away. Damage of grade 1 and flooding in a few masonry buildings.
VIII. Heavily Damaging	a) All people escape to higher ground, a few are washed away. b) Most of the small vessels are damaged, many are washed away. Few large vessels are moved ashore or crashed each other. Big objects are drifted away. Erosion and littering in the beach. Extensive flooding. Slight damage in tsunami control forest, stop drifts. Many aquaculture rafts washed away, few partially damaged. c) Most wooden structures are washed away or demolished. Damage of grade 2 in a few masonry buildings. Most RC buildings sustain damage, in a few damage of grade 1 and flooding is observed.
IX. Destructive	a) Many people are washed away. b) Most small vessels are destroyed or washed away. Many large vessels are moved violently ashore, few are destroyed. Extensive erosion and littering of the beach. Local ground subsidence. Partial destruction in tsunami control forest, stops drifts. Most aquaculture rafts washed away, many partially damaged. c) Damage of grade 3 in many masonry buildings, few RC buildings suffer damage grade 2.

Category	Description
X. Very Destructive	a) General panic. Most people are washed away. b) Most large vessels are moved violently ashore, many are destroyed or collided with buildings. Small boulders from the sea bottom are moved inland. Cars overturned and drifted. Oil spill, fires start. Extensive ground subsidence. c) Damage of grade 4 in many masonry buildings, few RC buildings suffer damage grade 3. Artificial embankments collapse, port water breaks damaged.
XI. Devastating	Lifelines interrupted. Extensive fires. Water backwash drifts cars and other objects in the sea. Big boulders from the sea bottom are moved inland. Damage of grade 5 in many masonry buildings. Few RC buildings suffer damage grade 4, many suffer damage grade 3.
XII. Completely Devastating	Practically all masonry buildings demolished. Most RC buildings suffer at least damage grade 3.

15.3 Cascading Impact

One additional direct impact a tsunami wave may have on the Santa Clara County OA is through floating debris that can cause damage to any affected areas. The removal of this debris would also take OA time and resources.

Another cascading hazard includes tsunami-triggered fires. This refers to fires that burn after a tsunami event in spilled oil, debris, cargo, vehicles, vegetation as well as residential, commercial, or industrial buildings. These fires could result in injury, death, damage, and contamination of the environment by releasing potentially toxic gases and smoke into the air.

Inundation of wastewater treatments plants, three out of four which sit close to the mapped Tsunami Inundation Area, would also be of concern. This could release raw sewage, waste chemicals, and chemicals used in the treatment of wastewaters into the OA.

15.4 Exposure and Vulnerability

Changes in conditions: no change in vulnerability

- No changes in conditions leading to the occurrence of a tsunami have changed.
- Development is not taking place in the potential tsunami hazard, so vulnerability is not increasing.

15.4.1 Population

The population of the Santa Clara County OA is located outside of a tsunami inundation area; therefore, no population exposure exists for the tsunami hazard. No residential properties were identified in the potential tsunami evacuation zone. Minimal risk may be present to employees or recreational visitors to the two parks in the area.

15.4.2 Property

Based on the National Structure Inventory, 14 commercial buildings and 2 industrial buildings are potentially vulnerable to tsunami. These buildings have a total value of \$6.7 million. Limited additional information is currently available about these facilities to determine additional impacts.

15.4.3 Critical Facilities and Infrastructure

Critical facilities and infrastructure in the Santa Clara County OA that are located within the tsunami inundation area include 5 ports, 3 railroad bridges, 4 highway bridges, 2 parks, and 1 open space.

Port location data was obtained from Hazus but little additional information about the function or these facilities and potential impacts from interruption or loss of operation. Two highway bridges are located on McCarthy Blvd near the northern border of Milpitas and San Jose. These are located near the outer edge of the potential inundation area and alternative routes are nearby. Another is located in Mountain View, also on the outer-most edge of the hazard area where alternate routes are available. A forth is in San Jose in the Alviso area, across the Guadalupe River which also has alternate routes. Two of the Southern Pacific railway bridges are also in the Alviso area, which is near the outer edge of the hazard zone. However, one bridge on this rail line is located closer to the shoreline and may experience more severe effects from a tsunami.

15.4.4 Environment

Waterways originating from southern portion of San Francisco Bay would be exposed to the effects of a tsunami or seiche; inundation of water and introduction of foreign debris could be hazardous to the environment. All wildlife inhabiting the area is exposed. Erosion and the destruction of naturally occurring marine habitats would be a concern. All of San Francisco Bay is in the Tsunami Hazard Area. The vulnerability of aquatic habit and associated ecosystems would be highest in low-lying areas close to the southern portion of San Francisco Bay coastline.

Tsunami waves and seiches can carry destructive debris and pollutants that can have devastating impacts on all facets of the environment. Millions of dollars spent on habitat restoration and conservation in the OA could be wiped out by one significant tsunami. There are currently limited tools available to measure these impacts. However, it is conceivable that the potential financial impact of a tsunami or seiche event on the environment could equal or exceed the impact on property. Community planners and emergency managers should take this into account when preparing for the tsunami hazard and considering future development.

15.5 Future Trends in Development

Land along the coast in the OA which could be impacted by a tsunami is primarily already developed or preserved as green space. Most of the land is classified as parks, including CPAD open space, Williamson Act parcels, and conservation easements according to the Plan Bay Area 2050. Additionally, the Tsunami Hazard Area in the OA is within flood hazard areas that are already regulated under floodplain management regulations. However, current FEMA flood maps do not consider tsunami flood risk. Additional data is needed to understand tsunami risk. FEMA has produced the website, "Thinking Beyond Flood Maps – Using FEMA's Coastal Data to Reduce Risk and Build Resilience" as well as other non-regulatory products to support coastal communities' development. FEMA also participates in the National Tsunami Hazard Mitigation Program (NTHMP), which is administered by NOAA. The NTHMP works to reduce the impacts of tsunamis through collaboration, communication, and financial and technical support. The Mitigation and Education component provides recommendations to reduce tsunami risk. Additionally, NOAA, through the National Weather Service, sponsors the NWS TsunamiReady Program which helps communities minimize the risk posed by tsunamis through better

risk assessment, planning, education, and early warning systems. Resources like these provide planning partners and developers with the tools needed to ensure any future development is at reduced risk from tsunami events.

15.6 Scenario

The worst-case scenario that may directly impact the OA is a local tsunami or seiche event originating in the San Francisco Bay triggered by a seismic event. This event could occur anytime and could be particularly severe given the limited warning time. There is potential for loss of life and injury. Property and business in the Tsunami Hazard Area could be impacted. The series of floodwater waves that would occur would carry damaging debris and cause environmental impacts deep into the OA. These environmental impacts may be the longest impacts felt after the event, particularly if complex debris, crude oil, legacy contaminants, or other pollutants get into the nearby coastal marine environments or onshore. This could potentially have a long-term impact on the immediate local economy.

The largest kind tsunami event that may indirectly impact the OA would be a catastrophic earthquake and tsunami along one of the faults near California. For example, in anticipation of a full rupture along the 800-mile-long Cascadia Subduction Zone (CSZ) which lies off the northwest coast of the United States, the State of California is preparing for impacts of a magnitude 9.0 earthquake and the resulting tsunami waves, aftershocks, and flooding. Historical evidence suggests that an event of this magnitude will occur within the next 200 years. It is assumed this will be a “no-notice” event. If the CSZ experiences a full fault rupture, it will have a significant impact on surrounding areas, including other counties, states, and countries. According to the California Cascadia Subduction Zone Earthquake and Tsunami Response Plan, there may be over a thousand deaths, 1,500 injured, and 28,000 structures damaged or destroyed in northern coastal California alone. The cascading impacts of this event would also be substantial. It can be assumed if this were to occur, there would be an immediate need for support from first responders, volunteers, NGOs, and public health and medical services from outside the affected area. The 20 hospitals in Santa Clara County and mass care sheltering venues would need to be prepared to support survivors, including the injured. There would also be a noticeable impact to the daily life of OA residents, including potential disruption to critical infrastructure such as transportation, energy, telecommunications, utility systems, and public health and medical systems. The region, the State, and the Nation may face long-term economic repercussions.

The Science Application for Risk Reduction (SAFRR) Tsunami Scenario.²⁹⁹ includes additional information on potential tsunami scenarios on the California Pacific coast. This, and other resources, were consulted when developing the consequence analysis in Table 117: EMAP Consequence Analysis: Tsunami.

15.7 Issues

Important issues associated with tsunamis in the OA include the following:

- As tsunami warning technologies evolve, the tsunami warning capability within the OA will need to be enhanced to provide the highest degree of warning.
- With the possibility of climate change, the issue of sea level rise may become an important consideration as probable tsunami inundation areas are identified through future studies.

Special attention will need to be focused on the vulnerable communities in the tsunami zone and on hazard mitigation through public education and outreach.

²⁹⁹ U.S. Geological Survey. (2013). The SFARR Tsunami Scenario. <https://www.usgs.gov/publications/safrr-science-application-risk-reduction-tsunami-scenario>

Table 117: EMAP Consequence Analysis: Tsunami

Subject	Ranking	Impacts/Tsunami
Public	Minimal to Moderate	Home and property owners within the Tsunami Hazard Area are most at risk of impacts from a tsunami event. Impacts to the public include potential for injury or loss of life, destruction and or/loss of lands and property, and contamination of water due to flooding. Flood water can pose health risks even after the initial wave. Post-tsunami cleanup would also have to be done appropriately to reduce exposure to pollutants in water, debris, and moldy structures. Educating the public in advance on their tsunami risk and ways to mitigate their risk will enhance the public's ability to respond and recover.
Responders	Minimal	First responders, such as fire and police, would be relied upon to respond to this event. The impact on responders is expected to be minimal with proper training. The impact could be severe if there is a lack of training. It is important responders are aware and on the lookout for the secondary effects of tsunamis.
Continuity of Operations (including continue delivery of services)	Minimal	Temporary relocation may be necessary in the unlikely event inundation affects government facilities. Delivery of services could be impacted if there is any disruption to the roads and/or utilities due to the inundation.
Property, Facilities, and Infrastructure	Minimal to moderate	Potential damages include damage or loss of properties, temporary impacts to transportation routes, debris build up, and potential stormwater system and wastewater overload. Communication systems could also be limited. The localized impact could be significant for facilities and infrastructure in the inundation area of the incident. The farther away from the incident area, the more likely the damage will lessen, from moderate to minimal.
Environment	Minimal to severe	The impact to the environment could be severe, depending on the size and unique characteristics of a tsunami. There may be significant and complicated debris removal required including a diverse array of pollutants spilling into the environment. Marine habitats may be damaged by contaminants, which may have a short or long-term impact on the environment and health of the coastal ecosystem. The shoreline may erode. The environmental impacts may not be limited to waterways. Debris, toxins, airborne ash after a tsunami-related fire, and more could enter the surrounding land and air.
Economic Conditions	Minimal to severe	Impacts on the economy will greatly depend on the scope of the inundation and the amount of time it takes for the water to recede as well as any leftover debris or contaminants. Secondary hazards experienced will also impact the economy's recovery. Industries such as fishing, tourism, and environmental recreation may experience more significant impacts.

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Subject	Ranking	Impacts/Tsunami
Public Confidence in the Government	Minimal to severe	The public's confidence will vary, depending on the perception of whether the failure could have been prevented, the warning time, and the time it takes for response and recovery. Proactive preparation in advance of a tsunami event and effectively implementing response plans will support confidence in government.

16 Other Hazards of Interest

Definitions

- **Terrorism:** The unlawful use or threatened use of force or violence against people or property with the intention of intimidating or coercing societies or governments. Terrorism is either foreign or domestic, depending on the origin, base, and objectives of the terrorist or organization.
- **Weapons of Mass Destruction:** Chemical, biological, radiological, nuclear, and explosive weapons associated with terrorism.
- **Active Threat:** An active threat is a situation involving an individual or individuals using or threatening to use deadly physical force on others in a confined and populated area.
- **Cyber Threat:** Any circumstance or event with the potential to adversely impact organizational operations (including mission, functions, image, or reputation), organizational assets, or individuals through an information system via unauthorized access, destruction, disclosure, modification of information, and/or denial of service.
- **Technological Hazards:** Hazards from accidents associated with human activities such as the manufacture, transportation, storage, and use of hazardous materials.
- **Epidemic/Pandemic:** An epidemic is a sudden increase in the number of cases of a disease above what is normally expected in that population in a specific area. A pandemic is an epidemic that occurs over a broad geographic region, usually nationally or globally.
- **Fog:** visible cloud water droplets that are low-lying and influenced by nearby bodies of water, topography, and wind conditions.

16.1 General Background

In addition to the hazards of concern presented in the preceding sections, four other hazards of interest, which were addressed in the 2017 Plan, are also included in this MJHMP:

1. Intentional criminal, malicious acts, including acts of terrorism, cyber threats, and active threats.
2. Technological incidents that arise accidentally from human activities such as the manufacture, transportation, storage, and use of hazardous materials; transportation accidents; pipeline failure and release; and utility failure.
3. Epidemics and pandemics of human disease.
4. Fog

Although they may not be traditionally profiled in hazard mitigation plans like some of the other hazards in the plan, they are included for the following reasons:

- This plan takes a proactive approach to disaster preparedness to protect the public safety of all citizens.
- Preparation for and response to an event involving these hazards of interest will involve many of the same staff, critical decisions, and commitment of resources as a natural hazard.
- The multi-hazard mitigation planning effort is an opportunity to inform the public about all hazards, including those beyond the natural hazards of concern.
- The likelihood of an event involving one of these hazards of interest in the Santa Clara County OA is greater than some of the identified natural hazards in this plan.

The sections below provide short profiles of each of the four other hazards of interest. No formal risk assessment was performed and mitigation actions for these hazards are not mandatory under 44 CFR Section §201.6(c)(2)(i). The “Identified Needs” identified at the end of this section shall serve in the place of a formal action plan. All planning partners for the MJHMP should be aware of these hazards and take steps to reduce the risks they present whenever it is practical to do so.

16.1.1 EMAP Consequence Analysis

The planning team decided to include one comprehensive analysis for all of the other hazards of interest. The analysis results are provided in Table 118.

Table 118: EMAP Consequence Analysis: Other Hazards of Interest

Subject	Ranking	Impacts
Public	Severe	Impact of the immediate area could be severe, especially in the event of intentional hazards. Impact for less affected areas could be moderate to light.
Responders	Severe	Impact to responders could be severe for unprotected personnel and moderate to light for prepared personnel. In the event of some hazards, responders may be specifically targeted.
Continuity of Operations (including continued delivery of services)	Moderate	There is some expectation of execution of the COOP. This will vary depending on the severity of the event. Services may need to be conducted at a secondary and secure location.
Property, Facilities, and Infrastructure	Severe	Critical facilities are often targeted, making impacts potentially severe. Utilities, technology, transportation systems, and infrastructure are most likely to be damaged or impacted.
Environment	Severe	Surrounding environment of targeted or impacted areas can be severe. The greatest impact will be to trees, bushes, foliage, crops, and wildlife.
Economic Conditions	Minimal to Severe	Impacts to the economy will greatly depend on the severity of the event, and any damages sustained such as utilities and roads. In a localized event damages may be minimal, but economic impacts can become severe when the event is more widespread.
Public Confidence in the Government	Minimal to Severe	Response and recovery will be in question if not timely and effective.

16.2 Intentional Hazards

16.2.1 Terrorism and Weapons of Mass Destruction

Terrorist activities are those that involve an illegal use of force or violence against people and property in violation of criminal laws of the United States with the intent to intimidate, coerce, or ransom. FEMA states that acts of terrorism include the use of weapons of mass destruction, including biological, chemical, nuclear, and radiological weapons; arson, incendiary, explosive and armed attacks; industrial sabotage and intentional hazardous materials releases; agro-terrorism; and cyber-terrorism³⁰⁰. The threat of violence is also a component of terrorism. The following are potential methods used by terrorists that could affect the Santa Clara OA as a direct target or collaterally:

- Bombings; improvised explosive devices
- Suicide attacks
- Chemical or biological weapons
- Radiological dispersal device
- Vehicle/aircraft attacks
- Conventional firearms/mass shootings
- Conventional firearms/mass shootings
- Secondary attacks
- Cyber-terrorism
- Agro-terrorism
- Kidnappings/assassinations
- Nuclear weapons (fission or thermonuclear)

The Federal Bureau of Investigation (FBI) categorizes two types of terrorism in the United States³⁰¹:

- **International Terrorism:** Violent, criminal acts committed by individuals and/or groups who are inspired by, or associated with, designated foreign terrorist organizations or nations (state-sponsored).
- **Domestic Terrorism:** Violent, criminal acts committed by individuals and/or groups to further ideological goals stemming from domestic influences, such as those of a political, religious, social, or environmental nature.

The effects of terrorism can include injuries, loss of life, property damage, or disruption of services such as electricity, water supplies, transportation, or communications. Effects may be immediate or delayed. Terrorists often choose targets that offer limited danger to themselves and areas with relatively easy public access. Foreign terrorists look for visible targets where they can avoid detection before and after an attack, such as international airports, large cities, major special events, and high-profile landmarks.

Cal OES and local governments have identified high profile targets for potential terrorists within their jurisdictions. Large business centers, high visibility tourist attractions, transportation providers, and critical infrastructure in Santa Clara County may become a target for terrorism and can present security challenges of an ongoing nature. Multiple incidents can happen simultaneously, and typically require a multi-agency, multijurisdictional response.

³⁰⁰ FEMA. (n.d.) Terrorism.

<https://www.fema.gov/pdf/areyouready/terrorism.pdf#:~:text=terrorism%20is%20the%20use%20of%20force%20or%20violence,States%20for%20purposes%20of%20intimidation%2C%20coercion%2C%20or%20ransom.>

³⁰¹ Federal Bureau of Investigation. (n.d.) Terrorism. <https://www.fbi.gov/investigate/terrorism>

Those involved with terrorism response, including law enforcement, fire and rescue, public health and public information staff, are trained to deal with the public's emotional reaction swiftly as response to the event occurs. The area of the event must be clearly identified in all emergency alert messages to prevent those not affected by the incident from overwhelming local emergency rooms and response resources therefore reducing service to those actually affected. The public will be informed clearly and frequently about what government agencies are doing to mitigate the impacts of the event. The public will also be given clear directions on how to protect the health of individuals and families.

Table 119 provides a hazard profile summary for terrorism-related hazards. Most terrorist events in the United States have been involved detonated and undetonated explosive devices, tear gas, pipe bombs, and firebombs.

Table 119: Event Profiles for Terrorism³⁰²

Hazard	Application Mode ^a	Hazard Duration ^b	Static/Dynamic Characteristics ^c	Mitigating and Exacerbating Conditions ^d
Conventional Bomb	Detonation of explosive device on or near target; delivery via person, vehicle, or projectile.	Instantaneous; additional secondary devices, or diversionary activities may be used, lengthening the duration of the hazard until the attack site is determined to be clear.	Extent of damage is determined by type and quantity of explosive. Effects generally static other than cascading consequences, incremental structural failure, etc.	Overpressure at a given standoff is inversely proportional to the cube of the distance from the blast; thus, each additional increment of standoff provides progressively more protection. Terrain, forestation, structures, etc. can provide shielding by absorbing and/or deflecting energy and debris. Exacerbating conditions include ease of access to target; lack of barriers and shielding; poor construction; and ease of concealment of device.
Chemical Agent	Liquid/aerosol contaminants dispersed using sprayers or other aerosol generators; liquids vaporizing from puddles/containers; or munitions.	Hours to weeks, depending on the agent and the conditions in which it exists.	Contamination can be carried out of the initial target area by persons, vehicles, water, and wind. Chemicals may be corrosive or otherwise damaging over time if not remediated.	Air temperature can affect evaporation of aerosols. Ground temperature affects evaporation of liquids. Humidity can enlarge aerosol particles, reducing inhalation hazard. Precipitation can dilute and disperse agents but can spread contamination. Wind can disperse vapors but also cause target area to be dynamic. The micro-meteorological effects of buildings and terrain can alter travel and duration of agents. Shielding in the form of sheltering in place can protect people and property from harmful effects.

³⁰² Federal Emergency Management Agency (2003). Integrating Manmade Hazards into Mitigation Planning. <https://gema.georgia.gov/document/publication/howto7pdf/download>

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Hazard	Application Mode ^a	Hazard Duration ^b	Static/Dynamic Characteristics ^c	Mitigating and Exacerbating Conditions ^d
Arson/ Incendiary Attack	Initiation of fire or explosion on or near target via direct contact or remotely via projectile.	Generally minutes to hours.	Extent of damage is determined by type and quantity of device, accelerant, and materials present at or near target. Effects generally static other than cascading consequences, incremental structural failure, etc.	Mitigation factors include built-in fire detection and protection systems and fire- resistive construction techniques. Inadequate security can allow easy access to target, easy concealment of an incendiary device, and undetected initiation of a fire. Non-compliance with fire and building codes, as well as failure to maintain existing fire protection systems, can substantially increase the effectiveness of a fire weapon.
Armed Attack	Tactical assault or sniping from remote location, or random attack based on fear, emotion, or mental instability.	Generally minutes to days.	Varies based on the perpetrators' intent and capabilities.	Inadequate security can allow easy access to target, easy concealment of weapons, and undetected initiation of an attack.
Biological Agent	Liquid or solid contaminants dispersed using sprayers/ aerosol generators or by point or line sources such as munitions, covert deposits, and moving sprayers.	Hours to years, depending on the agent and the conditions in which it exists.	Depending on the agent used and the effectiveness with which it is deployed, contamination can be spread via wind and water. Infection can spread via humans or animals.	Altitude of release above ground can affect dispersion; sunlight is destructive to many bacteria and viruses; light to moderate wind will disperse agents but higher winds can break up aerosol clouds; the micro-meteorological effects of buildings and terrain can influence aerosolization and travel of agents.
Agro-terrorism	Direct, generally covert contamination of food supplies or introduction of pests and/or disease agents to crops and livestock.	Days to months.	Varies by type of incident. Food contamination events may be limited to specific distribution sites, whereas pests and diseases may spread widely. Generally, no effects on built environment.	Inadequate security can facilitate adulteration of food and introduction of pests and disease agents to crops and livestock.

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Hazard	Application Mode ^a	Hazard Duration ^b	Static/Dynamic Characteristics ^c	Mitigating and Exacerbating Conditions ^d
Radiological Agent	Radioactive contaminants dispersed using sprayers/ aerosol generators, or by point or line sources such as munitions.	Seconds to years, depending on material used.	Initial effects will be localized to site of attack; depending on meteorological conditions, subsequent behavior of radioactive contaminants may be dynamic.	Duration of exposure, distance from source of radiation, and the amount of shielding between source and target determine exposure to radiation.
Nuclear Bomb	Detonation of nuclear device underground, at the surface, in the air, or at high altitude.	Light/heat flash and blast/shock wave last for seconds; nuclear radiation and fallout hazards can persist for years. Electromagnetic pulse from a high- altitude detonation lasts for seconds and affects only unprotected electronic systems.	Initial light, heat, and blast effects of a subsurface, ground or air burst are static and determined by the device's characteristics and employment; fallout of radioactive contaminants may be dynamic, depending on meteorological conditions.	Harmful effects of radiation can be reduced by minimizing the time of exposure. Light, heat, and blast energy decrease logarithmically as a function of distance from seat of blast. Terrain, forestation, structures, etc. can provide shielding by absorbing and/or deflecting radiation and radioactive contaminants.
Intentional Hazardous Material Release (fixed facility or transportation)	Solid, liquid, and/or gaseous contaminants released from fixed or mobile containers	Hours to days.	Chemicals may be corrosive or otherwise damaging over time. Explosion and/or fire may be subsequent. Contamination may be carried out of the incident area by persons, vehicles, water, and wind.	Weather conditions directly affect how the hazard develops. The micro-meteorological effects of buildings and terrain can alter travel and duration of agents. Shielding in the form of sheltering in place can protect people and property from harmful effects. Non-compliance with fire and building codes, as well as failure to maintain existing fire protection and containment features, can substantially increase the damage from a hazardous materials release.

^a. *Application Mode:* Application mode describes the human acts or unintended events necessary to cause the hazard to occur.

^b. *Duration:* Duration is the length of time the hazard is present. For example, a chemical warfare agent such as mustard gas, if un- remediated, can persist for hours or weeks under the right conditions.

^{c.} Dynamic or Static Characteristics: These characteristics of a hazard describe its tendency, or that of its effects, to either expand, contract, or remain confined in time, magnitude, and space. For example, the physical destruction caused by an earthquake is generally confined to the place in which it occurs, and it does not usually get worse unless aftershocks or other cascading failures occur; in contrast, a cloud of chlorine gas leaking from a storage tank can change location by drifting with the wind and can diminish in danger by dissipating over time.

^{d.} Mitigation and Exacerbating Conditions: Mitigating conditions are characteristics of the target and its physical environment that can reduce the effects of a hazard. For example, earthen berms can provide protection from bombs; exposure to sunlight can render some biological agents ineffective; and effective perimeter lighting and surveillance can minimize the likelihood of someone approaching a target unseen. In contrast, exacerbating conditions are characteristics that can enhance or magnify the effects of a hazard. For example, depressions or low areas in terrain can trap heavy vapors, and a proliferation of street furniture (trash receptacles, newspaper vending machines, mailboxes, etc.) can provide hiding places for explosive devices.

16.2.2 Active Threat

16.2.2.1 Active Shooter

Active shooter attacks are typically motivated by the desire to maximize human casualties. They are differentiated from other attack types by the indiscriminate nature of the victims, who often are targets of opportunity. Active shooter attacks range from “lone wolf” shooters who act alone and without any organizational affiliation to organized groups acting in concert to achieve a specific objective. Active shooter tactics sometimes employ a blend of lone shooters and multi-person teams as part of a larger assault.

Active shooters may use small arms, light weapons, or a combination of the two depending on the type of attack. Small arms are revolvers, automatic pistols, rifles, shotguns, assault rifles, light machine guns, etc. Light weapons are medium caliber and explosive ordinance, grenade launchers, rocket propelled grenades, etc. Attackers can increase their likelihood of success by using a wider array of weapons, including improvised explosive devices.

16.2.2.2 Biological Attack

Biological hazards include disease-causing microorganisms and pathogens, such as bacteria and viruses, which multiply within a host and cause an infection. Some bacteria and viruses can spread from one individual to another. Infections typically occur as a result of airborne exposure, skin contact, or ingestion. In general, exposure to bacteria and viruses can occur through inhalation (as is the case with airborne *B. anthracis* spores, which cause anthrax), ingestion of contaminated food or water (the case with *E. coli*, which causes gastrointestinal infection), contact with infected individuals, or contact with contaminated surfaces (which may be harboring, for example, viruses that cause influenza). Domestic and transnational threat groups have considered targeting heating, ventilation, and air conditioning systems of large commercial buildings.

Anthrax has been used as a weapon for nearly 100 years and is one of the most likely agents to be used in a biological threat. Its spores are easily found in nature, can be produced in a lab, and can last for a long time. It can be released quietly and without anyone knowing. Microscopic spores can be put into powders, sprays, food, and water. Due to their size, victims may not be able to see, smell or taste them.³⁰³ Terrorists may release anthrax spores in public places. In 2001, letters containing powdered anthrax spores were sent through the U.S. mail, causing skin and lung anthrax in 22 people. Five people died, all due to lung anthrax.³⁰⁴

If a biological attack were to occur in the Santa Clara County OA, a large number of personnel could be impacted. Buildings in the impacted area and transportation infrastructure might be closed for investigation and cleanup. These areas would not be accessible until cleanup is completed, which would impact the businesses. Hospitals could become overwhelmed with people coming in fearing contamination. Residents and businesses may need to shelter in place in the area of the attack.

³⁰³ Centers for Disease Control and Prevention. (n.d.) The Threat of an Anthrax Attack.

<https://www.cdc.gov/anthrax/bioterrorism/threat.html>

³⁰⁴ Chan, C. & Pan, E. (n.d.). Anthrax in the air? San Francisco Department of Public Health.

https://www.sfdph.org/wp-content/uploads/2017/12/SFDPH.Anthrax_in_the_Air_SF_Med_Society_article.pdf

16.2.2.3 Chemical Attack

Chemical weapons are poisonous vapors, aerosols, liquids, and solids that have toxic effects on humans, animals, and plants. A chemical attack is the spreading of toxic chemicals with the intent to do harm. A wide variety of chemicals could be made, stolen, or otherwise acquired for use in an attack. Harmful chemicals that could be used in an attack include:³⁰⁵

- Chemical weapons (warfare agents) developed for military use;
- Toxic industrial and commercial chemicals that are produced, transported, and stored in the making of petroleum, textiles, plastics, fertilizers, paper, foods, pesticides, household cleaners, and other products; and
- Chemical toxins of biological origin such as ricin.

Exposure pathways include inhalation, skin contact, ingestion, or injection. Depending on the severity of exposure, impacts may include temporary illness or injury, permanent medical conditions, or death. An attack using chemicals can come without warning. Signs of a chemical release include difficulty breathing; choking or eye irritation; losing coordination; nausea; or a burning sensation in the nose, throat, and lungs.³⁰⁶

A chemical release in the Santa Clara County OA could lead to closure of streets and major transportation routes (including bridges) for extended periods of time, causing transportation delays and traffic. Many homes and businesses would also be impacted as they would need to be evacuated for an extended period of time. There could also be impact on the environment and/or natural resources that would require cleanup. Hazardous material response teams and fire-rescue would be needed to respond to the incident and coordinate cleanup efforts.

16.2.2.4 Radiological Attacks

The radiological accident hazard has been identified in the State hazard mitigation plan with a low probability. Terrorist acts involving radiological or nuclear materials (e.g., radiological dispersion device or an improvised nuclear device) is presented as an example of potential radiologic releases but not discussed further.

16.2.2.5 Explosive Devices

Improvised explosive device (IED) attacks are a favored method of terrorist groups around the world. The evolution in explosive materials and firing devices and their ease of concealment and delivery have increased the effectiveness of this hazard. IED attacks are typically motivated by the desire to maximize human casualties. The intention may also be to create fear in the community. Explosive incidents account for 70 percent of all terrorist attacks worldwide. These types of attacks range from small-scale letter bombs to large-scale attacks on specific buildings.

IEDs generally consist of TNT equivalent explosives (e.g., black or smokeless powder) in a container (e.g., galvanized pipe, paint can, etc.). These propellants are easily purchased on the commercial market. IEDs may also contain added shrapnel to induce greater casualties or shaped charges that direct the force of the explosive toward the target. Devices may be hidden in everyday objects such as briefcases, flowerpots, or garbage cans, or on the person of the attacker in the case of suicide bombers. The most commonly used container is galvanized pipe, followed by PVC pipe.

³⁰⁵ Department of Homeland Security. (n.d.). Chemical Attack Fact Sheet: Warfare Agents, Industrial Chemicals, and Toxins. <https://www.dhs.gov/publication/chemical-attack-fact-sheet>

³⁰⁶ Federal Emergency Management Agency. (n.d.). Chemicals and Hazardous Materials Incidents. <https://www.ready.gov/hazmat#during>

When shrapnel is added to the device, the type of shrapnel varies—bullets and other small pieces of hardware are common, as are glass and gravel.

An attack using IEDs or other explosive device in the Santa Clara County OA has potential large-scale consequences that may require multi-agency and multijurisdictional coordination. Depending on the location of the attack, businesses and other venues may be closed for investigation and due to damage. If the attack occurred in or near residences, evacuations and/or sheltering may occur.

16.2.2.6 Fire as a Weapon

The use of fire for criminal, gang, and terrorist activities, as well as targeting first responders, is one of numerous increasingly complex approaches to terrorism. This tactic can include arson, improved incendiary devices (IIDs), deliberate forest fires, and more. Human-causes are the leading cause of wildfires in California. Between the last plan update and 2022, the annual acres burned due to arson caused wildfires ranged from 483 acres (2022) to 44,609 acres (2020).³⁰⁷ Fire, and incendiary devices such as Molotov cocktails, have been used more frequently recently both during civil disturbances and in an attempt to break up otherwise peaceful protests. IID incidents have also increased. Between 2019 and 2020 alone, IID incidents targeting government facilities increased 210%, incidents targeting critical infrastructure facilities increased 141%, and incidents targeting commercial facilities increased 113 percent.³⁰⁸

16.2.3 Hazard Profile

16.2.3.1 Past Events

The South Bay Area has not experienced a major regional terrorism event. According to the Cal OES Terrorism Response Plan, California has had a long history of defending the public against domestic and foreign terrorists. Domestic terrorist groups in California have been focused on political or social issues, while the limited internationally based incidents have targeted the state's immigrant communities due to foreign disputes. Advanced technologies and communication have allowed these groups to become more sophisticated and better organized, with remote members linked electronically.

In California, most terrorist events have involved explosives, followed by incendiaries and firearms, as shown in Figure 72. During a recent three-month period, the Bomb Squad from the Santa Clara County Sheriff's Office was called out three times:³⁰⁹

- **September 5, 2022: Explosive Material Mitigation:** The Bomb Squad was called to the scene of a man that was attempting to manufacture homemade explosives causing an explosion at his home. The explosion took off the suspect's right hand and caused serious trauma to his lower face. Bomb Technicians deployed bomb disposal robots to extract the explosive material and precursor chemicals from the trailer to facilitate a controlled demolition and render the scene safe.
- **October 31, 2022: Suspected IED Mitigation:** The Bomb Squad was called for a suspicious item suspected of being an IED that was abandoned on the side of the roadway. The item was made to look like an IED but was not viable.

³⁰⁷ Cal Fire. (December 2022). Arson Caused Wildfires – Acres Burned. <https://34c031f8-c9fd-4018-8c5a-4159cdf6b0d-cdn-endpoint.azureedge.net/-/media/calfire-website/images---misc/arson-acres-burned-2022.jpg?rev=83a9dd360a794b6cb627bdf7371f2791&hash=7F588C79EC88FF533701B966B2E0138A>

³⁰⁸ Cybersecurity & Infrastructure Security Agency. (n.d.). Fire As A Weapon. https://www.cisa.gov/sites/default/files/publications/Fire%20as%20a%20Weapon%20Action%20Guide_Final%20508%20%2804.12.21%29v.2_1.pdf

³⁰⁹ Santa Clara County Sheriff's Office. (2023). Military Equipment Use Report, 6-Month Report. [Military Equipment Use 6-Month Report_FINAL DRAFT \(2.15.23\).pdf](https://www.sccgov.org/files/Military%20Equipment%20Use%206-Month%20Report%20FINAL%20DRAFT%20(2.15.23).pdf) (sccgov.org)

- **November 15, 2022: Suspected IED Mitigation:** The Bomb Squad was called to a Lockheed Martin Facility in Santa Clara for a reported IED in the shipping and receiving room. The item was made to look like an IED but was not viable.

Other agencies responded to two other incidents involving explosives.

- **March 1, 2023: Explosive Material Mitigation:** The City of San José bomb squad was called to a South San José home as part of an investigation into someone possessing explosives and illegal drugs.
- **February 7, 2020: Suspected Terrorist Attack:** Assaultants in a vehicle opened fire on a Sikh police officer patrolling in Morgan Hill, California, United States. A Santa Clara County Sheriff's Deputy was injured in the assault. No group claimed responsibility for the attack."

These are not the first incidents in the OA. One other example includes an attack in 2014 at a PG&E Corporation's Metcalf transmission substation in San José when an unknown person entered an underground vault and cut telephone cables. Within half an hour, snipers opened fire on a nearby electrical substation. Shooting for 19 minutes, the persons were able to knock out 17 giant transformers that funnel power to Silicon Valley. Electric-grid officials were able to reroute power around the site and requested power plants in Silicon Valley to produce more electricity, but it took utility workers 27 days to conduct repairs and make the substation functional. The Wall Street Journal reported the incident at the time was called "the most significant incident of domestic terrorism involving the grid that has ever occurred." There have been no arrests or persons charged for the incident..³¹⁰

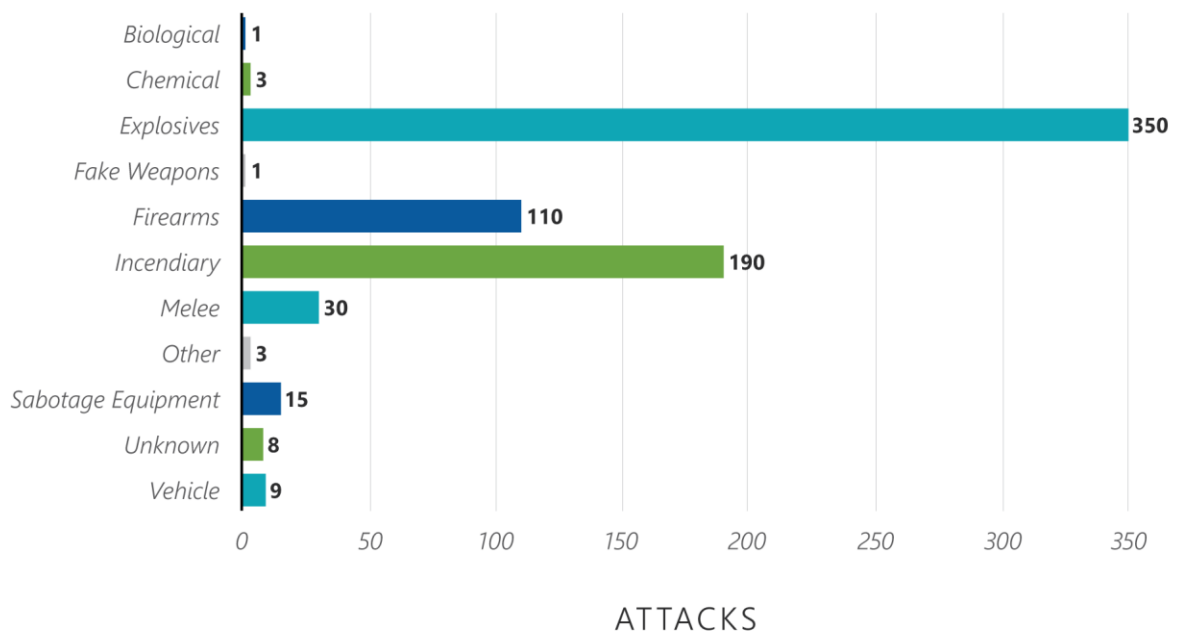


Figure 73: Weapon Types Used in Terrorist Events in California³¹¹

³¹⁰ Smith, Rebecca. (February 2014). Assault on California Power Stations Raises Alarm on Potential for Terrorism; April Sniper Attack Knocked Out Substation, Raises Concern for Country's Power Grid. [Assault on California Power Station Raises Alarm on Potential for Terrorism - WSJ](#)

³¹¹ Global Terrorism Database. (n.d.). Database Search Results. <https://www.start.umd.edu/gtd/search/Results.aspx?charttype=bar&chart=target&search=california>

Terrorist attacks can occur anywhere in the Santa Clara County OA. Past targets in California have included businesses, private citizens, government, educational institutions and many more. In California, as shown in Figure 74, businesses are the most frequent targets, accounting for 28 percent of all terrorist attacks in the state.

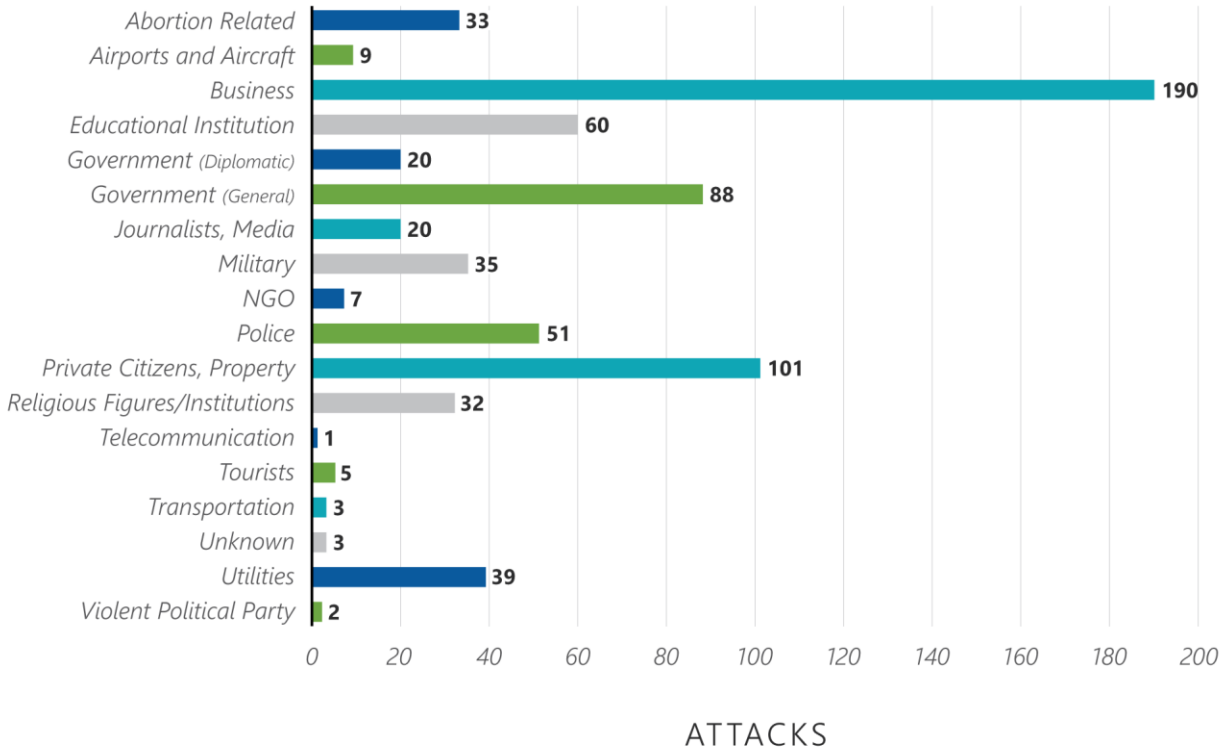


Figure 74: Targets of Terrorist Attacks in California³¹²

16.2.3.2 Severity

The severity of terrorist attacks ranges from inconsequential when the attack fails, to catastrophic. The effects of terrorism can include injuries, loss of life, property damage, or disruption of services such as electricity, water supplies, transportation, or communications. Effects may be immediate or delayed.

Terrorists often choose targets that offer limited danger to themselves and areas with relatively easy public access. Foreign terrorists look for visible targets where they can avoid detection before and after an attack, such as international airports, large cities, major special events, and high-profile landmarks. In recent months, there has been a rise in physical attacks against utility infrastructure in North Carolina and the Pacific Northwest.³¹³ Attackers targeted substations and used guns, fire, metal chains, and other weapons during their attack. As of this writing, the FBI is currently investigating.

³¹² Global Terrorism Database. (n.d.). Database Search Results.

<https://www.start.umd.edu/gtd/search/Results.aspx?charttype=bar&chart=target&search=california>

³¹³ Oregon Public Broadcasting. (December 2022). String of electrical grid attacks in Pacific Northwest is unsolved. <https://www.opb.org/article/2022/12/08/string-of-electrical-grid-attacks-in-pacific-northwest-are-unsolved/>

16.2.3.3 Warning Time

For this hazard, warning time relates to warnings to local law enforcement from federal authorities and other law enforcement agencies as well as warnings to the public. In dealing with terrorism, the unpredictability of human beings must be considered. While education, heightened awareness, and early warning of unusual circumstances may deter terrorism, intentional acts that harm people and property are possible at any time. Public safety entities must react to the threat, locating, isolating, and neutralizing further damage and investigating potential scenes and suspects to bring criminals to justice.

People with a desire to perform such acts may seek out targets of opportunity that may not fall into established lists of critical areas or facilities. First responders in the Santa Clara County OA train to respond not only to organized terrorism incidents, but also to random acts by individuals who may choose to harm others and destroy property. The Intelligence Unit of the Santa Clara County Sheriff's Office is comprised of a Sergeant and a Deputy that are assigned to the FBI's Joint Terrorism Task Force (JTTF) and the Northern California Regional Intelligence Center (NCRIC) respectively with the goal of helping safeguard the Santa Clara County community by conducting terrorism investigations, sharing criminal intelligence and threat assessment information with regional partners, and by processing and assessing Suspicious Activity Reports (SARs) submitted by local law enforcement and the public.

AlertSCC is the County of Santa Clara's official emergency alert and warning system for the most up-to-date information on emergencies and disasters happening in the area.

16.2.3.4 Critical Facilities, Infrastructure, and the Environment

Critical facilities, infrastructure, and the environment are common targets of terrorist attacks. The environment may be impacted depending on the size and location of the terrorist attack. Human-caused fires pose a serious threat, as well as hazardous materials release.

16.2.3.5 Future Trends in Development

Terrorist attacks in urban areas would cause significantly more harm, injury, death, or property damage than it would rural areas. As the Santa Clara OA continues to develop, the target area for terror attacks expands as does the number of potential victims of an attack.

16.2.3.6 Cascading Impacts

A completed terror attack on critical facilities and infrastructure and the environment could involve multiple other hazards including power outage, utility failure, and hazardous materials release.

16.2.4 Cyber Threats

A cyber threat is an intentional and malicious crime that compromises that digital infrastructure of a government, person, or organization, often for financial or terror-related reasons. Such attacks vary in nature and are perpetrated using digital mediums or sometimes social engineering to target human operators. Generally, attacks last minutes to days, but large-scale events and their impacts can last much longer. As information technology continues to grow in capability and interconnectivity, cyber threats become increasingly frequent and destructive. In 2014, internet security teams at Symantec and Verizon indicated that nearly a million new pieces of malware—malicious code designed to steal or destroy information—were created every day.³¹⁴

³¹⁴ Symantec. (2015). Protection from Advanced Threats with Symantec Insight and SONAR. Broadcom. <https://docs.broadcom.com/doc/protection-from-advanced-threats-with-insight-sonar-en>.

Cyber threats can vary in their severity, based on the systems affected by an attack, the warning time, and the ability to preempt an attack.³¹⁵ They also differ by motive, attack type and perpetrator profile. Motives range from the pursuit of financial gain to political or social aims. Types of threats include using viruses to erase entire systems, breaking into systems and altering files, using someone's personal computer to attack others, or stealing confidential information. Municipalities and private businesses within the Santa Clara County OA are susceptible to the most current and common cyber-attacks, such as socially engineered Trojans, unpatched software, phishing attacks, network-traveling worms, and advanced persistent threats. Many of these attacks are engineered to automatically seek technological vulnerabilities. Possible cyberterrorist targets include the banking industry, power plants, air traffic control centers, and water systems. The spectrum of cyber risks is limitless, with threats having a wide range of effects on the individual, community, organizational, and national threat.³¹⁶

"[The cyber threat] has exploded. It has become more diffuse, more sophisticated, more dangerous than ever before."

**Lisa O. Monaco, Deputy Attorney General (DAG)
Address at Annual Munich Cybersecurity Conference (Feb. 17, 2021)³¹⁷**

This risk assessment includes cyberattacks and cyberterrorism. The terms often are used interchangeably, though they are not the same. While all cyberterrorism is a form of cyberattack, not all cyberattacks are cyberterrorism.

16.2.4.1 Cyberattack

Public and private computer systems are subject to a variety of cyberattacks, from blanket malware infection to target attacks on system capabilities. Cyber-attacks seek to breach IT security measures designed to protect an individual or organization. The initial attack if followed by more severe attacks for the purpose of causing harm, stealing data, or financial gain.

One of the most common cyber threats is malware. Malware refers to malicious software that a cybercriminal or hacker has created to disrupt or damage a legitimate user's computer. It is often spread via an unsolicited email attachment or other legitimate-looking download. Types of malware include the following:

- **Viruses:** A self-replicating program that attaches itself to clean file and spreads throughout a computer system, infecting files with malicious code.
- **Trojans:** Programs disguised as legitimate software where the victim is tricked into uploading trojans onto their computer where they cause damage or obtain sensitive and/or valuable data.
- **Spyware:** This malicious software is designed to enter your computer or other device, gather data about you, and forward it to a third-party without your consent. In December 2022, a U.S. lawmaker predicted spyware hacks of U.S. government employees could be in the hundreds, including diplomats.³¹⁸

³¹⁵ Cybersecurity & Infrastructure Security Agency. (n.d.). Cyber Threats and Advisories.

<https://www.cisa.gov/topics/cyber-threats-and-advisories>

³¹⁶ Federal Emergency Management Agency. (2022). Cybersecurity.

<https://www.ready.gov/cybersecurity#:~:text=1%20Accessing%20your%20personal%20computers%2C%20mobile%20phones%2C%20gaming,services.%205%20Impacting%20transportation%20and%20the%20power%20grid.>

³¹⁷ U.S. Department of Justice. (2022 July). Comprehensive Cyber Review.

<https://www.justice.gov/media/1232936/dl?inline=>

³¹⁸ Center for Strategic & International Studies. (2023). Significant Cyber Incidents.

<https://www.csis.org/programs/strategic-technologies-program/significant-cyber-incidents>

- **Ransomware:** Ransomware is a type of malware used by cyber actors to extort owners of computer systems. Since 2013, ransomware attacks are becoming increasingly common. On April 22, 2021, an apparent ransomware attack on the Santa Clara Valley Transportation Authority (VTA), paralyzed many of the agency's computer systems for days.³¹⁹ The hacker group claimed that it stole 150 gigabytes of data from the transit authority and threatened to post it publicly if VTA does not "cooperate."
- **Malvertising:** Malware downloaded to a system when the victim clicks on an affected ad.

Other types of cyber threats include the following:

- **Phishing:** Malicious email messages that ask users to click a link or download a program. Phishing attacks may appear as legitimate emails from trusted third parties.
- **Man in the Middle Attack:** Man-in-the-Middle is a type of cyber threat where a cybercriminal intercepts communication between two individuals in order to steal data.
- **Denial of Service Attacks:** These attacks that focus on disrupting service by flooding computer networks and servers with traffic until the network can no longer function.
- **Advanced Persistent Threat (APT):** An attack in which the attacker gains access to a network and remains undetected. APT attacks are designed to steal data instead of cause damage.

With millions of threats created each day, the importance of protection against cyberattacks becomes a necessary function of everyday operations for individuals, government facilities, and businesses. The increasing dependency on technology for vital information storage and the often automated method of infection means higher stakes for the success of measurable protection and education.

16.2.4.2 Cyberterrorism

Cyberterrorism is the use of computers and information, particularly over the internet, to recruit others to an organization's cause, cause physical or financial harm, or cause a severe disruption of infrastructure service. Such disruptions can be driven by religious, political, or other motives. Like traditional terrorism tactics, cyberterrorism seeks to evoke very strong emotional reactions, but it does so through information technology rather than a physically violent or disruptive action. Cyberterrorism has three main types of objectives:³²⁰

1. **Organizational:** Cyberterrorism with an organizational objective includes specific functions outside of or in addition to a typical cyber-attack. Terrorist groups today use the internet daily for recruitment, training, fundraising, communication, or planning. Organizational cyberterrorism can use platforms such as social media as a tool to spread a message beyond country borders and instigate physical forms of terrorism. Additionally, organizational goals may use systematic attacks as a tool for training new members of a faction in cyber warfare.
2. **Undermining:** Cyberterrorism with undermining as an objective seeks to hinder the normal functioning of computer systems, services, or websites. Such methods include defacing, denying, and exposing information. While undermining tactics are typically used due to high dependence on online structures to support vital operational functions, they typically do not result in grave consequences unless undertaken as part of a larger attack. Undermining attacks on computers include the following:

³¹⁹ The Mercury News. (2021, April 22). VTA Targeted in Apparent Ransomware Attack, Hackers Threaten to Release Trove of Data. <https://www.mercurynews.com/2021/04/22/cyberattack-targets-vta-unclear-if-personal-information-breached/>

³²⁰ INFOSEC. (2012, December 21). Cyberterrorism Defined (as distinct from "Cybercrime"). <https://resources.infosecinstitute.com/topic/cyberterrorism-distinct-from-cybercrime/>

- a. Directing conventional kinetic weapons against computer equipment, a computer facility, or transmission lines to create a physical attack that disrupts the reliability of equipment.
 - b. Using electromagnetic energy, most commonly in the form of an electromagnetic pulse, to create an electronic attack against computer equipment or data transmissions. By overheating circuitry or jamming communications, an electronic attack disrupts the reliability of equipment and the integrity of data.
 - c. Using malicious code directed against computer processing code, instruction logic, or data. The code can generate a stream of malicious network packets that disrupt data or logic by exploiting vulnerability in computer software, or a weakness in computer security practices. This type of cyber-attack can disrupt the reliability of equipment, the integrity of data, and the confidentiality of communications.
3. **Destructive:** The destructive objective for cyberterrorism is what organizations fear most. Using computer technology and the internet, the terrorists seek to inflict destruction or damage on tangible property or assets, and even death or injury to individuals.

16.2.5 Hazard Profile

16.2.5.1 Past Events

Previous cyberattacks have occurred against the local government, critical infrastructure, and businesses in the OA. For example, in 2021, Santa Clara Valley Transportation Authority experienced a ransomware cyberattack, with the intention of obtaining data and disrupting essential services.

The location of Silicon Valley within the OA also makes the area a significant target to major cyberattacks on businesses. In 2022, Nvidia, a major chip manufacturer based in Santa Clara, experienced a cyberattack in which valuable data was stolen. The attackers demanded a ransom to protect Nvidia's data.

16.2.5.2 Location

Cyberattacks are local in nature. They can occur from anywhere.

16.2.5.3 Severity

A cyberattack, even a successful one, could have a minor impact on the victims or it could be catastrophic, depending on the situation.

16.2.5.4 Warning Time

The severity and timing of cyber threats are impossible to predict. There may be no warning. Some cyber incidents take weeks, months, or even years to be discovered and identified.³²¹

16.2.5.5 Critical Facilities, Infrastructure, and the Environment

Critical facilities and infrastructure are common targets of cyberattacks. There is not expected to be significant environmental impacts.

³²¹ Federal Emergency Management Agency. (2022). Cybersecurity. <https://www.ready.gov/cybersecurity#:~:text=1%20Accessing%20your%20personal%20computers%2C%20mobile%20phones%2C%20gaming,services.%205%20Impacting%20transportation%20and%20the%20power%20grid.>

16.2.5.6 Future Trends in Development

Future development is unlikely to be significantly influenced by cyber-attacks. However, cyberattacks that could impact larger populations could cause significantly more harm, injury, death, or property damage. Expanding the local economy also presents additional targets for cyber-attacks.

16.2.5.7 Cascading Impacts

Cyberattacks can have many cascading impacts depending on the target, timeframe, and success of the attack. As stated in the 2018 State of California Hazard Mitigation Plan, “Computer system failures have the potential to result in cascading hazards such as energy outages, hazardous materials release, oil spills, transportation accidents, or dam failure.”³²²

16.3 Technological Incidents

Technological hazards are associated with human activities such as the manufacture, transportation, storage, and the use of hazardous materials. Incidents related to these hazards are assumed to be accidental with unintended consequences. Given the complex system of transportation networks, the large population, and the number of businesses in California, incidents occur on a regular basis throughout the state, as reported by the news media. Technological hazards can be categorized as follows:

- Hazardous materials incidents
- Transportation incidents
- Pipeline and tank hazards
- Utility failure

16.3.1.1 Hazardous Materials Incidents

A hazardous material is any substance that is flammable, combustible, corrosive, poisonous, toxic, explosive, or radioactive. Hazardous materials are present across the United States in facilities that produce, store, or use them. For example, water treatment plants use chlorine on-site to eliminate bacterial contaminants, and dry-cleaning businesses may use solvents that contain perchloroethylene. Even the natural gas used in homes and businesses is a dangerous substance when a leak occurs. Hazardous materials are transported along interstate highways and railways daily. The following are the most common types of hazardous material incidents:

- **Fixed-Facility Hazardous Materials Incident:** This is the uncontrolled release of materials from a fixed site capable of posing a risk to health, safety, and property. It is possible to identify and prepare for a fixed-site incident because laws require those facilities to notify state and local authorities about what is being used or produced at the site.
- **Hazardous Materials Transportation Incident:** This is any event resulting in uncontrolled release during transport of materials that can pose a risk to health, safety, and property. Transportation incidents are difficult to prepare for because there is little if any notice about what materials could be involved should an accident happen. These incidents can occur anywhere, although most occur on major federal or state highways or major rail lines. In addition to materials such as chlorine that are shipped throughout the country by rail, thousands of shipments of radiological materials (mostly medical materials and low-level radioactive waste) take place via ground transportation across the United States.

³²² California Office of Emergency Services. (2018). 2018 State of California Hazard Mitigation Plan. <https://www.caloes.ca.gov/office-of-the-director/operations/recovery-directorate/hazard-mitigation/state-hazard-mitigation-planning/>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

- Many incidents occur in sparsely populated areas and affect few people. However, hazardous materials have been involved in accidents in areas with much higher population densities, as shown in Figure 74.

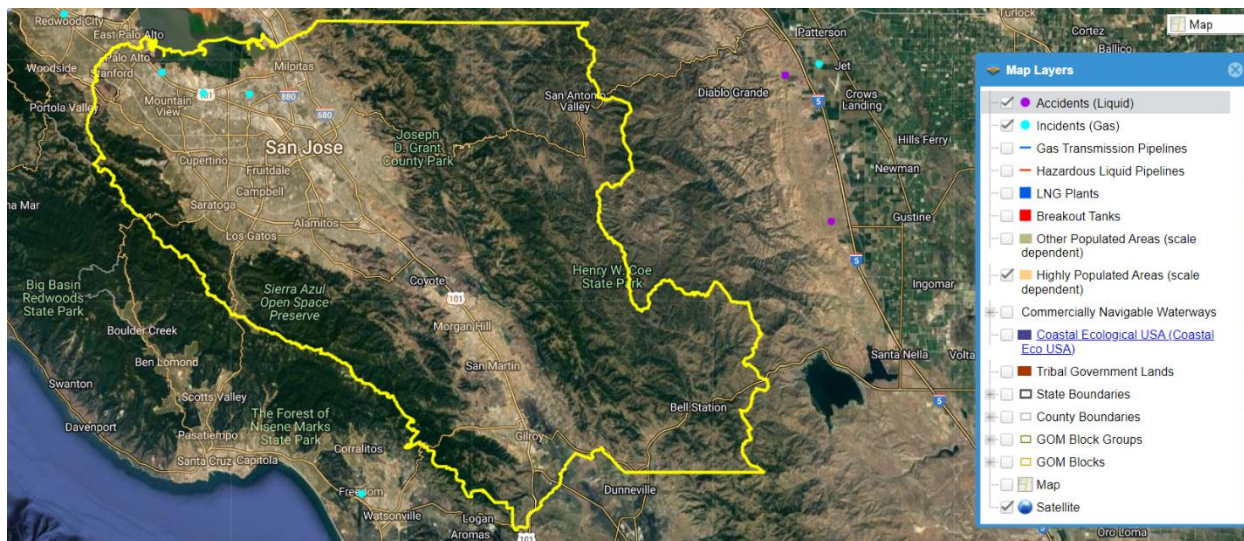


Figure 75: Highly Populated Areas with Hazardous Material Incidents Within Santa Clara County³²³

- Pipeline Hazardous Materials Incident:** Numerous natural gas pipelines, heating oil, and petroleum pipelines run through the Santa Clara County OA and surroundings. These are used to provide these products to utilities in the region and to transport the materials from production facilities to end users.

Federal regulations govern the transportation of hazardous materials in all modes of transportation: air, highway, rail, and water (Title 49, Code of Federal Regulations; Transportation, Code of Federal Regulations, Hazardous Materials Regulations). Title 49 CFR lists thousands of hazardous materials, including gasoline, insecticides, household cleaning products, and radioactive materials. California regulated substances that have the greatest probability of adversely impacting the community are listed in state code (Title 19, Division 2, Chapter 4.5, Sections 2735-2785; Hazardous Material Management Plan/Hazardous Material Inventory).

Even though information for 2022 is not complete, it appears that the total number of hazardous material incidents in Santa Clara County has decreased in the last few years. The number of injuries and fatalities has also decreased. The total incidents are outlined in Table 120.

³²³ National Pipeline Mapping System. (n.d.). NPMS Public Viewer. <https://pvnpmns.phmsa.dot.gov/PublicViewer/>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Table 120: Santa Clara County Hazardous Materials Spills 2019–2022 ³²⁴

Year	Total Incidents	Type							Injuries	Fatalities
		Petroleum	Chemical	Sewage	Railroad	Railroad Derailment	Vapor	Other		
2019	196	22	13	27	24	4	9	4	11	12
2020	153	76	11	17	20	2	3	19	10	7
2021	157	70	13	20	20	2	7	18	9	11
2022	87	42	8	14	13	3	3	13	6	8

Santa Clara County has four Certified United Program Agencies that administer hazardous materials, hazardous waste, and underground storage tank programs within their jurisdictions:

- Hazardous Materials Compliance Division of the Santa Clara County Department of Environmental Health (for all areas of Santa Clara County other than the cities of Santa Clara, Gilroy, and Sunnyvale)
- Santa Clara City Fire Department
- Gilroy Building, Life, and Environmental Safety to Community Development Department, Fire Prevention Division
- Sunnyvale Department of Public Safety

Participating Agencies are local fire agencies that coordinate their activities under a memorandum of understanding with Santa Clara County Department of Environmental Health:

- Milpitas Fire Department
- Mountain View Fire Department
- Palo Alto Fire Department
- Santa Clara County Fire Department

³²⁴ California Office of Emergency Services. (n.d.). Spill Release Reporting. <https://www.caloes.ca.gov/office-of-the-director/operations/response-operations/fire-rescue/hazardous-materials/spill-release-reporting/>

16.3.1.2 Transportation Incidents

Transportation incidents are those involving air, road or rail travelers resulting in death or serious injury. The potential for transportation accidents that block movement through the OA is significant, as is the likelihood of hazardous material incidents resulting from a traffic or rail accident.

The Bay Area has a number of airports, including the San Francisco International Airport, Oakland International Airport, and San José International Airport, as well as San Martin Airport and Reid Hillview Airport, which are smaller municipal airports that enhance the potential for an air disaster. Major transportation routes in the OA include the following:

- Major highways include Interstates 880 (Nimitz Freeway) and 280; U.S. Highway 101 and Highway 237; and State Routes 87, 85, and 17.
 - The 49 miles of light rail serving Santa Clara County is operated by the Santa Clara Valley Transportation Authority (VTA), which oversees public transit services in the county. The Santa Clara VTA is continuing development for Phase II of its BART Silicon Valley Extension. The project is planning four stations: 28th Street/Little Portugal Station, Downtown San José Station, Diridon Station, and Santa Clara Station. Construction of Phase II is estimated to carry 54,600 passengers each weekday to destinations throughout the Bay Area by 2040.³²⁵
- Amtrak has a train station in San José at Santa Clara University.
- The Santa Clara Depot, in the City of Santa Clara, is served by the Caltrain from San Francisco and the Altamont Corridor Express from Stockton.
- The Great America station in the City of Santa Clara hosts Amtrak's *Capitol Corridor* trains and Altamont Corridor Express trains. The station is close to Levi's Stadium and California's Great America.
- There are 15 Caltrain stations in the OA. Caltrain is a commuter rail between San Francisco, San Mateo, and Santa Clara counties.
- The Santa Fe railroad has a right of way that parallels U.S. Highway 101 through the eastern edge of the county.
- Daily commuter traffic is very high in the OA due to Silicon Valley's dense-employment population.

16.3.1.3 Pipeline Hazards

Approximately 300,000 miles of gas transmission pipelines and 170,000 miles of hazardous liquid pipelines move their products throughout the United States every day. Transmission pipelines connect urban areas, and only occasionally traverse highly populated areas. Numerous natural gas pipelines, heating oil, and petroleum pipelines run through the Santa Clara County OA and surroundings (see Figure 76).

³²⁵ Valley Transportation Authority. (n.d.). VTA's BART Silicon Valley Phase II. <https://www.vta.org/projects/bart-sv/phase-ii>

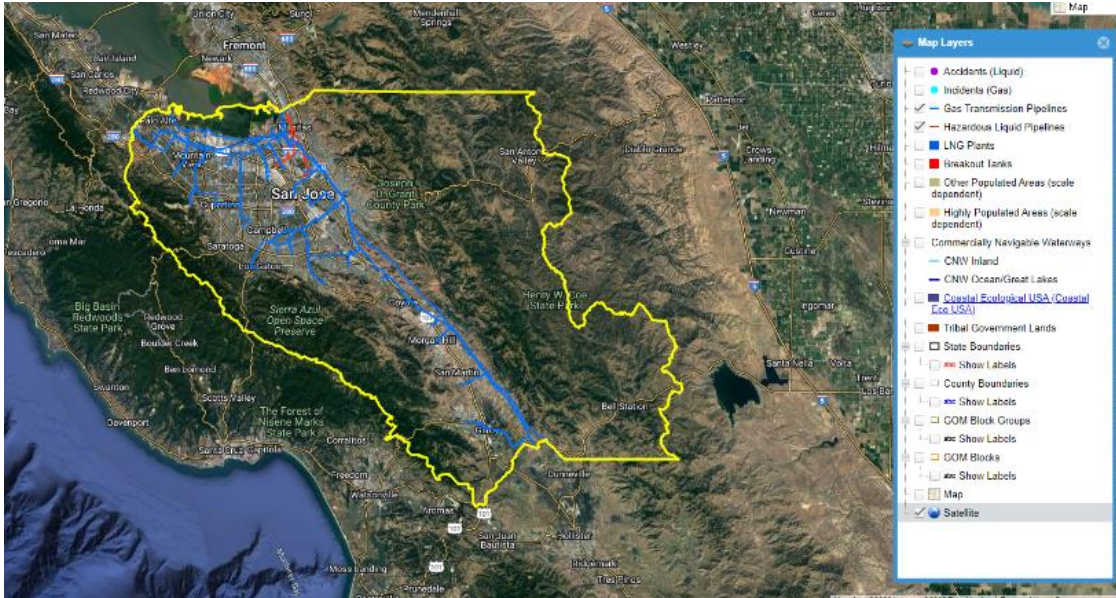


Figure 76: Gas and Hazardous Liquids Pipelines in Santa Clara County.³²⁶

Pipeline Systems and Risks

Around 1945, the United States invested in the development of a nation-wide system of pipelines for the purpose of transporting natural gas and petroleum products. Most of these materials are moved by hazardous liquid and gas transport operators through a system of pipelines ranging in diameter from 20 to 42 inches. These pipes reach from the material origin wells to their destination in refineries that further process the material. Although pipelines are the safest and most reliable way to transport natural gas, crude oil, liquid petroleum products, and chemical products, there is still an inherent risk due to the nature of the hazardous materials.

Transmission pipelines are those that transport raw material for further refinement. These pipes are large and far reaching, operating under high pressure. Distribution pipelines are those that provide processed materials to end users. Distribution pipelines serve homes and businesses and thus are located where people live and work. These are smaller in diameter, some as small as a half an inch, and operate under lower pressure. Because of the extensive reach of the distribution system, incidents have the potential to be far reaching. For example, a pipeline leak may release material into a migration pathway, such as a sewer line, and reach an ignition source far from the location of the actual leak. Due to the far-reaching underground and unpredictable nature of the pipeline failure hazard, it is difficult to gauge the extent to which the hazard affects the Santa Clara County OA. Minor pipe leaks may remain undetected for years until identified during renovation, excavation, or maintenance. In some scenarios, such leaks may go undetected until the severity has increased, resulting in a noticeable smell or, in the worst-case scenario, an explosion.

Incident causes are grouped as follows:

- **Corrosion:** Incidents caused by galvanic, atmospheric, stray current, microbiological, or other corrosive action.
- **Excavation Damage:** Incidents resulting directly from excavation damage by operator's personnel (oftentimes referred to as "first party" excavation damage), by the operator's contractor (oftentimes referred to as "second party" excavation damage), or by people or contractors not

³²⁶ National Pipeline Mapping System. (n.d.). NPMS Public Viewer. <https://pvnpm.phmsa.dot.gov/PublicViewer/>

associated with the operator (oftentimes referred to as "third party" excavation damage). This cause type also includes those incidents determined to have resulted from previous damage due to excavation activity.

- **Incorrect Operation:** Incidents caused by operating, maintenance, repair, or other errors by facility personnel, including but not limited to improper valve selection or operation, inadvertent over pressurization, or improper selection or installation of equipment.
- **Material/Weld/Equipment Failure:** Incidents in main or service pipe, or in welds, joints, or connections joining main pipe or service pipe due to faulty manufacturing procedures; defects resulting from poor construction, installation, or fabrication practices; and in-service stresses such as vibration, fatigue, and environmental cracking. also included are incidents resulting from equipment failures such as: malfunction of control/relief equipment (valves, regulators, or other instrumentation); failures of the body of equipment, vessel plate, or other material; and all other equipment-related failures.
- **Natural Force Damage:** Incidents resulting from earth movement, earthquakes, landslides, subsidence, lightning, heavy rains/floods, washouts, flotation, mudslides, scouring, temperature, frost heave, frozen components, high winds, or similar natural causes.
- **Other Outside Force Damage:** Incidents caused by non-excavation-related outside forces, such as fire or explosion; damage by vehicles or other equipment; nearby industry; failures due to mechanical damage; and intentional damage including vandalism and terrorism.

The greatest risk to the public regarding pipelines is the unintended release of a material being transported through the system. These materials are hazardous and have the capability to severely impact the surrounding environment, population, and property. These impacts may lead to severe injury or death. Combustible material transported through these pipelines may ignite or explode. Hazardous liquids may contaminate water systems. Families that rely on the transported material to heat their households may experience disruption of service. Pipeline failures also have the potential to negatively impact the economy, causing business interruptions or severely damaging vital infrastructure.

Depending on the pipeline material, age of the system, and transported product, pipelines may experience one or more general types of corrosion. Table 121 identifies corrosion types and a description of each.

Table 121: Corrosion Type

Corrosion Type	Description
External	External corrosion occurs due to environmental conditions on the outside of the pipe.
Internal	Corrosion on the internal wall of a natural gas pipeline can occur when the pipe wall is exposed to water and contaminants in the gas, such as O ₂ , H ₂ S, CO ₂ , or chlorides.
Atmospheric	Atmospheric corrosion occurs on a steel surface in a thin wet film created by the humidity in the air in combination with impurities.
Stress Cracking	Stress corrosion cracking is the initiation of cracks and their propagation, possibly up to complete failure of a component, due to the combined action of tensile mechanical loading and a corrosive medium.

Pipeline material plays an important role in the possibility of experiencing a pipeline failure. The main causes for both hazardous liquid and gas transmission pipelines failure are corrosion, material or welding

failure, or damage due to excavation.³²⁷ Plastic pipes installed for natural gas distribution systems from the 1960s through the early 1980s may be vulnerable to cracking, resulting in gas leakage and potential hazards to the public. Hundreds of thousands of miles of plastic pipe have been installed, with a significant amount installed prior to the mid-1980s. While distribution systems may widely vary in terms of construction material, nearly all transmission pipeline systems are constructed from high-strength steel treated with an anti-corrosive chemical.³²⁸

Pipeline incidents may lead to severe injury or death. Combustible material transported through these pipelines may ignite or explode. In the case of a spill, the released product becomes a hazard by dispersing in the environment, contaminating water bodies, soil, and potentially affecting people and wildlife. Families that rely on the transported material to heat their households may experience disruption of service. Pipeline failures also have the potential to negatively impact the economy, causing business interruptions or severely damaging vital infrastructure.

Pipelines are monitored by system control and data acquisition systems that measure flow rate, temperature, and pressure. These systems transfer real-time data via satellite from the pipelines to a control center where valves, pumps, and motors are remotely operated. If tampering with a pipeline occurs, an alarm sounds. The ensuing valve reaction is instantaneous, with the alarm system isolating any rupture and setting off a chain reaction that shuts down pipeline pumps and alerts pipeline operators within seconds.

Pipeline Oversight

Pipelines are regulated in California by the Office of the State Fire Marshal Pipeline Safety Division. CERCLA, the Emergency Planning and Community Right-to-Know Act, and California law require responsible parties to report hazardous material releases if certain criteria are met. CERCLA requires that all releases of hazardous substances exceeding reportable quantities be reported by the responsible party to the National Response Center. If an accidental chemical release exceeds the Right-to-Know Act applicable minimal reportable quantity, the facility must notify state emergency response commissions and local emergency planning committees for any area likely to be affected by the release and provide a detailed written follow-up as soon as practicable. Information about accidental chemical releases must be made available to the public.

The California Public Utilities Commission (CPUC) serves as the state regulation authority regarding pipeline operations. The CPUC conducts operation and maintenance compliance inspections and accident investigations. It reviews utilities' reports and records, conducts construction inspections, conducts special studies, and acts in response to complaints and inquiries from the public on issues regarding gas pipeline safety. The CPUC also endorses the system safety approach embodied in federal government regulations.

The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) is responsible for providing federal regulatory oversight of transmission pipelines. The agency's Integrity Management Program is a transmission pipeline program started in 2000. This program focuses on regulations for transmission pipelines in high consequence areas, such as pipelines passing through high population centers or particularly sensitive ecological areas.

³²⁷ Pipeline Association for Public Awareness. (2023). Pipeline Safety Facts and Statistics.

<https://pipelineawareness.org/safety-information/pipeline-safety-facts-statistics/#:~:text=According%20to%20government%20and%20industry,failure%2C%20human%20error%20and%20corrosion.>

³²⁸ Pipeline and Hazardous Materials Safety Administration. (2023, May 4). Pipeline Safety: Gas Pipeline Leak Detection and Repair. <https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2023-05/Gas%20Pipeline%20Leak%20Detection%20and%20Repair%20NPRM%20-%20May%202023.pdf>

The Integrity Management Program specifies how pipeline operators must identify, prioritize, assess, repair, and validate the integrity of their pipelines through comprehensive analysis.

PHMSA's 2005 *Distribution Integrity Management Program Phase One* report found a lack of risk-based assessment in managing distribution pipeline systems. A guidance document was developed to assist operators in deciding what actions are needed to comply with standards of the distribution integrity management program..³²⁹

In 2002, PHMSA released control guidelines for gas leakage. The guidelines included a regulatory classification for leakage severity, as shown in Table 122.

Table 122: Leak Classifications

Grade	Description	Examples	Action Criteria
1	A leak that represents an existing or probable hazard to persons or property and requires immediate repair or continuous action until the conditions are no longer hazardous.	Any leak which, in the judgment of operating personnel at the scene is regarded as an immediate hazard. Escaping gas that has ignited. Any indication of gas which has migrated into or under a building or into a tunnel. Any reading at the outside wall of a building or where gas would likely migrate to an outside wall of a building. Any leak that can be seen, heard, or felt and which is in any location that may endanger the general public or property.	Requires prompt action to protect life and property. Action may require one or more of the following: • Implementing a company emergency plan • Evacuating premises • Blocking off an area • Rerouting traffic • Eliminating sources of ignition • Venting the area • Stopping the flow of gas by closing valves or other means • Notifying police and fire departments
2	A leak that is recognized as being non-hazardous at the time of detection, but requires scheduled repair based on probable future hazard.	Any leak which, under frozen or other adverse soil conditions, would likely migrate to the outside wall of a building (Note: This type of Grade 2 leak must be repaired ahead of seasonal freeze/thaw conditions). Any leak which, in the judgment of operating	Leaks should be repaired or cleared within one calendar year but no later than 15 months from the date they were reported. In determining the repair priority, criteria such as the following should be considered:

³²⁹ Pipeline and Hazardous Materials Safety Administration. (2005). Gas Distribution Integrity Management Program (DIMP) Integrity Management for Gas Distribution: Report of Phase 1 Investigations. <https://www.phmsa.dot.gov/pipeline/gas-distribution-integrity-management/dimp-integrity-management-gas-distribution-report-of-phase-1-investigations-2005>

Grade	Description	Examples	Action Criteria
		personnel at the scene, is of sufficient magnitude to justify scheduled repair.	- Amount and migration of gas - Proximity of gas to buildings and subsurface elements - Extent of pavement - Soil type and soil conditions such as frost cap, moisture, and natural venting
3	A leak that is non-hazardous at the time of detection and can be reasonably expected to remain non-hazardous. Because petroleum gas is heavier than air and will collect in low areas instead of dissipating, few leaks can safely be classified as Grade 3.	Any reading under a street in areas without wall-to-wall paving where it is unlikely the gas could migrate to the outside wall of a building.	These leaks should be re-evaluated during the next scheduled survey, or within 15 months of the date reported, whichever occurs first, until the leak is re-graded or no longer results in a reading.

Source: PHMSA, 2002

16.3.2 Hazard Profile

16.3.2.1 Past Events

PHMSA records of natural gas pipeline events in the State of California do not include any events in Santa Clara County. The Bay Area has not experienced a hazardous materials release event with a regional impact. Hazardous material releases are often localized due to the limited release of such events.³³⁰

16.3.2.2 Location

All technological hazards including hazardous materials incidents, transportation incidents, pipeline hazards, and power failure are local in nature, but may cross jurisdictional lines.

16.3.2.3 Severity

The impact of leaks or spills of hazardous materials on the environment depends on the scale of the incident, the materials involved and the location of the spill. Spills along the California coast are well documented.

16.3.2.4 Warning Time

There is rarely any warning time before a leak or spill of hazardous materials. Explosions or fires associated with pipeline incidents can occur instantly and escalate quickly.

³³⁰ California Office of Emergency Services. (2018). 2018 State of California Hazard Mitigation Plan. <https://www.caloes.ca.gov/office-of-the-director/operations/recovery-directorate/hazard-mitigation/state-hazard-mitigation-planning/>

16.3.2.5 Critical Facilities and Infrastructure

It is unlikely that an oil spill will have a direct impact on most critical facilities and infrastructure. An important exception would be an oil spill near the intake of a water treatment plant, a power plant that uses water for cooling, or an industrial facility that uses water in its processing.

16.3.2.6 Environment

The impact of leaks or spills of hazardous materials on the environment depends on the scale of the incident, the materials involved and the sensitivity of the spill location. Spills can impact air quality, waterways, fish, and wildlife as well as damage habits.

16.3.2.7 Future Trends in Development

The anticipated additional development in the county's urban areas, which are already near the pipelines (see Figure 75), will increase the number of people and businesses exposed to this hazard.

16.3.2.8 Cascading Impacts

Cascading impacts associated with the pipeline hazard include:

- Urban structure fires;
- Public health consequences for pipeline failures; and
- Potential significant environmental impacts both long and short term, depending on the pipeline location.

16.3.3 Utility Failure, Power Outages, and Public Safety Power Shutoff

16.3.3.1 Utility Failure

Utility failure is defined as any interruption or loss of utility service due to disruption of service transmission caused by accident, sabotage, natural hazards, or equipment failure. A significant utility failure is defined as any incident of a long duration, which would require the involvement of the local and/or state emergency management organizations to coordinate provision of food, water, heating, cooling, and shelter. Widespread outages can occur without warning or as a result of a forecasted event. Generally, warning times are short in the case of utility failure. In cases where a failure is caused by natural hazards, greater warning time is possible.

Except for the cities of Palo Alto and Santa Clara, Pacific Gas and Electric (PG&E) is responsible for operating and maintaining the electrical transmission and distribution system in the OA. The utility supplies electricity to an approximate population of 1.7 million residential and business customers in 1,260 square miles of the OA. PG&E has both overhead and underground lines throughout the OA. The Silicon Valley Clean Energy Authority was created to help generate electricity from clean sources in the OA and currently serves 270,000 residents and businesses.

Wastewater and potable water utility restoration are essential to community continuity and recovery. Interruption of these services may have cascading economic and environmental impacts.

Utility failure can cause cascading impacts including:

- Chemical accidents can occur after power is restored to industrial facilities. Power interruptions at chemical handling plants are of particular concern because of the potential for a chemical spill during restart (EPA, 2001).
- Without proper procedures for backup of data and systems, the loss of data, systems, and telecommunications is a risk incurred by utility failure. Data and telecommunications provide a primary method for service to the community by the government and the private sector. A loss of

data or a system could result in loss of emergency dispatch capabilities, emergency planning services, infrastructure monitoring capabilities, access to statistical data, and loss of financial and personnel records. Loss of communication capability by first responders could have negative impacts on public safety. Backup systems such as amateur radio operators may be required during disaster to augment communications capabilities. Power outages can also lead to instances of civil disturbance, including looting.

16.3.3.2 Power Outages

Power outages are defined as any electrical system failure due to an unplanned disruption of service transmission caused by natural hazards, cyber-attacks, transportation accidents, accidental construction-related damage, sabotage, equipment failure or an intentional interruption through rolling blackouts or power shutoffs.

A significant outage is an incident of a long duration, which would require the involvement of the local and/or state emergency management organizations to coordinate provision of food, water, heating, cooling, and shelter. Widespread outages can occur without warning or as a result of a forecasted event. Generally, warning times are short in the case of utility failure. In cases where a failure is caused by natural hazards, greater warning time is possible. In the OA, electric power is provided to the cities by ten utilities, as shown in Table 123.

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Table 123: Electric Providers in Santa Clara County³³¹

Jurisdiction	Commercial Energy of California	Freedom Energy	Hudson Energy	Pacific Gas and Electric Company	Palo Alto Utilities	Pilot Power Group	Public Power & Utility of Maryland	San José Clean Energy	Silicon Valley Power	StateWise Energy
Campbell	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Cupertino	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Gilroy	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Los Altos	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Los Altos Hills	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Los Gatos	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Milpitas	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Monte Sereno	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Morgan Hill	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Mountain View	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Palo Alto	1.30%	1.30%	1.30%	1.30%	90.88%	1.30%	1.30%	1.30%	1.30%	1.30%
San José	12.52%	12.52%	12.52%	12.52%	12.52%	12.52%	12.52%	12.38%	12.52%	12.52%
Santa Clara								49.92%	50.08%	
Saratoga	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%
Sunnyvale	14.29%	14.29%	14.29%	14.29%		14.29%	14.29%	14.29%	14.29%	14.29%

³³¹ Find Energy LLC. (2022 August 9). Santa Clara County, California Electricity Rates and Statistics. <https://findenergy.com/ca/santa-clara-county-electricity/#city-coverage>

16.3.4 Hazard Profile

16.3.4.1 Public Safety Power Shutoff

In 2012, the California Public Utilities Commission (CPUC) ruled that the California Public Utility Code gives electric utilities the authority to shut off electric power to protect public safety, since power supply systems have the potential to ignite wildfires.

These shutoffs typically end within 24 hours after the weather conditions have subsided but may extend beyond the 24-hour timeframe, depending on conditions. An extended power outage due to a power shutoff, is likely to have the same impacts on a community as described above for an unplanned power outage.

16.3.4.2 Past Events

The California Public Utilities Commission collects and compiles data on public safety power shutoffs. Their records from 2019 through October 2021 show that the number of days with power shutoffs anywhere in the system has increased each year (see Table 124).

Table 124: Power Shutoffs Statewide³³²

Year	Calendar Days with a Power Shutoff Anywhere in California	Power Shutoff Duration	
		Shortest	Longest
2019	26	0 days, 1 hr., 19 min.	5 days, 21 hr., 0 min.
2020	31	0 days, 0 hr., 16 min.	5 days, 10 hr., 32 min.
2021 (through 10/22/21)	42	0 days, 2 hr., 52 min.	4 days, 18 hr., 38 min.

16.3.4.3 Location

Each power shutoff is linked to a specific circuit, but on many days, multiple circuits experience shutdowns, resulting in widespread power outages. Power loss from other causes is typically limited to local areas but could also affect larger regions.

16.3.4.4 Severity

The severity of power loss of any type relates to the number of days without power and the situation of the population and businesses without power. A 16-minute power loss is not significant to most, but to a person with a critical electrical medical device the loss would be severe. A loss of power for four days would be considered severe by all.

³³² Union of Concerned Scientists. (2022, February 2). California Utilities Shut Off Power for Fewer People, But Too Many Are Still in the Dark. <https://blog.ucsusa.org/mark-specht/california-utilities-shut-off-power-for-fewer-people-but-too-many-are-still-in-the-dark/>

16.3.4.5 Warning Time

Warning time for power outages will depend on the cause. An outage caused by hitting a distribution line or by an accident at a substation will occur without warning. However, an outage caused by weather conditions may come with some advance notice. Public safety power shutoffs are intended to provide adequate warning time.

16.3.4.6 Critical Facilities and Infrastructure

The impact of power outage on the facilities themselves is likely to be minimal but disruption of critical services would be significant.

16.3.4.7 Environment

The impact of power outage on the environment is unlikely but not impossible.

16.3.4.8 Future Trends in Development

In a growing community, more people and more businesses mean more are inconvenienced and/or negatively impacted by power outages.

16.3.4.9 Cascading Impacts

A county or city in the dark because of a power outage or shutdown could see an increase in crime.

Other impacts could include the following:

- Individuals would not have use of power-dependent medical equipment.
- Chemical accidents can occur after power is restored to industrial facilities. Power interruptions at chemical handling plants are of particular concern because of the potential for a chemical spill during restart.³³³
- Disrupting communications.
- Without proper procedures for backup of data and systems, the loss of data, systems, and telecommunications is a risk incurred by power outages. Data and telecommunications provide a primary method for service to the community by the government and the private sector. A loss of data or a system could result in loss of emergency dispatch capabilities, emergency planning services, infrastructure monitoring capabilities, access to statistical data, and loss of financial and personnel records. Loss of communication capability by first responders could have negative impacts on public safety. Backup systems such as amateur radio operators may be required during disasters to augment communications capabilities.
- Closing retail businesses, grocery stores, gas stations, ATMs, banks, and other services.
- Causing food spoilage and water contamination.
- Discomfort for those living without heat or without cooling during the outage.
- Power outages can also lead to instances of civil disturbance, including looting.

³³³ Environmental Protection Agency. (2021, February). Risk of Chemical Accidents During Process Startup. <https://www.epa.gov/sites/default/files/2021-02/documents/ncistartupsafety-enforcementalert.pdf>

16.4 Epidemic and Pandemic

An outbreak occurs when there are more cases of a particular disease than expected in each area, or among a specific group of people, over a particular period of time. Epidemic has a similar definition, but generally refers to when a larger number of people or larger geographic area are experiencing an outbreak. In an outbreak or epidemic, it is presumed that the cases are related to one another or that they have a common cause.³³⁴ A pandemic then refers to an epidemic which has spread over a large area such as an entire country, or even a continent, usually affecting a larger number of people.

The Santa Clara County Department of Public Health is responsible for protecting and improving the health of the community within the OA. The public health department responds to public health related emergencies and disasters and supports field responders at medical and rescue incidents. The OA has numerous health care facilities within its borders, including the following:

- The Stanford Health Care-Stanford Hospital in Stanford
- El Camino Hospital in Mountain View
- Santa Clara Medical Center, in Santa Clara
- Good Samaritan Hospital in San José
- Kaiser Permanente San José Medical Center
- Lucile Packard Children's Hospital at Stanford

The following sections describe commonly recognized human health hazards that are a concern in the OA.

16.4.1.1 COVID-19

In late 2019, patients were reported exhibiting symptoms of an abnormal flu-like illness. The initial outbreak rapidly expanded across the world over the next few months and became known as COVID-19, a respiratory disease caused by SARS-CoV-2, a type of coronavirus. The disease spreads from person-to-person, usually through close contact such as when someone in conversational distance coughs, sneezes, speaks, sings, or breathes.³³⁵ The disease can also spread through the air in congested areas where people tend to conjugate and through touching surfaces contaminated by the virus.

Symptoms of COVID-19 include fevers, chills, and sore throat. Other symptoms include muscle aches, severe fatigue or tiredness, headache, new and persistent cough, shortness of breath, and loss or change of sense of taste or smell. Symptoms usually begin within 5-6 days from the time of exposure. However, some people with the disease remain asymptomatic. It is believed that some asymptomatic people may have been able to transmit the disease to others, but further research is needed. Everyone is able to be infected although older people, people with pre-existing conditions, and people who are pregnant are more likely to be infected or have a serious infection.

By March 4, 2020, Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19. The proclamation came as the number of positive California cases rose and following one official COVID-19 death. Since then, cases

³³⁴ Center for Disease Control and Prevention. (n.d.). Lesson 1: Introduction to Epidemiology. <https://www.cdc.gov/csels/dsepd/ss1978/lesson1/section11.html>

³³⁵ World Health Organization. (December 2021). Coronavirus disease (COVID-19): How is it transmitted? https://www.who.int/emergencies/diseases/novel-coronavirus-2019/question-and-answers-hub/q-a-detail/coronavirus-disease-covid-19-how-is-it-transmitted?gclid=EAlaIqObChMI_oSJxvng_qIVFdiGCh2sYQe4EAAAYASAAEqJBvYfD_BwE

continued to rise and over 1.1 million people died of COVID-19 in the United States alone. Measures were implemented to reduce the rapid spread including social distancing, mandatory testing, and isolation and quarantine policies.

Figure 77 illustrates the course of COVID-19 in Santa Clara County from onset through January 2023. As this plan is being prepared, the California COVID-19 State of Emergency ended on February 28, 2023, and the COVID-19 national emergency and public health emergency is scheduled to end on May 11, 2023.

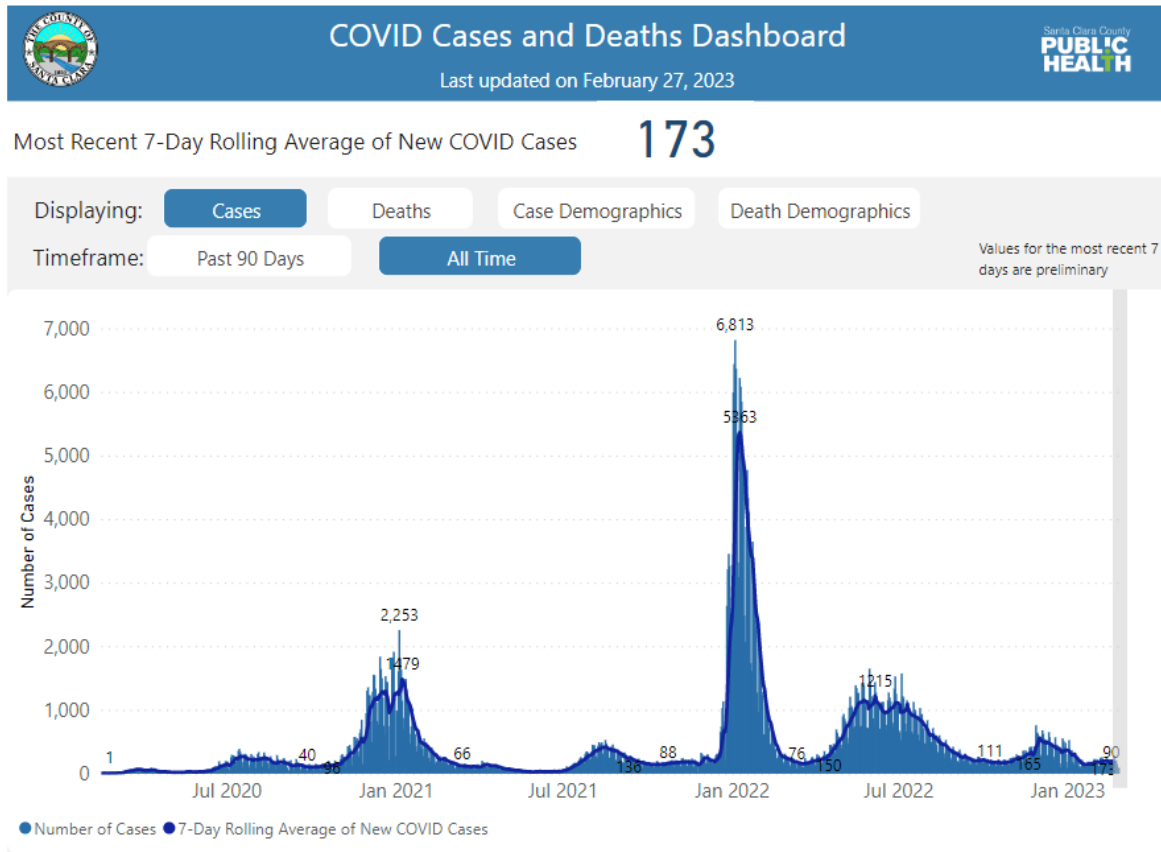


Figure 77: Santa Clara COVID Cases 2020–2023³³⁶

Almost 7,000 cases of COVID-19 per day were recorded across the county at the peak of the pandemic, as shown in Table 125, but the percentages of each city's population that were infected ranged from 9.6% in Monte Sereno to 37.3% in Gilroy.

³³⁶ Santa Clara County Public Health. (2023). COVID Cases and Deaths Dashboard. <https://covid19.sccgov.org/dashboard-cases-and-deaths>

Table 125: COVID-19 Cases Countywide and by City of Residence.³³⁷

County/City	Cases	Population	Rate	City	Cases	Population	Rate
Santa Clara County ^a	496,338	1,885,508	26.3%	Monte Sereno	331	3,492	9.5%
Campbell	10,005	42,470	23.6%	Morgan Hill	13,696	43,876	31.2%
Cupertino	8,523	60,614	14.1%	Mountain View	13,885	80,993	17.1%
Gilroy	20,715	55,525	37.3%	Palo Alto	10,714	67,019	16.0%
Los Altos	4,913	30,588	16.1%	San José	285,709	1,026,658	27.8%
Los Altos Hills	1,231	8,517	14.5%	Santa Clara	27,388	126,209	21.7%
Los Gatos	6,805	30,922	22.0%	Saratoga	4,540	30,886	14.7%
Milpitas	17,293	77,457	22.3%	Sunnyvale	27,079	152,323	17.8%

^a Countywide total (includes city cases).

The spread and scope of COVID-19 was more than sufficient for it to be declared a pandemic. The only comparable outbreak in modern times could be the 1918 flu pandemic which affected an estimated one third of the world's population. The two pandemics shared similar characteristics; their exact origins are unknown, it took multiple years for the diseases to run their course, and they required significant local, regional, and global efforts to respond and recover from.

Today, COVID-19 still represents a series threat however, some of that threat has been mitigated by the development of COVID testing capabilities and vaccines. COVID vaccines have been shown to effectively decrease the severity and likelihood of infection. COVID-19 is expected to be endemic, meaning that it will remain present in certain parts of the world with relatively low spread except for occasional outbreaks. For this reason, it will continue to be a challenge that public health professionals will have to prepare for and respond to. There are still many unknowns about the disease as well. One significant threat is being referred to as "long COVID" or Post-COVID Conditions (PCC). Some people who develop the disease are experiencing long-term symptoms that continue or develop after the initial infection. These symptoms can include a wide range of problems including tiredness, fatigue, fever, difficulty breathing, coughing, difficulty thinking or concentrating, and more. While scientists work to develop effective treatment, the public, government, and private sector should be aware of this poorly understood condition.³³⁸

16.4.1.2 Disease Outbreaks

In addition to COVID-19, there have been other major disease outbreaks within Santa Clara County since 2018 (see Table 126).³³⁹

³³⁷ Santa Clara County Public Health. (2023). COVID Cases and Deaths Dashboard.

<https://covid19.sccgov.org/dashboard-cases-and-deaths>

³³⁸ Centers for Disease Control and Prevention. (December 2022). Long COVID.

https://www.cdc.gov/coronavirus/2019-ncov/long-term-effects/index.html?s_cid=11841:%2Blong%20%2Bcovid:sem.b:p:RG:GM:gen:PTN:FY23

³³⁹ California Office of Emergency Services. (2023). California State Hazard Mitigation Plan – Part 3.

https://www.caloes.ca.gov/wp-content/uploads/Hazard-Mitigation/Documents/California-SHMP_PublicReview_Vol1-Part3.pdf

Lyme Disease

Lyme disease is caused by certain bacteria (called *Borrelia burgdorferi*) that can spread from the bite of an infected western blacklegged tick. Lyme disease may start as a mild illness that begins 3 to 30 days after a tick bite and might easily be mistaken for other common illnesses like a cold or flu. Signs and symptoms also can include a red, painless rash that may spread over time. If Lyme disease is not treated, it might develop into more severe health problems.³⁴⁰

Valley Fever

Valley fever (also called coccidioidomycosis or “cocci”) is a disease caused by a fungus that grows in the soil and dirt in some areas of California and the southwestern United States. People and animals can get sick when they breathe in dust that contains the Valley fever fungus. This fungus usually infects the lungs and can cause respiratory symptoms including cough, fever, chest pain, and tiredness.³⁴¹

West Nile Virus

West Nile Virus (WNV) is a mosquito-borne disease that was first detected in the United States in 1999. WNV first appeared in California in 2003, and by 2004, WNV had spread to all 58 counties. In 2022, there was one human case, 26 dead birds and 23 mosquito samples taken.³⁴²

Risk of infection is reduced through the coordinated efforts of local and state public health and vector control agencies. People can protect themselves from WNV by taking precautions to prevent mosquito bites.³⁴³

Table 126: Disease Outbreaks Identified in Santa Clara County, 2018–2022³⁴⁴

Disease Outbreaks	2018	2019	2020	2021	2022
COVID-19			X	X	X
Lyme Disease	X	X			
Valley Fever	X	X	X	X	X
West Nile Virus	X	X	X	X	

16.4.1.3 Other Diseases of Concern

Influenza

Epidemics of the flu typically occur in the fall and winter. Because flu seasons fluctuate in length and severity, a single estimate cannot be used to summarize influenza-associated deaths. Figure 78 depicts the weekly percentage of emergency department visits for influenza-like illness in Santa Clara County by influenza season. The most recent reports are for February 22, 2023.

³⁴⁰ California Department of Public Health. (n.d.) Lyme Disease. <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/LymeDisease.aspx>

³⁴¹ California Department of Public Health. (n.d.). What is Valley Fever? <https://www.cdph.ca.gov/Programs/CID/DCDC/pages/Coccidioidomycosis.aspx>

³⁴² California Department of Public Health. (n.d.) 2022 West Nile Virus Activity in California. West Nile. <https://westnile.ca.gov/>

³⁴³ California Department of Public Health. (n.d.) West Nile Virus. <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/WestNileVirus.aspx>

³⁴⁴ California Department of Public Health. (n.d.) Diseases and Conditions. <https://www.cdph.ca.gov/Pages/allDiseases.aspx>

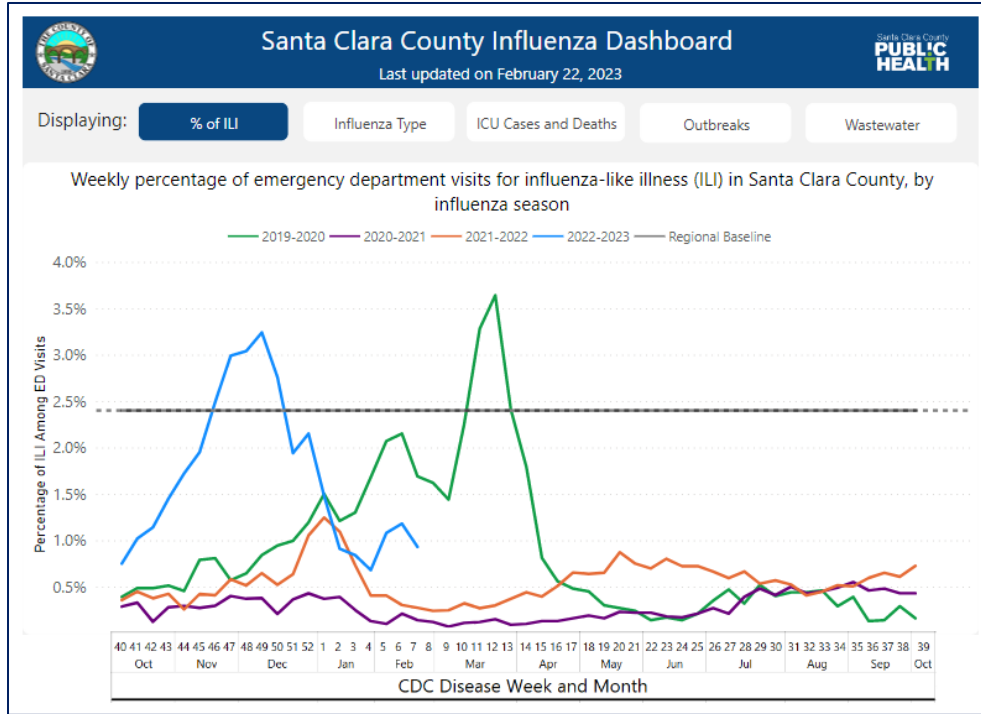


Figure 78: Weekly Percentage of Emergency Department Visits for Influenza-Like Illness in Santa Clara County, 2019, to February 22, 2023³⁴⁵

H1N1

In April 2009, the World Health Organization (WHO) issued a health advisory on an outbreak of influenza-like illness caused by a new subtype of influenza A (A/H1N1) in Mexico and the United States. The disease spread rapidly, and in June the WHO declared an H1N1 pandemic, marking the first global pandemic since the 1968 Hong Kong flu. In October, the U.S. declared H1N1 a national emergency. In August 2010, the WHO declared an end to the pandemic globally. H1N1 viruses and seasonal influenza viruses are co-circulating in many parts of the world. It is likely that the 2009 H1N1 virus will continue to spread for years to come, like a regular seasonal influenza virus.

H5N1/H7N9

The highly pathogenic H5N1 avian influenza virus is an influenza A subtype that occurs mainly in birds, causing high mortality among birds and domestic poultry. Outbreaks of highly pathogenic H5N1 among poultry and wild birds are ongoing in a number of countries.

H5N1 virus infections of humans are rare, and most cases have been associated with direct poultry contact during poultry outbreaks. Rare cases of limited human-to-human spread of H5N1 virus may have occurred, but there is no evidence of sustained human-to-human transmission. Nonetheless, because all influenza viruses have the ability to change and mutate, scientists are concerned that H5N1 viruses one day could be able to infect humans more easily and spread more easily from one person to another, potentially causing another pandemic.

³⁴⁵ Santa Clara County Public Health. (2023). Influenza Report. <https://publichealthproviders.sccgov.org/diseases/influenza/influenza-report>

While the H5N1 virus does not now infect people easily, infection in humans is much more serious when it occurs than is infection with H1N1. More than half of people reported infected with H5N1 have died.

Infections in humans and poultry by a new avian influenza A virus (H7N9) continue to be occasionally. The last outbreak was in 2017 in China. Another case was reported in Malaysia. While mild illness in human cases has been seen, most patients have had severe respiratory illness, and some have died.

Source investigation by Chinese authorities is ongoing. Many of the people infected with H7N9 reportedly have had contact with poultry. However, some cases reportedly have not had such contact. Close contacts of confirmed H7N9 patients are being followed to determine whether any human-to-human spread of H7N9 is occurring. No sustained person-to-person spread of the H7N9 virus has been found at this time. However, based on previous experience with avian flu viruses, some limited human-to-human spread of this the virus would not be surprising.

As of the time of this writing, there is currently an outbreak of avian flu in birds. Over 58 million birds have been impacted, primarily in North and South Dakota³⁴⁶. Santa Clara County has not reported any cases of avian influenza. The first case of influenza A (H5N1) in humans was reported in the U.S. in April 2022. Despite the unlikely transmission of the bird flu to humans, the CDC still recommends preventative measures for those exposed to infected birds. No cases of H7N9 have been detected in people in the United States.

Smallpox

Smallpox is a sometimes-fatal infectious disease. There is no specific treatment, and the only prevention is vaccination. Symptoms include raised bumps on the face and body of an infected person. The oldest evidence of smallpox was found on the body of Pharaoh Ramses V of Egypt who died in 1157 BC. Outbreaks have occurred from time to time for thousands of years, but the disease is now eradicated after a successful worldwide vaccination program. The last case of smallpox in the United States was in 1949. The last naturally occurring case in the world was in Somalia in 1977. As of the publication of this document, there are no cases of smallpox in the world. Currently only two locations in the world have samples of smallpox: The Center for Disease Control (CDC) in Atlanta and the Ivanovsky Institute of Virology in Russia.

After the disease was eliminated, routine vaccination among the general public was stopped. Therefore, any cases of smallpox in the world would be considered an immediate international emergency. In 2003, the Wisconsin Division of Public Health conducted an investigation of state residents who became ill after having contact with prairie dogs. The cases appeared in May and June of 2003, and symptoms in the human cases included fever, cough, pox-like rash and swollen lymph nodes. CDC laboratory test results indicated that the cause of the human illness was Monkeypox, an orthopox virus that could be transmitted by prairie dogs. This outbreak, and the potential use of smallpox as a weapon of bioterrorism, brought the fear of smallpox back to the forefront of the population. A detailed nationwide smallpox response plan created at the end of 2002 is designed to quickly contain a potential outbreak and vaccinate the population.

³⁴⁶ U.S. Department of Agriculture. (May 2023). 2022-2023 Confirmations of Highly Pathogenic Avian Influenza in Commercial and Backyard Flocks. <https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-disease-information/avian/avian-influenza/hpai-2022/2022-hpai-commercial-backyard-flocks>

Viral Hemorrhagic Fevers

Viral hemorrhagic fevers (VHFs) are a group of illnesses caused by several distinct families of viruses. VHF describes a multisystem syndrome (multiple systems in the body are affected). Characteristically, the overall vascular system is damaged and the body's ability to regulate itself is impaired. These symptoms are often accompanied by hemorrhage (bleeding); however, the bleeding itself is rarely life-threatening. While some types of hemorrhagic fever viruses can cause relatively mild illnesses, many cause severe, life-threatening disease.

The viruses that cause VHFs are distributed over much of the globe. However, because each virus is associated with one or more particular host species, the virus and the disease it causes are usually seen only where the host species live. Some hosts, such as the rodent species carrying several of the New World arenaviruses, live in geographically restricted areas. Therefore, the risk of getting VHFs caused by these viruses is restricted to those areas. Other hosts range over continents, such as the rodents that carry viruses that cause the Hantavirus pulmonary syndrome in North and South America, or the rodents that carry viruses that cause hemorrhagic fever with renal syndrome in Europe and Asia.

Ebola

The 2014 Ebola virus outbreak was unprecedented in geographical reach and impact on health care systems across the globe. This was the largest and deadliest Ebola virus outbreak ever recorded. It was the first time the West African countries of Guinea, Liberia, Sierra Leone, Nigeria, Mali, and Senegal saw the virus. Ebola is more common in Central African countries, such as the Democratic Republic of Congo and Sudan, where it was first discovered in 1976. It was also the first time that Ebola made it to the United States and Europe, prompting world-wide preparedness and response efforts. The outbreak was closely monitored, and traveler screenings were developed for those returning from West Africa.

In August 2014 two U.S. healthcare workers returned to the United States for treatment for Ebola. The case that most impacted the health care system in the United States was a patient diagnosed with Ebola in Dallas, Texas who died due to Ebola in October 2014. The nurse who provided care for him later tested positive for Ebola. This caused responses across the country from hospitals, emergency medical teams, fire departments and public health agencies to enhance isolation precautions, develop emergency policies, train with personal protective equipment, and conduct multi-agency emergency exercises in case the spread of Ebola became a pandemic.

Before the 2014 outbreak, only 2,200 cases of Ebola had been recorded and 68 percent were fatal. Twenty percent of new Ebola infections were linked to burial traditions in which family and community members wash and touch dead bodies before burial. In Guinea, 60 percent of Ebola infections were linked to traditional burial practices.

Plague

Plague is a potentially fatal infectious disease of animals and humans caused by the *Yersinia pestis* bacterium. People usually get plague from being bitten by a flea that is carrying the plague bacterium or by handling an infected animal. Today, modern antibiotics are effective against plague, but if an infected person is not treated promptly, the disease is likely to cause illness or death.

Plague is an ancient disease but outbreaks throughout the world continue. Major plague epidemics occurred in the middle of the sixth century in Egypt, Europe, and Asia; during the 14th century in Europe, following caravan routes; in the 18th century in Austria and the Balkans; and in the late 19th century worldwide (but mostly in China and India). Manchuria in 1910–1911 witnessed about 60,000 deaths due to pneumonic plague with a repeat in 1920–1921. A minor outbreak occurred as recently as the summer of 1994 in Surat, India, closely following an earthquake in September 1993. Globally, the WHO reports 1,000 to 3,000 cases of plague every year.

In North America, plague is found in certain animals and their fleas from the Pacific Coast to the Great Plains, and from southwestern Canada to Mexico. The last urban plague epidemic in the United States

occurred in Los Angeles in 1924–25. Since then, human plague in the U.S. has occurred as mostly scattered cases in rural areas (an average of 10 to 15 persons each year per the CDC). Most human cases in the United States occur in northern New Mexico, northern Arizona, southern Colorado, California, southern Oregon, and far western Nevada.

Zika Virus

Zika is a disease transmitted by yellow fever mosquito (*Aedes aegypti*) and the Asian tiger mosquito (*Aedes albopictus*). An *Aedes* mosquito can only transmit Zika virus after it bites a person who has this virus in their blood. The most common symptoms of Zika are fever, rash, joint pain, and conjunctivitis (red eyes). The illness is usually mild, with symptoms lasting for several days to a week after being bitten by an infected mosquito. People usually do not get sick enough to go to the hospital, and they rarely die from the Zika virus. For this reason, many people might not realize they have been infected. However, Zika virus infection during pregnancy can cause a serious birth defect called microcephaly (abnormally small head and brain), as well as other severe fetal brain defects. Once a person has been infected, he or she is likely to be protected from future infections. Zika virus is not spread through casual contact but can be spread by infected men to their sexual partners. There is a growing association between Zika and Guillain-Barré Syndrome, a disease affecting the nervous system.

The mosquitos that carry Zika are not native to California and from 2015 to the publishing of this document, there has been no local mosquito-borne transmission of Zika virus in California.³⁴⁷ However, infestations have been reported in multiple counties in California. Most cases were documented in people who were infected while traveling outside the United States. The CDC maintains a list of countries where Zika has been reported. Required reporting for Zika in California began in 2016. These numbers may be underestimated given multiple factors, including the fact many people are asymptomatic. Currently, the represent a decrease in cases in Santa Clara County. Thirty-six cases were reported from 2015 to 2016, 14 in 2017, 8 in 2018, 3 in 2019, and no cases since.

16.4.2 Hazard Profile

16.4.2.1 Location

These diseases are a worldwide threat, occasionally increasing in severity in some locations. Areas with higher concentrations of vulnerable populations are more likely to experience a serious outbreak.

16.4.2.2 Severity

The severity can range from very localized, in just case of just a few infected, to severe with widespread infection and complications. Widespread sickness and loss of life have resulted from the COVID-19 Pandemic. The most recent totals available as this plan is being written show a total of 496,338 confirmed cases and 2,714 deaths in Santa Clara County.

16.4.2.3 Warning Time

The first human cases of the diseases discussed in this MJHMP appeared with very little warning, as did the start of recent outbreaks. Air travel radically increases the speed at which disease spreads around the world. Today's communication does provide warning to local communities of diseases which could be a problem for them in the future.

³⁴⁷ The Mercury News. (2016, March). Four Zika virus cases reported in Bay Area.
<https://www.mercurynews.com/2016/03/03/four-zika-virus-cases-reported-in-bay-area/>

16.4.2.4 Critical Facilities and Infrastructure

No direct impact is expected on the facilities, but the operation of medical-related facilities can and have been overwhelmed. The operation of critical infrastructure can be impacted by employee absence due to illness.

16.4.2.5 Environment

Epidemic, pandemic, and vector-borne diseases can be directly or indirectly tied to environmental impacts. Air pollution in California dropped suddenly during the COVID-19 lockdown between March 19 and May 7, 2020. Changes in the environment, due to human stressors or climate change, may increase vector-borne diseases and drive disease emergence in wildlife which could be transmitted to humans..³⁴⁸

16.4.2.6 Future Trends in Development

Future development in Santa Clara County is not anticipated to have any direct impact on the risk of epidemic/pandemic disease. There could be an indirect impact from the development of buildable lands in that the population that could be exposed to this hazard would be increased. However, no direct impact is expected.

16.4.2.7 Cascading Impacts

In general, cascading impacts are not anticipated. A widespread pandemic like COVID-19 could threaten global supply chains and the local economy due to disruptions, delays, and shutdowns due to preventative employee health measures and lack of healthy workers.

16.5 Fog

The National Weather Service describes nine types of fog..³⁴⁹ Fog in the Santa Clara County OA has different origins depending on the time of year. In summer, fog forms when warm, moist, and stable air is blown across a cooler surface (land or water). The air temperature falls until the dew point is reached and condensation occurs. Fog typically occurs in the Bay Area in June, July, and August. It is usually foggy in the morning, with fog burning off as the temperatures rise.

In winter, fog typically originates from the Great Valley. Radiation (ground) fog forms in the moist regions of the Sacramento River Delta and arrives to the region via Suisun and San Pablo Bays and San Francisco Bays on cool easterly winds. While this type of fog is less frequent than summer fog, appearing one winter and not again for years, it is typically denser and more likely to lead to significantly reduced visibility..³⁵⁰

The fog typical for the San Francisco Bay Area is known as advection fog. This type of fog forms when warm, moist, and stable air is blown across a cooler surface (land or water). The air temperature falls until the dew point is reached and condensation occurs. Fog typically occurs in the Bay Area in the June, July, and August. It is usually foggy in the morning, with fog burning off as the temperatures rise.

³⁴⁸ Semenza JC, Rocklöv J, Ebi KL. (May 2022). Climate Change and Cascading Risks from Infectious Disease. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9334478/>

³⁴⁹ National Oceanic and Atmospheric Administration. (n.d.). National Weather Service Glossary. <https://w1.weather.gov/glossary/index.php?word=fog>

³⁵⁰ L.A. Times. (n.d.). Inside the return of Tule fog in California's Central Valley. <https://www.latimes.com/projects/return-tule-fog-california-central-valley>

16.5.1 Hazard Profile

16.5.1.1 Past Events

The National Oceanic and Atmospheric Administration Storm Events Database reports 5 events of dense fog since the last plan update. Dense fog means the visibility was limited to a quarter of a mile or less. However, this database does not account for the more common fog events in the OA, which typically occur in the morning when the temperatures are cool, and the relative humidity is high.

16.5.1.2 Location, Frequency, and Warning Time

Fog can occur almost anywhere during any season and is classified based on how it forms, which is related to where it forms. Certain seasons are more likely to have foggy days or nights based on a number of factors, including topography, nearby bodies of water, and wind conditions. Fog can form overnight. Local National Weather Service offices issue a Dense Fog Advisory when widespread dense fog develops. The California Department of Transportation (Caltrans) has implemented a fog detection and warning system that uses speed and visibility detectors to assess road conditions, traffic management software to process data and control the field devices, and changeable message signs to provide information to the traveling public.³⁵¹

16.5.1.3 Severity

Heavy fog is particularly hazardous when it reduces visibility to $\frac{1}{4}$ mile or less. Although fog seems like a minor hazard, it can have significant impacts. Severe fog incidents can close roads, cause vehicle accidents, cause airport delays, and impair the effectiveness of emergency response. The California Highway Patrol records and news reports describe highway accidents, many with serious injuries or deaths, due to low visibility in dense fog. Many of those accidents involve chain reaction crashes including recent crashes in Santa Clara County. Financial losses associated with transportation delays caused by fog have not been calculated in the United States, but it is likely to be substantial.

16.5.1.4 Critical Facilities and Infrastructure

Critical facilities and infrastructure in the Santa Clara County OA would only be impacted indirectly by the fog hazard.

16.5.1.5 Environment

In the context of the MJHMP Update, fog is considered to be a hazard, but fog plays a key role in California's ecosystems and agricultural sector.

16.5.1.6 Future Trends in Development

As more lands are developed in the Santa Clara County OA and more people use the area's highways, the fog hazard's impact will increase.

16.5.1.7 Cascading Impacts

Potential cascading impacts of dense fog involve delays in response to all other hazard events in the vicinity and relate to highway accidents, some of which could involve hazardous materials.

³⁵¹ Berman, M., Liu, J., and Justison, L. (2009). Caltrans Fog Detection and Warning System. <https://rosap.nrl.bts.gov/view/dot/27652>

16.5.1.8 Scenario

The worst-case scenario for the fog hazard is probably the situation today. The negatives of delays, inconvenience, and potential traffic accidents are clear. Increases in temperatures in the Santa Clara County OA and likely related decreases in fog could have a more long-term negative impact on the environment and agriculture.

16.6 Identified Needs

This assessment of the other hazards of interest led to identification of the following needs throughout the Santa Clara County OA:

- Continue regular and redundant emergency preparedness training for field level responders (police, fire, and public works) and public information staff in order to respond quickly in the event of a disaster associated with the identified hazards of interest. Enhance awareness training for all local government employees to recognize threats or suspicious activity in order to prevent an incident from occurring.
- Continue all facets of hazardous materials team training and response through commitment of resources from the Environmental Health Department, local fire departments, and potential funding through homeland security budgets.
- Continue to improve response times for public safety throughout the Santa Clara County OA so as to reduce exposure to human-caused incidents. Maintain appropriate staffing levels of public safety personnel to address vulnerabilities identified in this section.
- Continue to implement the hazardous materials business plan with enhancements, as warranted by the type of uses in the Santa Clara County OA and innovative technologies in preventing hazardous materials incidents.
- Continue to work proactively with industrial businesses regarding placards and labeling of containers, emergency plans and coordination, standardized response procedures, and notification of the types of materials being transported through the Santa Clara County OA. On at least an annual basis, conduct random inspections of transporters as allowed by the business; install mitigating techniques at critical locations; implement routine hazard communication initiatives; enhance security along the transportation corridors; and continuously look to the use of safer alternative products to conduct all business and transportation operations.
- Participate in regional, state, and federal efforts to gather terrorism information at all levels and keep public safety officials briefed at all times regarding any local threats. Further develop response capabilities based on emerging threats.
- Commit support to the Bay Area Urban Area Security Initiative by dedicating fire, emergency medical services, emergency management grant managers, and police personnel to the program as funded with Homeland Security grants.
- Participate in the Cal OES Disaster Resistant California annual conference and other training sessions sponsored by regional, state, and federal agencies.
- Use Crime Prevention Through Environmental Design in future planning efforts as well as enhancing existing infrastructure and buildings to prevent or mitigate human-cause incidents. Crime Prevention Through Environmental Design is an urban planning design process that integrates crime prevention with neighborhood design and community development. The process is based on the theory that the proper design and effective use of the built environment can reduce crime and the fear of crime and improve the quality of life. It creates an environment where the physical characteristics, building layout, and site planning allow inhabitants to become key agents in ensuring their own security.

- Participate in regional training exercises per the requirements of Homeland Security Presidential Directive #8 in support of national preparedness. These training exercises may be sponsored by the U.S. Department of Homeland Security San José office, the Bay Area Urban Area Security Initiative, local government offices of homeland security, grant funds through Cal OES, or FEMA. Training exercises test and evaluate the ability to coordinate the activities of local and state government first responders, volunteer organizations and the private sector in responding to terrorism and technological hazards. The trainings enhance interagency coordination, provide training to staff, test response and recovery capabilities, and implement the Standardized Emergency Management System, the National Incident Management System, and the California and national mutual aid systems.
- Work with the private sector to enhance and create business continuity plans to be followed in the event of an emergency.
- Review existing automatic aid and mutual aid agreements with other public safety agencies to identify opportunities for enhancement.
- Identify, relocate, or construct a redundant Emergency Operations Center in a location away from hazards.
- Maintain an emergency services information line that the public can contact 24 hours a day during an emergency to ask questions of emergency staff.
- Coordinate with all school districts in the OA and individual cities to ensure that their emergency preparedness plans include preparation for human-caused incidents.
- Encourage local businesses to adopt information technology and telecommunications recovery plans.
- Promote 72-hour self-sufficiency through the United Neighborhoods of Santa Clara County and other neighborhood associations, emergency preparedness efforts through local governments, emergency preparedness websites of local governments, civic organizations and the private sector, public outreach, and other means. Ensure inclusion of program information for people with disabilities and others with access and functional needs.
- Prepare and present the human-caused hazard risk and preparedness program to the public through meetings, town hall gatherings, and preparedness fairs and outreach.
- Maintain any and all citizen advisory groups and periodically e-mail emergency preparedness information including human-caused hazard preparedness instructions and reminders.
- Support disease prevention through vaccination and personal emergency and disaster preparation to help reduce the impacts of human health hazards.
- Integrate medical and response personnel in a unified command to provide care when needed in response to human health hazards.
- Adequately train and supply medical and response personnel.
- Carry out up-to-date and functional all-hazard contingency planning.
- Develop a system for informing the public with a unified message about the human health hazard.
- Provide health agencies and facilities with surge capacity management and adaptation to the rising number and needs of the region.

16.7 Related Plans

The following plans also address issues related to the “other hazards,” including response priorities.

16.7.1.1 Santa Clara County Operational Area Emergency Operations Plan and Annexes

The Santa Clara County OA Emergency Operations Plan is an all-hazards document describing the OA’s Emergency Operations organization, compliance with relevant legal statutes, other guidelines, and critical components of the Emergency Response System. The Emergency Operations Plan consists of threat summaries based on a Santa Clara County OA hazard analysis. This hazard analysis was conducted by Santa Clara County OEM staff, providing a description of the local area, risk factors and the anticipated nature of situations that could occur in the Santa Clara County OA. The Emergency Operations Plan is activated during extraordinary emergency situations associated with large-scale disasters or emergencies affecting the Santa Clara County OA.

16.7.1.2 Santa Clara County Public Health Department Plan

This Santa Clara County Public Health Department Plan outlines the efforts to prepare for response to a disaster that has a medical/health component. The Countywide Medical Response System plan is focused on the goal of terrorism preparedness, and addresses topics such as risk communications, decontamination, personal protective equipment, mass prophylaxis, education, training, and exercises. Each topic identifies participating agencies, including fire, law enforcement, hospitals, emergency management, schools, the medical examiner, mental health services, and many others. The plan further enumerates a list of responsibilities to the Countywide Medical Response System for each identified agency, as well as a list of public health commitments through the system that will assist those agencies.

16.7.1.3 Hazardous Materials Business Plans

Hazardous materials business plans are implemented by Certified Unified Program Agencies within their jurisdictions, along with local fire departments to protect human health and the environment from hazardous materials incidents.

17 Mitigation Strategy

17.1 Goals and Objectives

Hazard mitigation plans must identify goals for reducing long-term vulnerabilities to identified hazards (44 CFR Section 201.6(c)(3)(i)). A guiding principle, a set of goals and measurable objectives for this plan were reviewed and approved by the larger Planning Team based on data from the preliminary risk assessment and updates to mitigation priorities since the previous MJHMP. The guiding principle, goals, objectives, and actions in this plan all support each other. Goals were selected to support the guiding principle. Objectives were selected that met multiple goals. Actions were prioritized based on the action meeting multiple objectives.

17.1.1 Guiding Principle

A guiding principle focuses the range of objectives and actions to be considered. This is not a goal because it does not describe a hazard mitigation outcome, and it is broader than a hazard-specific objective. The guiding principle for this hazard mitigation plan is as follows:

To equitably reduce risk and increase resilience by establishing and promoting a comprehensive mitigation program and efforts to protect the Whole Community and environment from identified natural and human-induced hazards.

17.1.2 Goals

The following are the mitigation goals for this plan:

1. Actively develop community awareness, understanding, and interest in hazard mitigation and empower the Operational Area to engage in the shaping of associated mitigation policies and programs.
2. Minimize potential for loss of life, injury, social impacts, and dislocation due to hazards.
3. Minimize potential for damage to property, economic impacts, and unusual public expense due to hazards.
4. Minimize likelihood and impact of hazards causing environmental damage or damaging open space/nature preserves in the County and preserving ecological connectivity in the region and by working with residents to help build community capacity to respond and adapt to hazards and emergencies.
5. Effectively deliver essential information to the whole community that promotes personal preparedness and includes advice to reduce personal vulnerability to hazards.
6. Encourage programs and projects that promote community resiliency by maintaining the functionality of critical Operational Area resources, facilities, and infrastructure.
7. Pursue feasible, cost-effective, grant eligible, and environmentally sound hazard mitigation measures.
8. Increase adaptive capacity to reduce risk from hazard impacts that stem from a changing climate.

9. Remove barriers for local governments to access mitigation funding (broad vs. specific) and reduce the administrative pain points to recipient agencies during the project deployment and auditing phases.

The effectiveness of a mitigation strategy is assessed by determining how well these goals are achieved.

17.1.3 Objectives

Each selected objective meets multiple goals, serving as a stand-alone measurement of the effectiveness of a mitigation action, rather than as a subset of a goal. The objectives also are used to help establish priorities and have been reviewed and approved by the Mitigation Strategy Working Group, and the larger Planning Team. The objectives are as follows:

1. Establish and maintain partnerships in the identification and implementation of mitigation measures in the Operational Area.
2. Implement hazard mitigation programs and projects that protect life, property, and the environment.
3. Develop and provide updated information about threats, hazards, vulnerabilities, and mitigation strategies to state, regional, and local agencies, as well as private sector groups, community-based organizations, and non-profits.
4. Improve understanding of the locations, potential impacts, and linkages among threats, hazards, vulnerability, and measures needed to protect life, property, and the environment.
5. Encourage the incorporation of mitigation best management measures into plans, codes, and other regulatory standards for public, private, and non-governmental entities within the Operational Area.
6. Inform the public on the risk exposure to natural hazards and ways to increase the public's capability to prevent, prepare, respond, recover, and mitigate impacts of these events.
7. Advance community and natural environment sustainability and resilience to future impacts through preparation and implementation of state, regional, and local projects.
8. Reduce repetitive property losses from all hazards.
9. Where feasible and cost-effective, encourage property protection measures for vulnerable structures located in hazard areas.
10. Improve the process on how public agencies select systems that provide warning and emergency communications for a broad array of agencies. This includes improving the selection process and ensuring warning and emergency communications processes are effective and accessible.
11. Partner with educational institutions that provide research, case studies and the like to help bolster agency communication that demonstrates the value of hazard mitigation.

17.2 Mitigation Alternatives

Catalogs of natural hazard mitigation alternatives were developed that present a broad range of alternatives to be considered for use in the OA, in compliance with 44 CFR (Section 201.6(c)(3)(ii)). One catalog was developed for each natural hazard of concern evaluated in this plan. The catalogs present alternatives that are categorized in two ways:

- By who would have responsibility for implementation:
 - Individuals (personal scale).
 - Businesses (corporate scale).

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- Government (government scale).
- By what the alternative would do:
 - Manipulate the hazard.
 - Reduce exposure to the hazard.
 - Reduce vulnerability to the hazard.
 - Increase the ability to respond to or be prepared for the hazard.

Hazard mitigation actions recommended in this plan were selected from among the alternatives presented in the catalogs. The catalogs provide a baseline of mitigation alternatives that are backed by a planning process, are consistent with the established goals and objectives, and are within the capabilities of the planning partners to implement. Some of these actions may not be feasible based on the selection criteria identified for this plan. The purpose of the catalog was to provide a list of what could be considered to reduce risk of the flood hazard within the OA. Actions in the catalog that are not included for the partnership's action plan were not selected for one or more of the following reasons:

- The action is not feasible.
- The action is already being implemented.
- There is an apparently more cost-effective alternative.
- The action does not have public or political support.

The catalogs for each hazard are presented in Table 127 through Table 134.

Table 127: Alternatives to Mitigate the Dam and Levee Failure Hazard

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
Manipulate the Hazard	None.	Remove dams. Remove levees. Harden dams.	Remove dams. Remove levees. Harden dams.
Reduce Exposure to the Hazard	Relocate out of dam failure inundation areas.	Replace earthen dams with hardened structures.	Replace earthen dams with hardened structures. Relocate critical facilities out of dam failure inundation areas. Consider open space land use in designated dam failure inundation areas.
Reduce Vulnerability to the Hazard	Elevate home to appropriate levels.	Flood-proof facilities within dam failure inundation areas.	Adopt higher floodplain standards in mapped dam failure inundation areas. Retrofit critical facilities within dam failure inundation areas.

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
Increase the Ability to Respond to or Be Prepared for the Hazard	Learn about risk reduction for the dam failure hazard. Learn the evacuation routes for a dam failure event. Educate yourself on early warning systems and the dissemination of warnings.	Educate employees on the probable impacts of a dam failure. Develop a continuity of operations plan.	Map dam failure inundation areas. Enhance emergency operations plan to include a dam failure component. Institute monthly communications checks with dam operators. Inform the public on risk reduction techniques. Adopt real-estate disclosure requirements for the re-sale of property located within dam failure inundation areas. Consider the probable impacts of climate in assessing the risk associated with the dam failure hazard. Establish early warning capability downstream of listed high hazard dams. Consider the residual risk associated with protection provided by dams in future land use decisions.

Table 128: Alternatives to Mitigate the Drought Hazard

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
Manipulate the Hazard	None.	None.	Groundwater recharge through stormwater management
Reduce Exposure to the Hazard	None.	None.	Identify and create groundwater backup sources.
Reduce Vulnerability to the Hazard	Drought-resistant landscapes.	Drought-resistant landscapes.	Water use conflict regulations.

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
	Reduce water system losses. Modify plumbing systems through water saving kits.	Reduce private water system losses.	Reduce water system losses. Distribute water saving kits.
Increase the Ability to Respond to or Be Prepared for the Hazard	Practice active water conservation.	Practice active water conservation.	Public education on drought resistance. Identify alternative water supplies for times of drought and create mutual aid agreements with alternative suppliers. Develop drought contingency plan. Develop criteria “triggers” for drought-related actions. Improve accuracy of water supply forecasts. Modify rate structure to influence active water conservation techniques.

Table 129: Alternatives to Mitigate the Earthquake Hazard

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
Manipulate the Hazard	None.	None.	None.
Reduce Exposure to the Hazard	Locate outside of hazard area (off soft soils).	Locate or relocate mission-critical functions outside hazard area where possible.	Locate critical facilities or functions outside hazard area where possible.
Reduce Vulnerability to the Hazard	Retrofit structure (anchor house structure to foundation).	Build redundancy for critical functions and facilities.	Harden infrastructure. Provide redundancy for critical functions.

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What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
	Secure household items that can cause injury or damage (such as water heaters, bookcases, and other appliances). Build to higher design.	Retrofit critical buildings and areas housing mission-critical functions.	Adopt higher regulatory standards.
Increase the Ability to Respond to or Be Prepared for the Hazard	Practice “drop, cover, and hold.” Develop household mitigation plan, such as creating a retrofit savings account, communication capability with outside, and 72-hour self-sufficiency during an event. Keep cash reserves for reconstruction. Become informed on the hazard and risk reduction alternatives available. Develop a post-disaster action plan for your household.	Adopt higher standard for new construction; consider “performance-based design” when building new structures. Keep cash reserves for reconstruction. Inform your employees on the possible impacts of earthquake and how to deal with them at your work facility. Develop a continuity of operations plan.	Provide better hazard maps. Provide technical information and guidance. Enact tools to help manage development in hazard areas (e.g., tax incentives, information). Include retrofitting and replacement of critical system elements in capital improvement plan. Develop strategy to take advantage of post-disaster opportunities. Warehouse critical infrastructure components such as pipe, power line, and road repair materials. Develop and adopt a continuity of operations plan. Initiate triggers guiding improvements (such as <50% substantial damage or improvements). Further enhance seismic risk assessment to target

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
			high hazard buildings for mitigation opportunities. Develop a post-disaster action plan that includes grant funding and debris removal components.

Table 130: Alternatives to Mitigate the Flooding Hazard

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
Manipulate the Hazard	Clear storm drains and culverts. Use low-impact development techniques.	Clear storm drains and culverts. Use low-impact development techniques.	Maintain drainage system. Institute low-impact development techniques on property. Dredging, levee construction, and providing regional retention areas. Structural flood control, levees, channelization, or revetments. Stormwater management regulations and master planning. Acquire vacant land or promote open space uses in developing watersheds to control increases in runoff.
Reduce Exposure to the Hazard	Locate outside of hazard area. Elevate utilities above base flood elevation. Use low-impact development techniques.	Locate critical facilities or functions outside hazard area. Use low-impact development techniques.	Locate or relocate critical facilities outside of hazard area. Acquire or relocate identified repetitive loss properties. Promote open space uses in identified high hazard areas via techniques such as: planned unit developments, easements, setbacks,

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
			greenways, sensitive area tracks. Adopt land development criteria such as planned unit developments, density transfers, clustering. Institute low impact development techniques on property. Acquire vacant land or promote open space uses in developing watersheds to control increases in runoff.
Reduce Vulnerability to the Hazard	Raise structures above base flood elevation. Elevate items within house above base flood elevation. Build new homes above base flood elevation. Flood-proof structures.	Build redundancy for critical functions or retrofit critical buildings. Provide flood-proofing when new critical infrastructure must be located in floodplains.	Harden infrastructure, bridge replacement program. Provide redundancy for critical functions and infrastructure. Adopt regulatory standards such as freeboard standards, cumulative substantial improvement or damage, lower substantial damage threshold; compensatory storage, non-conversion deed restrictions. Stormwater management regulations and master planning. Adopt “no-adverse impact” floodplain management policies that strive to not increase the flood risk on downstream communities.
Increase the Ability to Respond to or Be Prepared for the Hazard	Buy flood insurance. Develop household plan, such as retrofit savings, communication with outside, 72-hour self-sufficiency during and after an event.	Keep cash reserves for reconstruction. Support and implement hazard disclosure for sale of property in risk zones.	Produce better hazard maps. Provide technical information and guidance. Enact tools to help manage development in hazard areas (stronger controls, tax incentives, and information).

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What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
		Solicit cost-sharing through partnerships with others on projects with multiple benefits.	Incorporate retrofitting or replacement of critical system elements in capital improvement plan. Develop strategy to take advantage of post-disaster opportunities. Warehouse critical infrastructure components. Develop and adopt a continuity of operations plan. Consider participation in the Community Rating System. Maintain and collect data to define risks and vulnerability. Train emergency responders. Create an elevation inventory of structures in the floodplain. Develop and implement a public information strategy. Charge a hazard mitigation fee. Integrate floodplain management policies into other planning mechanisms within the OA. Consider the probable impacts of climate change on the risk associated with the flood hazard. Consider the residual risk associated with structural flood control in future land use decisions.

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
			Enforce National Flood Insurance Program. Adopt a Stormwater Management Master Plan.

Table 131: Alternatives to Mitigate the Landslide/Mass Movement Hazard

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
Manipulate the Hazard	Stabilize slope (dewater, armor toe). Reduce weight on top of slope. Minimize vegetation removal and the addition of impervious surfaces.	Stabilize slope (dewater, armor toe). Reduce weight on top of slope.	Stabilize slope (dewater, armor toe). Reduce weight on top of slope.
Reduce Exposure to the Hazard	Locate structures outside of hazard area (off unstable land and away from slide-run out area).	Locate structures outside of hazard area (off unstable land and away from slide-run out area).	Acquire properties in high-risk landslide areas. Adopt land use policies that prohibit the placement of habitable structures in high-risk landslide areas.
Reduce Vulnerability to the Hazard	Retrofit home.	Retrofit at-risk facilities.	Adopt higher regulatory standards for new development within unstable slope areas. Armor/retrofit critical infrastructure against the impact of landslides.
Increase the Ability to Respond to or Be Prepared for the Hazard	Institute warning system and develop evacuation plan. Keep cash reserves for reconstruction. Educate yourself on risk reduction techniques for landslide hazards.	Institute warning system and develop evacuation plan. Keep cash reserves for reconstruction. Develop a continuity of operations plan.	Produce better hazard maps. Provide technical information and guidance. Enact tools to help manage development in hazard areas: better

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
		Educate employees on the potential exposure to landslide hazards and emergency response protocol.	land controls, tax incentives, information. Develop strategy to take advantage of post-disaster opportunities. Warehouse critical infrastructure components. Develop and adopt a continuity of operations plan. Educate the public on the landslide hazard and appropriate risk reduction alternatives.

Table 132: Alternatives to Mitigate the Inclement Weather Hazard

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
Manipulate the Hazard	None.	None.	None.
Reduce Exposure to the Hazard	None.	None.	None.
Reduce Vulnerability to the Hazard	Insulate house. Provide redundant heat and power. Insulate structure. Plant appropriate trees near home and power lines ("Right tree, right place" National Arbor Day Foundation Program).	Relocate critical infrastructure (such as power lines) underground. Reinforce or relocate critical infrastructure such as power lines to meet performance expectations. Install tree wire.	Harden infrastructure such as locating utilities underground. Trim trees back from power lines.
Increase the Ability to Respond to or Be Prepared for the Hazard	Trim or remove trees that could affect power lines.	Trim or remove trees that could affect power lines. Create redundancy.	Support programs such as "Tree Watch" that proactively manage problem areas through use of selective

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
	Promote 72-hour self-sufficiency. Obtain a NOAA weather radio. Obtain an emergency generator.	Equip facilities with a NOAA weather radio. Equip vital facilities with emergency power sources.	removal of hazardous trees, tree replacement, etc. Increase communication alternatives. Modify land use and environmental regulations to support vegetation management activities that improve reliability in utility corridors. Modify landscape and other ordinances to encourage appropriate planting near overhead power, cable, and phone lines. Provide NOAA weather radios to the public.

Table 133: Alternatives to Mitigate the Tsunami Hazard

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
Manipulate the Hazard	None.	None.	Build wave abatement structures (e.g., the “Jacks” looking structure designed by the Japanese).
Reduce Exposure to the Hazard	Locate outside of hazard area.	Locate structure or mission critical functions outside of hazard area whenever possible.	Locate structure or functions outside of hazard area whenever possible. Harden infrastructure for tsunami impacts. Relocate identified critical facilities located in tsunami high hazard areas.
Reduce Vulnerability to the Hazard	Apply personal property mitigation techniques to your home such as anchoring	Mitigate personal property for the impacts of tsunami.	Adopt higher regulatory standards that will provide higher

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What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
	your foundation and foundation openings to allow flow through.		levels of protection to structures built in a tsunami inundation area. Utilize tsunami mapping once available, to guide development away from high-risk areas through land use planning.
Increase the Ability to Respond to or Be Prepared for the Hazard	Develop and practice a household evacuation plan. Support/participate in the Redwood Coast Tsunami Working Group. Educate yourself on the risk exposure from the tsunami hazard and ways to minimize that risk.	Develop and practice a corporate evacuation plan. Support/participate in the Redwood Coast Tsunami Working Group. Educate employees on the risk exposure from the tsunami hazard and ways to minimize that risk.	Create a probabilistic tsunami map for the OA. Provide incentives to guide development away from hazard areas. Develop a tsunami warning and response system. Provide residents with tsunami inundation maps. Join NOAA's Tsunami Ready program. Develop and communicate evacuation routes. Enhance the public information program to include risk reduction options for the tsunami hazard.

Table 134: Alternatives to Mitigate the Wildfire Hazard

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
Manipulate the Hazard	Clear potential fuels on property such as dry overgrown underbrush and diseased trees.	Clear potential fuels on property such as dry underbrush and diseased trees.	Clear potential fuels on property such as dry underbrush and diseased trees. Implement best management practices on public lands.
Reduce Exposure to the Hazard	Create and maintain defensible space around structures. Locate outside of hazard area. Mow regularly.	Create and maintain defensible space around structures and infrastructure. Locate outside of hazard area.	Create and maintain defensible space around structures and infrastructure. Locate outside of hazard area. Enhance building code to include use of fire resistant materials in high hazard area.
Reduce Vulnerability to the Hazard	Create and maintain defensible space around structures and provide water on site. Use fire-retardant building materials. Create defensible spaces around home.	Create and maintain defensible space around structures and infrastructure and provide water on site. Use fire-retardant building materials. Use fire-resistant plantings in buffer areas of high wildfire threat.	Create and maintain defensible space around structures and infrastructure. Use fire-retardant building materials. Use fire-resistant plantings in buffer areas of high wildfire threat. Consider higher regulatory standards (such as Class A roofing). Establish biomass reclamation initiatives.
Increase the Ability to Respond to or Be Prepared for the Hazard	Employ techniques from the National Fire Protection Association's Firewise Communities program to safeguard home. Identify alternative water supplies for firefighting.	Support Firewise community initiatives. Create /establish stored water supplies to be utilized for firefighting.	More public outreach and education efforts, including an active Firewise program. Possible weapons of mass destruction funds available to enhance fire capability in high-risk areas.

What Alternative Would Do	Personal Scale	Corporate Scale	Government Scale
	Install/replace roofing material with non-combustible roofing materials.		Identify fire response and alternative evacuation routes. Seek alternative water supplies. Become a Firewise community. Use academia to study impacts/solutions to wildfire risk. Establish/maintain mutual aid agreements between fire service agencies. Create/implement fire plans. Consider the probable impacts of climate change on the risk associated with the wildfire hazard in future land use decisions.

17.3 Santa Clara County 2023 Mitigation Action Plan

An action plan is a detailed document that identifies specific steps required to achieve a particular goal. The document breaks down the goal into actionable and measurable tasks that can be easily followed and tracked. These actions are determined by the risk of natural hazards impacting a community and the identifying solutions. The purpose of an action plan is to define specific steps necessary for achieving a certain goal, including required resources and a timeline for completing tasks.

The 2017 Santa Clara County MJHMP included action items for the entire Operational Area. The participants did not choose to continue to identify area-wide actions and opted for actions by jurisdiction only. The area-wide actions were integrated as appropriate in the Santa Clara County Annex and their status is summarized in Volume II Section 13. Each individual jurisdictions and special districts information can be found in each annex in Volume 2.

The planning partners utilized the following criteria to prioritize action items into the categories of high, medium, or low.

- High Priority— A project that:
 - Meets multiple goals and objectives (i.e., multiple hazards);
 - Addresses multiple hazards;
 - Has benefits that exceed cost;
 - Has funding secured or is an ongoing project;

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- Meets eligibility requirements for Hazard Mitigation Assistance grants;
- Can be completed in the short term (1 to 5 years);
- Addresses immediate short-term impacts of climate change;
- Benefits underserved and/or socially vulnerable populations; AND
- Considers the Multi-Benefit Criteria utilized by the Santa Clara County Climate Collaborative, including equity, long-term value, ecosystem benefit, community benefit, and cross-jurisdictional alignment.
- Medium Priority— A project that:
 - Meets multiple goals and objectives;
 - Addresses multiple hazards;
 - Has benefits that exceed costs;
 - Has funding has not been secured, but that is grant eligible under Hazard Mitigation Assistance grants or other grant programs;
 - Project can be completed in the short term (1-5 years), once funding is secured. Medium priority projects will become high priority projects once funding is secured;
 - Addresses immediate short-term impacts of climate change;
 - Benefits underserved and/or socially vulnerable populations; AND
 - Considers the Multi-Benefit Criteria utilized by the Santa Clara County Climate Collaborative, including equity, long-term value, ecosystem benefit, community benefit, and cross-jurisdictional alignment.
- Low Priority— A project that:
 - Will mitigate the risk of at least one hazard;
 - Has benefits that do not exceed the costs or are difficult to quantify;
 - Does not have secured funding;
 - Is not eligible for Hazard Mitigation Assistance grant funding;
 - Has a timeline for completion that is long term (greater than 5 years). Low priority projects may be eligible for other sources of grant funding from other programs;
 - May address impacts of climate change;
 - May benefit underserved and/or socially vulnerable populations; AND
 - Considers the Multi-Benefit Criteria utilized by the Santa Clara County Climate Collaborative, including equity, long-term value, ecosystem benefit, community benefit, and cross-jurisdictional alignment.

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Table 135 County of Santa Clara 2023 Action Items

Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-1*	Maintain, implement, and update as appropriate, the County unincorporated CWPP, while expanding the planning scope to integrate all of the Operational Area's jurisdictions. Create defensible space programs on a county-wide basis. Using the 2023 Santa Clara County CWPP as a guide, implement fuel management and fuel reduction treatment throughout the county specifically adjacent to areas classified as high and extreme risk to structures to reduce the potential for catastrophic wildfire.	Wildfire	Santa Clara County Fire Department- or- FireSafe Council	SCCFD General Budget; County OEM General Budget; HMGP; PDM; EMPG	Ongoing	Low

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-2*	CAL FIRE, South County Fire, and the Santa Clara County Fire Department should prepare for coordinated wildfire response operations through the development of a Wildfire Annex to the County's Emergency Operations Plan. In August 2020 in response to the SCU Lightning Complex, the Wildfire Annex was used to shed light into the response and recovery activities that unfolded.	Wildfire	County OEM	SCCFD General Budget; County OEM General Budget; HMGP; EMPG	Short-term	Low
SCC-4*	Continue to promote programs that mitigate vegetation fire, such as diseased tree removal, creating defensible space, and FireWise community programs. In accordance with the 2023 CWPP, promote public education and outreach to engage citizens in helping to reduce risk around individual property, particularly in areas with larger drive times from fire response. Utilize Fire Safe Councils free chipping programs, teach Firewise landscaping techniques, and organize community cleanup and green waste removal in high risk areas to reduce ignitability.	Wildfire	Santa Clara County Fire Department	SCCFD General Budget; County OEM General Budget; South County Fire General Budget; HMGP; and EMPG	Ongoing	Low

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-8*	Develop, update, and maintain GIS inventories of essential facilities, at-risk buildings and infrastructure and prioritize mitigation projects. Ideas for Implementation: • Identify critical facilities at risk from natural hazards events. • Develop strategies to mitigate risk to these facilities, or to utilize alternative facilities should natural hazard events cause damage to the facilities in question. • Identify bridges at risk from flood or earthquake hazards.	All Hazards, Flood, Earthquake, Wildfire	ISD (GIS)	County ISD Budget, County OEM Budget, Emergency Management Performance Grant Program, HMGP; PDM; FMA; EMPG	Long-term/Ongoing	Medium
SCC-9*	Maintain the WebEOC system so that it is up to date. For example, review the WebEOC vendor's Road Map, assess the vendor technology's fitness relative to the needs of the County's situational awareness process and IT infrastructure; consider upgrading to a new system if necessary.	All Hazards, Wildfire, Flood, Inclement Weather – Heavy Precipitation/Atmospheric River, Inclement Weather – High Winds	ISD (GIS)	County ISD Budget, County OEM Budget, Emergency Management Performance Grant Program, HMGP; PDM; FMA; EMPG	Short-term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-10*	Participate in statewide effort to collaborate on spatial data standardization, data sharing platform, common operating procedures.	All Hazards, Earthquake, Wildfire/Wildfire Smoke/Air Quality, Inclement Weather – Heavy Precipitation/Atmospheric River/Extreme Temperatures/High Winds/Space Weather, Drought, Climate Change, Dam/Levee Failure, Flood, Landslide/Mass Movement	TSS (GIS)	County ISD Budget, County OEM Budget, Emergency Management Performance Grant Program, HMGP; PDM; FMA; EMPG	Ongoing	Medium
SCC-11*	Develop and provide the Indoor Mapping, Evacuation Routing to Emergency Response Personnel.	All Hazards, Wildfire	TSS (GIS)	County ISD Budget, Emergency Management Performance Grant Program, HMGP; PDM; FMA; EMPG	Long-term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-13A*	Identify county facilities vulnerable to earthquakes and develop appropriate actions. Identify county facilities vulnerable to earthquakes (may include building age, soft story structures, building materials more vulnerable to earthquake damage). Consider options to retrofit, relocate or consider alternate methods to minimize earthquake damage and maintain response functionality.	Earthquakes	ISD (GIS)	County ISD Budget Fleet and Facilities Budget Emergency Management Program, HMGP; PDM; FMA; EMGP	Long-term	Medium
SCC-13B*	Identify the most seismically vulnerable bridges on county roads. Establish priorities for repair, retrofit, or other efforts to harden bridges against earthquake damage to maintain transportation functionality and facilitate emergency response.	Earthquakes	ISD (GIS)	County ISD Budget Fleet and Facilities Budget Emergency Management Program, HMGP; PDM; FMA; EMGP	Long-term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-15*	Deploy plume modeling software and enable OEM staff to manage data input to assess hazardous materials atmospheric risk. Due to the COVID-19 global pandemic there has been no progress on this ongoing capability.	All Hazards, Wildfire, Climate Change, Inclement Weather – High Wind	County Fire, Consumer and Environmental Protection Agency (Department of Environmental Health)	County ISD Budget, County OEM Budget; County Public Health Budget; SCCFD; EMPG; the State Homeland Security Grant Program	Long-term	Medium
SCC-18*	Miguelito Road Repairs for two road sections (located in east side of San Jose): Section 1, located near the intersection of Camino Vista Way and Miguelito Road, would replace the current soldier pile wall with a new retaining wall and repave the roadway. Section 2, located near the intersection of Rica Vista Way and Miguelito Road, would repair the slope failure.	All Hazards, Landslide	Roads and Airports	County Roads and Airports Budget; County OEM Budget; HMGP; PDM; FMA	Long-term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-21*	Alma Bridge Road Slide Repair (located in Los Gatos): Project site is 0.75 mile south of the Los Gatos Rowing Club @ Lexington Reservoir	Dam Failure, Landslide	Roads and Airports	County Roads and Airports Budget; County OEM Budget; HMGP; PDM; FMA	Long-term	Medium
SCC-23*	Review and implement selected recommendations detailed in the Loma Fire Watershed Emergency Response Team Final Report, October 25, 2016 (CA-SCU-006912). Potential actions may include, but are not limited to deployment of an early warning system, infrastructure improvements, establishment of a Firewise community program, waterway clearance, general watershed restoration, etc.	Wildfire	County OEM	County Roads and Airports Budget; County OEM Budget; HMGP; PDM; FMA	Long-Term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-24*	Review critical facilities and capital projects for mitigation project potential- including, but not limited to: water drainage, power production maintenance/ upgrades, etc. Review flood risk assessment of critical facilities at risk to 100 and 500 year flood. Initiate further study to determine appropriate methods to reduce flood risk, which might include stormwater capture or drainage, use of permeable surfaces, changes to landscaping, flood control structures, relocation, or alternatives.	All Hazards Flood	Fleet and Facilities	County Roads and Airports Budget, County OEM Budget, County Fleet and Facilities Budget, County Roads and Airports Budget, County Planning & Development Budget; HMGP; PDM; FMA; EMPG; the State Homeland Security Grant Program	Short-term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-25*	Provide technical information and guidance to public on individual risk identification using information sharing/ GIS platforms. Use GIS tools such as StoryMaps or other GIS platforms or web applications for public education and outreach. Provide a method for residents to understand where they are in relation to potential hazards, and educate them on what actions they can take to reduce their personal risk.	All Hazards, Wildfire, Drought, Climate Change, Flood	ISD (GIS)	County ISD Budget, County OEM Budget, SCCFD; EMPG; the State Homeland Security Grant Program	Short-term	High
SCC-26*	Develop strategy to take advantage of post disaster opportunities through the development of Disaster Recovery Planning, Disaster Cost Recovery Planning, etc.	All Hazards, Earthquake, Wildfire/Wildfire Smoke/Air Quality, Inclement Weather – Heavy Precipitation/Atmospheric River/Extreme Temperatures/High Winds/Space Weather, Drought, Climate Change, Dam/Levee Failure, Flood, Landslide/Mass Movement	County OEM	County OEM Budget; SCCFD; County Finance Agency Budget; EMPG; the State Homeland Security Grant Program; HMGP	Long-term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-27*	Develop and adopt a COOP for County Departments, as appropriate.	All Hazards, Earthquake, Wildfire/Wildfire Smoke/Air Quality, Inclement Weather – Heavy Precipitation/Atmospheric River/Extreme Temperatures/High Winds/Space Weather, Drought, Climate Change, Dam/Levee Failure, Flood, Landslide/Mass Movement	County OEM	County OEM Budget; SCCFD; County ISD; EMPG; the State Homeland Security Grant Program; HMGP	Short-Term	Medium
SCC-28*	Maintain existing data and gather new data needed to define risks and vulnerabilities impacting the County. New data should be integrated into County policies, including but not limited to stormwater management, post-disaster recovery, real estate disclosures, environmental protection, climate change, fire suppression, and seismic activity.	All Hazards, Climate Change, Wildfire, Earthquake	County OEM	County OEM Budget; SCCFD; County ISD; EMPG; the State Homeland Security Grant Program; HMGP	Ongoing	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-29*	Maintain existing data and gather new data needed to define risks and vulnerability impacting the County. New data should be integrated into County plans, including but not limited to the County's General Plan, Capital Improvement Plan, Stormwater Plan, Habitat Conservation Plan, Community Wildfire Protection Plan, Forest Management Plan, Climate Action Plan, Emergency Operations Plan, Threat & Hazard Identification & Risk Assessment, Post-Disaster Recovery Framework, Continuity of Operations Plan, and Public Health plans.	All Hazards, Earthquake, Wildfire/Wildfire Smoke/Air Quality, Inclement Weather – Heavy Precipitation/Atmospheric River/Extreme Temperatures/High Winds/Space Weather, Drought, Climate Change, Dam/Levee Failure, Flood, Landslide/Mass Movement	County OEM	County OEM Budget; SCCFD; County ISD; EMPG; the State Homeland Security Grant Program; HMGP; BRIC	Ongoing	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-30*	Develop a Debris Collection and Management Plan.	Earthquake, Wildfire, Inclement Weather – Heavy Precipitation/Atmospheric River/ /High Winds, Dam/Levee Failure, Flood, Landslide/Mass Movement	County Roads and Airports	County OEM Budget; SCCFD; County ISD; County Roads & Airports Budget; County Public Health Budget; EMPG; the State Homeland Security Grant Program; EMPG	Short-term	High
SCC-32*	Integrate the hazard mitigation plan into other plans, ordinances, and programs that dictate land use decisions within the community.	All Hazards, Earthquake, Wildfire/Wildfire Smoke/Air Quality, Inclement Weather – Heavy Precipitation/Atmospheric River/Extreme Temperatures/High Winds/Space Weather, Drought, Climate Change, Dam/Levee Failure, Flood, Landslide/Mass Movement	County OEM	County OEM Budget, SCCFD Budget, County Planning & Development Budget	Ongoing	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-33*	Development and implement a program to capture perishable data significant events (e.g. high water marks, locations of poor draining following heavy rain, roadways or culverts that have been damaged in flood events, damage from high wind events, preliminary damage estimates, damage photos) to support future mitigation efforts including the implementation and maintenance of the hazard mitigation plan.	All Hazards, Earthquake, Wildfire/Wildfire Smoke/Air Quality, Inclement Weather – Heavy Precipitation/Atmospheric River/Extreme Temperatures/High Winds/Space Weather, Drought, Climate Change, Dam/Levee Failure, Flood, Landslide/Mass Movement	County OEM	County OEM Budget, SCCFD Budget, County ISD/GIS Budget, County Finance Agency Budget	Long-term	Medium
SCC-34*	Actively participate in the plan maintenance protocols outlined in Volume 1 of the hazard mitigation plan.	All Hazards, Earthquake, Wildfire/Wildfire Smoke/Air Quality, Inclement Weather – Heavy Precipitation/Atmospheric River/Extreme Temperatures/High Winds/Space Weather, Drought, Climate Change, Dam/Levee Failure, Flood, Landslide/Mass Movement	County OEM	County OEM Budget, HMGP, BRIC	Ongoing	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
SCC-35*	Coordinate with the private sector on prioritization of critical facilities before and during restoration of utility services.	All Hazards, Earthquake, Wildfire/Wildfire Smoke/Air Quality, Inclement Weather – Heavy Precipitation/Atmospheric River/Extreme Temperatures/High Winds/Space Weather, Drought, Climate Change, Dam/Levee Failure, Flood, Landslide/Mass Movement	County OEM	County OEM Budget	Ongoing	Medium
1	Address gaps in data and missing information within this Annex for the next plan update.	All Hazards, Earthquake, Wildfire/Wildfire Smoke/Air Quality, Inclement Weather – Heavy Precipitation/Atmospheric River/Extreme Temperatures/High Winds/Space Weather, Drought, Climate Change, Dam/Levee Failure, Flood, Landslide/Mass Movement	All Departments	General fund,	Short term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
2	Maintain a coordinated, multi-lingual public awareness campaign to educate and engage the public about hazard risk, preparedness, and safety to provide real-time health related information during extreme heat and poor air quality warning days and information on cooling center, resiliency hubs, emergency shelters, and other preparedness and post disaster resources for the region.	Inclement Weather – Extreme Temperatures, Wildfire/Wildfire Smoke/Air Quality	County OEM	General fund	Ongoing	Medium
3	Consider nature-based solutions such as a goal to plant 1,000 trees annually Countywide in areas to address issues such as urban heat islands, low tree canopy, poor air quality and stormwater management. Work with local governments, agencies, and nonprofit partners to build a comprehensive urban forest.	Inclement Weather – Extreme Temperatures, Flood	Office of Sustainability	General fund, BRIC	Medium-term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
4	In coordination with SCVWD, host regular workshops and classes on water conservation, including providing information on drought-tolerant landscaping, available rebates for water retrofits, and water efficiency strategies in new buildings. Distribute outreach materials for water conservation.	Drought	County OEM?	General Fund	Medium-term	Medium
5	Work with local jurisdictions in dam inundation zones to ensure residents and businesses are aware of the potential risk, and that dam inundation mitigation strategies are integrated into local planning efforts. Work with local jurisdictions to identify vulnerable populations and unique information needs to communicate their risk. Use GIS mapping for risk analysis and communication as appropriate.	Dam/Levee Failure	County OEM	General Fund	Medium Term	Medium

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
6	Identify facilities to serve as warming or cooling centers/short-term severe weather shelters in an effort to reduce loss of life. Assist vulnerable populations by facilitating and also notifying them about warming centers (a short-term emergency shelter that operates when temperatures or a combination of precipitation, wind chill, wind and temperature become dangerously inclement).	Extreme Heat, Extreme Cold, High Wind, Heavy Rain	County OEM	General Fund	Medium Term	Medium
7	Identify areas with above ground utilities at risk to damage from high wind and evaluate feasibility of pursuing funding for undergrounding of utilities. Consider areas where powerlines may be near areas with high wildfire risk.	High Wind, Wildfire	County OEM	General Fund	Medium Term	Medium

17.4 Financial Capabilities

Determining current and/or potential funding sources is an important step of the mitigation planning process. By exploring, identifying, and evaluating alternative sources now, planning partners are positioned to select and implement actions which are financially obtainable.

This plan is written in accordance with federal guidelines in order to ensure participants remain eligible for certain mitigation funds. Under the Code of Federal Regulations (CFR) Title 44, Part 201.6 (44 CFR §201.6), Local Mitigation Plans, local governments must have a Federal Emergency Management Agency (FEMA)-approved plan in order to apply for and/or receive hazard mitigation project grant funds for hazard mitigation programs including:

- Hazard Mitigation Grant Program (HMGP)
- HMGP Post Fire Program (HMGP-PF)
- Building Resilient Infrastructure and Communities (BRIC)
- Flood Mitigation Assistance (FMA)
- Safeguarding Tomorrow Revolving Loan Fund Program

It is important to consider a variety of funding streams. Mitigation actions can and should be funded through multiple different avenues. Funding opportunities may include federal agencies; state, local, and tribal programs, as applicable; or private funding. Potential Federal, State, and Local funding opportunities are described below.

17.4.1 *Federal*

FEMA's Hazard Mitigation Assistance (HMA) grants fund eligible mitigation measures to reduce future disaster losses. Eligible applicants include state agencies, local governments, special districts, federally recognized tribes, and private non-profit organizations.

California's Office of Emergency Services (Cal OES) administers hazard mitigation assistance grants on behalf of FEMA. Cal OES supports outreach to inform eligible jurisdictions of available grants, reviews applications, and provides technical assistance. Cal OES is also responsible for submitting applications to FEMA by FEMA's stated deadline. When eligible entities are interested in applying for these funds, the State Hazard Mitigation Officer (SHMO) can provide additional guidance and education about available grants and the grant application process.

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Table 136: FEMA Mitigation Funding Sources

Program	Timeframe	Description	Lead Agency or Agencies	Resource(s)
Hazard Mitigation Grant Program (HMGP / 404 Mitigation)	Post-disaster - application period opens on the date of the presidential declaration.	Provides funding to state, local, tribal, and territorial governments to develop hazard mitigation plans and implement mitigation products to reduce or eliminate future disaster losses. Eligible project types including planning and enforcement, flood protection, retrofitting, and construction. An approved hazard mitigation plan is required to receive funding. Because the State of California has an enhanced HMP, the State is eligible for additional HMGP funds, up to 20% of the federal share of disaster assistance provided after a federally declared disaster.	FEMA	https://www.fema.gov/grants/mitigation/hazard-mitigation https://www.fema.gov/grants/mitigation/hazard-mitigation-assistance-guidance
HMGP Post Fire (HMGP-PF)	State's first FMAG declaration of the fiscal year to 6 months after the end of that fiscal year	Helps communities implement hazard mitigation measures after wildfires disasters. Funding depends on the 10-year national average assistance provided under Fire Management Assistance Grants (FMAG) declarations for States.	FEMA	https://www.fema.gov/grants/mitigation/hazard-mitigation-assistance-guidance https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1204-policy.pdf
Fire Management Assistance Grants (FMAG)	Post-Fire Management Assistance Declaration	Available to states, local and tribal governments for the mitigation, management, and control of fires on publicly or privately owned forests or grasslands.	FEMA	https://www.fema.gov/sites/default/files/documents/fema_fmaggpg_063121.pdf
Public Assistance 406 Program	Post-federal disaster declaration	Public Assistance funded mitigation measures for disaster-damaged facilities. Limited to eligible counties and eligible damaged facilities, as well	FEMA	https://www.fema.gov/press-release/20220328/fema-hazard-mitigation-grants-404-and-406

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Program	Timeframe	Description	Lead Agency or Agencies	Resource(s)
		as only the parts of the facility that are damaged. Designed to reduce the potential of future losses through a similar disaster to the same eligible facility.		
Flood Mitigation Assistance (FMA)	Annual	Funding for cost-effective measures to reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes, and other structures insured under the National Flood Insurance Program (NFIP).	FEMA	https://www.fema.gov/grants/mitigation/floods
Building Resilient Infrastructure and Communities (BRIC)	Annual	Provides funding to states, local communities, tribes, and territories to implement mitigation projects. This program is designed to support capability- and capacity-building, promote partnerships, and enable large projects. It emphasizes nature-based solutions, community lifelines, and benefitting underserved communities. Each State has allocated funds as well as a nationally competitive fund.	FEMA	https://www.fema.gov/sites/default/files/documents/fema_bric-policy-fp-008-05_program_policy.pdf https://www.fema.gov/sites/default/files/documents/fema_riskmap-nature-based-solutions-guide_2021.pdf https://www.fema.gov/sites/default/files/documents/fema_fy-22-mitigation-action-portfolio.pdf
Pre-Disaster Mitigation (PDM)	Congressionally appropriated	Makes funding available for state, local, tribal, and territorial governments to plan for and implement sustainable cost-effective measures designed to reduce the risk to individuals and property from future natural hazards. Previously replaced by the BRIC program, the Consolidated Appropriations Act of 2022 reauthorized PDM for FY22.	FEMA	https://www.fema.gov/grants/mitigation/pre-disaster

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Program	Timeframe	Description	Lead Agency or Agencies	Resource(s)
Rehabilitation of High Hazard Potential Dam (HHPD) Grant Program	Annual	Provides technical, planning, design, and construction assistance in the form of grants for rehabilitation of eligible high hazard potential dams. The dam must be located in a jurisdiction with a FEMA-approved plan that includes dam risks.	FEMA	https://www.fema.gov/emergency-managers/risk-management/dam-safety/rehabilitation-high-hazard-potential-dams https://www.fema.gov/sites/default/files/documents/fema_hhpd-fact-sheet_05-19-2020.pdf
National Flood Insurance Program (NFIP)	Ongoing	Eligible property owners, renters and businesses who purchase flood insurance through the NFIP may be eligible for funds to repair their property. Increased Cost of Compliance (ICC) claim benefits may be available for compliance activities including elevation, flood-proofing, relocation, and demolition.	FEMA	https://www.fema.gov/flood-insurance

Planning partners may soon have access to additional mitigation funds through FEMA's new **Safeguarding Tomorrow Revolving Loan Fund Program**. The Safeguarding Tomorrow through Ongoing Risk Mitigation (STORM) Act became law on January 1, 2021, and authorized FEMA to provide grants to eligible entities including the State of California for the development of a revolving loan fund for hazard mitigation initiatives. Once established, this revolving loan fund will provide low interest loans to jurisdictions to reduce vulnerability to natural disaster, foster resilience, and reduce disaster suffering. These loans may be used as the non-federal cost match for other HMA grant applications. The first application for STORM is currently open as of the time of this writing.

FEMA funds should not be the only source of mitigation funding a community considers. Other federal resources are described in Table 137.

Table 137: Additional Federal Funding Sources

Program	Timeframe	Description	Lead Agency or Agencies	Resource(s)
Community Development Block Grant – Disaster Recovery (CDBG-DR)	Congressionally Appropriated	Grants to states and local governments to develop viable communities (e.g., housing, suitable living environment, expanded economic opportunities) and recover from federally declared disasters. Principally for low- and moderate-income areas.	U.S. Department of Housing and Urban Development (HUD)	https://www.hud.gov/program_offices/comm_planning/cdbg
CDBG-Mitigation (CDBG-MIT)	Congressionally Appropriated	Supports a range of mitigation activities focused on reducing or eliminating the long-term impacts of future disasters.	HUD	https://www.hud.gov/program_offices/comm_planning/cdbg-dr/cdbg-mit
Section 108 Loan Guarantee Program	Upon request	Provides low-cost, long-term financing for economic development and community development projects, including improvements to increase resilience.	HUD	https://www.hudexchange.info/programs/section-108/section-108-program-eligibility-requirements/#overview
Natural Resources Conversation Services (NRCS)	Ongoing	Can provide funding and technical assistance to communities to address threats to watersheds, including conducting damage assessment and evaluating potential solutions.	U.S. Department of Agriculture (USDA)	https://www.nrcs.usda.gov/
Urban Waters Small Grants Program	Every two years	Program that protects and restores urban waters by improving water quality through activities that also support community revitalization and other local priorities.	U.S. Environmental Protection Agency (EPA)	https://www.epa.gov/urbanwaterspartners/urban-waters-small-grants#:~:text=Overview%20Since%20the%20inception%20of%20the%20Urban%20Waters,with%20individual%20award%20amounts%20of%20up%20to%20%2460%2C000. https://www.epa.gov/sites/default/files/2016-10/documents/uwsg_flyer_october2016.pdf

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Program	Timeframe	Description	Lead Agency or Agencies	Resource(s)
Clean Water State Revolving Fund (CWSRF)	Annual	Provides low-cost financing for a range of water infrastructure projects.	EPA	https://www.epa.gov/cwsrf https://www.epa.gov/nps/funding-resources-watershed-protection-and-restoration
WaterSmart	Annual	Funding opportunity to support adequate and safe water supplies through water conservation, water management, and restoration projects.	Bureau of Reclamation	https://www.usbr.gov/water/smart/
Partners for Fish and Wildlife	Ongoing	Financial and technical assistance to private landowners, corporations, local governments, and universities interested in pursuing restoration projects affecting wetlands and riparian habitats.	U.S. Fish and Wildlife Service (FWS)	https://www.fws.gov/program/partners-fish-and-wildlife
National Coastal Resilience Fund	Annual	Funds nature-based solutions designed to improve the resilience of coastal communities and ecosystems.	National Fish and Wildlife Foundation	https://www.nfwf.org/programs/national-coastal-resilience-fund?activeTab=tab-1
Flood Risk Management Program (FRMP)	Upon request	Program designed to focus the policies, programs, and expertise of the Corps toward reducing overall flood risk. USACE works with local government partners to coordinate flood risk management within the context of shared responsibility, including helping communities understand their flood risk, communicate flood risk to the public, and develop solutions.	U.S. Army Corps of Engineers	https://www.iwr.usace.army.mil/Missions/Flood-Risk-Management/Flood-Risk-Management-Program/Partners-in-Shared-Responsibility/State-and-Local/

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Program	Timeframe	Description	Lead Agency or Agencies	Resource(s)
Community Wildfire Assistance	Ongoing	Technical and funding assistance for wildfire mitigation measures and training.	Department of Interior Bureau of Land Management	https://www.blm.gov/site-page/programs-public-safety-and-fire-fire-and-aviation-regional-information-montana-dakotas-3
Emergency Management Performance Grant (EMPG)	Annual	Grant designed to support state, local, tribal, and territorial emergency management agencies in the implementation of the National Preparedness System and the National Preparedness Goal of a secure and resilient nation. FY23 EMPG program also included an emphasis on the national priorities of equity; climate resilience; and readiness.	DHS/FEMA	https://www.fema.gov/grants/preparedness/emergency-management-performance
Emergency Watershed Protection	Ongoing	Program that offers technical and financial assistance to help local communities relieve imminent threats to life and property caused by natural disasters that impair the watershed.	USDA	https://www.nrcs.usda.gov/programs-initiatives/ewp-emergency-watershed-protection
Watershed and Flood Prevention Operations (WFPO) Program	Ongoing	Provides technical and financial assistance to help plan and implement watershed projects.	USDA	https://www.nrcs.usda.gov/programs-initiatives/watershed-and-flood-prevention-operations-wfpo-program#:~:text=The%20Watershed%20Protection%20and%20Flood%20Prevention%20%28WFPO%29%20Program,Watershed%20and%20Flood%20Prevention%20Operations%20%28WFPO%29%20Program%20OVERVIEW

17.4.2 State

The State of California proactively invests in hazard mitigation and climate adaptation in order to develop more resilient communities. Open grants can be found online through the California Grants Portal. Table 138 lists some of the state-led funding sources available or likely to become available.

Table 138: State Mitigation Funding Sources

Program	Timeframe	Description	Lead Agency or Agencies	Resource(s)
Prepare California	As Funded	Initiative to advance local capabilities through funding additional staff and covering the non-federal cost share for mitigation actions.	Cal OES	https://www.caloes.ca.gov/office-of-the-director/operations/recovery-directorate/hazard-mitigation/prepare-california/
Earthquake Brace + Bolt (EBB) Program	TBD	Grants for qualified homeowners with eligible houses in higher-earthquake-risk areas to seismically retrofit their house.	California Earthquake Authority	https://portal.earthquakeauthority.com/Discounts-Grants/Brace-and-Bolt-Grants#:~:text=CEA%20offers%20two%20brace%20%2B%20bolt%20grant%20programs,help%20CEA%20policyholders%20pay%20for%20a%20seismic%20retrofit.
Proposition 84	Ongoing	The California Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act (Proposition) makes new funding available for flood protection and water management programs.	Multiple	http://bondaccountability.resources.ca.gov/p84.aspx http://bondaccountability.resources.ca.gov/PDF/Prop1E/PROPOSITION_84_fact.pdf

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Program	Timeframe	Description	Lead Agency or Agencies	Resource(s)
Integrated Regional Water Management Grant Program	Ongoing	A collaborative grant program that covers planning, project implementation, and disadvantaged communities and tribes in order to implement water management solutions on a regional scale.	Department of Water Resources	https://water.ca.gov/Programs/Integrated-Regional-Water-Management
Urban Community Drought Relief Funding	As Funded	Offers financial assistance to address drought impacts, including drought resilience planning, climate resilience activities, and water conservation activities.	Department of Water Resources	https://water.ca.gov/Water-Basics/Drought/Urban-Drought-Grant https://water.ca.gov/-/media/DWR-Website/Web-Pages/Water-Basics/Drought/Files/Urban-Community-Drought-Relief/FrequentlyAskedQuestions.pdf
Wildfire Prevention Grants	Annual	Funding for eligible applicants to conduct hazardous fuels reduction activities, wildfire prevention planning, and wildfire prevention education.	CAL FIRE	https://www.fire.ca.gov/what-we-do/grants/wildfire-prevention-grants
Wildfire Resilience Block Grants	As Funded	Provides technical and financial assistance for forest management including reducing the risk of wildfires.	CAL FIRE	https://www.fire.ca.gov/what-we-do/natural-resource-management/wildfire-resilience#ResilienceGrantAnchor

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Program	Timeframe	Description	Lead Agency or Agencies	Resource(s)
Listos California	Funded for 2023	Local resilience grants for community-based organizations throughout the state to provide disaster training and resources to vulnerable and diverse populations.	Cal OES	https://www.grants.ca.gov/grants/2022-23-listos-california-statewide-grant-is-program-rfp/ https://news.caloes.ca.gov/cal-oes-released-2023-funding-opportunities-for-listos-california-campaign/
California Climate Investments	Ongoing	Over 70 programs that fund various projects related to climate change and climate resilience.	More than 20 state agencies	https://www.caclimateinvestments.ca.gov/all-programs
Resilient California	Ongoing	Resources for climate resilience including grant programs.	Governor's Office of Planning and Research	https://resilientca.org/topics/investing-in-adaptation/
Integrated Climate Adaptation and Resiliency Program (ICARP)	Ongoing	Three grant programs designed to support mitigation and climate adaptation through adaptation planning, climate resilience efforts, and preparing for the impacts of extreme heat.	Governor's Office of Planning and Research	https://opr.ca.gov/climate/icarp/
Climate Smart Land Management Program	Funded for 2023	New grant opportunity to implement projects and develop plans that increase climate action on California's natural and working lands	Department of Conservation	https://www.conservation.ca.gov/dlrp/grant-programs/Pages/Climate-Smart-Land-Management-Program.aspx

17.4.3 Local

Local capability to fund mitigation actions can come from a variety of sources. Some sources local jurisdictions may have access to include:

- Capital improvements project funding.
- Taxes levied for specific purposes.
- User fees for water, sewer, gas, or electric services.
- Stormwater utility fees.
- General obligation bonds.
- Special tax bonds.
- Private activity bonds.
- Development impact fees for homebuyers or developers.
- Public or private partnerships.

The individual resources of each participating planning partner are discussed in each annex in Volume 2.

17.5 Action Plan Prioritization

The planning partners utilized the following criteria to prioritize action items into the categories of high, medium, or low.

- High Priority— A project that:
 - Meets multiple goals and objectives (i.e., multiple hazards);
 - Addresses multiple hazards;
 - Has benefits that exceed cost;
 - Has funding secured or is an ongoing project;
 - Meets eligibility requirements for Hazard Mitigation Assistance grants;
 - Can be completed in the short term (1 to 5 years);
 - Addresses immediate short-term impacts of climate change;
 - Benefits underserved and/or socially vulnerable populations; AND
 - Considers the Multi-Benefit Criteria utilized by the Santa Clara County Climate Collaborative, including equity, long-term value, ecosystem benefit, community benefit, and cross-jurisdictional alignment.
- Medium Priority— A project that:
 - Meets multiple goals and objectives;
 - Addresses multiple hazards;
 - Has benefits that exceed costs;
 - Has funding has not been secured, but that is grant eligible under Hazard Mitigation Assistance grants or other grant programs;

- Project can be completed in the short term (1-5 years), once funding is secured. Medium priority projects will become high priority projects once funding is secured;
 - Addresses immediate short-term impacts of climate change;
 - Benefits underserved and/or socially vulnerable populations; AND
 - Considers the Multi-Benefit Criteria utilized by the Santa Clara County Climate Collaborative, including equity, long-term value, ecosystem benefit, community benefit, and cross-jurisdictional alignment.
- Low Priority— A project that:
 - Will mitigate the risk of at least one hazard;
 - Has benefits that do not exceed the costs or are difficult to quantify;
 - Does not have secured funding;
 - Is not eligible for Hazard Mitigation Assistance grant funding;
 - Has a timeline for completion that is long term (greater than 5 years). Low priority projects may be eligible for other sources of grant funding from other programs;
 - May address impacts of climate change;
 - May benefit underserved and/or socially vulnerable populations; AND
 - Considers the Multi-Benefit Criteria utilized by the Santa Clara County Climate Collaborative, including equity, long-term value, ecosystem benefit, community benefit, and cross-jurisdictional alignment.

17.5.1 *Benefit-Cost Review*

One of the criteria used to prioritize proposed mitigation actions was a benefit-cost review. This review was not of the detailed benefit-cost analysis required by FEMA for project grant eligibility under Hazard Mitigation Assistance grants. A less formal approach was used because some projects may not be implemented for up to 10 years, and associated costs and benefits could change dramatically in that time. Therefore, a review of the apparent benefits versus the apparent cost of each project was performed. Parameters were established for assigning subjective ratings (high, medium, and low) to the costs and benefits of these projects.

Cost ratings were defined as follows:

- High—Existing funding will not cover the cost of the project; implementation would require new revenue through an alternative source (for example, bonds, grants, and fee increases).
- Medium—The project could be implemented with existing funding but would require a re-apportionment of the budget or a budget amendment, or the cost of the project would have to be spread over multiple years.
- Low—The project could be funded under the existing budget. The project is part of or can be part of an ongoing existing program.

Benefit ratings were defined as follows:

- High—Project will provide an immediate reduction of risk exposure for life and property.
- Medium—Project will have a long-term impact on the reduction of risk exposure for life and property, or project will provide an immediate reduction in the risk exposure for property.

- Low—Long-term benefits of the project are difficult to quantify in the short term.

Using this approach, projects with positive benefit versus cost ratios (such as high over high, high over medium, medium over low, etc.) are considered cost-beneficial and are prioritized accordingly.

For many of the strategies identified in this action plan, financial assistance may be available through FEMA Hazard Mitigation Assistance grants, all of which require detailed benefit/cost analyses. These analyses will be performed on projects at the time of application using the FEMA benefit-cost model. For projects not seeking financial assistance from grant programs that require detailed analysis, “benefits” can be defined according to parameters that meet the goals and objectives of this plan.

17.6 Plan Adoption

A hazard mitigation plan must document that it has been formally adopted by the governing bodies of the jurisdictions requesting federal approval of the plan (44 CFR Section 201.6(c)(5)). For multi-jurisdictional plans, each jurisdiction requesting approval must document that it has been formally adopted. Once the MJHMP has received FEMA Approvable Pending Adoption (APA) status, each participating jurisdiction or special district will take the plan to their governing body for final public comment and adoption. Copies of the resolutions adopting this plan for all planning partners can be found in Appendix B of this volume.

17.7 Plan Maintenance Strategy

A hazard mitigation plan must present a plan maintenance process that includes the following (44 CFR Section 201.6(c)(4)):

- A section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan over a 5-year cycle (44 CFR Section 201.6(c)(4)(i)).
- A process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate (44 CFR Section 201.6(c)(4)(ii)).
- A discussion on how the community will continue public participation in the plan maintenance process (44 CFR Section 201.6(c)(4)(iii)).

This section details the formal process that will ensure that the hazard mitigation plan remains an active and relevant document and that the planning partners maintain their eligibility for applicable funding sources. The plan maintenance process includes a schedule for monitoring and evaluating the plan annually and producing an updated plan every five years. This section also describes how public participation will be integrated throughout the plan maintenance and implementation process. It also explains how the mitigation strategies outlined in this plan will be incorporated into existing planning mechanisms and programs, such as comprehensive land-use planning processes, capital improvement planning, and building code enforcement and implementation. The plan's format allows sections to be reviewed and updated when new data become available, resulting in a plan that will remain current and relevant.

Pursuant to 44CFR 201.6(c)(4)(i), the plan maintenance matrix shown in Table 139 provides a synopsis of responsibilities for plan monitoring, evaluation, and update, which are discussed in further detail in the sections below.

Table 139: Plan Maintenance Matrix

Task	Approach	Timeline	Lead Responsibility	Support Responsibility
Monitoring	Preparation of status updates and action implementation tracking as part of submission for Annual Progress Report.	January to February, or upon comprehensive update to General Plan or major disaster	Jurisdictional points of contact identified in Volume 2 annexes	Local Planning Team Members identified in Volume 2 annexes
Evaluation	Review the status of previous actions to assess the effectiveness of the plan	Progress report completed and submitted to MJHMP County Project Manager each year	Jurisdictional points of contact identified in Volume 2 annexes	MJHMP County Project Manager, as appropriate
Update	Reconvene the planning partners, at a minimum, every 5 years to guide a comprehensive update to review and revise the plan.	Every 5 years, or upon comprehensive update to General Plan or major disaster	MJHMP County Project Manager	Jurisdictional points of contacts identified in Volume 2 annexes

17.8 Plan Implementation

Each planning partner is responsible for implementing specific mitigation actions as described in the mitigation strategies located in the annexes. In each mitigation strategy, every proposed action is assigned to a specific department or division in order to assign responsibility and accountability and increase the likelihood of subsequent implementation. This approach enables individual participants to update their unique mitigation strategy as needed, without altering the broader focus of the countywide plan. The separate adoption of participant-specific actions also ensures that each plan member is not held responsible for monitoring and implementing the actions of other jurisdictions or special districts involved in the planning process.

The Santa Clara County MJHMP Project Manager is the lead position for plan implementation and will work with the planning partner to ensure mitigation actions are implemented according to jurisdictional or special district capabilities and planning procedures. Each partner will implement the plan and their individual mitigation actions, as resources permit, through existing plans, programs, and policies and in the timeframe appropriate for their planning processes. This implementation will be done by reviewing the MJHMP and mitigation strategy during the update of the planning mechanisms identified.

As necessary, partners may consider seeking outside funding sources to implement mitigation projects in both the pre-disaster and post-disaster environments. When applicable, potential funding sources have been identified for proposed actions listed in the mitigation strategies.

17.9 Plan Maintenance Element

Planning partner points of contact will continue to collaborate as a planning group in coordination with the Santa Clara County MJHMP Project Manager. Primary contact will be through emails and conference calls. Partner points of contact will jointly lead the plan maintenance and update process by:

- Discussing methods for continued public involvement and education;

- Documenting successes and lessons learned;
- Researching new or updated data, laws, policies, regulations, or initiatives that can contribute to hazard histories, risk assessments, loss estimates, vulnerabilities of assets, or action items for plan participants;
- Reviewing potential funding availability, including state and federal grant program Notices of Funding Opportunities;
- Assessing the progress of previously implemented actions that reduce vulnerability and losses, and any new opportunities for mitigation actions; and
- Maintaining and completing documentation of the MJHMP maintenance process.

Each planning partner is responsible for monitoring and tracking the progress of action items identified by their jurisdiction or special district in this MJHMP and submitting a status summary to the County's project manager on a yearly basis.

Additionally, each planning partner point of contact will work with their Local Planning Teams and other jurisdictional or special district representatives to:

- Review existing action items to determine appropriateness for local funding;
- Prioritize potential mitigation projects; and
- Update decision makers on progress of the plan.

17.9.1 Plan Update

The planning partners intend to update the hazard mitigation plan on a 5-year cycle from the date of initial plan adoption in accordance with the update schedule outlined in the DMA 2000. This cycle may be accelerated to less than 5 years based on the following triggers:

- A Presidential Disaster Declaration that impacts the OA.
- A hazard event that causes loss of life.
- A comprehensive update of a planning partner's general plan.

It will not be the intent of future updates to develop a completely new hazard mitigation plan for the OA. The update will, at a minimum, include the following elements:

- The update process will be convened through a new planning partner group.
- The hazard risk assessment will be reviewed and, if necessary, updated using best available information and technologies.
- The action plans will be reviewed and revised to account for any actions completed, no longer relevant, or changed and to account for changes in the risk assessment or new policies identified under other planning mechanisms.
- The draft update will be sent to appropriate agencies and organizations for comment.
- The public will be given an opportunity to comment on the update prior to adoption.
- planning partner governing bodies will adopt the updated plan.

17.9.2 Grant Monitoring and Coordination

Santa Clara County OEM intends to be a resource to the planning partnership in the support of project grant writing and development. The degree of this support will depend on the level of assistance requested by the partnership during open windows for grant applications. It is not Santa Clara County OEM's intent to lead any grant application effort for any specific planning partner requesting assistance. It will be the role of Santa Clara County OEM staff to provide support to a lead jurisdiction by providing or identifying resources for project development, scoping, feasibility, grant writing, environmental/historic preservation application, and benefit/cost analyses. As part of grant monitoring and coordination, Santa Clara County OEM agrees to provide the following:

- Notification to planning partners about impending grant opportunities.
- A current list of eligible, jurisdiction-specific projects for funding pursuit consideration.
- Notification about mitigation priorities for the fiscal year to assist the planning partners in the selection of appropriate projects.
- Training on the FEMA benefit-cost analysis tool upon request.
- Training on the sub-applicant system upon request.
- Grant writing technical assistance upon request.
- Technical review of the completed sub-applicant package upon request.

Grant monitoring and coordination is expected to occur on an annual basis in coordination with the annual progress report or as needed based on the availability of non-HMA or post-disaster funding opportunities.

17.9.3 Continuing Public Involvement

Each planning partner has agreed to provide links to the hazard mitigation plan website on their individual jurisdictional websites to increase avenues of public access to the plan. Santa Clara County OEM has agreed to maintain the hazard mitigation plan website. This site will not only house the final plan, but it will also become the one-stop shop for information regarding the plan, the partnership and plan implementation. The plan will be posted to the Office of Emergency Management's website, where there will be an opportunity for continued public feedback and engagement with the County mitigation planning team by providing their contact information. To ensure continued public engagement on issues relating to hazard mitigation, all comments received from the public and from interested agencies on this hazard mitigation plan will be reviewed as part of the plan maintenance procedures.

Public participation will be sought throughout the implementation, evaluation, and maintenance of the MJHMP. This participation can be sought in a multitude of ways, including but not limited to periodic presentations on the plan's progress to elected officials, schools, or other community groups; questionnaires or surveys; public meetings; and postings on social media and participant websites.

Each participant in this plan is responsible for creating and documenting continued public involvement opportunities throughout the life of the MJHMP. The Santa Clara County NHMP Project Manager may facilitate countywide public involvement strategies that include plan participants, such as partnering with the countywide groups and organizations to distribute and disseminate public surveys and information related to mitigation. Copies of the MJHMP and annual revisions will be posted on the websites of plan participants, as appropriate.

The Santa Clara County Multi-Jurisdictional Hazard Mitigation Plan acts as a foundation plan for the entire County. MJHMP will inform many other planning efforts such as plans relating to infrastructure projects (green or otherwise), the County of Santa Clara Emergency Operations Plan, the County of Santa Clara Disaster Recovery Framework (currently in draft), and the Office of Emergency Management

Strategic Visioning Plan. Additionally, all other County plans that require a review of hazards and vulnerability will be informed by the MJHMP.

17.9.4 Incorporation into Other Planning Mechanisms

The information on hazard, risk, vulnerability, and mitigation contained in this plan is based on the best science and technology available at the time this plan was prepared. The general plans of the planning partners are considered to be integral parts of this plan. The planning partners, through adoption of general plans and zoning ordinances, have planned for the impact of natural hazards. The plan development process provided them with the opportunity to review and expand on policies contained within these planning mechanisms. The planning partners used their general plans and the hazard mitigation plan as complementary documents that work together to achieve the goal of reducing risk exposure to the citizens of the OA. An update to a general plan may trigger an update to the hazard mitigation plan.

All municipal planning partners are committed to creating a linkage between the hazard mitigation plan and their individual general plan. Additionally, all planning partners are committed to being in full compliance with California Assembly Bill 2140 and Senate Bill 379, which promote the integration of local hazard mitigation plans and general plans and mandate that these plans address climate change. Other planning processes and programs to be coordinated with the recommendations of the hazard mitigation plan include the following:

- Emergency response plans.
- Training and exercise of emergency response plans.
- Debris Management Plans.
- Recovery Plans.
- Capital improvement programs.
- Municipal codes.
- Community design guidelines.
- Water-efficient landscape design guidelines.
- Stormwater management programs.
- Water system vulnerability assessments.
- Community Wildfire Protection Plans.
- Comprehensive Flood Hazard Management Plans.
- Resiliency Plans.
- Community Development Block Grant-Disaster Recovery action plans.
- Public information/Education plans.

Santa Clara County understands the importance of integrating plans in order to align efforts and increase the chances of success. Plan integration, including working closely with the County's Safety Element update team and the countywide Community Wildfire Protection Plan team, has been a key element of this plan update. In addition to collaborating with these plan updates to integrate public feedback and wildfire risk data, the County will integrate this plan into other planning mechanisms as well. The MJHMP acts as a foundation plan for the entire County. It will inform many other planning efforts such as plans relating to infrastructure projects (green infrastructure or otherwise), the County of Santa Clara Emergency Operations Plan, the County of Santa Clara Disaster Recovery Framework (currently in draft),

and the Office of Emergency Management Strategic Visioning Plan. Additionally, all other County plans that require a review of hazards and vulnerability will be informed by the MJHMP. Including a broad range of internal partners helps ensure the planning partners that participated in this plan update will be able to carry over knowledge of this plan and its actions into other planning mechanisms. Additional information on how each plan participants will integrate this plan into other planning mechanisms is included in Volume II.

Some action items do not need to be implemented through regulation. Instead, these items can be implemented through the creation of new educational programs, continued interagency coordination, or improved public participation. As information becomes available from other planning mechanisms that can enhance this plan, that information will be incorporated via the update process.

Appendix A: Public Engagement Results

Public Survey Results

A 35-question survey was available to the public for seven weeks, from April 4–May 19, 2023. The survey results helped the Planning Team learn how the public viewed their risks and vulnerabilities to the hazards they felt could occur in the OA along with their viewpoint on impacts from climate change.

With this survey, the MJHMP planning process better supported the viewpoints and concerns of the public.



Figure 79: Sample of Public Survey Advertisement

The MJHMP public survey received 588 responses. There were 576 responses to the English survey, ten (10) responses to the Chinese survey, and two (2) responses to the Spanish survey.

The survey asked participants to pick a statement that best described their level of concern for each hazard. These levels of concern include:

- Not Concerned
- Somewhat Concerned
- Very Concerned
- Not Sure – Not Enough Information

The survey results are provided in the following tables.

Table 140: Survey Results Level of Hazard Concern

Hazard	Very Concerned	Somewhat Concerned	Not Concerned	Not Sure/Needs More Information
Drought	355	180	45	6
Earthquake	296	245	38	4
Thunderstorms	29	152	268	34
Flood	85	268	200	30
Dam/Levee Failure	44	160	316	62
Terrorism	67	209	248	58
Tsunami	11	48	456	70
Extreme Heat/Cold	161	234	170	19
Hazardous Materials	69	252	218	44
Atmospheric River	148	264	149	24
Smoke/ Air Quality	304	193	73	14
Weapons of Mass Destruction	73	146	291	74
Wildfire	208	217	138	20
Landslide	54	202	284	43
Tornadoes	11	46	458	69
Windstorms	110	279	172	21
Pandemics	162	275	129	18
Space Weather/Other	25	90	319	149

Table 141: Level of Concern for Climate Change Impacts

Climate Effect	Very Concerned	Somewhat Concerned	Not Concerned	Not Sure/Needs More Information
Sea Level Rise	120	260	173	2
Increased Severity of Hazard Events	227	229	99	0
Hotter Temperatures	285	201	83	1
Damage to the Environment	310	175	84	1
Human Health Issues	227	247	93	0

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Climate Effect	Very Concerned	Somewhat Concerned	Not Concerned	Not Sure/Needs More Information
Increased Frequency of Hazard Events	232	231	92	0
Decreased Water Resources	392	147	37	2
Damage to Structures Not Built for Climate Change	232	216	108	1
Harm to Food Production	224	239	97	2
Decreased Outdoor Worker Productivity	109	264	173	2
Effect on Vulnerable Populations	245	194	112	1

Table 142: Types of Stakeholders Represented

Group Represented	Response (%)
Academia	6.4
Community Based Organizations	15.6
Special District	1.7
Neighboring Community	6.2
Healthcare Agency	2.1
Faith Based Organization	8.3
Private Organization	8.3
Private Utility	0.3

Table 143 lists comments received from the public survey and how this input that was taken into account during the plan update. Comments that didn't relate to the hazard mitigation plan or were not a suggestion were not included.

Table 143: Public Comments

Public Comment	Response
Our traditional methods for planning and preparation cannot keep pace with the changing natural hazard landscape. The current planning cycles are simply too slow.	<i>The Plan Maintenance Strategy in this plan update emphasizes the need for more engagement and timely update to information as appropriate.</i>

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Public Comment	Response
I like the hazard maps. Nice to know I'm not in a tsunami zone but was surprised that part of the Baylands is in a tsunami zone - and yet proposals to build homes and businesses quite close to the bay keep coming. We should be building near 280 not near the SF Bay. I was shocked Saltworks on an average of 1 foot of elevation in Redwood City was even considered. I think there are big projects scheduled for Brisbane and some in the East Bay too. I have not seen any documentation of the risks of sea rise affecting Facebook or Google or NASA building very close to the bay. How can we overcome the lure of building on the cheapest land when that land is cheaper because of hazards?	<i>This plan includes additional information on the Tsunami hazard which was not previously profiled. This question is too broad for this plan update to address but reflects a real concern for the OA.</i>
Please keep the urban forest a priority and please push back when the state wants us to increase our population. We do not have the natural water for it.	<i>Changes in development and planning for hazards including drought which includes water shortage is addressed in this plan.</i>
Reduce flood risks and obvious fire risks. Mitigation of flood risks from San Franciscquito Creek should be immediately accelerated as many are at known risk from this; homeowners and businesses should be educated and encouraged to reduce dry brush/fire risks, including trimming dry trees/foliage from growing up to affect such things as electrical lines. Code enforcement should be stronger since we all see dead wood, etc. close to and eventually affecting power lines. Utilities should be required to evaluate and remedy these when they pose a risk.	<i>Actions to reduce flood and fire risk are included in this plan.</i>
More work needs to be done with clearing fallen trees in creek and streams.	<i>While not strictly speaking mitigation, this is an ongoing theme of public feedback. Therefore, multiple jurisdictions have in progress work towards debris management plans, and others selected to include actions related to debris.</i>
As a CERT in Los Gatos, we practice responding to large scale earthquakes. For the community, not just my property, the risk of wildfire, landslide, flooding, dam release, gas leaks is has high probabilities in specific areas. So the survey should not be confined to an individual's property alone. My property is near, but not on, landslide/flooding/wildfire zones.	<i>This survey was open to all. Individuals who live near, but not in, high risk areas are welcome to participate in future hazard mitigation opportunities as relevant.</i>
There is so little help for disabled people, and most of it is useless in practice.	<i>Equity in mitigation is an important concept. This is integrated into the County and its stakeholders approach to this plan update, and will be something discussed in the future as well.</i>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Public Comment	Response
In Louisiana, parishes have designated hurricane evacuation routes. These are communicated to the public and signs are posted along the routes that say "Hurricane Evacuation Route." Should Santa Clara County consider publishing evacuation routes? Maybe it's no longer necessary since we have Apple Maps. But one would think the county should optimize the routes and assign certain routes to certain neighborhoods to minimize the chaos during evacuations. For example, in New Orleans, they convert all Interstate 10 lanes to westbound only during evacuations to get twice the traffic flow out of the city. Would something like this ever be needed here?	<i>Evacuation routes were not profiled as a part of this plan update. However, other plans currently be updated including the countywide Community Wildfire Protection Plan will evaluate the current evacuation route situation.</i>
People are not well-informed about hazards in their area and what can be done about it,	<i>Multiple public education and outreach actions were included as a part of the 2023 action items listed in this plan in attempt to promote public awareness of the risks to the OA and what can be done about it, including mitigation.</i>
I wish there had been a specific mention of soft-story earthquake hazards in 2-story apartments built in the 1950s–1970s. There are dozens, if not hundreds, of these in Mountain View alone. There doesn't seem to be much progress on addressing this well-known hazard. I also wish there had been a way to share my level of concern about large-scale environmental "tipping points" that might lead to runaway rises in methane and carbon dioxide. I am highly concerned about them!	<i>This is noted as a Jurisdiction-Specific Vulnerability.</i>
I would like to be involved. Gilroy is not well represented or serviced in SCCo.	<i>Gilroy was an active participant in this plan update and because of this, will be eligible for future mitigation funding opportunities. All are welcome to participate in future plan maintenance and implementation initiatives. Further information can be found on Santa Clara County's website.</i>
How are you going to prioritize among all of the issues and needs?	<i>The planning teams prioritized each action in accordance with the criteria listed in this plan.</i>
Solutions should not be forced on residents, rather provide them with a variety of options or alternatives to pick from. Everyone wants the best for the environment and wants to be safe, but no one wants to be dictated to on exactly how, OR, have their options taken away and left with only one method.	<i>The majority of hazard mitigation actions are voluntary, not mandatory, initiatives. Multiple jurisdictions selected additional public education and outreach actions to take in order to share with residents their options for conducting hazard mitigation.</i>
I believe everyone in coastal California should be required to have earthquake insurance.	<i>This suggestion was considered beyond the scope of this hazard mitigation plan update.</i>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Public Comment	Response
Building new housing needs to have support infrastructure such as roads so people can escape their neighborhoods in emergencies and not be trapped due to traffic.	<i>This suggestion was considered beyond the scope of this hazard mitigation plan update however, other current planning initiatives are evaluating evacuation routes.</i>
I'm concerned about the lack of communication abilities when the cell phone towers are down.	<i>Power failure was discussed during the planning meetings as well. A variety of related mitigation activities were identified in the plan participant's lists of mitigation actions.</i>
Traffic hazards, such as the dangerous southbound 101 entrance from Charleston should be closed and replaced by one from San Antonio Road with an auxiliary lane connecting to the off-ramp at Rengstorff.	<i>Traffic incidents were not profiled in this plan update as it focused on natural hazards in accordance with FEMA local mitigation planning guidance. However, it may be considered in future updates.</i>
Stronger support and funding are needed	<i>Mitigation is an ongoing process. Gathering support and funding for projects are common challenges. Additional actions and funding capabilities that could be enhanced to support this goal are included in the list of 2023 actions.</i>
The most concerning time for us was the 2020 wildfires that caused awful smoke throughout our area.	<i>Wildfire smoke was also a concern of the Core Planning Team. It was considered important to address this in this plan update, particularly given recent events. Wildfire smoke was addressed under the "Wildfire" hazard in this plan update.</i>
Ban fires in the Santa Clara Valley. The smoke enters my home and causes breathing problems. The entire neighborhood is affected when people hold bonfires.	<i>This recommendation was considered beyond the scope of this hazard mitigation plan update. Wildfires were considered the primary source of concern for smoke. Smoke from wildfires was addressed in this plan update.</i>
Despite heavy rains, still need to focus on future drought conditions. Also, future pandemics. Would anticipate domestic infrastructure also represent increasing targets for domestic terrorism	<i>Mitigation actions were identified for both inclement weather and drought as a part of this plan update. Terrorism was not profiled as this plan update focused on natural hazards in accordance with FEMA local mitigation planning guidance. However, it may be considered in future updates.</i>
Never hear of any task force I can join	<i>Multiple plan participants selected additional public education and outreach as a part of their mitigation actions. Future opportunities to participate will be advertised publicly. All are encouraged to review the Santa Clara County website for additional information.</i>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Public Comment	Response
There was no mention of pesticides/herbicides esp. from professional gardeners. Also air pollution from living near freeways and greatly increased population driving in in SC Valley in recent years. Affordable access to organic food (vs. genetically modified and sprayed with pesticides/herbicides). I've had a lot of ground settling -- 1 foot drop since the Loma Prieta EQ in 1989, and with cold and wet weather recently more ground settling and my front door latch would hold the door closed so had to get a barn latch put in -- lots of expansion and contraction of house and building materials. ... Way too much population increase in Silicon Valley, very concerned about future resources, availability for everyone, and costing more and getting less.	<i>Food resources were not considered as a part of this hazard mitigation update.</i>
Offer inexpensive yet good coverage insurance	<i>The recommendation was considered beyond the scope of this hazard mitigation plan update but is noted.</i>
I hope some action is taken to secure Saratoga Heights area where landslides happened in 80's and now we see similar issues causing many issues for residents, and all public utilities providers like PG&E, SJ Water and Cupertino/West Valley Sanitation District.	<i>An action item was added by the City of Saratoga to stabilize Saratoga Heights Drive to reduce the possibility of landslide, erosion, and roadway obstruction.</i>
I would like to see more community projects that encourage people to get involved in environment preservation.	<i>Noted.</i>
Great job on forming this working group. I'm hoping the working group incorporates all different age/sex/race/disability groups, Including the young, teens and differently abled folks. Telling folks to get insurance, only solves the end result... driving preemptive solutions would be more effective. E.g. employing more environmental solution minded folks and involving ALL in discussions would be other suggestions.	<i>The planning process was open to all. Further public outreach and education as well as plan maintenance opportunities can be targeted toward a broad range of stakeholders.</i>
The best thing you can do for county residents is repave our roads and add drainage points.	<i>The County included an action item on identifying potential water drainage mitigation projects.</i>
Resources need to be allocated toward hazards affecting renters. The housing stock in SCC is old; the majority of landlords appear reluctant to update their properties to mitigate the hazards that routinely impact renters (extreme heat/cold events) or would we catastrophic if they occurred (severe earthquake).	<i>Multiple plan participants selected additional public education and outreach initiatives as a part of their mitigation actions. Renters are one group that may need additional outreach to understand their options.</i>
Require use of EcoAtlas.org database of headwater streams for all hillside community planning. Require composite mapping of landslides from property geotech reports in hillside communities.	<i>This suggestion was not included at this time.</i>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Public Comment	Response
Please include multilingual community forums. Please include changing street light post bulbs, my community has very dim lightbulbs and some streets are not safely lit.	<i>Multilingual public education and outreach opportunities was noted as a capability that could be expanded.</i>
Would like to see more communities build up many more CERTs since we will need to rely on each other during a disaster	<i>CERTs were considered a capability of multiple participating jurisdictions. Multiple plan participants included mitigation actions regarding support CERTs.</i>
Thanks you for what you are doing -- and especially for publicizing this in various languages. These issues affect all of us in Santa Clara County, and it's so important that the information be disseminated in languages besides English.	<i>The Core Planning Team agreed. In addition to the multilingual engagement conducted during this plan update process, multilingual public education and outreach opportunities was noted as a capability that could be expanded. Multiple plan participants highlighted public education and outreach as a part of their mitigation actions.</i>
Targeted marketing to neighborhoods and level risks. Often, news and warnings are not relevant to all neighborhoods.	<i>Targeted outreach can be a great way to get relevant information into the hands of the people who need it the most. Multiple plan participants selected to include additional public education and outreach efforts as a part of their mitigation actions.</i>
We need to slow or stop growth due to traffic congestion and the greater problems that creates in an emergency, and due to the overbuilding adding risk to more people, and stop building tall buildings on corners of major intersections.	<i>Traffic incidents were not profiled as a hazard in this plan update as this plan focused on natural hazards in accordance with FEMA local mitigation planning guidance however, it could be considered in future updates.</i>
A lot of the rules have changed since the late 1970s early 1980 when I purchased my home in San Jose. I have not heard of any Hazard Mitigation being done in my area of San Jose.	<i>A discussion of San Jose's previous mitigation action items and mitigation success stories is included in the City's annex in Volume II.</i>
Trees offer significant protection against heat and wind as well as soil moisture retention but the city of San Jose has official policies which deforest the city by burdening low-income residents with the cost of maintaining trees and adjacent utility infrastructure, a significant cost risk which average households in the East Side and downtown cannot bear.	<i>This was not identified by the City as a concern during their capability assessment or actions. However, the city is currently developing other environmental-focused plans which may consider this point further.</i>
I am very concerned about the environment of Santa Clara County and the whole world. I would like to learn more and be an advocate for change. I would be happy to do some community outreach to help reduce the plastic use in the valley and to see more trees planted and to see the trees near power lines and trees at risk of falling are pruned for safety.	<i>All are encouraged to become involved in future plan maintenance and implementation opportunities. Please refer to the Santa Clara County website for more information.</i>
Ensure that there is informed public review of plan.	<i>The public was provided a two-week opportunity to review the plan and specific representatives of community-based organizations were invited to review it in addition to planning stakeholders.</i>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Public Comment	Response
We need to keep water in Anderson to mitigate fire risk and wildlife damage/death. Mitigation for possible earthquake shouldn't trump fire dangers	<i>This suggestion was considered beyond the scope of this hazard mitigation plan update however it is noted.</i>
Where are hazardous materials in my community located? What are the disaster plans for my community?	<i>These are good questions which reflect the need for additional public education and outreach. Multiple plan participants selected these kinds of actions in their action plan.</i>
I'd like to see power and utility lines go underground.	<i>Multiple plan participants are actively working on this or selected to include it as an action item.</i>
From a wildland fire hazard perspective, all communities south of Los Gatos served by the Highway 17 corridor can only be honestly described as death traps. A heavy emphasis on evacuation, including fuels reductions along major public roads, is the only way to prevent significant loss of life. Mitigations would include adequate defensible space, planned developments with emergency exits, additional fire agency coverage, a volunteer fire program for the Santa Clara side as Santa Cruz side has, and last but not least, cooperation with certain public and private landowners who either do not care about or do not have the funding to address significant wildfire and fuel hazards. ESPECIALLY SAN JOSE WATER COMPANY.	<i>All of these types of mitigation measures have been evaluated. Multiple plan participants listed similar actions in their action plans. San Jose Water was identified as a potential planning partner however, they did not participate in this plan update.</i>
Fire risks are still extremely real. Homeowners Insurance is tied to this risk. Defensible space is the key. It's neither fun or enjoyable work, but it's essential to community safety.	<i>Defensible space is listed as a mitigation action item for multiple plan participants.</i>
You should include traffic planning as a possible mitigation measure. With many communities narrowing roadways to slow traffic, I'm concerned that if people need to be moved from one area to another, what was once a possible escape corridor that could handle more traffic, has greatly reduced the traffic flow capacity. The city has installed permanent features that narrow the roadway to a single lane in each direction with no option to expand the flow if needed for an evacuation.	<i>This hazard mitigation plan focused on natural hazards in accordance with FEMA local mitigation planning guidance, but this can be reevaluated in future updates.</i>
Using social media to spread the word has drawbacks — it can exclude many from marginalized communities. Please be sure to broaden your messaging beyond the suburban upper-middle class.	<i>Multiple in-person meetings were conducted as a part of this plan update. Further, multiple plan participants selected additional public education and outreach as a part of their mitigation actions moving forward.</i>
Allow us to buy reasonably priced earthquake insurance covering less than total destruction. Allow us to remove trees next to houses for fire safety even when they are healthy.	<i>These suggestions were considered beyond the scope of this hazard mitigation plan update but are noted.</i>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Public Comment	Response
Don't let this winter's record rainfall make you forget that we live in a drought zone!	<i>This hazard mitigation plan update focused on all hazards, including both Heavy rain, heavy winds, extreme temperatures and drought.</i>
(1) Stanford climate scientist, Noah Diffenbaugh, published peer-reviewed research showing that we will be subject more frequently and regularly to both extreme dry spells (leading to wildfires and water shortages) and extreme wind & rain patterns (leading to flooding, landslides, and power outages), all lasting longer periods. We need to plan for our critical infrastructure (i.e. electricity and medical services) to sustain this kind of situations. (2) We need to be ready for a devastating earthquake hitting in a bitter and rainy winter.	<i>The Hazard Mitigation Plan is designed to help communities plan to reduce risk to critical infrastructure, including community lifelines. Both climate change and cascading impacts are considered throughout this plan update.</i>
Fire evacuation in some parts of my community (Los Altos Hills) will be severely hampered by one-lane roads and bottlenecks (e.g., Moody Road by Foothill College) if traffic is not actively controlled (by a human) to keep vehicles moving. Specifically, if traffic lights are not deactivated (or set to blink yellow), they alone will create a massive logjam.	<i>The evaluation of specific evacuation routes was not a part of the scope of this plan update however, other current planning processes around the County are looking into evacuation routes.</i>
Stop building more high density homes in a area that has regular droughts, limiting people helps w low supplies. Stop building in areas anyone w common sense knows could be dangerous, like below Anderson Dam during the last 25 years when it was known to be not earthquake safe. The life's that would have been loss are huge. Areas in SJ that had landslides in the 1960's should never be built on yet many are. See what I mean??? Look at how much concrete covers our land, backyards, water tables cannot be replenished like that. Common sense folks!!!!	<i>This comment is considered beyond the scope of this hazard mitigation plan however, integrating the risk and changes in development information listed in this plan into future planning mechanisms, permitting, and development decisions may lead to the result requested.</i>
Please include local CERT members in you group. I am currently work in quality and I am very good at spotting potential hazards and developing scenarios to fix the issues. SJ CERT program manager can vouch for me & person in charge of CERT, my instructor at Santa Clara County Fire also can. My wife and I are always prepared, 100% all the time!	<i>Stakeholders including CERT members were invited to planning meetings. All were welcome to attend the public meetings and provide feedback on the plan during the review process. All are welcome to participate in future plan maintenance and implementation opportunities. More information will be made available on the Santa Clara County website.</i>
We need to retrofit buildings in which housing is built on top of garage or parking, due to increase risk of collapse in an earthquake.	<i>Mitigation includes retrofitting buildings at risk from collapse during an earthquake. Multiple plan participants listed seismic retrofitting as a part of their mitigation actions.</i>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Public Comment	Response
Please consider making a plan for an electromagnetic pulse or a coronal mass ejection. Also, i lost power 3 times in the last 2 years due to pg&e's equipment failure. Each of these times was for 30 hours or more. Twice during a heatwave. Last summer's power outage cause me heat exhaustion, with confusion and rapid heart rate. It was 113 degrees in my neighborhood and no power. This is so dangerous and I fear it will happen again, it seems pg&e temporarily fixes the problem but under strain the equipment breaks again when we need it most.	<i>Mitigation measures are important for the private sector to consider as well. PG&E participated as a stakeholder in this hazard mitigation plan but did not develop specific actions as a participating jurisdiction.</i>
Educate hillside communities on the CA aquatic resource inventory (EcoAtlas.org) by SFEI - prohibit development near these small streams for public safety. Compile complete map of all minor and major landslide areas - most hillside developments require GeoTech reports which map these slides but a complete county-wide map is not publicly available	<i>These actions were not selected at this time. Additional landslide mapping is available in Volume II for each participating jurisdiction.</i>
I have questions, how will all of this be funded? Who pays?	<i>Potential funding sources are listed in this plan update for each action.</i>
Thank you for doing this. The county needs to consider a more proactive central role in disaster planning that umbrellas the cities.	<i>The County is actively involved in supporting emergency management and hazard mitigation efforts. The engagement between jurisdictions and stakeholders that was conducted for this plan update is described above as well as in each annex.</i>
Freeway exit at Arastradero from 280 North is overgrown with weeds and has flammable debris build-up. The area needs annual weeds/tree debris mitigation, but this to my knowledge has never been done. Fire from cigarettes or ignition from other sources could spread quickly up hill and into the surrounding fields and community. Please attend to this area annually.	<i>A related action was included in the community where this comment came from.</i>
Manage the water supply to homes effectively. Invest in rainwater harvesting mechanisms at the household level.	<i>Multiple plan participants noted their support for rainwater collection during their capability assessment. Further education and outreach on this topic could help residents implement this on a household level. Multiple plan participants indicated their support for additional public education and outreach in their mitigation actions.</i>
Hazmat releases are also concerning.	<i>This plan focused on natural hazards in accordance with FEMA local hazard mitigation planning guidance however, this comment is noted and can be evaluated during future updates.</i>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Public Comment	Response
Has the group done a mapping assessment to understand the number and location of multijurisdictional areas? We live in SCC, but 4 houses up and down is Los Altos. Across the street is Los Altos Hills. We have several hazard issues that need coordination.	<i>Coordination is one of the main goals of the multijurisdictional hazard mitigation planning process. This plan update provided the opportunity to map and assess risk across jurisdictions in Santa Clara County as well as bring partners together. Future opportunities for plan maintenance and the next plan update are intended to continue to promote coordination.</i>
Make users pay to put power and water in the urban forest interface if they want to live there. Not a government or PGE function.	<i>This suggestion was considered beyond the scope of this hazard mitigation plan update but is noted.</i>
I am interested in boosting the flood control around Palo Alto. My neighborhood association, AMNA, has discussed it.	<i>All are welcome to participate in future plan maintenance and implantation opportunities. Further information will be able on the Santa Clara County website. Ideas for how to reduce flood risk in Palo Alto are also listed in this plan update.</i>
We could incorporate this hazard mitigation plan into all other plans for the future of our community to ensure that hazard mitigation is the standard and not the bare minimum.	<i>Future plan integration is a goal of all the plan participants.</i>
We were able to afford putting in some things like a Big watertank, propane generator, solar cells for the sole purpose of mobile electricity, Big bus batteries to store it, etc. I wish there were small kiosks where residents could go that they were aware of--in plain sight, but not commonly operational--for electricity and water (a tank that was always filled, and then refilled during an emergency, as needed). It could hand out masks, tests, do shots, etc. This current system of trying to figure out your insurance, etc, was too much. We could use a single site that was passed everyday by people, a 30-minute walk from people during an emergency.	<i>This recommendation was considered outside the scope of this hazard mitigation plan update but is noted.</i>
How to protect communities in Santa Clara County?	<i>This plan addresses multiple actions and alternatives which can help reduce risk from the hazards Santa Clara County faces.</i>
Need the City of Santa Clara to hold public hearings on these topics!	<i>Residents of the City of Santa Clara were welcome to attend two virtual and five in-person meetings on this plan update. Residents are encouraged to keep in touch with the city via social media for future opportunities.</i>
consider incentive programs for personal emergency preparedness: rebates on expenses.	<i>This suggestion was considered beyond the scope of this hazard mitigation plan update but is noted.</i>
As an apartment renter, unclear what I can do or what I should ask for/about wrt(sic) hazard mitigation.	<i>Renters often need additional information to understand their options. Multiple plan participants included public education and outreach initiatives as a part of their mitigation actions.</i>

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Public Comment	Response
Please create a plan and educate the community.	<i>Multiple plan participants included public education and outreach initiatives as a part of their mitigation actions.</i>
We are on a ridge, hence no personal concern related to flood or dam failure. Built home in 1980. Structure and property did just fine in Loma Prieta quake so we feel very fortunate. Extremely concerned about potential for wildfire issues however. No problem with insurance so far, but have intentionally avoided discussing the issue with our long-standing provider. New buyers in our neighborhood have been consistently turned down for insurance due to fire hazard. I am president of our small (20 properties) HOA and would welcome being a conduit for any relevant information. Many thanks to whoever is reading this for all that you are doing for our county-wide community!	<i>All are welcome to participate in future plan maintenance and implementation opportunities, including HOAs. Further information will be available on the Santa Clara County website.</i>
Good Job on the survey. I think the most important hazard is fire as we live in a valley surrounded by hillsides. Sea Rise might be next (flooding in Sunnyvale all the way to El Camino?) and then earthquakes. I think more regular people should be trained in emergency preparedness. Thanks again for the opportunity to participate in the survey.	<i>All of the hazards listed are profiled in this hazard mitigation plan update. Additional public education and outreach initiatives were selected as part of multiple plan participants' mitigation actions.</i>
Fire Hazard risk reporting system should be available and a well-known like 911 The area we live in Cupertino has very high risk of Fire Hazard due to poor maintenance of the open area. But I still have not found an effective authority to contact after many years	<i>Issues like knowing who to contact can be resolved through additional education and outreach. Multiple plan participants included additional public education and outreach activities as a part of their mitigation actions.</i>
Please get Caltrans and the State to clear the overgrown and dead foliage on Highway 9 (Saratoga-Los Gatos Rd.) It's the only wildfire evacuation route for my house and many others.	<i>This activity was considered beyond the scope of this hazard mitigation plan update but is noted.</i>
I think it is time to re-implement natural disaster and civil defense training & preparedness for communities. Evacuation plans, how to shelter-in-place, community/neighborhood-based support groups. Better to be prepared than to panic.	<i>Multiple plan participants included additional public education and outreach activities as a part of their mitigation actions.</i>
It is vitally important to actively go into the community and send specialists to observe survey storm and any disaster damages to private property, non-county maintained roads and infrastructures, wells, etc. in unincorporated areas of County-- so to NOT FAIL in acquiring constituents needed relief, and Hazard Mitigation funding for resilience planning for all Disasters, including Wildfire.	<i>The County actively supports obtaining Hazard Mitigation funding and identified this as a capability that can be increased this planning cycle.</i>

Public Meeting Summary

A total of seven public meetings, two virtual and five in-person, were held across the OA. During these meetings, members of the public were surveyed in-person, invited to take the digital MJHMP survey, and had the opportunity to discuss their hazard-related concerns. The results helped the plan participants including the County learn about the public's interests, hazard impacts, and awareness of their risks.

Q2: In the Past 5 Years, What Hazardous Event Has Had the Greatest Impact on Your Life/Home?

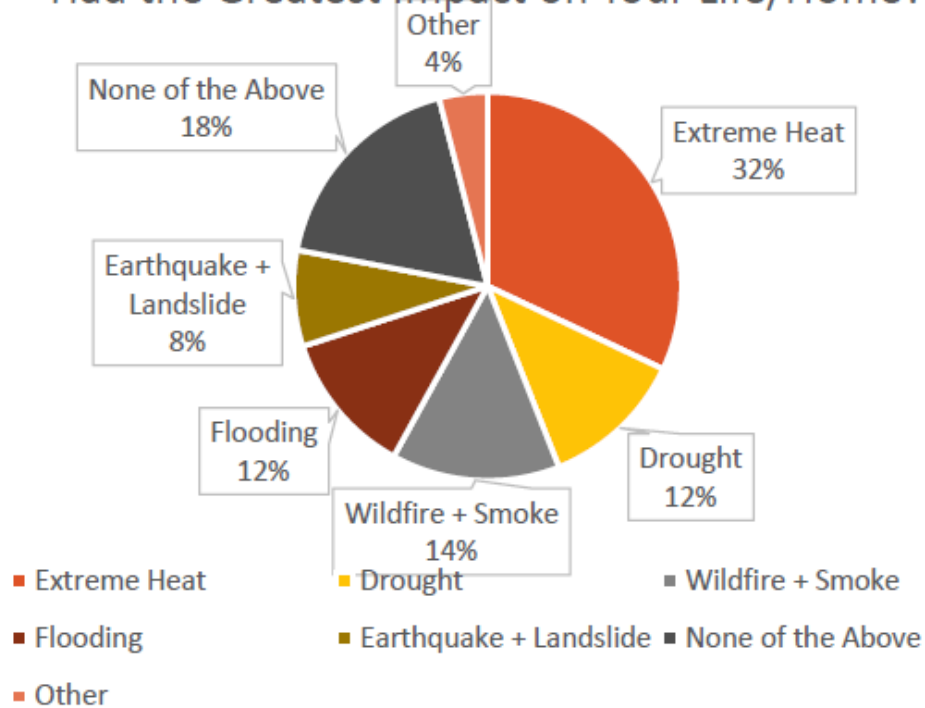


Figure 80: Sample Public Feedback on Hazard Impacts - Gilroy Meeting

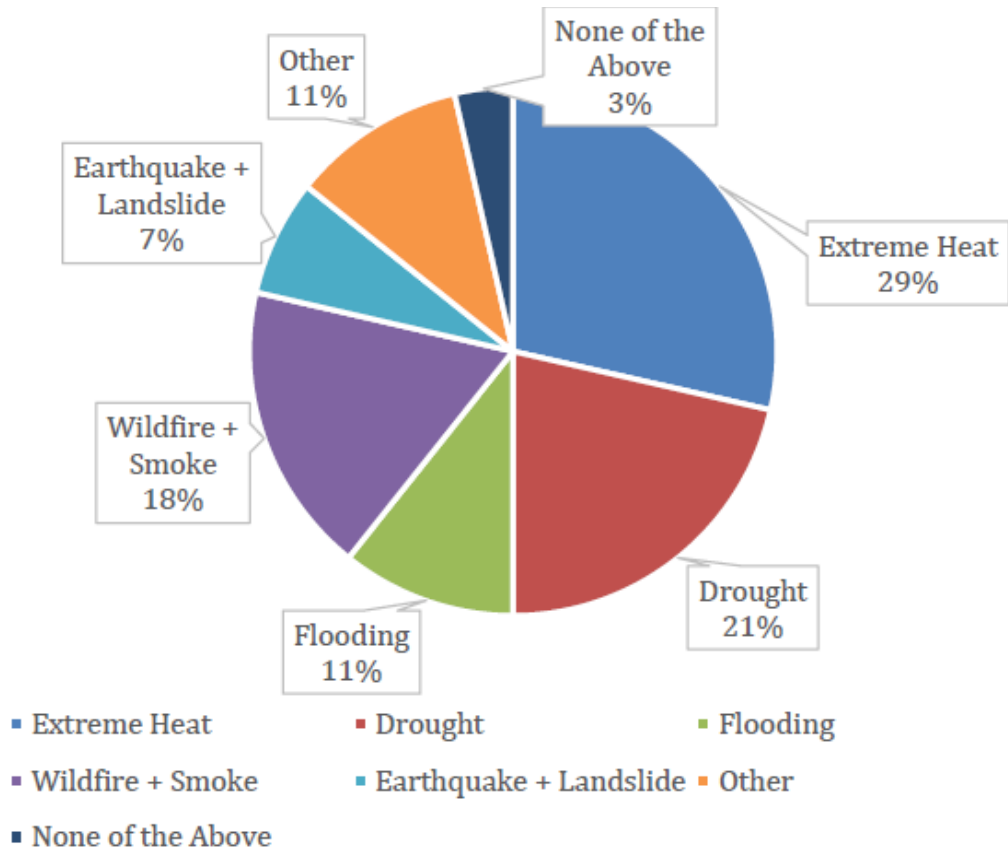


Figure 81: Sample Public Feedback on Hazard Impacts - Campbell Meeting

1. What are your primary hazards of concern and why?
¿Cuáles son los principales peligros que le preocupan y por qué?

Extreme Heat / Calor extremo

a. I do not have air conditioning in my home / No tengo aire acondicionado en mi casa

b. I have air conditioning in my home, but cannot afford to run it during all heat events / Tengo aire acondicionado en mi casa, pero no puedo costearlo durante eventos de calor extremo

c. I work outdoors / Trabajo al aire libre

d. I have a family member or friends that work outdoors / Tengo un familiar o amigos que trabajan al aire libre

e. No close access to a cooling facility such as a park, library, or community center / Las instalaciones del centro de enfriamiento, como parques, bibliotecas o centros comunitarios, no se encuentran cerca de mí

f. There are cooling facilities such as a park, library, or community center in my community, but I don't have physical access or do not feel safe going. / Instalaciones de centros de enfriamiento, como un parque, bibliotecas o centros comunitarios en mi comunidad, pero no puedo viajar allí debido al acceso físico o problemas de seguridad

2. Drought / Sequía

a. Plants are dying / Las plantas se están poniendo marrones y/o muriendo

b. Financial hardship of increased water cost / El aumento de los costos del agua es un desafío para mí

c. Water restrictions affect my health and well-being / Las restricciones de agua afectan mi salud y bienestar

d. I work in agriculture on a related field and drought has led to less work / Trabajo en el sector agrícola y la sequía ha provocado menos trabajo

3. Wildfire + Smoke / Incendio forestal + Humo

a. Injury to myself, family, friends / Lesión a mí mismo, familia, amigos

b. Loss of home, car, belongings / Pérdida de casa, coche, pertenencias

c. Don't have insurance to cover my belongings / No tengo seguro contra incendios para proteger mi propiedad y pertenencias

d. I am sensitive to smoke and pollution / Soy sensible al humo y la contaminación del aire

e. I have a family member or friends that are sensitive to smoke and pollution / Tengo un familiar o amigos que son sensibles al humo y la contaminación del aire

f. Fear of not being able to escape wildfire / Miedo a no poder escapar de un incendio forestal

g. Don't have information where to go during event of a wildfire evacuation / No sabe adónde ir durante un evento de evacuación por incendio forestal

Figure 82: Sample In-Person Feedback Option - Gilroy Meeting

Table 144: General Feedback Received

Public Feedback
Wind is a real concern. Falling trees and powerlines are scary to deal with.
Residents are not universally affected by flooding.
Needs to be planning for evacuation on non-County maintained roads. How many residents are in Lexington Hills? No one is paying attention or communicating what is going on in these areas.
PG&E doesn't care about their mess.
Power is slow to come back on in current event. (Note: There was a heat wave at the time of this meeting)
"Priorities" shift seasonally, but they are all important.
Living with wildfires is a new reality for us. People are working outside when the air is unbreathable. Indoor workers work without money for air filtration systems. Not just need for cool centers, but filtration.

Public Feedback
Drought – a community well system is expensive. This is another hazard that is seasonal. Need better system for capturing stormwater runoff. Need more education and funding. Need help installing residential and community systems.
San Jose Water increasing rates, doing a lot of work right now
Flooding – takes a long time to recover from losses, get back to pre-disaster state. Roads washing out. Flooding is an additional insurance, many areas didn't know it was something they needed.
Extreme heat events happening more frequently and closer together than they use to. ("Once in 25 year rainfall" is happening five times per month)
Weekly newsletters/newspapers to spread information
Sirens in Gilroy, used them in '98, haven't used recently to signify floods. Five minutes can make a big difference as a house floods.
Monterey County uses Alert/Sheriff system all the time – has evacuation warning and fire maps. Make you respond that they've reached out.
How much time is enough time to evacuate and prepare? Depends on the event. Storms vs fire vs drought have really different timescale.
Averages don't always capture the real situation on the ground – also look at min and max.
Why are these outreach meetings not also being sent out as press release to local news media for general circulation. Weekly newspapers service each of the different areas of the County unincorporated areas: make a requirement for public notice?
County failed to designate evacuation route planning since 2009 CWPP recommendations. Subdivisions of 30+ homes share a single egress route.
Participants expressed some frustration that the County does not engage with the South County communities enough.
Many questions about how the County is letting people in general know about hazards, specifically flood zones and flood risks, and how are the County is specifically reaching out to farm worker camps.
A reminder that mailing the property owners (directly or through water bill, etc) does not always provide information to renters or temporary residents.
One question about noxious fumes from a sewage plant impacting a neighborhood.
Advance Earthquake warning system should be in place.
Flood area warning system for the public within the areas that are known to flood regularly.
Air quality and evacuation for farm workers. The recent fires showed that the farm workers were not given notices for evacuations or poor air quality like the homeowners in the new housing tracks.

A few key takeaways from this public feedback was how concerned the public is with their risk from the hazards the OA face. Climate-change related changes in hazard frequency and severity is already being felt across the OA. This puts more people in harm's way from hazards they were not aware they would have to face. Further impacts are discussed throughout the hazard profiles and jurisdictional-specific vulnerabilities are highlighted in Volume II of this plan.

Further, there is significant need for additional public education and outreach. The public may be aware of some hazards, but not all risk is equal. Outreach to both homeowners and renters is important. Mitigation measures such as air filtration are also needed not only for public infrastructure, but residential and private sector structures as well. Additional public education and outreach actions are identified in Volume II of this plan.

Listening Section Summaries



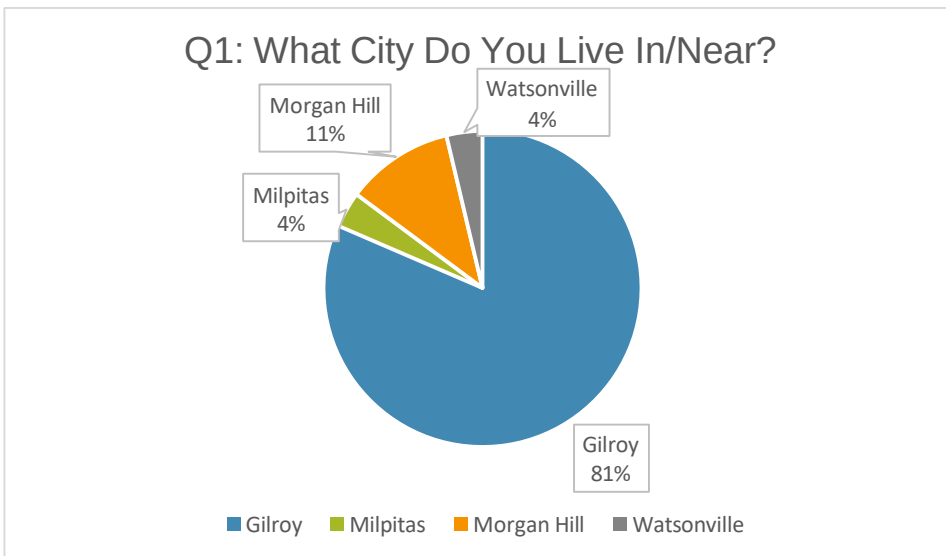
Summary

Safety Element/MJHMP Update Listening Session # 1: CARAS December 15, 2022 5:30 – 7:00 PM

Facilitators: Sam Gutierrez, Principal Planner, County of Santa Clara
Location: CARAS, Gilroy, CA

The Listening Session began with a poll to help the County better understand community demographics and experiences. As illustrated in *Figure 1. What City Do you Live In/Near?* A majority of residents live in or near Gilroy.

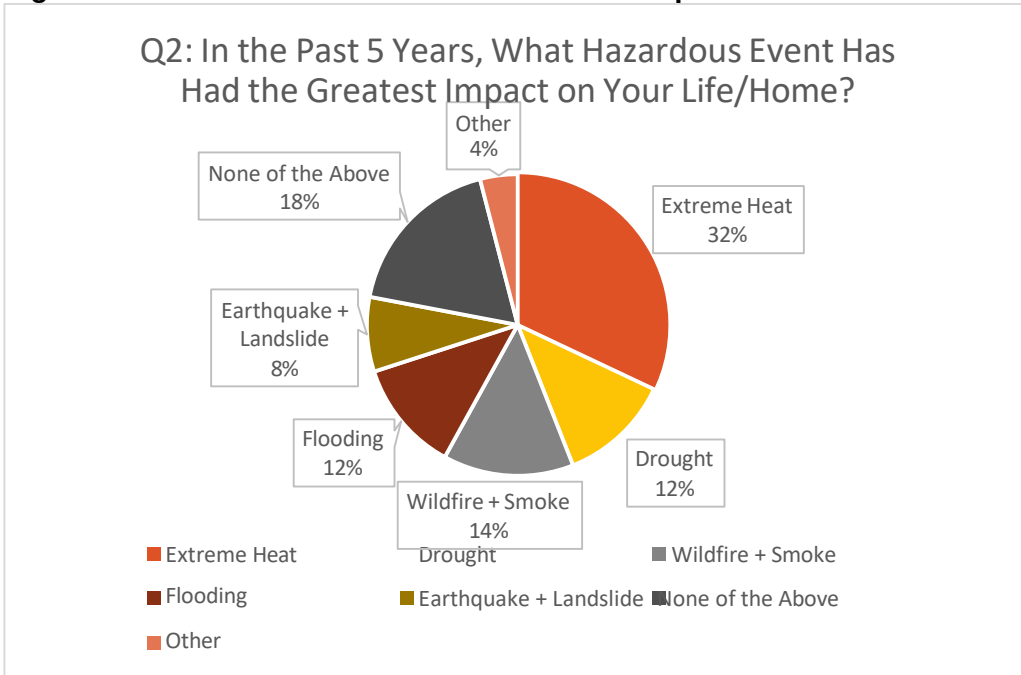
Figure 1. What City Do you Live In/Near?



As illustrated in Figure 2. Hazardous Events with the Greatest Impact, participants have experienced a broad range of hazardous events with Extreme Heat the primary event. Drought, wildfire + smoke, and

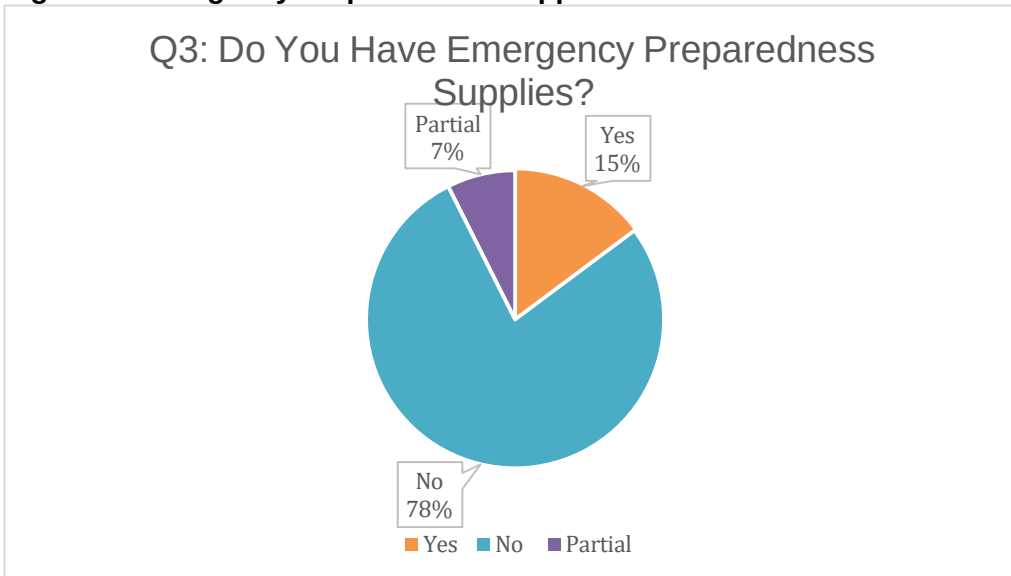
flooding were experienced by 14 percent of participants. 82 percent of all participants have experienced a hazardous event that has impacted their life or home in the past 5 years.

Figure 2. Hazardous Events with the Greatest Impact



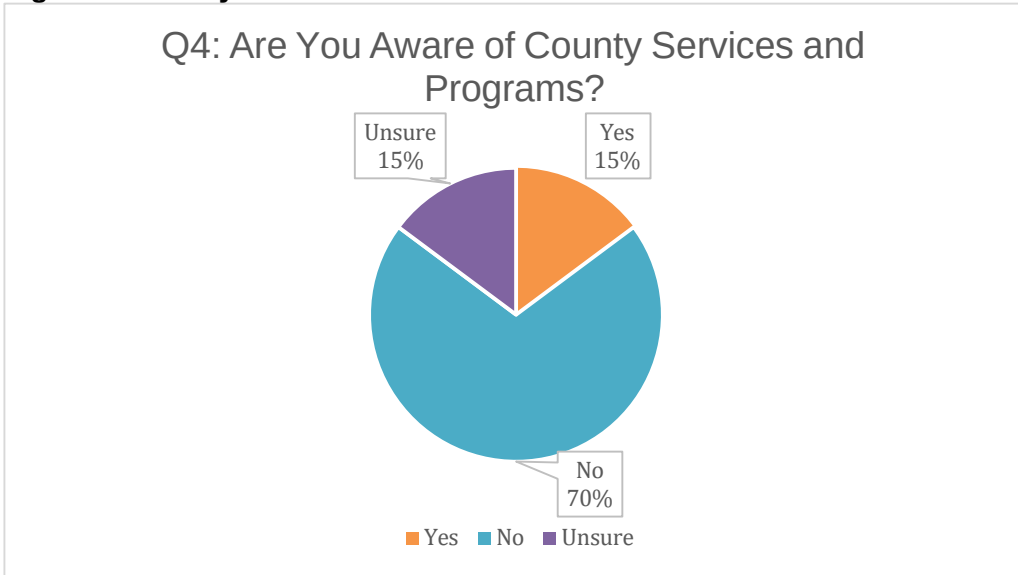
Approximately 4 out of 5 participants do not have a home emergency preparedness kit or supplies to support their household in the event of an emergency.

Figure 3. Emergency Preparedness Supplies



Finally, only 15 percent of participants were aware of County Services or Programs to support them prepare or respond to a hazardous event as illustrated in in Figure 4. County Services Awareness.

Figure 4. County Services Awareness.



County staff facilitated a interactive session where participants could respond to questions posted on whiteboards. The following are their responses.

1. What are your primary hazards of concern and why?

Safety Element Update 2023

1. What are your primary hazards of concern and why?
¿Cuáles son los principales peligros que le preocupan y por qué?

Place colored stickers here / Coloque las etiquetas de colores aquí

1. Extreme Heat / Color extremo

- a. I do not have air conditioning in my home / No tengo aire acondicionado en mi casa
- b. I have air conditioning in my home, but cannot afford to run it during all heat events / Tengo aire acondicionado en mi casa, pero no puedo costearlo durante eventos de calor extremo
- c. I work outdoors / Trabajo al aire libre
- d. I have a family member or friends that work outdoors / Tengo un familiar o amigos que trabajan al aire libre
- e. No close access to a cooling facility such as a park, library, or community center / Las instalaciones del centro de enfriamiento, como parques, bibliotecas o centros comunitarios, no se encuentran cerca de mí
- f. There are cooling facilities such as a park, library, or community center in my community, but I don't have physical access or do not feel safe going. / Instalaciones de centros de enfriamiento, como un parque, bibliotecas o centros comunitarios en mi comunidad, pero no puedo viajar allí debido al acceso físico o problemas de seguridad

2. Drought / Sequia

- a. Plants are dying / Las plantas se están poniendo marrones y/o muriendo
- b. Financial hardship of increased water cost / El aumento de los costos del agua es un desafío para mí
- c. Water restrictions affect my health and well-being / Las restricciones de agua afectan mi salud y bienestar
- d. I work in agriculture or a related field and drought has led to loss work / Trabajo en el sector agrícola y la sequía ha provocado menos trabajo

3. Wildfire + Smoke / Incendio forestal + Humo

- a. Injury to myself, family, friends / Lesión a mi mismo, familia, amigos
- b. Loss of home, car, belongings / Pérdida de casa, coche, pertenencias
- c. Don't have insurance to cover my belongings / No tengo seguro contra incendios para proteger mi propiedad y pertenencias
- d. I am sensitive to smoke and pollution / Soy sensible al humo y la contaminación del aire
- e. I have a family member or friends that are sensitive to smoke and pollution / Tengo un familiar o amigos que son sensibles al humo y la contaminación del aire
- f. Fear of not being able to escape wildfire / Miedo a no poder escapar de un incendio forestal
- g. Don't have information where to go during event of a wildfire evacuation / No sabe adónde ir durante un evento de evacuación por incendio forestal

Place colored stickers here / Coloque las etiquetas de colores aquí

Place colored stickers here / Coloque las etiquetas de colores aquí

Place colored stickers here / Coloque las etiquetas de colores aquí

Santa Clara County Multijurisdictional Hazard Mitigation Plan

Safety Element
Update 2023

1. What are your primary hazards of concern and why?
¿Cuáles son los principales peligros que le preocupan y por qué?

4. Flooding / Inundación

a. Injury to myself, family, friends / *Lesión a mí mismo, familia, amigos*

b. Loss of home, car, belongings / *Pérdida de casa, coche, pertenencias*

c. Don't have insurance to cover my belongings / *No tengo seguro contra inundaciones para proteger mi propiedad y pertenencias*

d. Fear of not being able to escape a flood / *Miedo a no poder escapar de una inundación*

e. Don't have information where to go during event of a flooding evacuation / *No sabe adónde ir durante un evento de evacuación por inundación*

5. Earthquake + Landslide / Terremoto + Deslizamiento de tierra

a. Injury to myself, family, friends / *Lesión a mí mismo, familia, amigos*

b. Loss of home, car, belongings / *Pérdida de casa, coche, pertenencias*

c. Don't have insurance to cover my belongings / *No tengo seguro contra terremotos para proteger mi propiedad y pertenencias*

d. Fear of not being able to escape landslide / *No sé si los peligros de deslizamientos de tierra son una preocupación para mi comunidad*

e. Don't have information where to go during event of an earthquake evacuation / *No sabe qué hacer o adónde ir después de un terremoto*

Place colored stickers here / Coloque las etiquetas de colores aquí

1. Extreme Heat / Calorextremo	
a. I do not have air conditioning in my home / <i>No tengo aire acondicionado en mi casa</i>	6
b. I have air conditioning in my home, but cannot afford to run it during all heat events / <i>Tengo aire acondicionado en mi casa, pero no puedo costearlo durante eventos de calor extremo</i>	8
c. I work outdoors / <i>Trabajo al aire libre</i>	0
d. I have a family member or friends that work outdoors / <i>Tengo un familiar o amigos que trabajan al aire libre</i>	7
e. No close access to a cooling facility such as a park, library, or community center / <i>Las instalaciones del centro de enfriamiento, como parques, bibliotecas o centros comunitarios, no se encuentran cerca de mí</i>	2
f. There are cooling facilities such as a park, library, or community center in my community, but I don't have physical access or do not feel safe going. / <i>Instalaciones de centros de enfriamiento, como un parque, bibliotecas o centros comunitarios en mi comunidad, pero no puedo viajar allí debido al acceso físico o problemas de seguridad</i>	2
2. Drought / Sequía	
a. Plants are dying / <i>Las plantas se están poniendo marrones y/o muriendo</i>	3
b. Financial hardship of increased water cost / <i>El aumento de los costos del agua es un desafío para mí</i>	6
c. Water restrictions affect my health and well-being / <i>Las restricciones de agua afectan mi salud y bienestar</i>	3

Santa Clara County Multijurisdictional Hazard Mitigation Plan

d. I work in agriculture or a related and drought has led to less work / <i>Trabajo en el sector agrícola y la sequía ha provocado menos trabajo</i>	5
3. Wildfire + Smoke / Incendioforestal+ Humo	
a. Injury to myself, family, friends / <i>Lesión a mí mismo, familia, amigos</i>	6
b. Loss of home, car, belongings / <i>Pérdida casa, coche, pertenencias</i>	5
c. Don't have insurance to cover my belongings / <i>No tengo seguro contra incendios para proteger mi propiedad y pertenencias</i>	6
d. I am sensitive to smoke and pollution / <i>Soy sensible al humo y la contaminación del aire</i>	4
e. I have a family member or friends that are sensitive to smoke and pollution / <i>Tengo un familiaro amigos que son sensibles al humo y la contaminación del aire</i>	4
f. Fear of not being able to escape wildfire / <i>Miedo a no poder escapar de un incendio forestal</i>	5
g. Don't have information where to go during event of a wildfire evacuation / <i>No sabe adónde ir durante un evento de evacuación por incendio forestal</i>	5
4. Flooding / Inundación	
a. Injury to myself, family, friends / <i>Lesión a mí mismo, familia, amigos</i>	10
b. Loss of home, car, belongings / <i>Pérdida casa, coche, pertenencias</i>	6
c. Don't have insurance to cover my belongings / <i>No tengo seguro contra inundaciones para proteger mi propiedad y pertenencias</i>	6
d. Fear of not being able to escape a flood / <i>Miedo a no poder escapar de una inundación</i>	4
e. Don't have information where to go during event of a flooding evacuation / <i>No sabe adónde ir durante un evento de evacuación por inundación</i>	6
5. Earthquake+ Landslide / Terremoto+ Deslizamiento de tierra	
a. Injury to myself, family, friends / <i>Lesión a mí mismo, familia, amigos</i>	10
b. Loss of home, car, belongings / <i>Pérdida casa, coche, pertenencias</i>	8
c. Don't have insurance to cover my belongings / <i>No tengo seguro contra terremotos para proteger mi propiedad y pertenencias</i>	5
d. Fear of not being able to escape landslide / <i>No sé si los peligros de deslizamientos de tierra son una preocupación para mi comunidad</i>	5
e. Don't have information where to go during event of an earthquake evacuation / <i>No sabe qué hacer o adónde ir después de un terremoto</i>	9

2. Which of the following applies to your household? Check all that apply.

Safety Element Update 2023

2. Which of the following applies to your household? Check all that apply.
¿Cuál de los siguientes se aplica a su hogar? Marque todo lo que corresponda.

a. My household can easily cover the cost of housing. / Mi hogar puede cubrir fácilmente el costo de la vivienda.

b. My household can easily cover other regular expenses like transportation, food, and healthcare. / Mi hogar puede cubrir fácilmente otros gastos regulares como transporte, comida y atención médica.

c. My household has spent more than \$100 in the past year on repairing damages caused by the environment or reducing potential impacts. / Mi hogar ha gastado más de \$100 el año pasado en reparar daños causados por peligros o reducir problemas futuros.

d. We have delayed repairs we want to do to our home (like roof, windows, mold) because of cost. / Hemos retrasado las reparaciones que queremos hacer en nuestra casa (como el techo, las ventanas, el moho) debido al costo.

e. We do not have but need flood insurance. / No tenemos pero necesitamos seguro contra inundaciones.

f. We do not have earthquake insurance. / No tenemos seguro contra terremotos.

g. If my household faced a \$400 emergency expense, we would not be able to immediately pay for it in cash. / Si mi hogar enfrentara un gasto de emergencia de \$400, no podríamos pagarlo inmediatamente en efectivo.

h. In order to pay a \$400 emergency expense, my household would have to pay with a credit card or borrow the money. / Para pagar un gasto de emergencia de \$400, mi hogar tendría que pagar con una tarjeta de crédito o pedir prestado el dinero.

i. Other / Otro

a. My household can easily cover the cost of housing. / Mi hogar puede cubrir fácilmente el costo de la vivienda.	1
b. My household can easily cover other regular expenses like transportation, food, and healthcare. / Mi hogar puede cubrir fácilmente otros gastos regulares como transporte, comida y atención médica.	1
c. My household has spent more than \$100 in the past year on repairing damages caused by the environment or reducing potential impacts. / Mi hogar ha gastado más de \$100 el año pasado en reparar daños causados por peligros o reducir problemas futuros.	4
d. We have delayed repairs we want to do to our home (like roof, windows, mold) because of cost. / Hemos retrasado las reparaciones que queremos hacer en nuestra casa (como el techo, las ventanas, el moho) debido al costo.	5
e. We do not have or need flood insurance. / No tenemos seguro contra inundaciones.	5
f. We do not have earthquake insurance. / No tenemos seguro contra terremotos.	9
g. If my household faced a \$400 emergency expense, we would not be able to immediately pay for it in cash. / Si mi hogar enfrentara un gasto de emergencia de \$400, no podríamos pagarlo inmediatamente en efectivo.	10
h. In order to pay a \$400 emergency expense, my household would have to pay with a credit card or borrow the money. / Para pagar un gasto de emergencia de \$400, mi hogar tendría que pagar con una tarjeta de crédito o pedir prestado el dinero.	9
i. Other / Otro	

3. What information or materials would be helpful to make you feel safer in future hazardous events? What County resources or programs (e.g., fire safety) would be helpful to prepare you for future hazardous events?

What information or materials would be helpful to make you feel safer in future hazardous events?

a. Emergency alerts / Alertas de emergencia	7
b. Know evacuation routes / Conoce las rutas de evacuación	7
c. Items to keep in an emergency preparedness kit / Artículos para tener en un kit de preparación para emergencias	5
d. What to do with pets / Que hacer con las mascotas	4
e. Where are shelters or temporary cooling centers / Donde se ubican albergues o centros de enfriamiento temporal	5

What County resources or programs (e.g., fire safety) would be helpful to prepare you for future hazardous events?

a. Phone app that provides alerts / Aplicación de teléfono que proporciona alertas	3
b. Information about financial resources or services to support preparedness / Información sobre recursos financieros o servicios para apoyar la preparación	2
c. Written information provided in my language spoken / Información escrita proporcionada en mi idioma hablado	2
d. The ability to call someone at the County for support in my language / La capacidad de llamar a alguien en el condado para obtener apoyo en mi idioma	2

aalguien en el condado para obtener apoyo en mi idioma

5. Which of the following would you prioritize for neighborhood improvements?

a. Improved transit infrastructure (bus stops, signs, benches) / Infraestructura de tránsito mejorada (paradas de autobús, letreros, bancos)	8
b. Safer biking routes / Rutas ciclistas más seguras	2
c. Pedestrian safety (sidewalks, crosswalks, speed bumps) / Rutas peatonales más seguras (aceras, cruces peatonales, badenes)	4
d. Improved water supply (safe drinking, firefighting) / Mejor suministro de agua (bebida segura, extinción de incendios)	4
e. Flood barriers / Barreras contra inundaciones	2
f. Security cameras for safety and dumping / Cámaras de seguridad para seguridad y vertido	3
g. More or improved parks / Más parques o mejorados	2
h. Improved roads (potholes) / Carreteras mejoradas (baches)	4
i. Air quality monitoring / Monitoreo de la calidad del aire	2
j. Cool and clean air shelters (community center) / Centros de enfriamiento/refugios de aire limpio (centro comunitario)	0



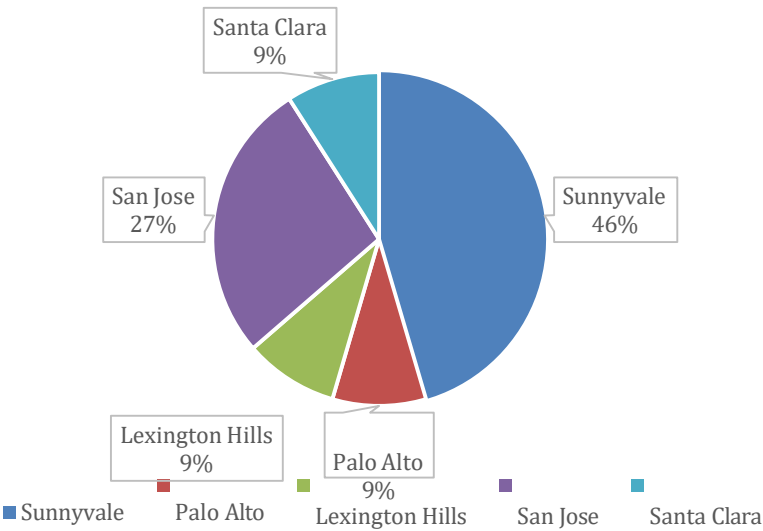
Summary

Safety Element/MJHMP Update
Listening Session # 3: CRC
March 15, 2023 5:30 – 7:00 PM

Facilitators: Sam Gutierrez, Principal Planner, County of Santa Clara Location: Campbell Community Center, Campbell, CA

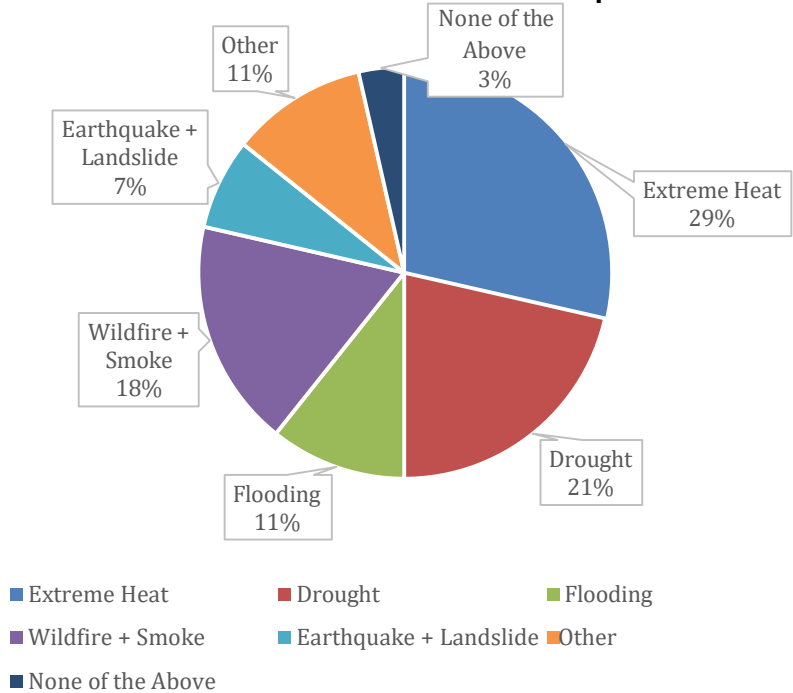
The Listening Session began with a poll to help the County better understand community demographics and experiences. As illustrated in *Figure 1. What City Do you Live In/Near?* A majority of residents live in or near Sunnyvale.

Figure 1. What City Do you Live In/Near?



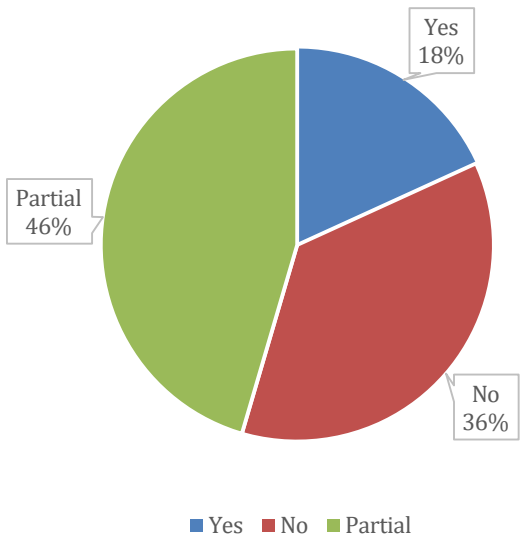
As illustrated in Figure 2. Hazardous Events with the Greatest Impact, participants have experienced a broad range of hazardous events with Extreme Heat the primary event, followed by Drought. Wildfire + smoke, and flooding were experienced by at least 11 percent of participants. 97 percent of all participants have experienced a hazardous event that has impacted their life or home in the past 5 years.

Figure 2. Hazardous Events with the Greatest Impact



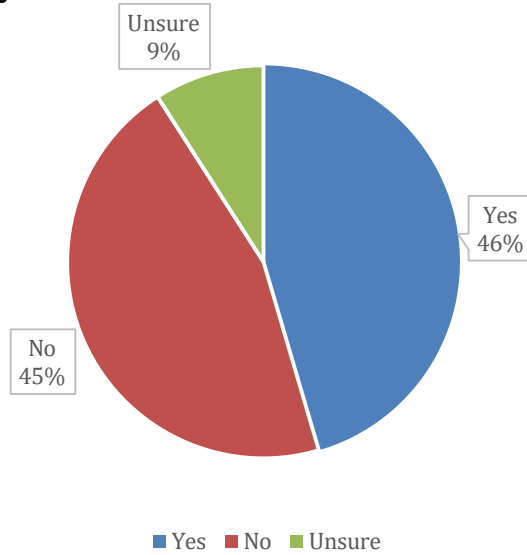
Approximately 1/3 of participants do not have a home emergency preparedness kit or supplies to support their household in the event of an emergency as shown in Figure 3.

Figure 3. Emergency Preparedness Supplies



Finally, only 46 percent of participants were aware of County Services or Programs to support them prepare or respond to a hazardous event as illustrated in in Figure 4. County Services Awareness.

Figure 4. County Services Awareness.



County staff facilitated a interactive session where participants could respond to questions posted on whiteboards. The following are their responses.

1. What are your primary hazards of concern and why?

Wildfire, severe rainstorms and evacuation planning, eroded roads

1. Extreme Heat / Calorextremo	
a. I do not have air conditioning in my home / No tengo aire acondicionado en mi casa	1
b. I have air conditioning in my home, but cannot afford to run it during all heat events / Tengo aire acondicionado en mi casa, pero no puedo costearlo durante eventos de calor extremo	1
c. I work outdoors / Trabajo al aire libre	
d. I have a family member or friends that work outdoors / Tengo un familiar o amigos que trabajan al aire libre	1
e. No close access to a cooling facility such as a park, library, or community center / Las instalaciones del centro de enfriamiento, como parques, bibliotecas o centros comunitarios, no se encuentran cerca de mí	
f. There are cooling facilities such as a park, library, or community center in my community, but I don't have physical access or do not feel safe going. / Instalaciones de centros de enfriamiento, como un parque, bibliotecas o centros comunitarios en mi comunidad, pero no puedo viajar allí debido al acceso físico o problemas de seguridad	

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2. Drought / Sequía	
a. Plants are dying / <i>Las plantas se están poniendo marrones y/o muriendo</i>	3
b. Financial hardship of increased water cost / <i>El aumento de los costos del agua es un desafío para mí</i>	3
c. Water restrictions affect my health and well-being / <i>Las restricciones de agua afectan mi salud y bienestar</i>	1
d. I work in agriculture or a related and drought has led to less work / <i>Trabajo en el sector agrícola y la sequía ha provocado menos trabajo</i>	
3. Wildfire + Smoke / Incendioforestal+ Humo	
a. Injury to myself, family, friends / <i>Lesión a mí mismo, familia, amigos</i>	1
b. Loss of home, car, belongings / <i>Pérdida de casa, coche, pertenencias</i>	1
c. Don't have insurance to cover my belongings / <i>No tengo seguro contra incendios para proteger mi propiedad y pertenencias</i>	1
d. I am sensitive to smoke and pollution / <i>Soy sensible al humo y la contaminación del aire</i>	5
e. I have a family member or friends that are sensitive to smoke and pollution / <i>Tengo un familiaro amigos que son sensibles al humo y la contaminación del aire</i>	5
f. Fear of not being able to escape wildfire / <i>Miedo a no poder escapar de un incendio forestal</i>	2
g. Don't have information where to go during event of a wildfire evacuation / <i>No sabe adónde ir durante un evento de evacuación por incendio forestal</i>	5
4. Flooding / Inundación	
a. Injury to myself, family, friends / <i>Lesión a mí mismo, familia, amigos</i>	
b. Loss of home, car, belongings / <i>Pérdida de casa, coche, pertenencias</i>	
c. Don't have insurance to cover my belongings / <i>No tengo seguro contra inundaciones para proteger mi propiedad y pertenencias</i>	4
d. Fear of not being able to escape a flood / <i>Miedo a no poder escapar de una inundación</i>	4
e. Don't have information where to go during event of a flooding evacuation / <i>No sabe adónde ir durante un evento de evacuación por inundación</i>	2
5. Earthquake+ Landslide / Terremoto+ Deslizamiento de tierra	
a. Injury to myself, family, friends / <i>Lesión a mí mismo, familia, amigos</i>	4
b. Loss of home, car, belongings / <i>Pérdida de casa, coche, pertenencias</i>	3
c. Don't have insurance to cover my belongings / <i>No tengo seguro contra terremotos para proteger mi propiedad y pertenencias</i>	3
d. Fear of not being able to escape landslide / <i>No sé si los peligros de deslizamientos de tierra son una preocupación para mi comunidad</i>	2
e. Don't have information where to go during event of an earthquake evacuation / <i>No sabe qué hacer o adónde ir después de un terremoto</i>	3

2. Which of the following applies to your household? Check all that apply.

a. My household can easily cover the cost of housing. / Mi hogar puede cubrir fácilmente el costo de la vivienda.	2
b. My household can easily cover other regular expenses like transportation, food, and healthcare. / Mi hogar puede cubrir fácilmente otros gastos regulares como transporte, comida y atención médica.	2
c. My household has spent more than \$100 in the past year on repairing damages caused by the environment or reducing potential impacts. / Mi hogar ha gastado más de \$100 el año pasado en reparar daños causados por peligros o reducir problemas futuros.	3
d. We have delayed repairs we want to do to our home (like roof, windows, mold) because of cost. / Hemos retrasado las reparaciones que queremos hacer en nuestra casa (como el techo, las ventanas, el moho) debido al costo.	3
e. We do not have or need flood insurance. / No tenemos seguro contra inundaciones.	4
f. We do not have earthquake insurance. / No tenemos seguro contra terremotos.	2
g. If my household faced a \$400 emergency expense, we would not be able to immediately pay for it in cash. / Si mi hogar enfrentara un gasto de emergencia de \$400, no podríamos pagarlo inmediatamente en efectivo.	1
h. In order to pay a \$400 emergency expense, my household would have to pay with a credit card or borrow the money. / Para pagar un gasto de emergencia de \$400, mi hogar tendría que pagar con una tarjeta de crédito o pedir prestado el dinero.	1
i. Other / Otro	

3. What information or materials would be helpful to make you feel safer in future hazardous events? What County resources or programs (e.g., fire safety) would be helpful to prepare you for future hazardous events?

a. Emergency alerts / Alertas de emergencia	5
b. Know evacuation routes / Conoce las rutas de evacuación	5
c. Items to keep in an emergency preparedness kit / Artículos para tener en un kit de preparación para emergencias	3
d. What to do with pets / Que hacer con las mascotas	2
e. Where are shelters or temporary cooling centers / Donde se ubican albergues o centros de enfriamiento temporal	3

What County resources or programs (e.g., fire safety) would be helpful to prepare you for future hazardous events?

a. Phone app that provides alerts / Aplicación de teléfono que proporciona alertas	4
b. Information about financial resources or services to support preparedness / Información sobre recursos financieros o servicios para apoyar la preparación	3
c. Written information provided in my language spoken / Información escrita proporcionada en mi idioma hablado	1
d. The ability to call someone at the County for support in my language / La capacidad de llamar a alguien en el condado para obtener apoyo en mi idioma	

5. Which of the following would you prioritize for neighborhood improvements?

a. Improved transit infrastructure (bus stops, signs, benches) / Infraestructura de tránsito mejorada (paradas de autobús, letreros, bancos)	1
b. Safer biking routes / Rutas para ciclistas más seguras	
c. Pedestrian safety (sidewalks, crosswalks, speed bumps) / Rutas peatonales más seguras (aceras, cruces peatonales, badenes)	3
d. Improved water supply (safe drinking, firefighting) / Mejor suministro de agua (bebida segura, extinción de incendios)	1
e. Flood barriers / Barreras contra inundaciones	2
f. Security cameras for safety and dumping / Cámaras de seguridad para seguridad y vertido	1
g. More or improved parks / Más parques o mejorados	1
h. Improved roads (potholes) / Carreteras mejoradas (baches)	4
i. Air quality monitoring / Monitoreo de la calidad del aire	3
j. Cool and clean air shelters (community center) / Centros de enfriamiento/refugio de aire limpio (centro comunitario)	

General comments:

- Wind is a real concern. Falling trees and powerlines are scary to deal with.
- Residents are not universally affected by flooding.
- Needs to be planning for evacuation on non-County maintained roads. How many residents are in Lexington Hills? No one is paying attention or communicating what is going on in these areas.
- PG&E doesn't care about their mess.
- Power is slow to come back on in current event. (Note: There was a heat wave at time of listening session.)
- "Priorities" shift seasonally, but they are all important.
- Living with wildfires is a new reality for us.
 - People are working outside when the air is unbreathable.
 - Indoors [workers] work without money for air filtration systems.
 - Not just need for cooling centers, but filtration.

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- Drought – A community well system is expensive.
 - This is another hazard that is seasonal.
 - Need better system for capturing stormwater runoff. Need more education and funding. Need help installing residential and community systems.
- San Jose Water increasing rates, doing a lot of work right now
- Flooding
 - Takes a long time to recover from losses, get back to pre-disaster state
 - Roads washing out
 - Flooding is an additional insurance, many areas didn't know it was something they needed.
- Extreme heat events happening more frequently and closer together than they use to. ("Once in 25 year rainfall" is happening five times per month)
- Weekly newsletters/newspapers to spread information.
- Sirens in Gilroy, used them in '98, haven't used recently to signify floods.
 - Five minutes can make a big difference as a house floods.
- Monterey County uses Alert/Sheriff system all the time – has evacuation warning and fire maps.
 - Make you respond that they've reached you.
- How much time is enough time to evacuate and prepare? Depends on the event. Storms vs fire vs drought have really different timescale.
- Averages don't always capture the real situation on the ground – also look at min and max.
- Why are these outreach meetings not also being sent out as press release to local news media for general circulation. Weekly newspapers service each of the different areas of the County unincorporated areas: Make a requirement for Public Notice?
- County failed to designate evacuation route planning since 2009 CWPP recommendations. Subdivisions of 30+ homes share a single egress route.

Appendix B: Adoption Resolution

Once the 2023 Santa Clara Multijurisdictional Hazard Mitigation Plan (MJHMP) has received FEMA “Approvable Pending Adoption” (APA) status, the governing body of every participating jurisdiction will formally adopt this MJHMP.

After FEMA has determined that all plan requirements have been met, including receipt of the formal adoption documentation, FEMA will provide a letter indicating the plan is approved.

A copy of the adoption resolutions and approval letter are included in this appendix.



Santa Clara County Multijurisdictional Hazard Mitigation Plan 2023 Update

City of Morgan Hill Annex

February 21, 2024

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1. City of Morgan Hill

1.1. Hazard Mitigation Plan Points of Contact

The point of contact during the Santa Clara County Multijurisdictional Hazard Mitigation Plan planning process for the City of Morgan Hill was the Emergency Services Coordinator. This annex within the MJHMP was developed using information provided by the City of Morgan Hill's Local Planning Team.

Table 1: City of Morgan Hill Local Planning Team Members for the 2023 Santa Clara County MJHMP

Name	Position	Organization	Role on Team and in Planning Process
Jennifer Ponce	Office of Emergency Services Coordinator	City of Morgan Hill	General oversight, hazard identification, and plan development
Hilary Holeman	Administrative Analyst	City of Morgan Hill	Hazard identification and plan development
Scott Creer	Floodplain Administrator	City of Morgan Hill	Hazard identification and plan development

The City's Local Planning Team Members participated in the MJHMP by attending meetings on the Plan Kick-Off, Risk Assessment, Capabilities Assessment, Mitigation Strategy, Wrap-up, and one one-on-one meeting with the planning consultant. In addition, the city filled out the requested forms on each section which were used to develop this annex. The city also shared information regarding public opportunities to participate in the draft plan update utilizing the digital survey and seven in-person and virtual public outreach meetings. Further, the City team was provided the opportunity to review the draft plan prior to submittal to Cal OES and FEMA.

Table 2: External Stakeholders Invited to Be Involved in Planning Process

Agency or Organization	Stakeholder Type	Description
American Red Cross	Representatives of nonprofit organizations, including community-based organizations, that work directly with and/or provide support to underserved communities and socially vulnerable populations, among others.	A nonprofit humanitarian organization that provides emergency assistance, disaster relief, and disaster preparedness education in the United States.

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Agency or Organization	Stakeholder Type	Description
American Red Cross – Silicon Valley Chapter	Representatives of nonprofit organizations, including community-based organizations, that work directly with and/or provide support to underserved communities and socially vulnerable populations, among others.	A nonprofit humanitarian organization that provides emergency assistance, disaster relief, and disaster preparedness education in the United States.
Amateur Radio Emergency Service (ARES)	Representatives of businesses, academia, and other private organizations.	A corps of trained amateur radio operator volunteers organized to assist in public service and emergency communications.
California Office of Emergency Services (Cal OES)	Local and regional agencies involved in hazard mitigation activities.	Office responsible for overseeing and coordinating emergency preparedness, response, recovery, and homeland security activities within the state.
California Department of Forestry and Fire Protection	Local and regional agencies involved in hazard mitigation activities.	The fire department of the California Natural Resources Agency.
California Department of Transportation	Agencies that have the authority to regulate development.	An executive department of the U.S. state of California.
Cattlemen’s Association	Representatives of businesses, academia, and other private organizations.	A nonprofit trade association that represents California's ranchers and beef producers in political affairs.
Cooper-Garrod Estate Vineyards	Representatives of businesses, academia, and other private organizations.	Garrod Farms is a family-owned and operated estate winery and stables.
Department of Homeland Security	Agencies that have the authority to regulate development.	The U.S. federal executive department responsible for public security, roughly comparable to the interior or home ministries of other countries.
Department of Toxic Substances	Agencies that have the authority to regulate development.	An agency of the government of the state of California that protects public health and the environment from hazardous waste.
Downtown Streets Team	Representatives of nonprofit organizations, including community-based organizations, that work directly with and/or provide support to underserved communities and socially vulnerable populations.	Teams that restore dignity, inspire hope, and provide a pathway to recover from homelessness.

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Agency or Organization	Stakeholder Type	Description
Emergency Medical Services	Agencies that have the authority to regulate development.	Provides statewide coordination and leadership for the planning, development, and implementation of local EMS systems.
Emergency Services Volunteer Representative	Local and regional agencies involved in hazard mitigation activities.	Organization that ensures public safety, security, and health by addressing and resolving different emergencies.
Federal Aviation Administration	Agencies that have the authority to regulate development.	Offers civil aviation safety enforcement services.
Google	Representatives of businesses, academia, and other private organizations.	American multinational technology company focusing on artificial intelligence, online advertising, search engine technology, cloud computing, computer software, quantum computing, e-commerce, and consumer electronics.
Hidden Villa Farm	Representatives of nonprofit organizations, including community-based organizations, that work directly with and/or provide support to underserved communities and socially vulnerable populations, among others.	Nonprofit educational organization teaching programs on environmental and multicultural awareness.
Intel Corporation	Representatives of businesses, academia, and other private organizations.	An American multinational corporation and technology company headquartered in Santa Clara, California.
Kaiser Permanente—Santa Clara	Representatives of businesses, academia, and other private organizations.	An American integrated managed care consortium.
Life Moves	Representatives of businesses, academia, and other private organizations.	Provides interim housing and supportive services for homeless families and individuals to rapidly return to stable housing.
Morgan Hill Unified School District	Representatives of businesses, academia, and other private organizations.	A public school district operating eight elementary schools, two middle schools, and three high schools in southern Santa Clara County, California.
Moffett Field Ames Research Center, National Aeronautics and Space Administration (NASA)	Representatives of businesses, academia, and other private organizations.	Major NASA research center at Moffett Federal Airfield in California's Silicon Valley.

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Agency or Organization	Stakeholder Type	Description
National Weather Service, National Oceanic and Atmospheric Administration (NOAA)	Agencies that have the authority to regulate development.	Scientific and regulatory agency within the U.S. Department of Commerce.
Pacheco Pass Water District	Neighboring communities.	Independent special water district.
Pacific Gas and Electric (PG&E)	Representatives of businesses, academia, and other private organizations, and neighboring communities.	One of the largest combination natural gas and electric utilities in the United States.
Regional Water Quality Control Board	Agencies that have the authority to regulate development.	Provides government regulatory services related to water pollution and control.
Rotating Safe Car Park	Local and regional agencies involved in hazard mitigation activities, and neighboring communities.	Allows for temporary overnight parking for homeless individuals or families living out of their cars as a safe alternative to sleeping on the streets or in a homeless shelter.
Santa Clara County CERT	Representatives of nonprofit organizations, including community-based organizations, that work directly with and/or provide support to underserved communities and socially vulnerable populations.	Trains residents to prepare for and respond to life-threatening events in their community.
Santa Clara County FireSafe Council	Representatives of nonprofit organizations, including community-based organizations, that work directly with and/or provide support to underserved communities and socially vulnerable populations.	A nonprofit, grassroots organization that provides education and project assistance for homeowners.
Santa Clara County Local Oversight Program	Local and regional agencies involved in hazard mitigation activities.	Program to oversee assessment and mitigation of contaminated sites to protect groundwater resources, human health, safety, and the environment.
Santa Clara County Parks	Agencies that have the authority to regulate development, and neighboring communities.	Provide, protect, and preserve regional parklands for the enjoyment and education.
Santa Clara County Planning & Development	Agencies that have the authority to regulate development, and neighboring communities.	Plays a key role in supporting economic development and ensuring opportunities for the public to participate in land development.
Santa Clara County Sheriff's Office	Agencies that have the authority to regulate development, and neighboring communities.	A local law enforcement agency that serves Santa Clara County, California.

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Agency or Organization	Stakeholder Type	Description
Santa Clara University	Representatives of businesses, academia, and other private organizations.	A private Jesuit university in Santa Clara, California.
Santa Clara Valley Open Space Authority	Neighboring communities.	An independent special district in Santa Clara County.
St. Louise Hospital (Santa Clara County Hospital System)	Representatives of nonprofit organizations, including community-based organizations, that work directly with and/or provide support to underserved communities and socially vulnerable populations.	Community hospital.
Stanford Healthcare	Representatives of businesses, academia, and other private organizations, and neighboring communities.	Multispecialty clinic that provides convenient access to advanced, specialty care in the South Bay.
Vista Center for the Blind and Visually Impaired	Representatives of businesses, academia, and other private organizations.	Empowers individuals who are blind or visually impaired to embrace life to the fullest through evaluation, counseling, education, and training.
County of Santa Clara	Neighboring jurisdiction, local agency involved in hazard mitigation.	Response for engaging the whole community in assessing needs and developing strategies to achieve stronger mitigation capabilities within the Santa Clara County Operational Area.
City of Campbell	Neighboring communities.	A city in Santa Clara County.
City of Cupertino	Neighboring communities.	Located in Silicon Valley.
City of Gilroy	Neighboring communities.	A city in Santa Clara County.
City of Los Altos	Neighboring communities.	A city in Santa Clara County.
Town of Los Altos Hills	Neighboring communities.	A city in Santa Clara County.
Town of Los Gatos	Neighboring communities.	A city in Santa Clara County.
City of Milpitas	Neighboring communities.	A city in Santa Clara County.
City of Mountain View	Neighboring communities.	A city in Santa Clara County.
City of Palo Alto	Neighboring communities.	Located in Silicon Valley.
City of San José	Neighboring communities.	Located in Silicon Valley.
City of Santa Clara	Neighboring communities.	A city near San Jose, in California's Silicon Valley.
City of Saratoga	Neighboring communities.	Located in Silicon Valley.
City of Sunnyvale	Neighboring communities.	Located in the Santa Clara Valley.
Santa Clara County Fire Department	Local and regional agencies involved in hazard mitigation activities, and neighboring communities.	A California Fire Protection District serving Santa Clara County.

Agency or Organization	Stakeholder Type	Description
Santa Clara Valley Water District	Representatives of businesses, academia, and other private organizations, and neighboring communities.	Provides stream stewardship, wholesale water supply, and flood protection for Santa Clara County, California.

The City supported a “whole community” approach to this plan update. Neighboring communities, local and regional agencies involved in mitigation activities, agencies that have the authority to regulate development as well as businesses, academia, and other private and nonprofit interests were invited to be involved in the planning process by participating in planning meetings, public meetings, or reviewing the draft plan. In addition to the wide variety of stakeholders identified by the County, other stakeholders the City of Morgan Hill recommended including included the Morgan Hill Unified School District. Additional stakeholders that were able to participate are included in Volume 1 of this plan.

1.1.1. Public Outreach and Education

In addition to inviting a wide range of stakeholders, the City supported public outreach and engagement through distributing a digital survey utilizing social media and through a community newsletter. This survey reached members of underserved populations, including primarily non-English speaking households. This plan update utilized the legal definition of AFN for this approach. The California Government Code Section 8593.3 defines Access and Functional Needs as “Individuals who have: Developmental, intellectual, or physical disabilities; Chronic conditions or injuries; Limited English proficiency or non-English speaking; Or individuals who are: older adults, children, or pregnant; living in institutional settings; or Low-income, homeless, and/or transportation disadvantaged.” In Saratoga, according to the U.S. Census an estimated 46.1% of the population speaks a language other than English, a key factor to consider while developing any kind of emergency management and mitigation approach to public outreach. The C-MIST framework is used to integrate AFN populations in the operational area into emergency management through communications, maintain health, independence, support, safety and self-determination, and transportation.

In addition, the city hosted one in-person public outreach event and the MJHMP was discussed at an additional two virtual and four in-person public meetings across Santa Clara County. These in-person meetings were targeted towards areas with socially vulnerable populations. These meetings were also designed to be accessible for AFN (access and functional needs) populations. The public was also provided the opportunity to comment on the draft plan. Comments from the public survey were reviewed, evaluated for alignment with planning priorities, and incorporated as appropriate. Overall, the public expressed concern with hazards like wildfire, extreme heat, and flooding. There was multiple mentions of the need for additional public education and outreach, in particular for vulnerable populations and high-risk areas. Additionally, it was noted that it takes significant time for power to come on after severe weather or another disaster event indicating there may be a need for generators. These kinds of public comments have been integrated into the mitigation actions the City of Morgan Hill selected.

The participation of the City of Morgan Hill and its stakeholders helped inform the development of the MJHMP and this annex in accordance with current priorities. The new plan continues to expand upon the work of the prior plan including emphasizing partnerships both within jurisdictions and special districts as well as with external stakeholders. Further, there is an increased emphasis on climate change, reflecting the increased understanding of the risk this hazard poses to the OA. The City did not identify additional changes in priorities to be highlighted in their annex.

1.2. Jurisdiction Profile

The following is a summary of key information about the jurisdiction and its history:

- **Date of Incorporation:** November 10, 1906
- **Current Population:** 46,451 as of January 1, 2022
- **Population Growth:** According to the California Department of Finance, the City of Morgan Hill has experienced a 0.4 percent decline in the population between 2021 (46,626) and 2022 (46,451).
- **Location and Description:** Morgan Hill is approximately 24 miles south of downtown San José, 13 miles north of Gilroy, and 15 miles inland from the Pacific coast. The City of Morgan Hill is in Santa Clara County nestled between the Diablo Mountain Range to the east and the Santa Cruz Mountains to the west. To the north of Morgan Hill is the City of San José and to the south is the unincorporated area of San Martin. The predominant ingress and egress through Morgan Hill is Highway 101 which runs north and south. Prior to the building of Highway 101, the City of Morgan Hill was served by Monterey Highway. Monterey Highway runs through Downtown Morgan Hill and provides the main north south arterial connection for Morgan Hill residents. Morgan Hill is 12 square miles with a mixture of commercial, industrial, retail, agriculture, and residential uses.

Morgan Hill is located within the seismically active San Francisco Bay region. The significant earthquakes in the region are generally associated with crustal movements along well-defined, active fault zones. The nearest known active faults are the San Andreas Fault, approximately 12 miles southwest, and the Calaveras Fault, approximately 1 mile northeast. Both faults have produced major earthquakes in the past and have estimated maximum credible Richter magnitudes of 8.3 and 7.3. The Sargent-Berrocal Fault, a potentially active fault, lies 10 miles away from the Morgan Hill and has an estimated maximum credible Richter magnitude of 7.4. The Coyote Creek Fault is in Morgan Hill and is classified as potentially active as well. In addition, several unnamed faults traverse the western slopes of the upland areas. Geomorphic evidence suggests that these faults were active during recent geologic time. However, these fault-related geomorphic features are not as fresh as those of the active Calaveras Fault and are somewhat older.
- **Brief History:** Prior to the arrival of Spanish expeditions in route from Mexico, peaceful tribes of Native Americans had inhabited the lush Santa Clara Valley for more than 6,000 years. Under Spanish and Mexican jurisdictions, instituted in 1778, a vast region that includes present day Morgan Hill was one of the most substantial Spanish land grants for nearly 3/4 of a century. In 1845, Martin Murphy, Sr. acquired 9,000 acres known as the Rancho Ojo de Agua de la Coche. By 1870 Martin's 7 sons and daughters had managed to acquire more than 70,000 acres in the area. Diana and Hiram Morgan Hill built their country estate, Villa Mira Monte, between the railroad and Monterey Road in 1884. When the first Southern Pacific station was built in 1898, the railroad referred to this area as Huntington. Because many visitors would request the train stop at "Morgan Hill's Ranch," the stop became known as Morgan Hill. By 1896, the growing community had a population of 250. There was much controversy over the incorporation of the City. The Times printed many editorials supporting the issue, while those opposed were fearful of higher taxes. Nevertheless, Morgan Hill became incorporated on November 10th, 1906. By 1909 the population rose to 1,000. Around the 1950s, Morgan Hill experienced an economic transformation from an agricultural center to a suburban residential community. Growth began to accelerate rapidly in the 1970s as Silicon Valley developed and workers were attracted to Morgan Hill's small-town atmosphere, sense of community and reasonable housing prices. By 1980 the population increased to approximately 18,000 residents. The 2000 census confirmed that 33,000 citizens called Morgan Hill their home.
- **Climate:** Morgan Hill gets an annual average of 21 inches of rain, which is below the national average. Humidity is typically low, and the atmosphere stays dry. July is the hottest month for Morgan Hill with an average high temperature of 87 degrees Fahrenheit (°F) . January has the coldest temperatures for Morgan Hill with an average of 40°F.

- **Governing Body Format:** Morgan Hill is a general law city with a Council-manager form of government. The Morgan Hill City Council assume responsibility for adoption of this plan, the Office of Emergency Services for the City of Morgan Hill will oversee its implementation.

1.3. Development Trends

Over the last 20 years, workers have been steadily moving to the City. South Silicon Valley is providing much of the workforce housing for Silicon Valley. Morgan Hill has had a steady 2 percent growth and the adjacent communities are also leading in housing construction. Morgan Hill offers one of the best affordable housing programs in the State, every one of eight homes is affordable by restriction. Many different commercial, industrial, and residential projects are in various phases of development. In addition, the City of Morgan Hill receives close to one hundred planning permit applications for a variety of projects every year.

The City of Morgan Hill has increased its population since the previous plan was developed, thereby increasing its vulnerability to flooding, liquefaction, and high fire hazards. As populations grow, an increasing number of individuals are potentially exposed to hazards. However, new development has taken place under regulatory guidelines and building codes that seek to limit vulnerability to hazards. Because of these regulations, changes in vulnerability are believed to be minimal.

Table 3: Recent and Expected Future Development Trends

Criterion	Response						
Has your jurisdiction annexed any land since the development of the previous hazard mitigation plan? • If yes, give the estimated area annexed and estimated number of parcels or structures.	No						
Is your jurisdiction expected to annex any areas during the performance period of this plan? • If yes, please describe land areas and dominant uses. • If yes, who currently has permitting authority over these areas?	No						
Are any areas targeted for development or major redevelopment in the next five years? • If yes, please briefly describe, including whether any of the areas are in known hazard risk areas.	No						
How many building permits were issued in your jurisdiction		2017	2018	2019	2020	2021	2022

Criterion	Response						
since the development of the previous hazard mitigation plan?	Total Number of Permits	735	726	601	486	552	592
Please provide the number of permits for each hazard area or provide a qualitative description of where development has occurred.	In general, recent development activity has primarily occurred in the following hazard zones: Liquefaction, high fire hazard and FEMA flood areas. For those hazards without a clearly defined extent and location, the City cannot estimate development impacts. For those hazards with impacts citywide, it is safe to assume that this new development could be subject to impacts from those hazards. However, it is important to note that all new development was subject to the regulatory capabilities identified in this annex.						
Please describe the level of buildout in the jurisdiction, based on your jurisdiction's buildable lands inventory. If no such inventory exists, provide a qualitative description.	Morgan Hill is rapidly approaching status as an infill city. The last larger parcels appropriate for large subdivisions and neighborhoods that are moving forward with development applications are for commercial and industrial parcels.						

1.4. Capability Assessment

1.4.1. Resources for the 2023 Planning Initiative

The following technical reports, plans, and regulatory mechanisms were reviewed to provide information for inclusion into the 2023 Multijurisdictional Hazard Mitigation Plan for both Volume 1 and Volume 2 (City of Morgan Hill Annex). All the below items were additionally reviewed as part of the full capability assessment for the City of Morgan Hill.

- **2035 General Plan:** The General Plan, including the Economic Development Housing, Land Use, and Safety Elements, were reviewed for information regarding the jurisdiction profile, and the goals and policies consistent with hazard mitigation for carry over as goals and objectives.
- **Capital Improvement Plan:** The Capital Improvement Plan was reviewed to identify cross-planning initiatives for inclusion as mitigation projects.
- **Hazard Related Plans:** Plans including but not limited to the Local Emergency Operations Plan, Continuity of Operations Plan, and the Community Wildfire Protection Plan were reviewed for identify potential integrative initiatives for mitigation strategies and planning.
- **Additional Plans:** Additional plans such as the Transportation plan, Stormwater Management Plan, Green Infrastructure Plan, Climate Action Plan, and Parks and Recreation Plan were reviewed to assess existing and potential mitigation strategies.
- **Morgan Hill Municipal Code:** The Municipal Code was reviewed for the jurisdiction profile, the full capability assessment, and for identifying opportunities for action plan integration.
- **Ordinances:** The Floodplain Management, Zoning, Subdivision, Stormwater, Flood Damage Prevention, and Environmental Protection Ordinances were reviewed for alignment with natural hazard mitigation planning efforts.

1.4.2. Full Capability Assessment

An assessment of legal and regulatory capabilities is presented in Table 93 and Table 94. An assessment of fiscal capabilities is presented in Table 95. An assessment of staffing capabilities is presented in Table 96. An assessment of administrative and technical capabilities is presented in Table 97. Information on National Flood Insurance Program (NFIP) compliance is presented in Table 98. An assessment of education and outreach capabilities is presented in Table 99. Classifications under various community mitigation programs are presented in

Table 100. Development and permitting capabilities are presented in Table 101, and the community's adaptive capacity for the impacts of climate change is presented in Table 102.

Table 4: Legal and Regulatory Capabilities: Codes, Ordinances, and Requirements

Legal and Regulatory Capability	Local Authority	Other Jurisdiction Authority	State Mandated	Integration Opportunity?
Building Code	Yes	Yes	Yes	Yes
<i>Comment: The City has adopted the California Building Code (2019).</i>				
Zoning Ordinance	Yes	No	Yes	Yes
<i>Comment: City Code, Title 18</i>				
Subdivision Ordinance	Yes	No	Yes	No
<i>Comment: City Code, Title 17</i>				
Stormwater Management Ordinance	Yes	No	Yes	Yes
<i>Comment: City Code, Title 13, Chapter 13.30</i>				
Other Natural Hazard-Specific Ordinances	Yes	No	No	Yes
<i>Comment: City Code Chapter 18.30 Hillside Combining District & Active Fault Surface Rupture, Chapter 18.92 Natural Resources and Hazard Setbacks, Chapter 18.7 Geologic Hazards</i>				
Post-Disaster Recovery	No	No	No	No
<i>Comment: None Identified.</i>				
Real Estate Disclosure	No	Yes	Yes	No
<i>Comment: Cal. Civ. Code §1102 et seq.</i>				
Growth Management	Yes	No	Yes	No
<i>Comment: City Code, Title 18</i>				
Site Plan Review	Yes	No	No	No
<i>Comment: City Code, Title 18</i>				

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Legal and Regulatory Capability	Local Authority	Other Jurisdiction Authority	State Mandated	Integration Opportunity?
Environmental Protection	Yes	No	Yes	No
<i>Comment: California Environmental Quality Act</i>				
Flood Damage Prevention	Yes	No	Yes	Yes
<i>Comment: City Code, Title 15, Chapter 15.80</i>				
Emergency Management	Yes	No	Yes	Yes
<i>Comment: City Code, Title 2, Chapter 2.44</i>				
Climate Change	Yes	No	No	Yes
<i>Comment: Title 18, Chapter 18</i>				
Acquisition of land for open space and public recreation uses	Yes	No	No	Yes
<i>Comment: City Code, Title 18, Chapter 18.28</i>				

Table 5: Planning, Legal, and Regulatory Capabilities

Planning, Legal, or Regulatory Capability	Local Authority	Other Jurisdiction Authority	State Mandated	Integration Opportunity?
General Plan	Yes	No	Yes	Yes
<i>Is the plan compliant with Assembly Bill 2140?</i>				
<i>Comment: 2035 General Plan</i>				
Capital Improvement Plan	Yes	No	Yes	Yes
<i>How often is the plan updated?</i> Annually				
<i>Comment: Adopted FY 2022-23 and 2023-24 CIP Budgets</i>				
Floodplain or Watershed Plan	No	No	No	No
<i>Comment: None Identified.</i>				
Stormwater Management Plan	Yes	No	Yes	Yes
<i>Comment: The City of Gilroy, City of Morgan Hill, and South Santa Clara County have jointly developed a guidance manual to aid developers, engineers, and architects to meet the PCRs of resolution R3-2013-0032.</i>				
Urban Water Management Plan	Yes	Yes	Yes	Yes
<i>Comment: Valley Water Urban Management Plan</i>				
Habitat Conservation Plan	Yes	Yes	Yes	Yes

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Planning, Legal, or Regulatory Capability	Local Authority	Other Jurisdiction Authority	State Mandated	Integration Opportunity?
Comment: Santa Clara Valley Habitat Conservation Plan				
Green Infrastructure Plan	No	No	No	No
Comment: None Identified.				
Parks or Open Space Plan	Yes	No	No	Yes
Comment: 2017 Bikeways, Trails, Parks, and Recreation Master Plan				
Economic Development Plan	Yes	No	Yes	Yes
Comment: 2017 Economic Blueprint				
Transportation Plan	Yes	No	Yes	Yes
Comment: Included in the General Plan.				
Shoreline Management Plan	No	No	No	No
Comment: None identified.				
Community Wildfire Protection Plan	Yes	No	Yes	Yes
Comment: Santa Clara County Community Wildfire Protection Plan, Chapter 4				
Forest Management Plan	No	No	No	No
Comment: None Identified.				
Climate Action Plan	Yes	No	No	Yes
Comment: 2021 Climate Action Plan				
Comprehensive Emergency Management Plan	No	No	No	No
Comment: None Identified.				
Local Emergency Operations Plan	Yes	No	Yes	Yes
Comment: 2018 Emergency Operations Plan (EOP)				
Threat and Hazard Identification and Risk Assessment (THIRA)	No	No	No	No
Comment: None Identified.				
Post-Disaster Recovery Plan	No	No	No	No
Comment: None identified.				
Continuity of Operations Plan	No	No	No	No
Comment: None Identified.				
Public Health Plan	Yes	Yes	No	Yes
Comment: Santa Clara County Strategic Public Health Plan				
Other:	N/A	N/A	N/A	N/A
Comment: N/A				

Table 6: Financial Capabilities

Financial Capability	Could the resource be used to fund future mitigation activities?	Has the funding resource been used in the past for mitigation activities? If yes, for what type of mitigation activities?
Community Development Block Grants	Yes	No
Other Federal Funding Programs	No	N/A
Capital Improvements Project Funding	Yes	No
Authority to Levy Taxes for Specific Purposes	Yes	No
User Fees for Water, Sewer, Gas or Electric Services	No	No
Stormwater Utility Fee	Yes	No
Incur Debt through General Obligation Bonds	Yes	No
Incur Debt through Special Tax Bonds	Yes	No
Incur Debt through Private Activity Bonds	Yes	No
Withhold Public Expenditures in Hazard-Prone Areas	Yes	No
State Funding Programs	Yes	Yes, the funding was used for the enhancement of the Emergency Operations Center and law enforcement response equipment.
Development Impact Fees for Homebuyers or Developers	No	No
Public or Private Partnership Funding Sources	No	No
Other Funding Sources	No	No

Table 7: Staffing Capabilities

Staffing Capability	Have Capability?	Is staffing adequate to enforce regulations?	Is staff trained on natural hazards and mitigation?
Chief Building Official	• Yes • Full Time • Development Services, Building Division	Yes	Yes

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Staffing Capability	Have Capability?	Is staffing adequate to enforce regulations?	Is staff trained on natural hazards and mitigation?
Parks and Recreation Director	• Yes • Full Time • Community Services Department	Yes	Yes
Emergency Manager	• Yes • Full Time • Police Administration, OES	Yes	Yes
Community Planner	• Yes • Full Time • Development Services, Planning Division	Yes	Yes
Civil Engineer	• Yes • Full Time • Development Services, Planning Division and Building Division	Yes	Yes
Engineers or professionals trained in building or infrastructure construction practices	• Yes • Full Time • Development Services, Planning Division and Building Division	Yes	Yes
Planners or engineers with knowledge of land development and land management practices	• Yes • Full Time • Development Services, Planning Division and Building Division	Yes	Yes
Planners or engineers with an understanding of natural hazards	• Yes • Full Time • Development Services, Planning Division and Building Division	Yes	Yes
Surveyors	No	N/A	N/A
GIS Coordinator or personnel skilled or trained in GIS applications	• Yes • Full Time • Development Services, Planning Division	Yes	Yes

Staffing Capability	Have Capability?	Is staffing adequate to enforce regulations?	Is staff trained on natural hazards and mitigation?
Public Works Director	• Yes • Full Time • Public Works	Yes	Yes
Fire Chief	• Yes • Full Time • Morgan Hill Fire Department	Yes	Yes
Environmental Director	• Yes • Full Time • Environmental Services	Yes	Yes
Staff with training in benefit/cost analysis	• Yes • Full Time • Economic Development	Yes	Yes
Scientist familiar with natural hazards in local area	No	N/A	N/A

Table 8: Administrative and Technical Capabilities

Administrative or Technical Capability	Have Capability?	Has the capability been used to assess or mitigate risk in the past? If yes, what type of hazard event?
Maintenance programs to reduce risk	Yes	Yes, the Maintenance Division maintains City streets, sidewalks, trails, approximately 3,700 streetlights, approximately 470 open space and park areas, urban forestry, all City buildings, and a landscaping assessment district.
Mutual aid agreements	Yes	Yes, they have been used between fire and law departments.
Hazard data and information	Yes	Yes, for fire and flood events.
Hazus analysis or GIS software	Yes	Yes, for hazard related evacuations.
Grant writing	Yes	Yes, for wildland fires and localized flooding.
Does your jurisdiction have any established warning systems or services for hazard events?	Yes	Yes, AlertSCC alerts are sent directly to your mobile device, landline, and or email. Alerts for fire, earthquake, Heavy rain, heavy winds, extreme temperatures, crime, and instructions during a disaster.

Table 9: National Flood Insurance Program (NFIP) Compliance

Topic	Response
What department in your jurisdiction is responsible for floodplain management?	Engineering & Utilities Department, Land Development Engineering Division
Who acts as your jurisdiction's floodplain administrator?	City Engineer/Deputy Director for Engineering
Is the floodplain administrator or NFIP Coordinator certified?	Yes (NFIP Coordinator)
Is floodplain management an auxiliary function in your jurisdiction?	No
What is the date of adoption of your flood damage prevention ordinance?	September 27, 2017
Do floodplain development regulations meet or exceed FEMA or state minimum requirements? If regulations exceed requirements, in what ways?	Yes Exceeds FEMA minimum requirements; includes one-foot freeboard requirement, cumulative substantial improvement, and repetitive flood loss (substantial damage)
How are the substantial improvement/substantial damage provisions implemented?	The Floodplain Administrator is responsible for administering requirements for substantial improvement and substantial damage in accordance with FEMA 213, "Answers to Questions About Substantially Damaged Buildings." In addition to the standard definitions, substantial damage is defined as flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds twenty-five percent of the market value of the structure before the damage occurred. Substantial improvement or substantially improved is defined as any combination of repairs, reconstruction, rehabilitation, addition, or other proposed new development of a structure taking place during a five-year period, the cumulative cost of which equals or exceeds fifty percent of the market value of the structure before the start of construction of the improvement. This five-year period begins on the date of the first improvement or repair of the structure following the adopted ordinance. Permit review can also help identify substantially damaged/substantially improved structures. The Floodplain Administrator is responsible for reviewing all development permits.

Topic	Response
Provide an explanation of the permitting process for development within the floodplain.	Process follows City Code Chapter 15.80.20 ; including requiring a development permit before any construction or other development, including manufactured homes, within any area in the special flood hazard area. Applications for a development permit are establish and reviewed by the floodplain administrator.
Does your floodplain management program meet or exceed minimum requirements?	Yes
When did your jurisdiction enter the NFIP?	• June 18, 1980 • Current effective FIRM: May 18, 2009
Is your jurisdiction in good standing with the NFIP?	Yes
Are the jurisdiction's Flood Insurance Rate Maps (FIRMs) digital, paper, or both?	Both Adopted effective FIRMs dated 5/18/2009
Explanation of NFIP administration services within your jurisdiction.	Permit review, GIS, education and outreach, inspections, engineering capability
Barriers to running an effective NFIP program in your jurisdiction.	None
When was the most recent Community Assistance Visit (CAV) or Community Assistance Contact (CAC)?	October 6, 2016
Is a CAV or CAC scheduled or needed?	No
Does your jurisdiction have any outstanding NFIP compliance violations that need to be addressed?	No
Do your flood hazard maps adequately address the flood risk within your jurisdiction?	Yes
Does your floodplain management staff need any assistance or training to support its floodplain management program?	No
Does your jurisdiction participate in the Community Rating System (CRS)?	Yes, Class Rating 7
How many structures are exposed to flood risk within your jurisdiction?	• In 10% annual chance flood hazard area: 580 • In 1% annual chance flood hazard area: 643 • In 0.2% annual chance flood hazard area: 11,058
How many flood insurance policies are in force in your jurisdiction? • What is the insurance in force? • What is the premium in force?	• 309 policies in force • \$93,061,100 insurance in force • \$285,955 premium in force
Areas of flood risk with limited NFIP policy coverage.	Areas with unmapped or undetermined flood hazards

Topic	Response
How many total loss claims have been filed in your jurisdiction? - How many claims were closed without payment or are still open? - What is the total amount of paid claims? - How many claims were for substantial damage?	65 total loss claims have been filed 22 claims closed without payment for substantial \$482,726.02 total payments for losses
How NFIP compliance will be continued during the next 5 years.	- Adoption and enforcement of floodplain management requirements, including regulating new construction in Special Flood Hazard Areas (SFHAs). - Floodplain identification and mapping, including any local requests for map updates. - Description of community assistance and monitoring activities.

Table 10: Education and Outreach Capabilities

Education or Outreach Capability	Response	How does the personnel, program, or organization relate to disaster resilience and mitigation?	Could the personnel, program, or organization help implement future mitigation activities?
Does your jurisdiction have a Public Information Officer or Communications Office?	Yes	The PIO assists in disseminating hazard and emergency related information.	Yes
Does your jurisdiction have personnel skilled or trained in website development?	Yes	Websites can be developed to provide hazard education, preparedness information, and other emergency notifications.	Yes
Does your jurisdiction have hazard mitigation information available on your website?	Yes	The City's Office of Emergency services website provides information to the community on preparedness, links to resources partners to help with preparedness and resources to contact in case of an emergency.	Yes

Education or Outreach Capability	Response	How does the personnel, program, or organization relate to disaster resilience and mitigation?	Could the personnel, program, or organization help implement future mitigation activities?
Does your jurisdiction utilize social media for hazard mitigation education and outreach?	Yes	The City uses the following tools for education and outreach related to hazard mitigation; AlertSCC, Nextdoor, Facebook, and website postings.	Yes
Does your jurisdiction have any citizen boards or commissions that address issues related to hazard mitigation?	Yes	The Planning Commission approves various permits and serves as an advisory body to the City Council on matters related to city growth and development, and on such other matters as may be requested by the council.	Yes
Does your jurisdiction have any ongoing public education or information programs that could be used to communicate hazard-related information?	Yes	The City's Office of Emergency services website provides information to the community on preparedness, links to resources partners to help with preparedness and resources to contact in case of an emergency.	Yes
Does your jurisdiction have local citizen groups or nonprofit organizations focused on environmental protection, emergency preparedness, and/or underserved populations?	Yes	The Morgan Hill Community Emergency Response Team is a citizen group that addresses overall preparedness and resiliency in the community.	Yes
Does your jurisdiction have natural disaster or safety related school programs?	Yes	School education programs promote resiliency by creating hazard awareness.	Yes
Does your jurisdiction have public/private partnership initiatives addressing disaster-related issues?	Yes	County-level Partnerships include initiatives to address mitigation.	Yes

Table 11: Community Classifications

	Participating?	Classification	Date Classified
Community Rating System	Yes	7	February 2023
Building Code Effectiveness Grading Schedule	Yes	4	May 2019
Insurance Services Office (ISO) Fire Rating	Yes	3	2013
National Weather Service StormReady Program®	No	N/A	N/A
Firewise USA® Program - Holiday Lake Estates and Jackson Oaks HOA communities	Yes	N/A	2016

Table 12: Development and Permitting Capabilities

Development or Permitting Capability	Response
Does your jurisdiction issue development permits? • If no, who does? If yes, which department?	Yes, Development Services
Does your jurisdiction have the ability to track permits by hazard area?	Yes
Does your jurisdiction have a buildable lands inventory?	Yes

Table 13: Adaptive Capacity for Climate Change

Adaptive Capacity Assessment Question	Jurisdiction Rating
Technical Capacity	
Jurisdiction-level understanding of potential climate change impacts	Medium
<i>Comment: None Provided.</i>	
Jurisdiction-level monitoring of climate change impacts	Medium
<i>Comment: None Provided.</i>	
Technical resources to assess proposed strategies for feasibility and externalities	Low
<i>Comment: Very limited staffing resources familiar with climate change externalities.</i>	
Jurisdiction-level capacity for development of greenhouse gas emissions inventory	Medium
<i>Comment: General Plan goals associated with greenhouse gas emissions.</i>	
Capital planning and land use decisions informed by potential climate impacts	Medium
<i>Comment: General Plan goals associated with land use decision making.</i>	

Adaptive Capacity Assessment Question	Jurisdiction Rating
Participation in regional groups addressing climate risks	Medium
Comment: Morgan Hill participates in regional initiatives including, Joint Venture Silicon Valley Network.	
Implementation Capacity	
Clear authority/mandate to consider climate change impacts during public decision-making processes	Medium
Comment: Conformance with General Plan.	
Identified strategies for greenhouse gas mitigation efforts	Medium
Comment: Conformance with General Plan.	
Identified strategies for adaptation to impacts	Medium
Comment: None Provided.	
Champions for climate action in local government departments	Medium
Comment: None Provided.	
Political support for implementing climate change adaptation strategies	Medium
Comment: None Provided.	
Financial resources devoted to climate change adaptation	Low
Comment: None Provided.	
Local authority over sectors likely to be negative impacted	Low
Comment: None Provided.	
Public Capacity	
Local residents knowledge of and understanding of climate risk	Medium
Comment: None Provided.	
Local residents support of adaptation efforts	Unknown
Comment: None Provided.	
Local residents' capacity to adapt to climate impacts	Unknown
Comment: None Provided.	
Local economy current capacity to adapt to climate impacts	Low
Comment: None Provided.	
Local ecosystems capacity to adapt to climate impacts	Low
Comment: None Provided.	

1.4.3. Opportunities to Expand Upon and Improve Existing Capabilities

The hazard mitigation planning process presented the opportunity for the community to discuss and evaluate their current capabilities however, building mitigation capabilities is an ongoing process. New capabilities can be added which will support mitigation. Current capabilities can also be enhanced to actively support mitigation and reduce risk. Significant efforts have been made to increase the capabilities of jurisdictions across the OA. By participating in this plan update, each community is reinforcing their support for mitigation and understanding of the capabilities they need to successfully implement mitigation measures. Actions that can expand and improve existing authorities, plans, policies, and resources for mitigation include:

- Developing a Climate Action Plan which incorporates hazard data and actions to adapt to a changing climate.
- Budgeting and passing policies and procedures for mitigation actions.
- Adopting and implementing stricter mitigation regulations.
- Approving the training of staff for mitigation activities.
- Approving mitigation updates to existing plans as new needs are recognized.
- Continuing to update plans as necessary to ensure they are current and reflect the needs of the community or special district.
- Further developing warning systems and messaging.
- Creating and implementing additional public education and outreach offerings and increasing the volume of translated materials.
- Ensuring grant opportunities are capitalized upon to meet mitigation goals.

Each type of the four FEMA-identified capabilities were evaluated, in addition to OA-priority capabilities like adaptive capacity. Gaps and limitations, if any, are discussed in the tables above. Additional jurisdiction-specific opportunities to expand on and improve capabilities for reducing risk include:

- Continue to participate in the Community Rating System and identify additional actions to both reduce flood risk and reduce flood insurance premiums.
- Support insurance outreach and education for areas that are unmapped or have undetermined flood hazards.
- Identify opportunities for staff to increase their familiarity with climate change impacts and externalities.
- Since the last update, multiple new grant programs that support mitigation measures have been established. FEMA's annual BRIC grant program funds a variety of mitigation actions, including infrastructure projects, nature-based solutions, climate adaptation, hazard resistant building codes, and projects benefitting disadvantaged communities.

1.5. Integration with Other Planning Initiatives

This section describes the process for integrating the hazard mitigation plan into local planning mechanisms.

1.5.1. Existing Integration

The following plans and programs currently integrate the goals, risk assessment and/or recommendations of the hazard mitigation plan:

- **General Plan:** The Morgan Hill General Plan outlines mitigation goals, policies, and actions related to open space and environmental mitigation, water conservation, climate change resiliency, development, and addresses a broad range of natural hazards.
- **Capital Improvement Plan:** The CIP was reviewed to assess integration opportunities and identifies projects that can be included in the mitigation strategy.
- **Community Wildfire Protection Plan:** This plan directly addresses wildfire risk and provides mitigation recommendations and actions.

- **Emergency Operations Plan:** The EOP directly references the local hazard mitigation plan and outlines mitigation actions and strategies.
- **City Code and Ordinances:** Many City codes and ordinances have been reviewed for integration, many existing regulations promote mitigation and risk reduction within the community.
- **Silicon Valley 2.0:** The Climate Adaptation Guidebook integrates mitigation strategies and goals to reduce future climate risk.
- **Bikeways, Trails, Parks and Recreation Master Plan:** The plan outlines goals to integrate natural mitigation elements in open park spaces and natural environments.

1.5.2. Opportunities for Future Integration

The following plans and programs do not currently integrate the goals, risk assessment and/or recommendations of the hazard mitigation plan, but provide an opportunity for future integration:

- **Community Wildfire Protection Plan:** The CWPP is currently being updated. Information on wildfires will be integrated between these two plans. Additional goals and actions could also be combined.

While not many updates to other planning mechanisms for the City of Morgan Hill are aligned well with the timeline for this MJHMP, additional opportunities may present themselves in the future. The Local Planning Team will be responsible for participating in and sharing information with other relevant plans.

1.6. Jurisdiction-Specific Natural Hazard Event History

Table 103 lists all past occurrences of natural hazards within the jurisdiction.

Table 14: Natural Hazard Events

Type of Event	FEMA Disaster # (if applicable)	Date	Preliminary Damage Assessment
Winter Storms	DR-4301, DR-4308	02/14/2017 04/01/2017	Property and roadway damage due to flooding
Public Safety Power Shutoff	N/A	10/09/2019-10/10/2019	Power outages, community and medically reliant of power
Internet Outage	N/A	02/03/2021	Communication outages
Wildland Fire	DR-5338	08/21/2020	Evacuation
COVID-19	DR-4482	03/22/2022	Pandemic
Winter Storms	DR-4683	01/14/2023	Property, roadway, pumpstation damage due to flooding

1.7. Jurisdiction-Specific Vulnerabilities

- Morgan Hill showed the 3rd highest estimated loss as a percentage of total replacement value for the 100-year probabilistic and 500-year probabilistic Hazus scenarios. Estimated losses for the 100-year scenario were \$647 million (9.86% of total replacement value), and \$2 billion (31.44% of

total replacement value) for the 500-year scenario. This Hazus run did not include specific damage estimates for critical facilities at the city level, but the county-level scenario estimated a significant proportion of critical facilities and infrastructure in the OA receiving moderate damage in an earthquake (see Volume 1, Table 34). The amount and exact location of damage caused by an earthquake varies a lot based on the location of the origin of the earthquake and the magnitude. Likewise, it is difficult to measure precise impacts on populations, particularly those in vulnerable categories. It can be inferred that individuals who have lower income, older or more crowded housing, limited English speaking ability, access or functional needs, and other disadvantages will have greater difficulty recovering from an earthquake.

- 34.6% of Morgan Hill residents live within a high wildfire risk area. This includes 5,237 residences. Almost 30% of the total structural replacement value of Morgan Hill is exposed to high wildfire hazard. The northwestern portion of town along Llagas Road has a lot of area classified as moderate to high wildfire risk and Very High Hazard in risk to structures. Several winding, dead-end roads branch off the main Llagas Road. The east area of the city in the vicinity of Dunne Avenue also has higher potential for wildfire. No critical facilities were found directly in wildfire risk areas, but 16 were within 100 meters of a risk zone. These may benefit from additional study. Based on the SVI map below, the highest concentration of vulnerable populations is not located near the wildfire risk areas. However, consideration should be given to those in the wildfire risk areas who may lack capabilities and resources to address wildfire risks on their properties or who may need assistance in an evacuation.
- A significant portion of Morgan Hill is exposed to potential dam inundation. Over 24,000 people are within potential dam inundation areas in Morgan Hill. Over \$6 billion in buildings are exposed. Morgan Hill could be impacted by a failure of either the Anderson Dam, or Chesbro Dam. The northeast corner of Morgan Hill is close to Anderson Dam, which would give residents there less warning time of a possible dam failure, and depth and velocity of resulting floodwaters could cause more severe damage. A bridge across Coyote Creek at Sycamore Avenue could be impacted. The dam inundation boundary does include areas with a high concentration of vulnerable populations. Two fire stations and 10 schools are within the inundation zone as well.
- Almost 3,000 people (6.6% of the population) live in the 1% annual chance floodplain, and 3,412 (7.58% of the population) are in the 0.2% annual chance floodplain. \$259 million in structures are in the 1% floodplain (6.61% of total replacement value), and \$350 million (3.25% replacement value) are in the 0.2% floodplain.
- The 1% chance annual floodplain along West Little Llagas Creek traverses almost through the center of town, roughly along or parallel to Monterey Street. Two schools and one fire station are in the 1% zone, along with many other structures. Monterey Street is a major transportation route that could be impacted, as well as multiple minor roads. This area also has a high concentration of vulnerable populations, which may increase the severity of impacts from flooding.
- 4,583 people (over 10% of the city population) are exposed to high landslide potential in Morgan Hill. The hazard is primarily in foothill areas on the east and west extremes of the city. Heavy rain events have contributed to landslides in the OA. Climate change may contribute to increased intensity of heavy rain in Morgan Hill in the future, which could lead to increased risk of landslides.
- It is anticipated that the impacts of drought will be consistent across the OA. Drought impacts vegetation and can make it more vulnerable to disease and wildfire. Extended drought may necessitate limits on landscape irrigation or higher costs for irrigation, which can have economic impacts. Although agriculture is not a primary economic sector in the OA, drought can have severe negative impacts on growth of crops and gardens. The unincorporated county near Morgan Hill has a high amount of agricultural land use, so economic losses from drought impacts to agricultural production could have an impact on Morgan Hill residents employed in that sector.
- Impacts from inclement weather such as heavy rain, hail, and wind are likely to be very similar across the OA. Individual events may impact only limited areas, but the entire OA is at risk to

similar conditions. Heavy rain may cause localized flooding on roadways and low-lying areas which may disrupt transportation for the general public and can also delay emergency response. Heavy rain can also have cascading impacts on landslide potential or strain the capacity of dams. High winds can disrupt power, communication and other services and cause damage to structures. Extreme heat or cold can be harmful to health, particularly those with inadequate housing with adequate warming and cooling systems.

- Climate change is expected to increase the frequency or severity of drought, extreme heat, and other severe weather events. Future impacts from these events may be more severe as a result.
- Morgan Hill is distant from the shoreline and has no direct tsunami risk. As such, tsunami is not profiled in this annex.
- Individuals can play a key role in reducing their risk to these hazards by knowing what they are at risk of and the proper actions to take. They can take actions to protect their personal property and personal health. However, ongoing education is often needed to keep these hazards at the forefront of individuals' minds. Education materials should include all hazards addressed in this annex. With a diverse, vulnerable population in Morgan Hill, a variety of tools will be needed to make sure this messaging reaches a wide audience with differing needs.

Repetitive loss records are as follows:

- Number of Federal Emergency Management Agency (FEMA)-identified Repetitive-Loss Properties (RL): 0
- Number of Severe-Repetitive-Loss (SRL) Properties: 4
- Number of RL Properties or SRL Properties that have been mitigated: 0

Other noted vulnerabilities include:

- The increasing frequency and intensity of drought and extreme heat due to climate change has resulted in a lengthening of the fire season. Dry spells during the winter months, especially when combined with winds and dead fuels, may result in fires that burn with a high intensity and rate.
- Anderson Dam is currently being retrofitted by Valley Water. If the dam were to fail in stormy weather and at full capacity the impact would be devastating to the City of Morgan Hill.
- A secondary water supply has not been identified by the City of Morgan Hill.
- Several drainage improvements are needed throughout the City.
- The east and west areas of Morgan Hill with steep slopes have increased risk of damage from landslides.
- Heavy rain events often result in localized flooding from the main creek running through town overflowing and effects from local reservoirs spilling.
- Areas of high or very high fire hazard are located (and mapped) within and adjacent to City boundaries

1.7.1. Social Vulnerability

Figure 65 shows the social vulnerability of Morgan Hill. The community has a highly variable level of vulnerability, ranging from low to high. This indicates a complex mix of social characteristics that may complicate the community's recovery from impacts of a natural hazard. All four themes show at least moderate vulnerability in Morgan Hill, but Housing Type and Transportation is the theme with the highest vulnerability scores. The percentage of multi-unit housing and mobile homes contributes to these scores. These housing types can be more susceptible to damage from hazards. There is also a higher percentage of Hispanic individuals (about 50%) in Morgan Hill than in many other parts of the OA. The

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areas of higher social vulnerability could be impacted by inclement weather, earthquake, flood, and dam failure.

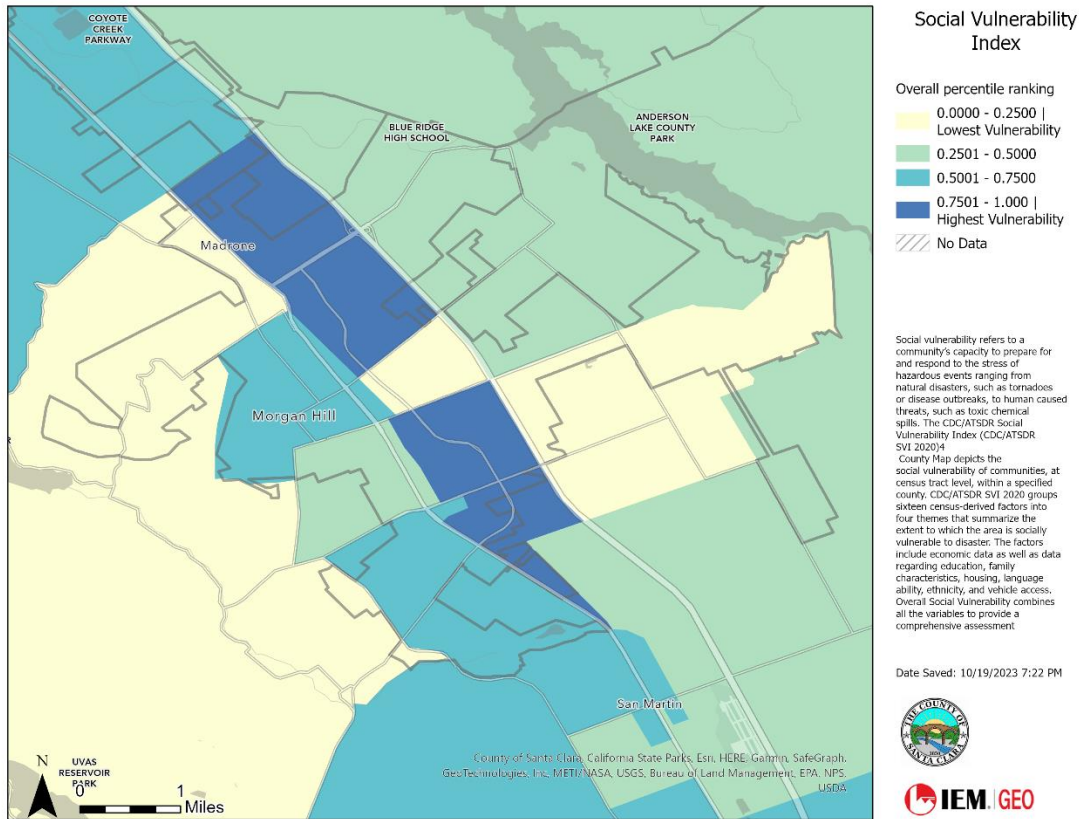


Figure 1: Morgan Hill Social Vulnerability

1.8. Hazard Risk Index

Table 104 presents the hazards of concern from highest risk index number to lowest, as assigned by the City of Morgan Hill.

Table 15: Hazard Risk Index

Hazard	Probability	Life Impact	Property Impact	Percentage of Area Impacted	Maximum Probable Extent
Earthquake	Highly Likely	Catastrophic	Catastrophic	Significant	Major
Dam/Levee Failure	Unlikely	Catastrophic	Catastrophic	Significant	Major
Heavy Rain	Highly Likely	Minor	Limited	Minimal	Moderate
High Wind	Likely	Minor	Limited	Minimal	Moderate
Extreme Heat	Likely	Minor	Limited	Minimal	Moderate
Wildfire	Likely	Limited	Minor	Minimal	Moderate

Hazard	Probability	Life Impact	Property Impact	Percentage of Area Impacted	Maximum Probable Extent
Drought	Likely	Minor	Minor	Extensive	Weak
Flood	Occasional	Minor	Minor	Minimal	Moderate
Climate Change	Occasional	Minor	Minor	Negligible	Weak
Landslide/Mass Movement	Unlikely	Minor	Minor	Negligible	Weak

Table 16: Comparison of Morgan Hill Hazard Risk Score to Operational Area (OA)

Risk Score	Earth-quake	Dam/Levee Failure	Heavy Rain	High Wind	Extreme Heat	Wildfire	Drought	Flood	Land-slide	Climate Change
Morgan Hill	2.9	2.0	1.25	1.15	1.15	1.05	0.9	1.25	0.0	0.3
OA	2.24	1.19	1.44	1.44	1.44	1.68	1.21	0.90	0.36	1.13

1.9. Future Needs to Better Understand Risk/Vulnerability

A citywide inspection of all critical facilities to determine what hardening or retrofit projects are needed would be very beneficial to the City in addressing future risk.

1.10. Status of Previous Plan Actions

Participants were asked to report the status of their mitigation actions listed in the previous plan as a part of this plan update. Where further information isn't provided, the answers are defined as follows:

- *Completed* – work on this action is totally complete.
- *Completed and ongoing* – work on this action is complete; however, it is an ongoing project that will continue to be implemented. An example is a public outreach campaign that was created and will continue to be implemented.
- *In progress* – work on this action has begun and is in progress, but the action is not yet complete.
- *Retain* – work on this action has not begun yet, the action is still relevant, and it should be in the 2023 MJHMP.
- *No longer relevant* – Action item is no longer relevant due to reduce or eliminated risk, it no longer being feasible, there has been a change in jurisdictional or organizational priorities, or another reason as stated.

Unless specifically requested otherwise, only those actions listed as “retain” are incorporated into the 2023 action plan. Those listed as ongoing are currently funded and implemented under existing programs and do not carry over into the 2023 actions.

Table 17: Status of Action Items from the 2017 MJHMP

Action Item Number*	Action Item Description	Hazard(s) Mitigated	Current Status and Comments
MGH-1	Integrate the hazard mitigation plan into the Zoning Code, Title 18 code update	All Hazards	Ongoing
MGH-2	Continue to maintain good standing and compliance under the National Flood Insurance Program (NFIP): Bring Current and enforce Morgan Hill's Flood damage prevention ordinance Participate in floodplain identification and mapping updates Implement flood risk reduction projects in Morgan Hill Provide public assistance/information on floodplain requirements and impacts	Flood	Ongoing
MGH-3	Support neighborhoods seeking to become certified Firewise Communities	Wildfire	Ongoing
MGH-4	Enhance Public Education and Awareness of Natural Hazards and Disaster Preparedness	All Hazards	Ongoing
MGH-5	Retrofit and Anderson Dam to make it seismically stable to withstand a large magnitude earthquake	Dam Failure	Ongoing
MGH-6	Retrofit of high water use landscape & irrigation systems for water saving technology	Drought and Climate Change	Ongoing
MGH-7	Conduct Drought Public Education and Outreach	Drought and Climate Change	Ongoing
MGH-8	Develop GIS based maps that can be used during emergency incidents	All Hazards	Ongoing
MGH-9	Harden infrastructure, such as locating utilities underground	All Hazards	Planning
MGH-10	Update Stormwater management masterplan	Flood	Ongoing
MGH-11	Coordinate disaster preparation and mitigation practices with private sector, public institutions and other public bodies	All Hazards	Ongoing

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Action Item Number*	Action Item Description	Hazard(s) Mitigated	Current Status and Comments
MGH-12	Develop roadside fuel treatment programs	Wildfire	Planning
MGH-13	Improve firefighting water supplies in Holiday Lakes and Jackson Oaks subdivisions	Wildfire	Planning
MGH-14	Address density of livestock in wildfire prone areas to provide plan in an event of wildfire	Wildfire	Planning
MGH-15	Implement infiltration and inflow prevention measures in wastewater system (mitigation measure needed during flooding events) citywide	Severe Weather and Flood	Planning
MGH-16	Construct concrete aprons at culvert openings at Butterfield Channel and drain outlets to keep areas clear of vegetation growth to allow water flow and visibility for inspection	Severe Weather and Flood	Planning
MGH-17	After Upper Llagas Flood Control project is complete, install a new outlet in the creek channel on the south side of Spring Street, at a lower elevation than existing, to delay flooding and speed drainage	Severe Weather and Flood	Planning
MGH-18	Implement CIP project addressing flooding at Burnett and Monterey. Improved facilities to direct stormwater out of the area of increase retention capacity	Severe Weather and Flood	Planning
MGH-19	Improve facilities at the intersection of Main and Casa to direct flooding out this area of otherwise increase retention capacity	Severe Weather and Flood	Planning
MGH-20	Raise pavement at intersection of Mission View and Half Road or install storm drains	Severe Weather and Flood	Planning
MGH-21	Evaluate silt issue at Circle Lane and Oak View to determine appropriate repair	Severe Weather and Flood	Planning

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Action Item Number*	Action Item Description	Hazard(s) Mitigated	Current Status and Comments
MGH-22	Implement projects to increase drainage including, but not limited to: Sabini Ct: Install drain to nearby channel Oak Canyon Dr.: Install concrete apron to reduce impacts from silting Gallop Dr.: Inlet above Gallop needs re-work, some cobbles are loose. Re-design to reduce sediment build up, provide access from street Peak Ave.: Increase inlet capacity Fisher Creek retention basin: Lower elevation of large pond inlet so it retains more water during major storms Teresa Ditch (behind homes on Teresa Lane): Improve ditch to reduce silting Hayloft Ct.: Investigate installing a catch basin and replacing curb/gutter area Condit at Ramada Inn: Extend storm drain so water from parking lot and street drain properly	Severe Weather and Flood	Planning
MGH-23	Support Santa Clara Valley Water District in the Llagas Creek Flood Protection Project	Severe Weather and Flood	Ongoing
MGH-24	Where appropriate, support retro-fitting, purchase or relocation of structures located in high hazard areas and prioritize those structures that have experienced repetitive losses	All Hazards	Planning
MGH-25	Actively participate in the plan maintenance protocols outlined in Volume 1 of the hazard mitigation plan	All Hazards	In progress

* Number given to action item in 2017 Santa Clara County Operational Area Hazard Mitigation Plan

1.11. Hazard Mitigation Action Plan and Evaluation of Recommended Actions

Table 107 lists the actions that make up the City of Morgan Hill hazard mitigation action plan. The maps in Figure 66 through Figure 73 present the City's critical facilities, infrastructure, and identified hazard risk areas.

Descriptions of the expected time frames for actions are provided below:

- Short term: 1–5 years
- Medium term: 5–10 years
- Long term: Over 10 years
- Ongoing: Currently being funded and implemented under existing programs

The planning partners utilized the following criteria to prioritize action items into the categories of high, medium, or low.

- High Priority— A project that:
 - Meets multiple goals and objectives (i.e., multiple hazards);
 - Addresses multiple hazards;
 - Has benefits that exceed cost;
 - Has funding secured or is an ongoing project;
 - Meets eligibility requirements for Hazard Mitigation Assistance grants;
 - Can be completed in the short term (1 to 5 years);
 - Addresses immediate short-term impacts of climate change;
 - Benefits underserved and/or socially vulnerable populations; AND
 - Considers the Multi-Benefit Criteria utilized by the Santa Clara County Climate Collaborative, including equity, long-term value, ecosystem benefit, community benefit, and cross-jurisdictional alignment.
- Medium Priority— A project that:
 - Meets multiple goals and objectives;
 - Addresses multiple hazards;
 - Has benefits that exceed costs;
 - Has funding has not been secured, but that is grant eligible under Hazard Mitigation Assistance grants or other grant programs;
 - Project can be completed in the short term (1-5 years), once funding is secured. Medium priority projects will become high priority projects once funding is secured;
 - Addresses immediate short-term impacts of climate change;
 - Benefits underserved and/or socially vulnerable populations; AND
 - Considers the Multi-Benefit Criteria utilized by the Santa Clara County Climate Collaborative, including equity, long-term value, ecosystem benefit, community benefit, and cross-jurisdictional alignment.

- Low Priority— A project that:
 - Will mitigate the risk of at least one hazard;
 - Has benefits that do not exceed the costs or are difficult to quantify;
 - Does not have secured funding;
 - Is not eligible for Hazard Mitigation Assistance grant funding;
 - Has a timeline for completion that is long term (greater than 5 years). Low priority projects may be eligible for other sources of grant funding from other programs;
 - May address impacts of climate change;
 - May benefit underserved and/or socially vulnerable populations; AND
 - Considers the Multi-Benefit Criteria utilized by the Santa Clara County Climate Collaborative, including equity, long-term value, ecosystem benefit, community benefit, and cross-jurisdictional alignment.

Table 18: City of Morgan Hill 2023 Action Items

Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
1	Conduct citywide bridge inspections. ¹	Earthquake, Flood, Dam Failure	Community Development	State Bridge Funds, City Stormwater Funds, City General Funds.	Short Term	High
2	Complete backup battery system for Centennial Recreation Center. This facility can serve as a shelter, resiliency hub, and warming/cooling center for a variety of hazards.	Earthquake, Heavy Precipitation, Extreme Heat, Extreme Cold, High Wind, Space Weather	Community Development	Grant funding, future cost savings	Short Term	Medium
3	Construct a new Fire Station using various hazard resilient building techniques and material. ²	Wildfire, Earthquake	Fire Department	Public Safety Impact Fund	Long Term	High

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Action Item Number	Action Item Description	Hazard(s) Mitigated	Lead Position, Office, Department, or Division Responsible for Implementation	Potential Funding Sources	Expected Timeline for Completion	Priority
4	Develop a public education and outreach strategy to inform the community of natural hazards and risks, with an increased emphasis on reaching underserved and vulnerable populations. ³	All Hazards, including Earthquake, Flood, Dam Failure, Landslide, Wildfire, Heavy Rain, High Wind, Extreme Cold, and Extreme Heat	Communications and Engagement Departments, Emergency Preparedness Department	Staff Time, City General Funds	Long Term	High

¹ Some types of risks and vulnerabilities require additional study beyond the scope of a hazard mitigation plan. These types of project scoping initiatives will support future risk reduction measures to reduce risk to community lifelines such as Transportation from multiple hazards including earthquake and flood.

² By building a new fire station that is up to date with modern building codes, the community will protect the Safety and Security community lifelines from multiple hazards including wildfire and earthquake.

³ This type of public education and awareness mitigation action reflects a whole community approach to hazard mitigation. The whole community approach acknowledges the fact that one agency or entity cannot be responsible for emergency management alone but that everyone can play a role in reducing risk and creating a resilient community. By empowering residents, including underserved and vulnerable populations, and private sector partners with the information they need to make risk-based mitigation decisions, the community will help reduce to new and existing structures and infrastructure.

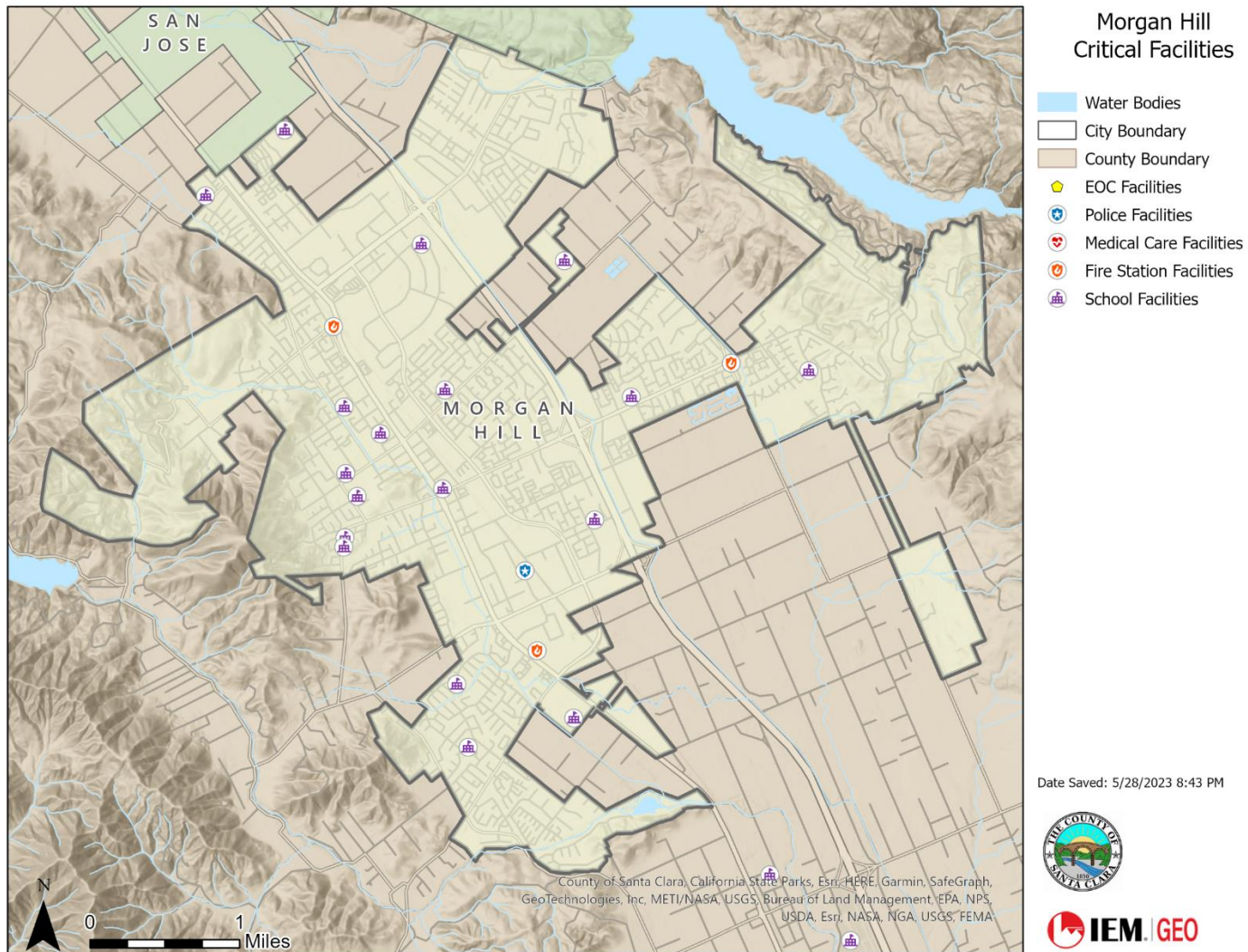


Figure 2: City of Morgan Hill Critical Facilities

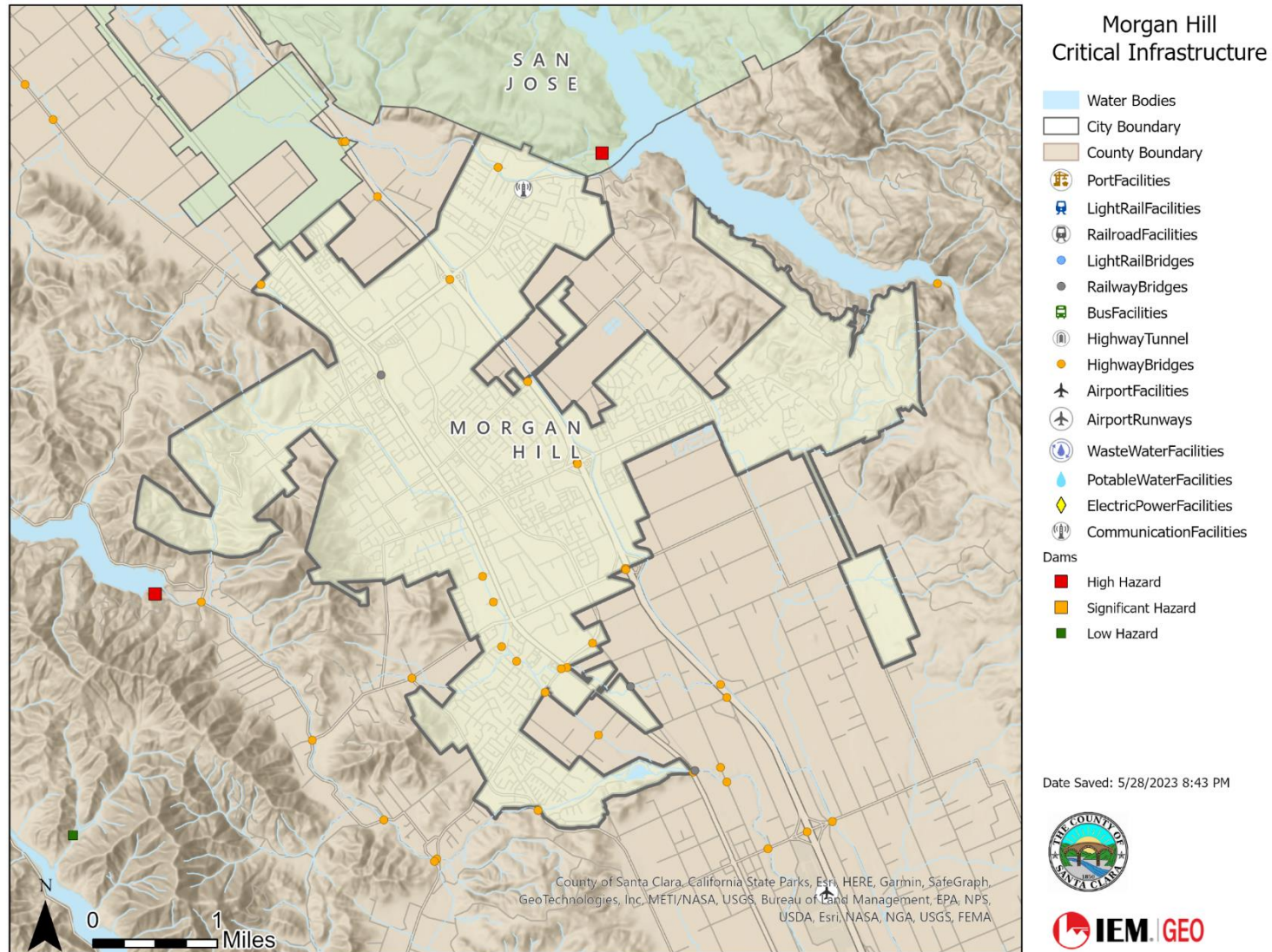


Figure 3: City of Morgan Hill Critical Infrastructure

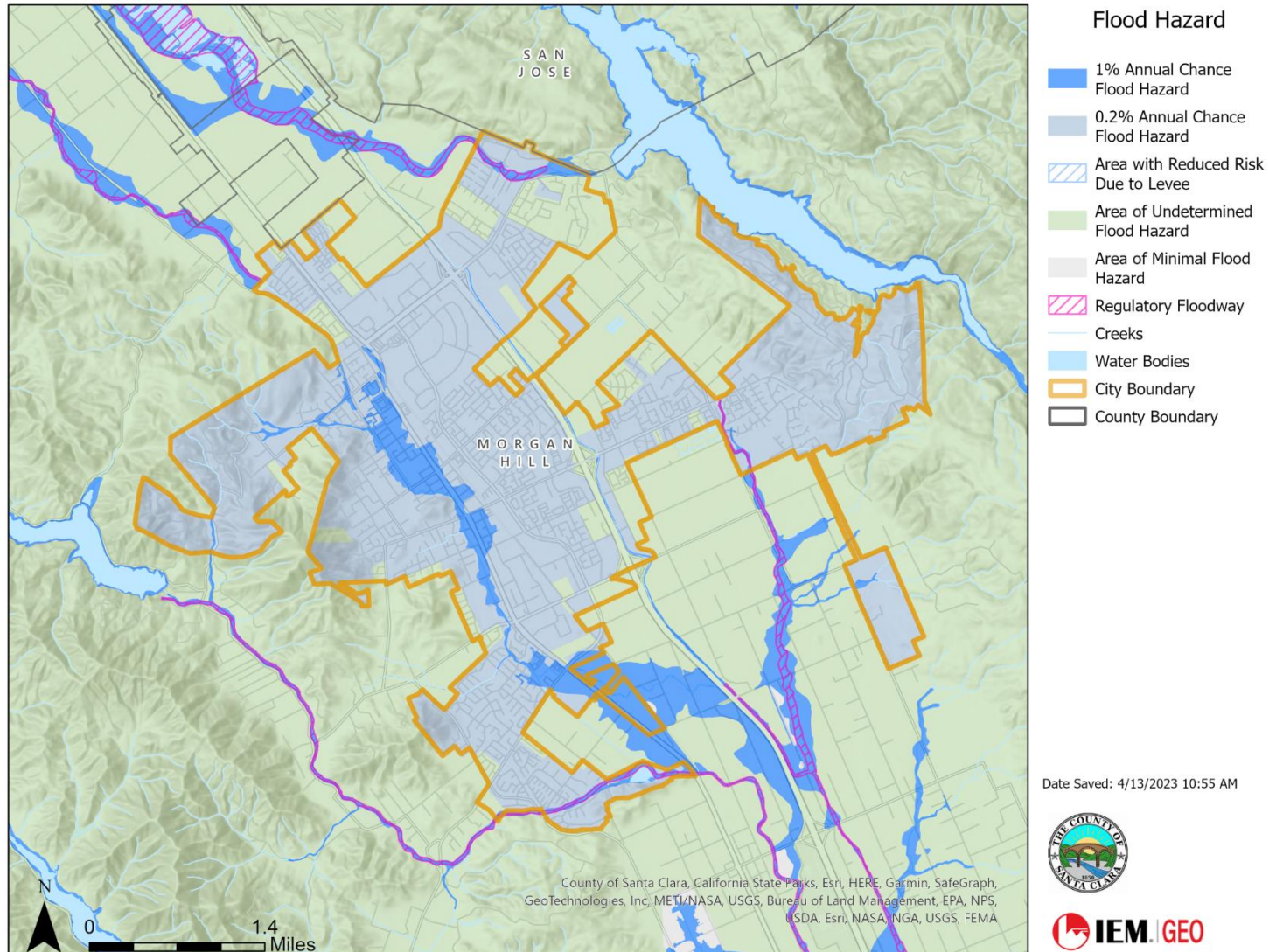


Figure 4: City of Morgan Hill Flood Hazard Area

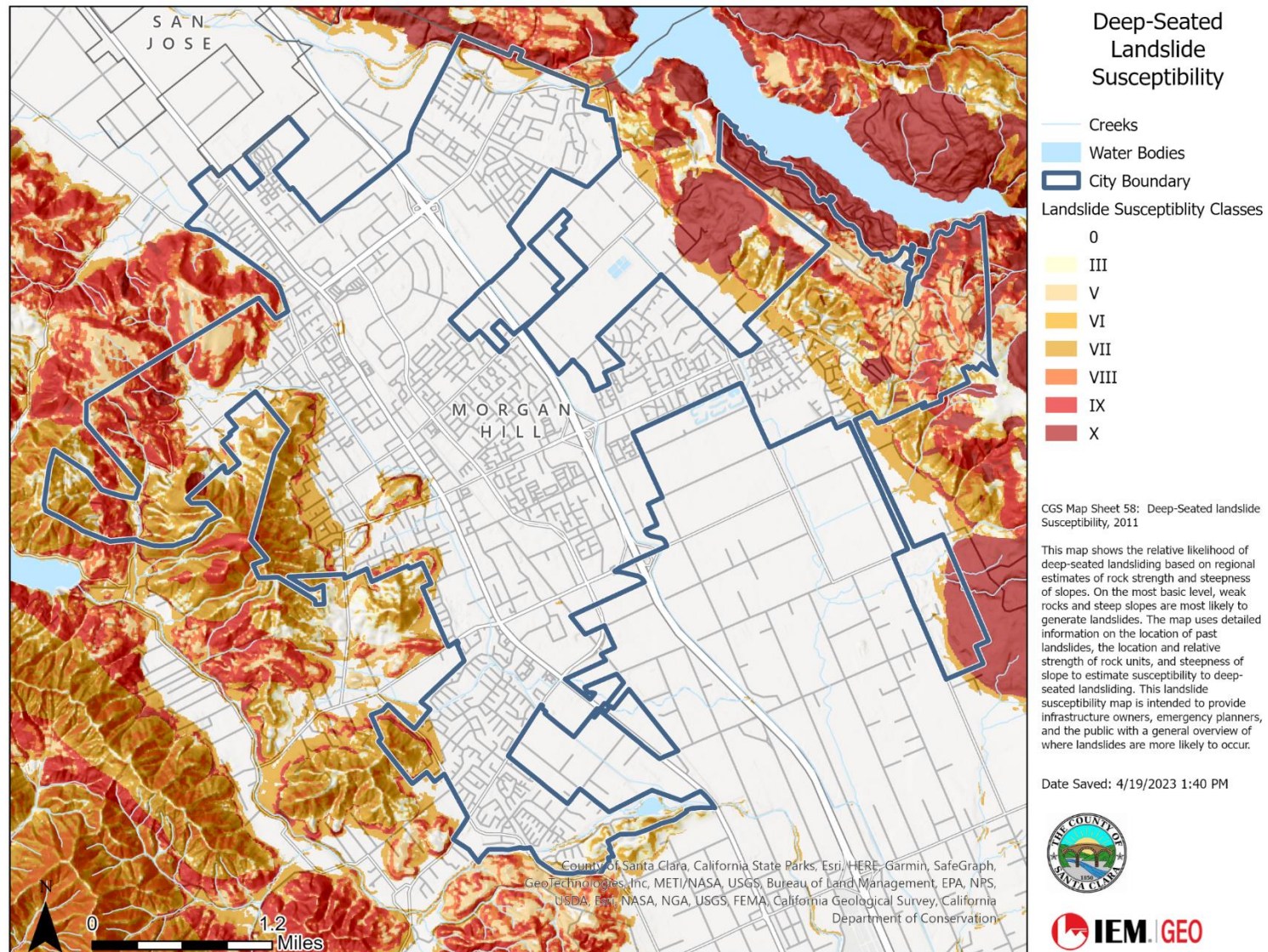


Figure 5: City of Morgan Hill Deep-Seated Landslide Susceptibility

Santa Clara County Multijurisdictional Hazard Mitigation Plan

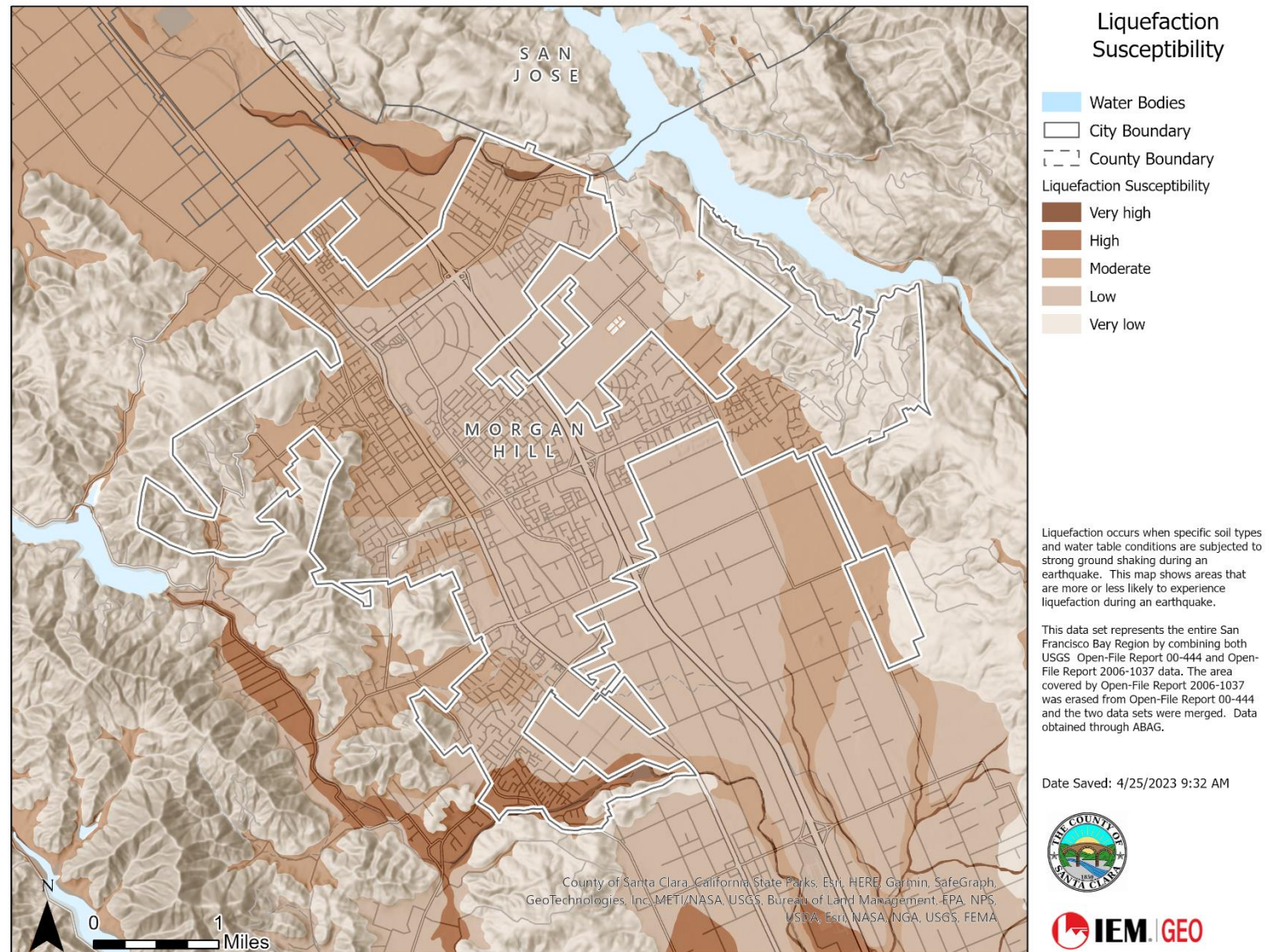


Figure 6: City of Morgan Hill Liquefaction Susceptibility

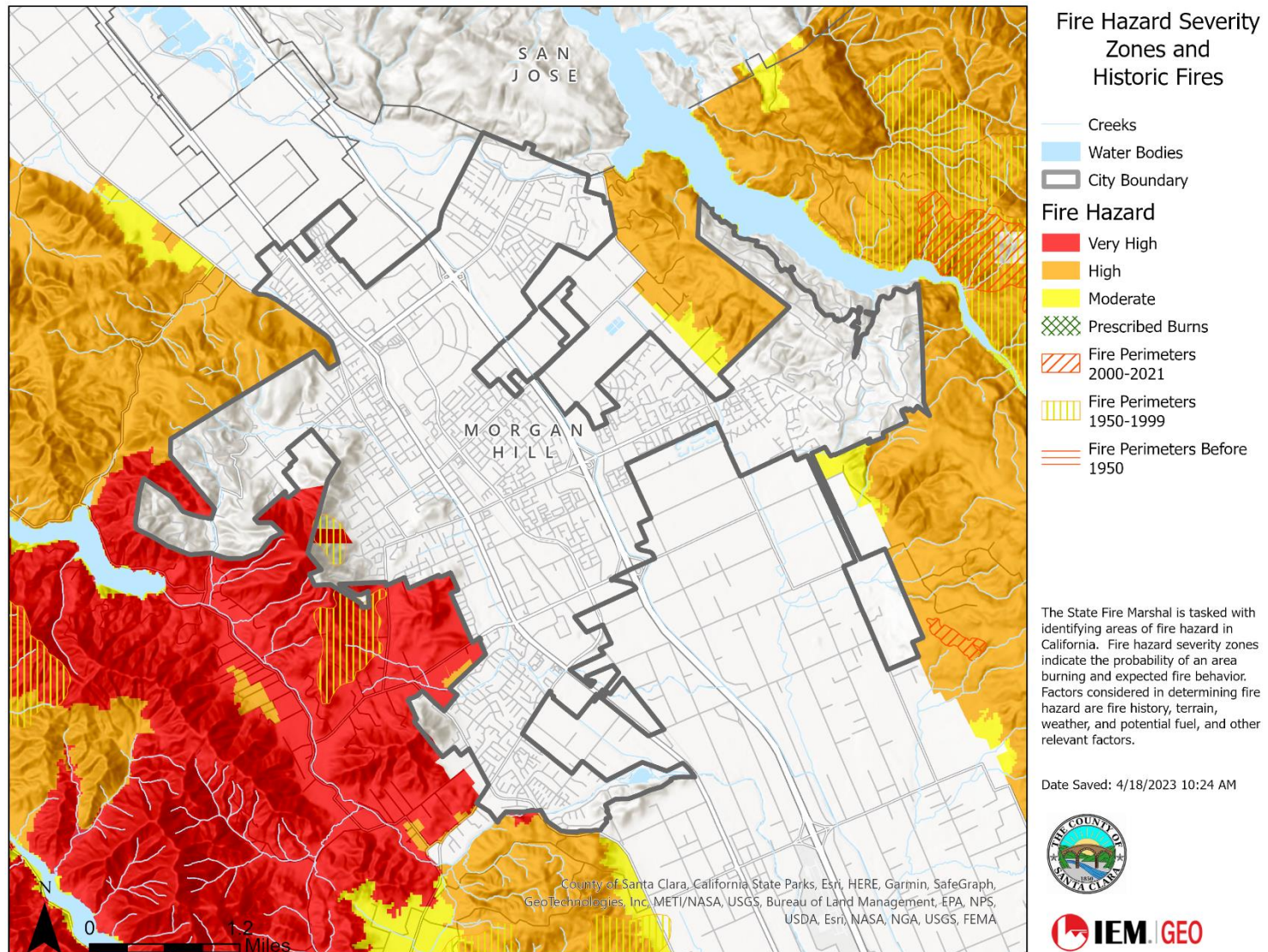


Figure 7: City of Morgan Hill Fire Severity Zones

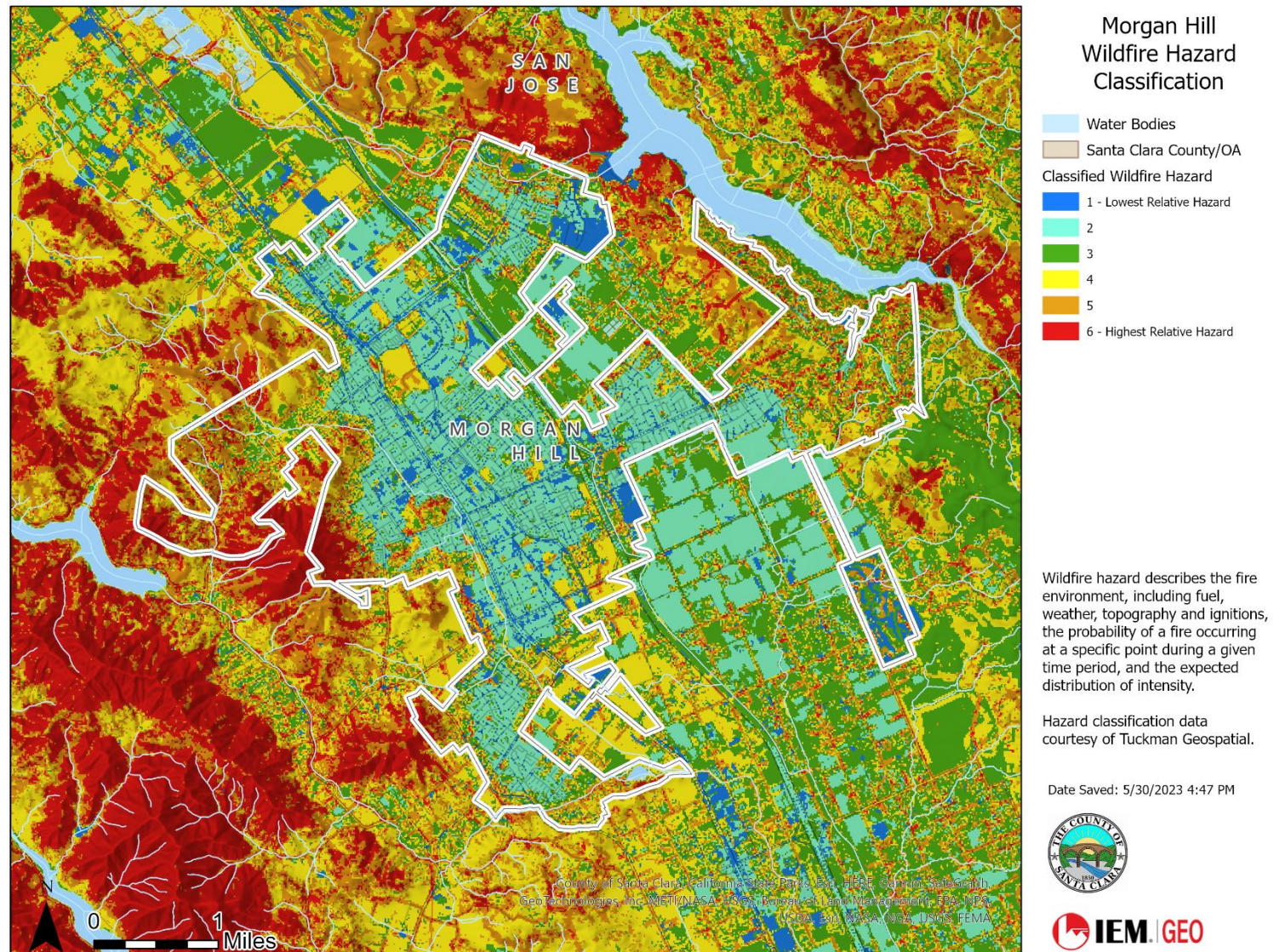


Figure 8: City of Morgan Hill Wildfire Hazard Classification

Santa Clara County Multijurisdictional Hazard Mitigation Plan

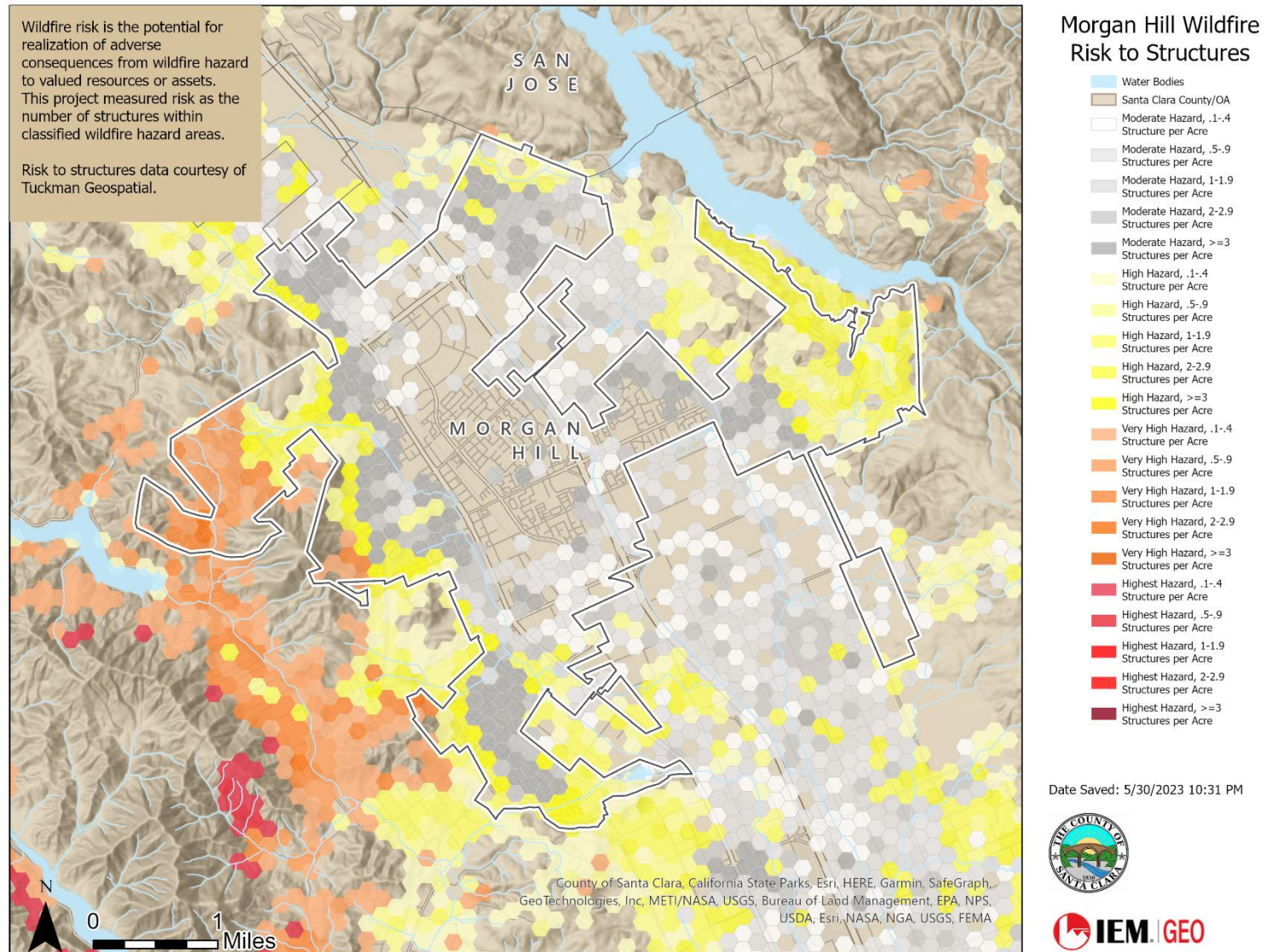


Figure 9: City of Morgan Hill Wildfire Risk to Structures

RESOLUTION NO. 24-xxxx

**ADOPT RESOLUTION ACCEPTING THE SANTA CLARA
COUNTY MULTIJURISDICTIONAL HAZARD
MITIGATION PLAN UPDATE INCLUDING THE CITY OF
MORGAN HILL'S ANNEX.**

WHEREAS, the Bay Area is subject to various hazards of concern including; severe weather, drought, earthquake, flood, landslide, wildfire, dam failure, tsunami and those we cannot predict; and

WHEREAS, the City of Morgan Hill seeks to maintain and enhance both a disaster-resistant City and region by reducing the potential for loss of life, property damage, environmental degradation, and economic loss; and

WHEREAS, the City of Morgan Hill is committed to increasing the disaster resistance of the infrastructure, health, housing, economy, government services, education, environment, and land use systems in the City, as well as in the Bay Area as a whole; and

WHEREAS, the federal Disaster Mitigation Act of 2000 requires all cities, counties, and special districts to have adopted a Local Hazard Mitigation Plan to receive disaster mitigation funding from FEMA; and

WHEREAS, the California Office of Emergency Services and Federal Emergency Management Agency have approved the County of Santa Clara's Multi-Jurisdictional Local Hazard Mitigation Plan; and

WHEREAS, once the hazard mitigation plan is adopted by all the jurisdictional partners, the partnership will collectively and individually become eligible to apply for hazard mitigation project funding from both the Pre-Disaster Mitigation Grant Program and the Hazard Mitigation Grant Program.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City of Morgan Hill commits to continuing to take actions and initiating further actions, as appropriate, as identified in the Santa Clara County Operational Area Hazard Mitigation Plan Update.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 4th day of September 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNCIL MEMBERS:

COUNCIL MEMBERS:

COUNCIL MEMBERS:

COUNCIL MEMBERS:

APPROVED:

ATTEST:

MARK TURNER, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No.XXXX , adopted by the City Council at the meeting held on September 4, 2024.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

MICHELLE BIGELOW, City Clerk

CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Kim Mancera, Deputy City Clerk

APPROVED BY: City Manager

AMEND CONFLICT OF INTEREST CODE REPORTING CATEGORIES

RECOMMENDATION(S)

Adopt resolution amending the list of positions subject to the City's Conflict of Interest Code.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Preserving and Cultivating Public Trust

REPORT NARRATIVE:

The Political Reform Act requires every local government agency to review its Conflict of Interest Code (Code) biennially (even years) to determine if it is accurate or must be amended. The Leadership Team, including the City Attorney and Deputy City Clerk, has conducted the review. Based on said review, staff recommends that the City Council adopt the resolution (Attachment 1) amending the Code to update the reporting categories. The categories to be deleted are shown as strikeouts, and the categories that have been added or amended are shown as underscored/bold.

Staff has identified the recommended changes below to the Code to comply with Government Code Section 87306 to update the reporting categories and to comport with the current employee classifications:

- Add the following reporting categories:
 - a. Assistant City Manager for Administrative Services
 - b. Network Architect
 - c. Council Services and Records Manager
 - d. Emergency Services Coordinator
 - e. GIS / Land Use Data Administrator
 - f. Programmer Analyst
 - g. Senior Human Resources Analyst
- The following titles have been amended:
 - a. Housing and Economic Mobility Director

COMMUNITY ENGAGEMENT:

Inform

This report serves to inform the Community about the amendments to the City's Conflict of Interest Code.

ALTERNATIVE ACTIONS:

Not Applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City's Conflict of Interest Code is required to be reviewed biennially. It was last reviewed and approved on November 16, 2022.

FISCAL AND RESOURCE IMPACT:

There are no fiscal or resource impacts associated with this action.

CEQA (California Environmental Quality Act):

Not a project. Administrative activities of governments that do not result in direct physical changes in the environment do not qualify as a project for purposes of CEQA.

RESOLUTION NO. 24-xxxx

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MORGAN HILL AMENDING THE CITY'S CONFLICT
OF INTEREST CODE BY AMENDING EXHIBIT A
(DESIGNATED POSITIONS) TO REFLECT CURRENT
CITY POSITION(S) AND DISCLOSURE CATEGORIES**

WHEREAS, pursuant to Government Code 87300, Resolution No. 1827 was adopted on September 21, 1983, and subsequently amended by various resolutions; and

WHEREAS, the Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially or as deemed appropriate; and

WHEREAS, the Fair Political Practices Commission has adopted Title 2 of the California Code of Regulations § 18730, which contains the terms of a standard model conflict of interest, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments to the Political Reform Act; and

WHEREAS, a review has been conducted and a determination has been reached that certain amendments are required to update the Code and maintain its accuracy as outlined in Exhibit A – Persons Subject to the Conflict of Interest Code; and

WHEREAS, the Mayor, Council Members, City Manager, City Attorney, City Treasurer, and Planning Commission are not listed in the City's Conflict of Interest Code as they are governed by § 87200 of the Government Code.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORGAN HILL adopts the attached Exhibit A – Persons Subject to the Conflict of Interest Code; and Exhibit B – Conflict of Interest Code for the City of Morgan Hill.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 4th day of September 2024 by the following vote:

AYES:	COUNCIL MEMBERS:	None
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:

ATTEST:

MARK TURNER, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No.24-xxx, adopted by the City Council at the meeting held on September 4, 2024.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

MICHELLE BIGELOW, City Clerk

EXHIBIT A

Persons Subject to the Conflict of Interest Code

Listed below are the designated positions in the local agency that are required to file Disclosure Statements.

Category 1 is defined as:

A designated employee, board member, and commissioner must report all interests in real property having a direct or indirect relationship to, and which may foreseeably be affected by, the official duties and responsibilities of each such designated position.

Category 2 is defined as:

A designated employee, board member, and commissioner in this category must report all investments having a direct or indirect relationship to, and which may foreseeably be affected by, the official duties and responsibilities of each such designated position.

Category 3 is defined as:

A designated employee, board member, and commissioner in this category must report income and business entities in which he or she is a director, officer, partner, trustee, and employee or holds any position of management having a direct or indirect relationship to, and which may foreseeably be affected by, the official duties and responsibilities of each such designated position.

Disclosure

<u>Persons Subject to the Conflict of Interest Code</u>	<u>Category</u>
Administrative Services	
Finance Director	1,2,3
Human Resources Director	1,2,3
<u>Senior Human Resources Analyst</u>	1,2,3
City Clerk/Public Information Officer	1,2,3
Budget Manager	1,2,3
<u>Council Services and Records Manager</u>	1,2,3
<u>Assistant City Manager for Administrative Services</u>	1,2,3
City Attorney's Office	
Assistant City Attorney	1,2,3
Deputy City Attorney	1,2,3
City Manager's Office	
Development Services	
Assistant City Manager for Development Services	1,2,3
Development Services Director	1,2,3
Economic Development Director	1,2,3
Economic Development Coordinator	1,2,3
Principal Planner	1,2,3
Housing <u>and Economic Mobility</u> Director	1,2,3
Building Official	1,2,3

Building Manager	1,2,3
Senior Planner	1,2,3
Fire Department	
Fire Chief	1,2,3
Assistant Fire Chief	1,2,3
Fire Marshal	1,2,3
Battalion Chief	1,2,3
EMS Chief	1,2,3
Police Department	
Police Chief	1,2,3
Police Captain	1,2,3
Information Technology Director	1,2,3
Police Support Services Manager	1,2,3
<u>Emergency Services Coordinator</u>	1,2,3
Public Services	
Public Services Director	1,2,3
Public Services Administrative Manager	1,2,3
<u>GIS/Land Use Data Administrator</u>	1,2,3
Community Services	
Program Administrator	1,2,3
Recreation Manager	1,2,3
Community Services Supervisor	1,2,3
Older Adult Services Supervisor	1,2,3
Senior Recreation Supervisor	1,2,3
Maintenance Manager	1,2,3
Maintenance Services Coordinator	1,2,3
Environmental Services Manager	1,2,3
Environmental Services Administrator	1,2,3
Engineering and Utilities	
Deputy Director for Engineering/City Engineer	1,2,3
Deputy Director for Utility Services	1,2,3
<u>Programmer Analyst</u>	1,2,3
<u>Network Architect</u>	1,2,3
Utility Operations Manager	1,2,3
Senior Project Manager	1,2,3
Senior Civil Engineer	1,2,3
Supervising Civil Engineer	1,2,3
Successor Agency to the Morgan Hill Redevelopment Agency Board Members	1,2,3
Morgan Hill Financing Authority Board Members	1,2,3
Morgan Hill Wastewater Facilities Financing Corporation Board Members	1,2,3
Library, Culture & Arts Commissioners	1,2,3
Parks and Recreation Commissioners	1,2,3
Parking Authority of the City of Morgan Hill	1,2,3
Consultants*	1,2,3

**Consultants shall be included in the list of designated employees and shall disclose pursuant to Category 1, 2, and 3, based on the scope of work performed for the City of Morgan Hill, in consultation with the City Attorney.*

EXHIBIT B

CONFLICT OF INTEREST CODE FOR THE CITY OF MORGAN HILL

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, Title 2, California Code of Regulations, Section 18730, which contains the terms of a standard conflict of interest code which can be incorporated by reference, and that may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of Title 2, California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference. These terms, along with the attached Appendix which designates officials and employees subject to the code and disclosure categories, constitute the Conflict of Interest Code of the City of Morgan Hill.

Pursuant to Section 4 of the Standard Code, designated employees, boards, and commissioners shall file statements of economic interests with the City of Morgan Hill - City Clerk. The City Clerk is to retain these statements. Upon receipt of the statements of the members of the City Council, City Manager, City Attorney, City Treasurer, and members of the Planning Commission; the City Clerk of the City of Morgan Hill shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission.

CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Chris Ghione, Public Services Director

APPROVED BY: City Manager

APPROVE CONSULTANT AGREEMENT WITH JAYSON ARCHITECTURE IN THE AMOUNT OF \$375,000 FOR DESIGN OF VILLA MIRA MONTE PHASE 1 IMPROVEMENTS

RECOMMENDATION(S)

Authorize the City Manager to execute a consultant agreement for design services totaling \$375,000 for the Phase 1 Villa Mira Monte Improvements.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Maintaining and Enhancing Infrastructure

Preserving our Community History

Guiding Documents

Bikeways, Trails, and Recreation Master Plan

REPORT NARRATIVE:

This item would move forward with the next step in the design of the Villa Mira Monte Site Expansion and Improvements. On June 22, 2023, the Council approved conceptual designs for the overall site expansion of Villa Mira Monte. The City currently has limited funds (\$3.5 million) for the initial phase of this project with the current Capital Improvement Program.

The initial conceptual designs completed for the Master Plan provided development of plans at about the 30% level along with cost estimates for various development options. If approved, the proposed contract will fund the completion of the plans and the project through design development, construction documents, bid support, and construction support. Staff is recommending this contract with Jayson Architecture, who was previously hired to develop the conceptual designs through a competitive request for proposals.

During the conceptual design phase, it was known that the City would not have the funds to construct the entire conceptual plan and that a phased approach was necessary. The overall site design is estimated to have a cost of \$13.5 million. The first phase would not include the proposed new building, which is the largest cost within the conceptual design and would focus on improving site access and functionality of the

existing site. The primary costs would be associated with driveways, new restrooms, parking facilities, landscaping, and the addition of improved wet utilities. While smaller in nature, these base improvements would support ADA access, increased school visitation, and general park visitation with the stand-alone restroom facility. These improvements are currently estimated to be able to be completed within the allocated CIP Budget.

The City's Parks and Recreation Master Plan and current Capital Improvement Program (CIP) call for the expansion of the Historical Villa Mira Monte site. The inclusion of the project in the CIP was prioritized after several years of work and partnership between the Historical Society and the City of Morgan Hill. The intent of the design services is to develop a conceptual plan for the use of the undeveloped space on the Villa Mira Monte property.

The City has a very long history associated with Villa Mira Monte, dating back several decades. While the property is owned by the Morgan Hill Historical Society (MHHS), the property's ownership would transfer to the City of Morgan Hill should the organization ever dissolve. The City's former Redevelopment Agency expended significant dollars on the site, but since the dissolution of the redevelopment agency, the Historical Society has managed the site primarily on their own. In 2017, the City entered into a formal Memorandum of Understanding with the organization to provide limited funding, enhance collaboration, and operate the site as part of the City's Parks and Recreation System.

Past proposals from the MHHS for the expansion have proposed development of the site as an event venue. However, after analysis from a long-term sustainability perspective (cost recovery, revenue generation, and operations and maintenance), the current proposed expansion is intended to support the development of the site with the primary goal of the preservation of historical resources. The secondary priority is developing the expansion that supports a high level of cost efficiency in maintenance and operations.

Prior to construction of improvements, the City would need to negotiate a partnership agreement that would ensure long-term public access to the site as a historical park site. This agreement would be brought forward to the Council prior or concurrently to the awarding of a future construction contract.

The conceptual design for the Villa Mira Monte expansion completes the vision for the historical site of the Morgan Hill House. The new community building and gardens supplement the historic house and museum, and increase the programmatic capabilities the site can provide for the community.

The overall concept design/build/out proposes that the undeveloped back half of the site will be activated with a variety of new amenities. A paved parking lot for 30 vehicles will support gatherings of up to approximately 60 people, and will include new centrally located ADA parking spaces. Public restrooms will be added in two locations: a small standalone building immediately adjacent to the existing House and Museum, as well as

inside the new community building. The landscape will be enriched with new spaces, including a contemplative garden planted with native species, a flowering orchard that is an homage to the agricultural history of the site, and an outdoor gathering space to support presentations, classes and events. The community building, which would be a future phase of construction, is inspired by vernacular agricultural barns found throughout the region, is situated behind the Morgan Hill House, and designed in a manner to serve as a graceful backdrop to the landscape.

The City Council approved the conceptual design (link provided below), but requested enhanced safety enhancements be developed for pedestrian access across the newly proposed driveway. Since the phased approach will not include amenities east of the new driveway, this need is mitigated for the short term. However, the safety enhancements will be pre-planned and implemented as needed in the design development for this first phase of the build out.

The conceptual plans are available for download at:

www.morganhill.ca.gov/DocumentCenter/View/49752/Villa-Mira-Monte---Schematic-Design-20230728-1

COMMUNITY ENGAGEMENT:

Inform/Involve/Collaborate

Prior to bringing the proposed conceptual Master Plan design to the City Council, the Project Team had gathered input from the public, members of the Historical Society Board, the Parks and Recreation Commission, and the Library, Culture and Arts Commission through numerous in-person and hybrid meetings.

ALTERNATIVE ACTIONS:

The City Council could choose not to move forward with the next phase of design and provide City staff with alternate direction.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City has a long history associated with Villa Mira Monte. Most recently, the City Council approved a Memorandum of Understanding to formally partner with the Morgan Hill Historical Society in June 2017.

The City Council approved the Bikeways, Trails, Parks and Recreation Master Plan in July 2017, which includes the expansion of Villa Mira Monte.

The City Council received the report on the use of Villa Mira Monte as an event venue on May 19, 2020.

The City Council approved the professional consultant agreement with Jayson Architecture for \$300,000 for the conceptual design of the Villa Mira Monte Expansion on September 28, 2022.

On June 27, 2023, the City Council approved the conceptual design for the project.

FISCAL AND RESOURCE IMPACT:

There are available capital funds for this project within the Capital Improvement Budget and the Recreation Center Impact Fund (360). Funding for construction is not available until FY2025-26.

CEQA (California Environmental Quality Act):

Not a Project

This design work will inform the environmental work necessary to meet CEQA compliance. Environmental review will be conducted concurrently with design development to provide appropriate clearance prior to bidding for construction.

Continuing administrative activities and feasibility or planning studies for possible future actions that the agency has not approved, adopted, or funded are not considered projects for environmental review under CEQA. Developing the conceptual plan is necessary to conduct future environmental review.

CONSULTANT AGREEMENT FOR DESIGN PROFESSIONALS JAYSON ARCHITECTURE

THIS AGREEMENT is entered into and becomes effective on _____ (Effective Date), by and between the CITY OF MORGAN HILL, a municipal corporation, ("CITY"), and Jayson Architecture a California corporation ("CONSULTANT") hereinafter referred to collectively as "Parties." In consideration of the promises and the mutual covenants contained in this Agreement, the Parties agree as follows:

1. **City Authority.** This Agreement is entered into pursuant to the action of the Morgan Hill City Council taken on _____, _____, 20____.
2. **Term of Agreement.** This Agreement shall cover services rendered from the Effective Date of this Agreement until June 30, 2026 at which time CONSULTANT'S services shall be completed. The City Manager is authorized to extend the term of this Agreement provided the compensation does not exceed the City Manager's authority pursuant to Chapter 3.04 of the Morgan Hill Municipal Code, unless otherwise authorized by City Council. Any such extension shall be in writing and signed by both Parties to this Agreement.
3. **Scope of Service.** The services to be performed by CONSULTANT shall be Architectural Services to Complete the Design of Phase 1 Villa Mira Monte Expansion Plans as further described in **Exhibit A.**
4. **Compensation.** CONSULTANT shall be compensated as follows:
 - 4.1. **Amount.** \$375,000.00. Total compensation to CONSULTANT under this Agreement during its initial term set forth in Section 2 above shall not exceed Three Hundred Seventy Five Thousand dollars and shall be billed based on the rate and basis set forth in **Exhibit B.** If the City Manager extends the term of this Agreement pursuant to the provisions of Section 2 above, the City Manager shall have the authority to increase the maximum compensation allowed to be paid to CONSULTANT, so long as City Council has appropriated sufficient funds therefor, the Parties mutually agree to such amount in a writing signed by both Parties to this Agreement, and provided further that in no event shall such maximum compensation allowed for the term exceed the City Manager's authority pursuant to Chapter 3.04 of the Morgan Hill Municipal Code, unless otherwise authorized by City Council.
 - 4.2. **Billing.** CONSULTANT shall provide CITY with an invoice containing the dated, detailed, and itemized descriptions of all services performed and expenses incurred (if such expenses are reimbursable pursuant to Exhibit B) by CONSULTANT on a monthly basis unless otherwise specified in Exhibit B. All invoices shall be sent to the CITY addressed to the department head or project manager identified below in Section 13 Notices. Any rate charged shall be prorated where services are interrupted or not provided for any rate period (for example, any monthly rate charge should be prorated when services were interrupted or provided for only part of the month). For services billed on an hourly rate, the minimum unit of billed time shall not exceed one tenth of one hour. CITY shall pay for services and expenses (if so provided in Exhibit B) up to the limit of compensation set forth above, that in the CITY'S judgment were necessary and reasonable. Services for work performed and expenses incurred in excess of the total compensation set forth in paragraph 4.1 above shall be at no cost to CITY.

5. **Termination.** CITY or CONSULTANT shall have the right to terminate this Agreement, without cause, by giving thirty (30) days' written notice or less under urgent circumstances. Upon such termination, CONSULTANT shall submit to CITY an itemized statement of services performed for which compensation has not been paid. CITY may require CONSULTANT to complete certain work product or documents and CONSULTANT shall deliver to CITY all documents in its possession without additional compensation to CONSULTANT. The City Manager of CITY is authorized to terminate this Agreement, in whole or in part, on behalf of CITY.

5.1. **Non-Appropriations.** Notwithstanding anything contained in this Agreement to the contrary, if insufficient funds are appropriated, or funds are otherwise unavailable in the budget for CITY for any reason whatsoever in any fiscal year, for payments due under this Agreement, CITY will immediately notify CONSULTANT of such occurrence, and this Agreement shall terminate after the last day during the fiscal year for which appropriations shall have been budgeted for CITY or are otherwise available for payments.

6. **Performance of Work.** CONSULTANT represents that it is qualified by virtue of experience, training, education, and expertise to accomplish these services. Services shall be performed by CONSULTANT in accordance with professional practices in a manner consistent with a level of care, competence and skill exercised by qualified members of the CONSULTANT'S profession. By delivery of completed work, CONSULTANT certifies that the work conforms to the requirements of this Agreement and all applicable federal, state, and local laws. CONSULTANT shall perform all work and services under this Agreement in conformance with the time schedule set forth on Exhibit C, "Schedule of Performance," attached hereto and incorporated herein by this reference. CITY'S City Manager is authorized on behalf of CITY to modify the timeframes set forth on the Schedule of Performance within the term of this Agreement. If CONSULTANT desires to leave or store any of CONSULTANT'S equipment at a CITY site while CONSULTANT is performing work or service pursuant to this Agreement, CONSULTANT will first obtain the consent of CITY'S City Manager, or his/her delegate, to do so, and any such storage shall occur only in the manner and location allowed by such CITY official and entirely at CONSULTANT'S sole risk.

7. **Insurance Requirements.** CONSULTANT shall procure and provide proof of the insurance coverage required by this section in the form of certificates and endorsements. The required insurance must cover the activities of CONSULTANT, including its subcontractors, employees, and agents, relating to, or arising from, the performance of any work or service under this Agreement, and must remain in full force and effect at all times during the period covered by this Agreement. The coverages may be arranged under a single policy for the full limits required or by a combination of underlying policies with the balance provided by excess or "umbrella" policies, provided each such policy complies with the requirements set forth herein. Any deductibles or self-insured retentions must be declared to and approved by City. CONSULTANT further understands that the CITY reserves the right to modify the insurance requirements set forth herein, with thirty (30) days' notice provided to CONSULTANT, at any time as deemed necessary to protect the interests of the CITY.

7.1. **Insurance Types and Amounts.**

7.1.1. **Commercial General Liability (CGL).** CONSULTANT shall maintain CGL against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S

combined insurance policies (including any excess or “umbrella” policies), whichever is greater.

- 7.1.2. Automobile Liability. CONSULTANT shall maintain Automobile Liability covering all owned, non-owned and hired automobiles (if CONSULTANT does not own automobiles, then CONSULTANT shall maintain Hired/Non-owned Automobile Liability) against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT’S combined insurance policies (including any excess or “umbrella” policies), whichever is greater.
- 7.1.3. Workers’ Compensation Insurance and Employer’s Liability. CONSULTANT shall maintain Workers Compensation coverage, as required by law, in the minimum amount of: (i) one million dollars (\$1,000,000.00) for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT’S combined insurance policies (including any excess or “umbrella” policies), whichever is greater. If CONSULTANT is self-insured, CONSULTANT shall provide its Certificate of Permission to Self-Insure, duly authorized by the Department of Industrial Relations.
- 7.1.4. Pollution (Environmental) Liability. If the performance of CONSULTANT’S work or service under this Agreement involves hazardous materials, contaminated soil disposal, and/or a risk of accidental release of fuel oil, chemicals or other toxic gases or hazardous materials, CONSULTANT shall procure and maintain Pollution Liability covering the CONSULTANT’S liability for bodily injury, property damage and environmental damage resulting from pollution and related cleanup costs arising out of the work or services to be performed under this Agreement. Coverage shall be provided for both work performed on site, as well as during the transport of hazardous materials. Such coverage shall be in the minimum amount of: (i) one million dollars (\$1,000,000.00) for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT’S combined insurance policies (including any excess or “umbrella” policies), whichever is greater.
- 7.1.5. Professional Liability.
 - 7.1.5.1. If the performance of CONSULTANT’S work or service under this Agreement involves professional and/or technical services (examples include, but are not limited to, architects, engineers, land surveyors, and appraisers), CONSULTANT shall procure and maintain either a claims made or occurrence Errors and Omission liability insurance in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT’S combined insurance policies (including any excess or “umbrella” policies), whichever is greater. Further, if CONSULTANT maintains a claims-made policy, CONSULTANT shall provide written evidence of such insurance to the CITY for at least five (5) years after the completion of work performed under this Agreement.

7.1.5.2. If the performance of CONSULTANT'S work or service under this Agreement relates to Information Technology or related services (examples include, but are not limited to computer programmers, software designers, hardware engineers, or other systems consultants), CONSULTANT shall procure and maintain a claims made Errors and Omission liability insurance, including Cyber Liability and Data Breach, in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

7.1.6. Sexual Abuse/Molestation Liability (SML): If the performance of CONSULTANT'S work or service under this Agreement involves contact with minors, CONSULTANT shall procure and maintain Sexual Abuse and Molestation insurance in the minimum amount of: (i) two hundred thousand dollars (\$200,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

7.2. **Endorsements**. CONSULTANT shall provide proof of the following endorsements, listed for each policy for which endorsements are required, as outlined below:

7.2.1. General Liability and pollution liability (when pollution liability applies).

7.2.1.1. "Additionally Insured" - The City of Morgan Hill, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers are named as additional insureds on a form at least as broad as ISO Form CG 20 10 for ongoing operations.

7.2.1.2. "Waiver of Rights of Subrogation" - The insurer waives the right of subrogation against the City of Morgan Hill and CITY'S elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers; and

7.2.1.3. "Primary and Non-Contributing" - Insurance shall be endorsed to be primary and non-contributory and will not seek contribution from the City's insurance or self-insurance and shall be at least as broad as ISO Form CG 20 01.

7.2.2. Workers Compensation.

If the performance of CONSULTANT'S work or service under this Agreement involves access to or activity on any property or premises owned or occupied by the CITY, including, but not limited to, CONSULTANT'S presence during site visits and meetings, then insurer waives the right of subrogation against the City of Morgan Hill and the CITY'S elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers.

7.3. **Qualification of Insurers**. All insurance required pursuant to this Agreement must be issued by a company licensed and admitted, or otherwise legally authorized to carry out insurance business in the State of California, and each insurer must have a current A.M. Best's financial strength rating of "A" or better and a financial size rating of "VII" or better.

- 7.4. **Certificates.** CONSULTANT shall furnish CITY of Morgan Hill with copies of all certificates as outlined herein, whether new or modified, promptly upon receipt. In the event of a claim or legal action, CONSULTANT shall promptly furnish CITY of Morgan Hill with copies of all policies outlined herein. No policy subject to the CONSULTANT'S agreement with the CITY shall be canceled or materially changed except after thirty (30) days' notice by the insurer to CITY. A "material change" is a change that results in non-compliance with any insurance requirements in this section 7. Certificates, including renewal certificates, may be mailed electronically to riskmgmt@morganhill.ca.gov or delivered to the Certificate Holder address provided herein.

Certificate Holder address:

City of Morgan Hill
Attn: Risk Management
17575 Peak Avenue
Morgan Hill, CA 95037

8. **Non-Liability of Officials and Employees of the CITY.** No official or employee of CITY shall be personally liable for any default or liability under this Agreement.

9. **Compliance with Law.**

- 9.1. CONSULTANT and its officers, employees, agents, and subcontractors shall comply with all applicable laws, ordinances, administrative regulations, and permitting requirements in carrying out their obligations under this Agreement. CONSULTANT and its officers, employees, agents, and subcontractors covenant there shall be no discrimination based upon any basis prohibited by State or Federal law, including but not limited to, race, color, creed, religion, gender, marital status, age, sexual orientation, national origin, mental disability, physical disability, medical condition, or ancestry, in any activity pursuant to this Agreement.
- 9.2. Compliance with Wage and Hour Laws: Consultant, and any subcontractor it employs to complete work under this Agreement, shall comply with all applicable federal, state, and local wage and hour laws. Applicable laws may include, but are not limited to, the Federal Fair Labor Standards Act and the California Labor Code.

Final Judgments, Decisions, and Orders: For purposes of this Section, a "final judgment, decision, or order" refers to one for which all appeals have been exhausted or the time to appeal has expired. Relevant investigatory government agencies include: the federal Department of Labor, the California Division of Labor Standards Enforcement, or any other governmental entity or division tasked with the investigation and enforcement of wage and hour laws.

Prior Judgments against CONSULTANT and/or its Subcontractors: BY SIGNING THIS AGREEMENT, CONSULTANT AFFIRMS THAT IT HAS DISCLOSED ANY FINAL JUDGMENTS, DECISIONS OR ORDERS FROM A COURT OR INVESTIGATORY GOVERNMENT AGENCY FINDING – IN THE FIVE (5) YEARS PRIOR TO EXECUTING THIS AGREEMENT – THAT CONSULTANT OR ITS SUBCONTRACTOR(S) HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONSULTANT FURTHER AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) HAS SATISFIED AND COMPLIED WITH – OR HAS REACHED AGREEMENT WITH THE CITY REGARDING THE

MANNER IN WHICH IT WILL SATISFY – ANY SUCH JUDGMENTS, DECISIONS OR ORDERS.

Judgments or Decisions During Term of Contract: If at any time during the term of this Agreement, a court or investigatory government agency issues a final judgment, decision or order finding that CONSULTANT or an subcontractor it employs to perform work under this Agreement has violated any applicable wage and hour law, or CONSULTANT learns of such a judgment, decision, or order that was not previously disclosed, CONSULTANT shall inform the City Attorney, no more than fifteen (15) days after the judgment, decision or order becomes final or of learning of the final judgment, decision, or order. CONSULTANT and its subcontractors shall promptly satisfy and comply with any such judgment, decision, or order, and shall provide the City Attorney with documentary evidence of compliance with the final judgment, decision, or order within five (5) days of satisfying the final judgment, decision, or order. The City reserves the right to require CONSULTANT to enter into an agreement with the City regarding the manner in which any such final judgment, decision, or order will be satisfied.

City's Right to Withhold Payment: Where CONSULTANT or any subcontractor it employs to perform work under this Agreement has been found in violation of any applicable wage and hour law by a final judgment, decision or order of a court or government agency, the City reserves the right to withhold payment to CONSULTANT until such judgment, decision or order has been satisfied in full.

Material Breach: Failure to comply with any part of this Section constitutes a material breach of this Agreement. Such breach may serve as a basis for immediate termination of this Agreement and/or any other remedies available under this Agreement and/or law.

Notice to City Related to Wage Theft Prevention: Notice provided to the City Attorney as required under this Section shall be addressed to: City Attorney, City of Morgan Hill, 17575 Peak Avenue, Morgan Hill, CA 95037. The Notice provisions of this Section are separate from any other notice provisions in this Agreement and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section.

10. **Independent Contractor.** CONSULTANT is an independent contractor and not an agent or employee of CITY.
11. **Confidentiality.** All data, documents, or other information received by CONSULTANT from CITY or prepared in connection with CONSULTANT'S services under this Agreement are deemed confidential and shall not be disclosed to any third party by CONSULTANT without prior written consent by CITY.
12. **Conflict of Interest and Reporting.** CONSULTANT shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.
13. **Notices.** All notices shall be personally delivered or mailed, via first class mail to the below listed address. These addresses shall be used for delivery of service of process. Notices shall be effective five (5) days after date of mailing, or upon date of personal delivery.

Address of CONSULTANT is as follows:

Jayson Architecture

Attn: Abraham Jayson
50 29th Street
San Francisco, CA 94110
Address of CITY is as follows:

Public Services Director	with a copy to:
City of Morgan Hill	City Clerk
17575 Peak Avenue	City of Morgan Hill
Morgan Hill, CA 95037	17575 Peak Avenue
	Morgan Hill, CA 95037

14. **Licenses, Permits and Fees.** CONSULTANT shall obtain a City of Morgan Hill Business License, all permits and licenses to the extent required by ordinances, codes, and regulations of the federal, state, and local government.

15. **Consultant's Proposal.** If applicable, this Agreement shall include CONSULTANT'S proposal or bid which is incorporated herein. In the event of any inconsistency between the terms of the proposal and this Agreement, this Agreement shall govern.

16. **Maintenance of Records.**

16.1. **Maintenance.** CONSULTANT shall prepare, maintain, and preserve all reports and records that may be required by federal, state, and CITY rules and ordinances related to services provided under this Agreement. CONSULTANT shall maintain records for a period of at least 3 years after receipt of final payment under this Agreement. If any litigation, claim, negotiation, audit exception, or other action relating to this Agreement is pending at the end of the 3-year period, then CONSULTANT shall retain said records until such action is resolved.

16.2. **Access to and Audit of Records.** The CITY shall have the right to examine, monitor and audit all records, documents, conditions, and activities of the CONSULTANT and its subcontractors related to services under this Agreement. Pursuant to Government Code Section 8546.7, if this Agreement involves the expenditure of public funds in excess of \$10,000, the Parties to this Agreement may be subject, at the request of the CITY or as part of any audit of the CITY, to the examination and audit of the State Auditor pertaining to matters connected with the performance of this Agreement for a period of three years after final payment under the Agreement.

16.3. **Ownership of Work Product.** All documents or other information developed or received by CONSULTANT for work performed under this Agreement shall be the property of CITY. CONSULTANT shall provide CITY with copies of these items upon demand or upon termination of this Agreement.

17. **Familiarity with Work.** By executing this Agreement, CONSULTANT represents that: (1) it has investigated the work to be performed; (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the difficulties and restrictions of the work under this Agreement. Should CONSULTANT discover any conditions materially differing from those inherent in the work or as represented by CITY, it shall immediately inform CITY and shall not proceed, except at CONSULTANT'S risk, until written instructions are received from CITY.

18. **Time of Essence.** Time is of the essence in the performance of this Agreement.

19. **No Assignment.** Neither this Agreement nor any portion shall be assigned by CONSULTANT, without prior written consent of CITY. Any attempted assignment not first approved by CITY shall be void and, at CITY'S option, shall terminate this Agreement effective as of the date of such attempted assignment.

20. **Attorney Fees.** In any legal action, dispute or arbitration arising out of or relating to this Agreement, the prevailing party shall be entitled to an award of its reasonable attorney fees, costs and expenses incurred.

21. **Defense and Indemnification.**

21.1. **Defense and Indemnification for Design Professional Services.** Consistent with California Civil Code Section 2782.8, for design professional services to be performed under this agreement by a design professional, as that term is defined under said Section 2782.8, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors in performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement ("CLAIM") to the extent of CONSULTANT'S proportionate percentage of fault.

21.2. **Defense and Indemnification for Non-Design Professional Services.** For all services performed under this agreement not covered by Section 21.1 above, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the performance of this Agreement or the failure to comply with any obligations contained in this Agreement by CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors ("CLAIM").

21.3. **Exceptions.** CONSULTANT is not required to indemnify INDEMNITEES against liability for bodily injury, property damage or personal injury, or any other loss, damage or expense arising from the sole negligence, active negligence, or willful misconduct of the CITY.

21.4. **Not limited by insurance.** The indemnity, defense and hold harmless provisions of this Agreement apply to all CLAIMS alleged against an INDEMNITEE, regardless of whether any insurance policies are applicable. Policy limits do not act as a limitation upon the amount of indemnification or defense to be provided by CONSULTANT.

21.5. **Right to Offset.** CITY shall have the right to offset against any compensation due CONSULTANT under this Agreement any amount due CITY from CONSULTANT as a result of CONSULTANT'S failure to pay CITY promptly any indemnification arising under this Section (21) and any amount due CITY from CONSULTANT arising from

CONSULTANT'S failure either to (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.

21.6. **Interpretation.** This Section shall constitute an agreement or contract of indemnity, incorporating the interpretations under California Civil Code Section 2778. It is expressly understood and agreed that the obligation of the CONSULTANT to indemnify the INDEMNITEE shall be as broad and inclusive as permitted by the laws of the State of California and shall survive termination of this Agreement.

22. **Entire Agreement; Modification; Conflicting Provisions.** This Agreement constitutes the entire Agreement between the Parties and supersedes any previous agreements, oral or written. This Agreement may be modified, or provisions waived, only by a subsequent mutual written agreement executed by CITY and CONSULTANT. If the provisions contained in the main body of this Agreement conflict with any provision contained in an exhibit to this Agreement, the provisions of the main body of this Agreement shall govern and control over any provision contained in an exhibit to this Agreement.

23. **Governing Law and Venue.** This Agreement shall be construed in accordance with the laws of the State of California. This Agreement was entered into and is to be performed in the County of Santa Clara. Any action or dispute arising out of this Agreement shall only be brought in Santa Clara County.

24. **Interpretation.** This Agreement is a negotiated document and shall be deemed to have been drafted jointly by the Parties, and no rule of construction or interpretation shall apply against any particular Party based on a contention that the Agreement was drafted by one of the Parties including, but not limited to, California Civil Code § 1654, the provisions of which are hereby waived. This Agreement shall be construed and interpreted in a neutral manner.

25. **Notice of Security and/or Privacy Incident.** If CONSULTANT, or its subconsultant, suspect, discover or are notified of a data security incident or potential breach of security and/or privacy relating to CITY PII, PHI and/or PCI, CONSULTANT shall immediately, but in no event later than forty-eight (48) hours from suspicion, discovery or notification of the incident or potential breach, notify CITY of such incident or potential breach. CONSULTANT shall, upon CITY's request, investigate such incident or potential breach, inform the CITY of the results of any such investigation, and assist the CITY in maintaining the confidentiality of such information. In addition to the foregoing, CONSULTANT shall provide CITY with any assistance necessary to comply with any state and/or federal laws requiring the provision of notice of any privacy incident or security breach with respect to any CITY PII, PHI and/or PCI to the affected or impacted individuals and/or organizations, in addition to any notification to applicable state and federal agencies. CONSULTANT agrees that it shall reimburse CITY for all expenses, costs, attorneys' fees, and resulting fines, penalties, and damages associated with such incident, breach, investigation and/or notification.

26. **Preservation of Agreement.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the rest of the Agreement shall remain in full force and effect and shall in no way be affected or invalidated.

27. **Binding Agreement.** Notwithstanding the provisions of Section 19 above, this Agreement shall bind any and all successors in interest, legal representatives and/or other permitted assignees or transferees of CONSULTANT in the same manner as if those successors in interest, legal representatives or other permitted assignees or transferees had entered into this Agreement originally.

28. ☐ **Data Sharing.** This Agreement requires access by CONSULTANT to CITY'S Geographic Information System (GIS) DATA for CONSULTANT to perform the work. CITY agrees to provide the

GIS DATA to CONSULTANT solely for the purpose of performance of contracted work with the CITY upon the terms and conditions specified in Exhibit D, incorporated herein by this reference.

29. **Electronic Signatures.** Unless otherwise prohibited by law or CITY policy, the Parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term “electronic copy of a signed contract” refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term “electronically signed contract” means a contract that is executed by applying an electronic signature using technology approved by the CITY.

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[Signatures on Next Page]

30. **Authority to Execute.** Those individuals who are signing this Agreement on behalf of entities represent and warrant that they are, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this Agreement.

IN WITNESS THEREOF, these Parties have executed this Agreement on the day and year shown below.

AS SET FORTH IN CA. CORP. CODE § 313, TWO SIGNATURES ARE REQUIRED FOR CALIFORNIA CORPORATIONS:

- (1) CHAIRPERSON OF THE BOARD, PRESIDENT, OR VICE PRESIDENT; AND
(2) SECRETARY, ASSISTANT SECRETARY, CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER.

ATTEST:

CITY OF MORGAN HILL

City Clerk/Deputy City Clerk

City Manager

Michelle Bigelow
Print Name

Christina J. Turner
Print Name

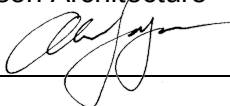
Date: _____

Date: _____

APPROVED AS TO FORM:

Jayson Architecture

City Attorney

By: 

Donald A. Larkin
Print Name

Abraham Jayson, Principal, CEO
Print Name and Title of Signer.
If Corporate: Chairman, President or Vice President

Date: _____

Date: 8/26/24


By: _____

Abraham Jayson, Principal, CFO
Print Name and Title of Signer.
If Corporate: Secretary, Assistant Secretary, Chief Financial Officer or Assistant Treasurer

Date: 8/26/24

EXHIBIT A

SCOPE OF SERVICES

A. Design Development Phase

Based on the approved Schematic Design Drawings, Jayson Architecture will prepare Design Development Drawings for Phase 1 of the project. In addition to the plans, sections, elevations, and preliminary details prepared in the Schematic Design Phase, the Architecture and Engineering team will prepare typical & critical construction details and material and finish schedules for the exterior and interior of the project, update all drawings from the Schematic Design Phase, and coordinate with the engineering consultants to produce a Design Development set of Architecture and Engineering drawings. At phase completion, the Architecture and Engineering documents will be submitted to the cost estimator to refine the budget for construction.

B. Construction Documents Phase

Based on the approved Design Development Drawings, Jayson Architecture will prepare Construction Documents for the project, including architectural and engineering plans and specifications. In addition to the drawings prepared in the Design Development Phase, the Architecture and Engineering team will prepare complete and bid-ready Construction Documents, including construction details and 3-part Technical Specifications in CSI Masterformat. At phase completion the Architecture and Engineering documents will be submitted to the cost estimator to confirm the budget for construction.

During the design phases, the Architecture and Engineering team will complete applicable code research to determine limitations and permit considerations for the project. At the completion of the Construction Documents phase, Jayson Architecture will submit the project to the Planning, Building, and Fire Departments for review and approval, as well as the other agencies as deemed required for the project scope. The Architecture and Engineering team will respond to all comments from each respective department or agency with a clear and concise response letter corresponding to any/all drawing revisions required for approval.

C. Bid Phase

Jayson Architecture will review the City's front-end specifications (General and Special Conditions) to determine they are appropriate for the scale and type of project. Jayson Architecture will attend a pre-bid meeting at the project site to introduce prospective bidders to the project and answer questions. The Architecture and Engineering team will respond to bidder's questions and prepare an addendum to the Bid Documents. Jayson

Architecture will assist the City with evaluation of submitted bids and selection of the General Contractor.

D. Construction Administration Phase

Jayson Architecture will attend Owner/Architect/Contractor (OAC) meetings on a bi-weekly basis for the duration of construction. The Engineering sub-consultants will visit the site at intervals appropriate to their specific scope of work. The Architecture and Engineering team will respond to Contractor Requests for Information (RFIs), review project submittals and shop drawings, prepare ASIs and bulletins, and review contractor pay applications. In addition, Jayson Architecture will review and assist the City with responding to Contractor Change Orders.

Jayson Architecture will attend one punchlist site walk with the contractor at substantial completion to review work remaining to be completed. The Architecture and Engineering team will review the Contractor prepared punchlist and amend as required to capture the scope of work remaining to complete the project. We will attend one final walkthrough confirming all items on the punchlist have been completed. At project closeout the Architecture and Engineering team will review contractor provided warranties, manuals, and as-built drawings.

SCHEDULE OF COMPENSATION RATES

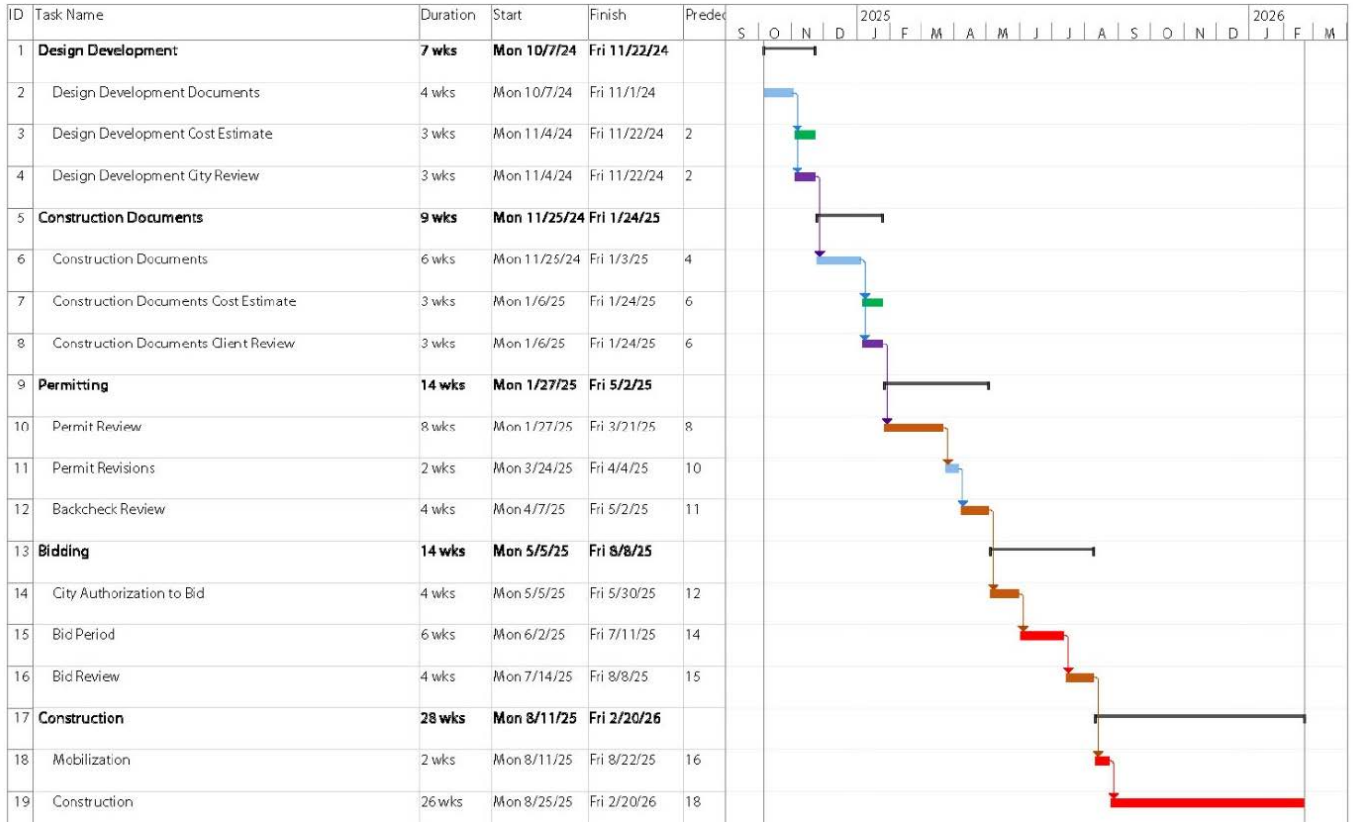
1. Base Service Costs of \$350,355 shall be billed based on the below costs.

		DESIGN DEVELOPMENT	CONSTRUCTION DOCUMENTS	BID SUPPORT SERVICES	CONSTRUCTION ADMINISTRATION	TOTALS
Basic Service	Consultant					
Architectural Services	JAYSON	\$41,000	\$65,000	\$10,000	\$48,000	\$164,000
Structural Engineering	MAR	\$0	\$15,400	\$0	\$5,500	\$20,900
Mechanical Engineering	ALTER	\$550	\$1,100	\$275	\$550	\$2,475
Plumbing Engineering	ALTER	\$1,100	\$2,200	\$550	\$1,100	\$4,950
Electrical Engineering	RIJA	\$5,280	\$7,040	\$880	\$4,400	\$17,600
Landscape Architect	JIJA	\$19,250	\$30,800	\$6,600	\$9,900	\$66,550
Civil Engineering	BKF	\$9,240	\$30,030	\$0	\$6,930	\$46,200
Cost Estimating	TBD	\$9,306	\$11,374	\$0	\$0	\$20,680
Subtotal Basic Services		\$85,726	\$162,944	\$18,305	\$76,380	\$343,355
Reimbursable Expense Allowance		\$1,000	\$1,000	\$1,000	\$4,000	\$7,000
Total Proposed Fee						\$350,355

2. Contingency Funds of \$24,645 shall be billed for additional costs outside the base scope of work. Use of contingency funds shall be approved by the City Project Manager prior to work being performed.

EXHIBIT C

SCHEDULE OF PERFORMANCE



CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Chris Ghione, Public Services Director

APPROVED BY: City Manager

APPROVE COST SHARE AGREEMENT WITH THE CITY OF GILROY FOR JOINT WASTEWATER TRUNK LINE REPAIRS

RECOMMENDATION(S)

Authorize the City Manager to execute and administer a cost sharing agreement with the City of Gilroy for the design and repairs to the jointly owned wastewater trunk line for \$1,814,455.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Enhancing Public Safety

Protecting the Environment and Preserving Open Space and Agricultural Land

Maintaining and Enhancing Infrastructure

Guiding Documents

Wastewater System Master Plan

REPORT NARRATIVE:

The City of Morgan Hill jointly owns a wastewater trunk line with the City of Gilroy. Co-ownership begins in San Martin and stretches to the South County Regional Wastewater Authority's (SCRWA) treatment plant in south Gilroy. In 2021, the City of Morgan Hill partnered with Gilroy to perform a complete assessment of the line. This assessment provided detailed information on the condition of the line and identified repair needs.

The City of Gilroy will take the lead on repairs of the line and, per the SCRWA Joint Powers Agreement, the City of Morgan Hill is responsible for reimbursing the costs of repairs to the line to the City of Gilroy for the City of Morgan Hill's share of ownership. The attached Cost Share Agreement (Attachment 1) has been developed to support these repairs and reimbursement. The work consists of rehab and replacement of sections of the aging line, along with repairs to manholes along the line. The repairs outlined in the agreement will eliminate the most significant issues within the joint trunk line and support continued smooth conveyance of Morgan Hill's wastewater through Gilroy to the SCRWA treatment plant.

COMMUNITY ENGAGEMENT:

Not Applicable

Maintenance of the City's wastewater system is an expected service by residents. The City's 2024 Wastewater Collection System Master Plan update and the current Capital Improvement Program Budget include these repairs and costs.

The City of Gilroy will be the lead on communications regarding project impacts as all repairs are outside the City of Morgan Hill and the City of Gilroy will be directly managing the project.

ALTERNATIVE ACTIONS:

The City Council could choose not to approve the agreement at this time and provide staff with alternate direction. This is not recommended as the repairs are necessary and budgeted.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council approved the 2024 Wastewater Collection System Master Plan on May 15, 2024 and the FY 2024-25 through 2029-30 Capital Improvement Program Budget on June 19, 2024.

FISCAL AND RESOURCE IMPACT:

Funding for this project has been planned and is available in the Capital Improvement Program within the Sewer Capital Fund (643).

CEQA (California Environmental Quality Act):

Categorical Exemption

The planned maintenance and management of city facilities falls within the CEQA categorical exemption of Class 1, Existing Facilities.

**COST SHARING AGREEMENT BETWEEN THE CITY OF GILROY AND THE
CITY OF MORGAN HILL FOR THE DESIGN AND CONSTRUCTION OF THE
JOINT MORGAN HILL-GILROY SEWER TRUNK LINE REPAIR PROJECT**

This Cost Sharing Agreement ("Agreement") is made and entered into this ____th day of September, 2024, by and between the City of Gilroy, California, a chartered municipal corporation of the State of California ("Gilroy"), and the City of Morgan Hill, California, a general law municipal corporation of the State of California ("Morgan Hill"), collectively referred to herein as the "Parties" and sometimes individually as a "Party".

RECITALS

WHEREAS, the parties share ownership of a joint trunk line for the disposal of sewage to the South County Regional Wastewater Authority facility; and

WHEREAS, the Parties desire to contract with experienced service providers for the design and construction of necessary repairs along the joint trunk line as identified in the *Joint Trunk Pipeline Condition Assessment Report* completed by Water Works Engineers on behalf of the City of Morgan Hill in January 2021 (the "Report"); and

WHEREAS, the Report recommended certain repairs such as structural cured-in-place-pipe (CIPP) lining and open cut replacement of pipelines found to be in need of point repairs, spray coating of various pipelines, and manhole repairs. In particular, a set of recommended repairs characterized as "Recommended Emergency/Immediate Projects" is listed in Table 49 on pages 87-88 of the Report (pages 86-88 of the Report are attached hereto as Exhibit A-1 and incorporated herein by this reference); and

WHEREAS, the referenced Table 49 lists five reaches of pipeline requiring repair as well as 40 manholes. These pipeline segments and manholes are shown on the aerial photograph attached hereto as Exhibit A-2 and incorporated herein by this reference. The pipeline repairs and manhole locations along with the designations on Exhibit A-2 of locations for pipeline spray coating collectively comprise the "Project" that is the subject of this Agreement; and

WHEREAS, the Parties have determined to share all costs described in this Agreement for the design, construction, and construction management of the Project; and

WHEREAS, the Parties have identified capacity shares for separate sections of the trunk line. For the purpose of this Project, the responsibility of the cost of the Project has been determined to be 50% Gilroy and 50% Morgan Hill, and each of the Parties has indicated its willingness to fund these shares of the costs; and

WHEREAS, on January 19, 2024, Gilroy issued a Request for Proposals (RFP) for the design of the Project, evaluated, and selected a consultant to prepare the contract documents, and is prepared to award a contract to the selected consultant subsequent to the execution of this Agreement; and

WHEREAS, the Parties agree that it is imperative that the Project, once started, shall be completed to a fully functioning and safe condition.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING RECITALS AND OF THE MUTUAL COVENANTS AND CONDITIONS CONTAINED HEREIN, THE PARTIES HEREBY AGREE AS FOLLOWS:

AGREEMENT

1. Gilroy Rights and Responsibilities

In addition to all other rights and obligations applicable to Gilroy under this Agreement, Gilroy shall:

- a) Select and hire consultant(s) and/or contractor(s) required to design the Project.
- b) Select and hire consultant(s) and/or contractor(s) required to construct the Project.
- c) Select and hire consultant(s) required for construction management to oversee the construction of the Project.
- d) Coordinate with said consultant(s) and contractor(s) as needed.
- e) Provide project management, engineering, and construction management for the Project.
- f) Prior to authorizing any consultant to proceed with any optional tasks, as identified in consultant's agreement to provide services performed by the consultant or the consultant's subconsultant(s), request and obtain written approval of the cost and scope of such optional tasks from Morgan Hill.
- g) Prior to agreeing to any change orders that, either alone or in combination with any and all prior change orders, would increase the Total Project Costs (defined in Section 1(h), below) chargeable to Morgan Hill to an amount that would likely exceed the amount of Morgan Hill's estimated proportional share of the Total Project Costs shown in Table 2 of Section 3B below, notify Morgan Hill of the requested change order(s), and request and obtain written approval of such change order(s) from Morgan Hill.
- h) Pay all costs associated with the Project, expressly excluding any and all costs and fees, including legal fees, related to the preparation, review, negotiation, processing and execution of this Agreement, but including the following: design, engineering, project management, preparation of bid documents, printing costs, construction, construction management, inspections, environmental review, cost of land acquisition, permit fees, legal fees, administrative costs, and advertising costs (collectively, "Project Costs" and, in total, "Total Project Costs"). Total Project Costs shall include Project Costs already incurred by Gilroy.
- i) At least ten (10) business days prior to awarding and entering into any Project-related agreement, disclose any such agreement, including the maximum Project Costs encumbered thereby, to Morgan Hill and notify Morgan Hill of Gilroy's intent to enter into such agreement.
- j) Provide Morgan Hill with an itemized invoice for Morgan Hill's share of Project Costs as set forth in this Agreement and provide Morgan Hill with documentation

for all Project Costs incurred.

- k) Meet with Morgan Hill to address any optional tasks that Morgan Hill disapproves pursuant to Sections 1(f) and 2(c) of this Agreement, below, and consult with Morgan Hill in a good faith effort to reduce the costs of any such optional tasks and to otherwise reconcile and resolve any related disputes between Gilroy and Morgan Hill.
- l) Meet with Morgan Hill to address any change order that Morgan Hill disapproves pursuant to Sections 1(g) and 2(d) of this Agreement, below, and consult with Morgan Hill in a good faith effort to reduce the costs of any such change order and to otherwise reconcile and resolve any related disputes between Gilroy and Morgan Hill.

2. Morgan Hill Rights and Responsibilities

In addition to all other rights and obligations applicable to Morgan Hill under this Agreement, Morgan Hill shall:

- a) Pay to Gilroy Morgan Hill's proportional share of the Project Costs pursuant to this Agreement as set forth in invoices provided by Gilroy related to the Project pursuant to Section 1(j) above, or any part thereof, which Gilroy shall issue in the proportional amounts set forth in Section 3 of this Agreement, below, within thirty (30) days after receipt thereof. Morgan Hill acknowledges that Gilroy has disclosed to Morgan Hill, and Morgan Hill has reviewed and accepted, all Project Costs incurred by Gilroy to date, and Morgan Hill agrees to reimburse Gilroy for its proportional share of those Project Costs in accordance with Section 3 of this Agreement.
- b) Notify Gilroy of any problems with any invoice received from Gilroy within twenty-one (21) days after receipt thereof.
- c) Review and decide regarding optional tasks pursuant to Section 1(f), above, within ten (10) days after receipt of a written request for such approval. Any submitted disapproval shall contain a statement of Morgan Hill's reasons for such disapproval.
- d) Review and decide regarding change orders associated with Project Costs that would exceed the Total Project Costs amount shown in Table 2 of Section 3B, below, pursuant to Section 1(g), above, within ten (10) days after receipt of a written request for such approval. Any submitted disapproval shall contain a statement of Morgan Hill's reasons for such disapproval. Morgan Hill shall not unreasonably withhold or deny approval of a change order, provided that Gilroy shall have informed Morgan Hill of the change order. Morgan Hill shall meet with Gilroy and work in good faith to address the reason leading to any such disapproval and attempt to resolve and reconcile any disputes related thereto. Morgan Hill shall have no rights to approve or deny change orders that, cumulatively, when added to all other Project Costs, do not exceed the Total Project Costs shown in Table 2 of Section 3B, below.
- e) Support the construction management phase of the Project by agreeing to provide proportional funding for, as a Project Cost, a part-time Engineer employed by Gilroy who will help oversee the work and prepare written status reports to Morgan

Hill regarding construction status and pending change orders.

3. **Cost Sharing**

- A. Subject to the provisions of this Agreement, the Parties shall share all Project Costs for or related to the completion of the design, construction, and construction management of the Joint Morgan Hill-Gilroy Sewer Trunk Line Repair Project (Project) in the proportional amounts set forth in **Table 1**.

Table 1: Proportional Share of Cost	
Gilroy	50%
Morgan Hill	50%

- B. The Total Project Costs are estimated as follows:

Table 2: Estimated Total Project Costs				
	Design Cost*	Construction Cost	Construction Management Cost	Total Project Cost
Gilroy	\$370,342	\$1,255,750	\$188,363	\$1,814,455
Morgan Hill	\$370,342	\$1,255,750	\$188,363	\$1,814,455
Total	\$740,684	\$2,511,500	\$376,726	\$3,628,910

*Design cost includes \$201,115 in optional tasks and \$67,335 (10%) in contingency.

The Project's construction cost estimate is based on the estimates in the *Joint Trunk Pipeline Condition Assessment Report*, WaterWorks Engineers, January 2021 with the unit costs escalated per the Engineering News Record Construction Cost Index (CCI) and a review of recent unit prices for similar projects. The detailed Estimated Total Project Costs are attached hereto and incorporated herein as Exhibit B.

The Parties agree that the Estimated Total Project Costs are only estimates. Gilroy makes no representations or warranties that the Project can be completed for the amount of these Estimated Total Project Costs, and neither Gilroy nor Morgan Hill shall be obligated to pay more than its proportionate share of the Actual Total Project Costs of the Project, or any part thereof, in the event the Actual Total Project Costs exceed the Estimated Total Project Costs.

Furthermore, Gilroy makes no representations or warranties that the Project can be completed within a certain number of days or by a certain date. All Project Costs, whether foreseen or unforeseen and regardless of cause, including but

not limited to Project Cost overruns, approved or allowed change orders, and/or delays, shall be shared by the Parties in the contribution percentages set forth in this Agreement.

- C. Representatives from both Parties shall review the construction bids, and if the lowest responsible, responsive bid is less than or equal to the estimated total construction cost shown in **Table 2**, consistent with the definition of Total Project Costs herein, and has a reasonable contingency as determined by both Parties, each Party shall present such bid for approval to its respective City Council. The bids will be reviewed first by the Morgan Hill City Council and then by the Gilroy City Council. Should the Morgan Hill City Council not approve the bid, Morgan Hill shall provide written legal documentation explaining the reason, which will be presented as legal justification for the rejection of the bids by the Gilroy City Council. If the Parties elect to terminate this Agreement due to failure to obtain acceptable construction bids, then such termination shall not relieve Morgan Hill of its obligation to pay its proportionate share of Project Costs incurred by Gilroy prior to and including the date of the termination. In addition, the obligations of Sections 4 and 5 hereof shall survive such termination.
- D. Morgan Hill and Gilroy agree to appropriate sufficient amounts of funds to complete the Project in accordance with the Estimated Total Project Costs shown in Section 3B, above, in the contribution percentages set forth in this Agreement.
- E. Should the Actual Total Project Costs exceed the agreed to participation amounts set forth in Section 3B above, due to an unforeseen construction condition or due to an accumulation of change orders as defined in the contract specifications, and, in the professional opinion of the Gilroy Public Works Director/City Engineer, awaiting City Council authorization from both Parties will make for an unsafe condition and/or result in extraordinary costs due to a delay in waiting for such authorization from the City Councils of both Parties, Gilroy's Public Works Director/City Engineer shall have the authority to execute a change order necessary to address the unsafe condition or avoid the extraordinary costs of the Project within the original intent of the scope of the Project. Should this occur, Gilroy's Public Works Director/City Engineer shall provide written documentation to Morgan Hill explaining the situation and the reason(s) that Gilroy's Public Works Director/City Engineer directed the contractor to proceed and the designated representatives from each Party will report to their respective City Council the scope of the work exceeding the original authorization and why Gilroy's Public Works Director/City Engineer provided such direction to the contractor. Those representatives for each Party shall request further funding authorization for such additional work, provided the additional work is necessary to complete the Project as intended in the original scope.
- F. In the event the Actual Total Project Costs exceed the amounts stated above in Section 3B and if either Party, upon consideration of the need for a change order, chooses through an official action of its respective City Council to not participate, that Party shall pay the full costs to terminate the Project and restore the Project site to a safe and functioning condition.

4. Legal Challenges to the Project

Gilroy shall immediately notify Morgan Hill of any legal challenges to any element of the Project or Project approvals or any related claims. If Gilroy and Morgan Hill are both named parties in any lawsuit or claim, then the Parties shall consult and, where appropriate coordinate, on appropriate defenses, including the retention of any attorneys or consultants, to any such challenges or claims. Whether or not Gilroy and Morgan Hill have separate or joint legal counsel, and whether or not Morgan Hill is a named party, Morgan Hill shall reimburse Gilroy for its proportional share of any attorneys' fees, consultants' fees, and other fees and costs incurred by Gilroy related to its defense of any legal challenges to any element of the Project or Project approvals or to any Project-related claim involving any administrative and/or judicial proceedings and related appeals, excepting only, and to the extent that, the underlying allegations giving rise to the legal challenge or claim allege gross negligence or willful misconduct solely on the part of Gilroy. If Morgan Hill is not a named party to any legal challenge or claim, then Gilroy shall have sole discretion to choose its own legal counsel, to control its legal defense, and to settle or otherwise resolve any such challenge or claim. If Gilroy and Morgan Hill are both named parties, then each Party reserves the right to have separate counsel.

5. Indemnification

Pursuant to Government Code Section 895.4, each of the Parties hereto shall fully indemnify, defend with counsel reasonably acceptable to the other Party and hold the other Party, its officers, employees, and agents, harmless from any damage or liability imposed for injury (as defined in Government Code Section 810.8) which occurred or is occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying Party, its officers, employees, contractors, subcontractors, material suppliers, or agents, under, or in connection with, any work, authority, or jurisdiction delegated to such Party under this Agreement. Neither Party, nor any officer, employee, or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other Party hereto, its officers, employees, contractors, subcontractors, material suppliers, or agents, under or in connection with any work, authority, or jurisdiction delegated to such other Party under this Agreement.

6. Notices

Notices given under this Agreement may be hand delivered or delivered by email, with an additional copy sent by first class mail, postage prepaid, and addressed to the appropriate party at the following addresses:

To Gilroy: City of Gilroy
 7351 Rosanna Street
 Gilroy, CA 95020
 Attn: Heath McMahon, Utilities Director
 Heath.McMahon@cityofgilroy.org; and
 Attn: Saeid Vaziry, Senior Civil Engineer
 Saeid.Vaziry@cityofgilroy.org

To Morgan Hill: City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037
Attn: Chris Ghione, Public Services Director
Chris.Ghione@morganhill.ca.gov; and
Attn: James F. Sylvain, Deputy Director for Utilities Services
james.sylvain@morganhill.ca.gov

7. Additional Provisions

The Parties further agree as follows:

- a) One or both Parties' waiver of any term, condition or covenant of this Agreement shall not be construed as a waiver of any other term, condition, or covenant of this Agreement.
- b) This Agreement contains the entire Agreement between the Parties relating to the Project. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force or effect.
- c) The Exhibits attached to this Agreement are a part of this Agreement and are incorporated into this Agreement by reference.
- d) This Agreement shall be governed and construed in accordance with the laws of the State of California.
- e) This Agreement may be executed in counterparts, each of which shall be deemed an original but both of which, together shall constitute one and the same document.
- f) This Agreement shall remain in effect until the Project is complete, and for a period of two (2) years thereafter, unless earlier terminated or extended by written agreement of the Parties. All amendments to this Agreement must be approved in writing by both Parties to be effective. The provisions of Sections 4 and 5 hereof shall survive the expiration or termination of this Agreement.
- g) The Parties agree that they shall endeavor to resolve any dispute about this Agreement in good faith. The Parties further agree that should such dispute remain unresolved, they shall engage in mediation and, if no agreement between the Parties can be reached through mediation, by binding arbitration to resolve such disputes, instead of resorting to court action.
- h) The designated project manager for Gilroy for the duration of the construction project is Gilroy's Senior Civil Engineer or his or her designee. Gilroy's project manager shall have all the necessary authority to direct technical and professional work within the scope of this Agreement and shall serve as the principal point of contact with Gilroy. Morgan Hill's Public Services Director/City, or his or her designee, shall serve as the principal point of contact for Morgan Hill.
- i) Time is of the essence of each and every term, provision, and obligation hereof.
- j) This Agreement is not intended, and shall not be construed, to create any third-party beneficiary rights in any person or entity who is not a party, unless expressly provided herein.

- k) Each party hereto declares and represents that in entering into this Agreement, it has relied and is relying solely upon its own judgment, belief, and knowledge of the nature, extent, effect, and consequence relating thereto. Each party further declares and represents that this Agreement is made without reliance upon any statement or representation not contained herein of any other party or any representative, agent, or attorney of the other party. The parties are aware that they have the right to be advised by counsel with respect to the negotiations, terms, and conditions of this Agreement and the decision of whether or not to seek the advice of counsel with respect to this Agreement is a decision which is the sole responsibility of each of the parties. Accordingly, no party shall be deemed to have been the drafter hereof, and the principle of law set forth in Civil Code §1654 that contracts are construed against the drafter shall not apply.

IN WITNESS WHEREOF, THE PARTIES HAVE ENTERED INTO THIS AGREEMENT AS OF THE DATE FIRST ABOVE WRITTEN.

CITY OF MORGAN HILL

CITY OF GILROY

City Manager

Date:

City Administrator

Date:

ATTEST:

ATTEST:

City Clerk

Date:

City Clerk

Date:

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney

City Attorney

EXHIBITS LOCATED AT:

<https://www.morganhill.ca.gov/DocumentCenter/View/49795/GilroyCostShareAgrExhibits-TrunkLineAssessment>



City Council

Meeting Minutes

Mark Turner - Mayor
Marilyn Librers - Mayor Pro Tem
Gino Borgioli - Council Member
Rene Spring - Council Member
Yvonne Martinez Beltran - Council Member

Wednesday, August 28, 2024 5:00 PM

Council Chamber Building
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 5:00 p.m. for the purpose of conducting a closed session.

SPECIAL MEETING

5:00 p.m. Closed Session

CALL TO ORDER

Mayor Turner called the City Council meeting to order at 5:00 p.m.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

PRESENT	Rene Spring, Gino Borgioli, Yvonne Martinez Beltran, Mark Turner
ABSENT	Marilyn Librers

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CLOSED SESSION

City Attorney Larkin announced the closed session item.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to § 54956.9(c)

Two Cases

OPPORTUNITY FOR PUBLIC COMMENT

Public comment opened at 5:00 p.m. There being no requests to speak, public comment closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 5:01 p.m.

REGULAR MEETING

The regular meeting was convened at 6:00 p.m.

CITY COUNCIL REPORTS

Council Member Spring had no report.

CITY MANAGER'S REPORT

City Manager Christina Turner shared that the long-awaited opening of the Hale Avenue Extension between Main and Dunne happened this past Saturday, significantly improving north-south traffic circulation. She announced that on Monday, U.S. Congresswoman Zoe Lofgren (CA-18) presented four checks appropriated by Congress for community projects totaling \$2.1M for public safety and infrastructure projects in Morgan Hill. Morgan Hill's four projects are \$1,000,000 for the Morgan Hill grade separations project, \$500,000 for the Morgan Hill quiet zones project, \$500,000 for the Morgan Hill 101 expansion project, and \$100,000 for the Morgan Hill police sobriety campaign. The transportation funding will help us start the studies for the much-needed projects. She concluded by sharing that the next council meeting will take place on Wednesday, September 4 at 5:00 p.m. and will start with commission interviews and a closed session. The following meeting will be the Mid-Year Goal Check-In on Wednesday, September 18 starting at 5:00 p.m.

CITY ATTORNEY'S REPORT

City Attorney Larkin announced that the City Council met in a closed session at 5:00 p.m., and there was no reportable action from that closed session.

OTHER REPORTS

Council Member Martinez Beltran reported that on August 26, 2024 Women's Equality Day, they celebrated the 104th anniversary of the ratification of the 19th Amendment, which gave women the right to vote. There was an event in Downtown Morgan Hill and Congresswoman Zoe Lofgren joined them for the walk. She mentioned that she has been invited by California Superintendent Tom Thurman to attend an anti-bullying event for youth. She would like youth to join her and speak out about bullying.

PUBLIC COMMENT

Public comment opened at 6:10 p.m.

Kathy Chavez Napoli was called to speak.

There being no further requests to speak, public comment closed.

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

RESULT:	Passed
MOVER:	Council Member Borgioli
SECONDER:	Council Member Spring
AYES:	Council Member Spring, Council Member Borgioli, Council Member Martinez

	Beltran, Mayor Turner
NAYS:	None
ABSTAIN:	None
ABSENT:	Mayor Pro Tem Librers

CONSENT CALENDAR

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Pursuant to City Council Policies and Procedures (CP 97-01), any member of the Council or public may request to have an item removed from the Consent Calendar for comment and action.

MOTION:

Approving the consent calendar.

RESULT:	Passed
MOVER:	Council Member Borgioli
SECONDER:	Council Member Martinez Beltran
AYES:	Council Member Spring, Council Member Borgioli, Council Member Martinez Beltran, Mayor Turner
NAYS:	None
ABSTAIN:	None
ABSENT:	Mayor Pro Tem Librers

1. **ACCEPT ANNUAL EVALUATION REPORT FOR THE SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI) FOR FY 2023-24 (YEAR 3) RELATING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM'S COMMUNITY RATING SYSTEM PROGRAM**

Recommendation:

Accept the Annual Evaluation Report for FY 2023-24 (Year 3) for the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI).

2. **ACCEPT COMMUNITY LAW ENFORCEMENT FOUNDATION (CLEF) DONATION**

Recommendation:

1. Authorize the City Manager to accept a donation from the Community Law Enforcement Foundation in the amount of \$53,123 for the reimbursement of protection plates; and
2. Amend the adopted Fiscal Year (FY) 2024-25 budget in the General Fund

(010) to recognize the CLEF donation as revenue, and appropriate \$53,123 in the Police Department Field Operation budget.

3. **APPROVE A REIMBURSEMENT AGREEMENT WITH VCBLA NIDO, LLC FOR THE VOICES CHARTER SCHOOL PROJECT (NORTHWEST CORNER OF MONTEREY ROAD AND COSMO AVENUE)**

Recommendation:

1. Approve a Reimbursement Agreement with VCBLA NIDO, LLC for the Voices Charter School; and
2. Authorize the City Manager to execute the Reimbursement Agreement.

4. **APPROVE CHANGE ORDER #1 WITH IRISH EXCAVATION FOR WOODLAND BOOSTER RETAINING WALLS IN THE AMOUNT OF \$27,838**

Recommendation:

1. Approve and authorize the City Manager to execute Change Order #1 with Irish Excavation in the amount of \$27,838 for two retaining walls at the Woodland Booster Station; and
2. Approve and authorize the City Manager to add a 10% Contingency to the project in the amount of \$10,262.

5. **APPROVE FINAL MAP FOR CROSSWINDS PHASE 1 - TRACT NO. 10618 AND RELATED SUBDIVISION IMPROVEMENTS AGREEMENT**

Recommendation:

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvements Agreement with THE CROSSWINDS AT MORGAN HILL LLC ("Subdivider"), and KB HOME SOUTH BAY INC. ("Developer"); and
3. Authorize the recordation of the Final Map and Subdivision Improvements Agreement.

6. **APPROVE THE JUNE 26, 2024 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve minutes.

7. **AWARD CONTRACT TO MOUNTAIN CASCADE, INC. FOR THE SANITARY SEWER LIFT STATIONS K & F REHABILITATION PROJECT IN THE**

AMOUNT OF \$3,042,500 AND CONTINGENCY FUNDS NOT TO EXCEED \$304,250

Recommendation:

1. Approve Sanitary Sewer Lift Stations K & F Rehabilitation Project plans and specifications;
2. Award contract to Mountain Cascade, Inc. for the Sanitary Sewer Lift Stations K & F Rehabilitation Project in the amount of \$3,042,500;
3. Authorize expenditure of construction contingency funds not to exceed \$304,250; and
4. Authorize the City Manager to execute and administer the construction contract with Mountain Cascade, Inc.

8. APPROVE PROFESSIONAL SERVICES AGREEMENT WITH HYDROSCIENCE ENGINEERS FOR THE EAGLE VIEW WELL #1 PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$429,590

Recommendation:

1. Approve Service Agreement for Design Professionals with HydroScience Engineers, Inc. for a total not to exceed contract amount of \$429,590 to design the Eagle View Well #1 project; and
2. Authorize the City Manager to execute and administer the Service Agreement for Design Professionals with HydroScience Engineers, Inc. for the Eagle View Well #1 project.

9. APPROVE SECOND AMENDMENT TO THE WEST COAST ARBORISTS, INC. MAINTENANCE SERVICE AGREEMENT TO INCREASE THE NOT TO EXCEED AMOUNT BY \$540,728 FOR A TOTAL AGREEMENT AMOUNT OF \$1,392,728

Recommendation:

1. Approve the Second Amendment to the Maintenance Service Agreement with West Coast Arborists, Inc. for \$540,728, for a total agreement amount of \$1,392,728, which includes increasing the annual amount of extra services to \$300,000;
2. Authorize the City Manager to execute and administer the Second Amendment to the Maintenance Service Agreement with West Coast Arborists, Inc; and
3. Authorize the City Manager to extend the term of the Agreement with West Coast Arborists, Inc. for up to two additional one-year terms.

10. RATIFY CITY POSITION ON PENDING LEGISLATION, ASSEMBLY BILL 2557

(ORTEGA): LOCAL AGENCIES: CONTRACTS FOR SPECIAL SERVICES AND TEMPORARY HELP: PERFORMANCE REPORTS

Recommendation:

Ratify the City's opposing position on pending legislation, Assembly Bill 2557 (Ortega): Local Agencies: Contracts for Special Services and Temporary Help: Performance Reports.

11. RATIFY THE CITY MANAGER'S EXECUTION OF THE FIRST AMENDMENT TO AGREEMENT WITH THE COUNTY OF SANTA CLARA TO PROVIDE THE CITY WITH FUNDING FOR EMERGENCY MEDICAL SERVICES

Recommendation:

Ratify the City Manager's execution of the first amendment to the agreement with the County of Santa Clara to provide funding for the City of Morgan Hill to purchase Emergency Medical Services supplies and equipment.

PUBLIC HEARINGS

12. APPEAL (AAE2024-0004) OF DEVELOPMENT SERVICES DIRECTOR DECISION ON SR2024-0007 (MONTEREY-GLENROCK): EXPIRATION OF PRELIMINARY APPLICATION UNDER SB330 DUE TO EXPIRATION OF THE 180-DAY PRELIMINARY APPLICATION PERIOD

Recommendation:

1. Grant a hearing de novo;
2. Open/close public hearing; and
3. Adopt resolution denying the appeal and reaffirming the decision of the Development Services Director.

Development Services Director Jennifer Carman provided the report.

The public hearing opened at 6:26 p.m. The following people were called to speak:

The applicant's attorney, Robin Baral, provided a presentation.

There being no further requests to speak, the public hearing closed.

The meeting recessed at 7:18 p.m. and reconvened at 7:22 p.m.

MOTION:

Adopting resolution denying the appeal and reaffirming the decision of the Development Services Director.

RESULT:	Passed
MOVER:	Council Member Martinez Beltran

SECONDER:	Council Member Spring
AYES:	Council Member Spring, Council Member Borgioli, Council Member Martinez Beltran, Mayor Turner
NAYS:	None
ABSTAIN:	None
ABSENT:	Mayor Pro Tem Librers

13. HOLD PUBLIC HEARING REGARDING ADJUSTMENTS TO WASTEWATER RATES

Recommendation:

1. Receive and adopt final 2024 Wastewater Rate Study Report prepared by NBS;
2. Open public hearing and receive public comment;
3. Request submission or withdrawal of proposition 218 protest letters from the public/audience;
4. Suspend public hearing and allow City Clerk, or designee, to tabulate the final Proposition 218 protest letter count;
5. Reconvene meeting and reopen public hearing;
6. Receive and accept verbal report from City Clerk, or designee, on ballot tabulation results;
7. Close public hearing; and
8. Adopt resolution approving wastewater rate adjustments.

Finance Director Dat Nguyen provided a presentation and report.

The public hearing opened at 7:39 p.m.

Beverly Borbon was called to speak.

The meeting recessed to tabulate the ballots at 7:41 p.m. and reconvened at 7:51 p.m.

The City Clerk announced that 43 protest ballots were received.

There being no further requests to speak, the public hearing closed.

MOTION:

Adopting resolution approving wastewater rate adjustments.

RESULT:	Passed
MOVER:	Council Member Spring
SECONDER:	Council Member Borgioli
AYES:	Council Member Spring, Council Member Borgioli, Council Member Martinez Beltran, Mayor Turner

NAYS:	None
ABSTAIN:	None
ABSENT:	Mayor Pro Tem Librers

OTHER BUSINESS

14. APPOINT VOTING DELEGATES FOR THE 2024 CALCITIES (LEAGUE) ANNUAL CONFERENCE

Recommendation:

1. Appoint a voting delegate and up to two (2) alternate voting delegates to the CalCities Annual Conference; and
2. Direct staff to complete and forward the voting delegate form to CalCities.

MOTION:

Appointing Mayor Turner as the primary voting delegate and Mayor Pro Tem Librers and Council Member Martinez Beltran as alternate voting delegates and directing staff to complete and forward the voting delegate form to CalCities.

RESULT:	Passed
MOVER:	Council Member Borgioli
SECONDER:	Council Member Spring
AYES:	Council Member Spring, Council Member Borgioli, Council Member Martinez Beltran, Mayor Turner
NAYS:	None
ABSTAIN:	None
ABSENT:	Mayor Pro Tem Librers

15. RECEIVE MONTHLY BUDGET UPDATE; PRELIMINARY FY 2023-24 FINANCIAL AND INVESTMENT REPORTS; AND CITY MANAGER AUTHORITY REPORT

Recommendation:

Accept and file report.

Finance Director Dat Nguyen provided a presentation and report.

Public comment opened at 8:20 p.m. There being no requests to speak, public comment closed.

Report received.

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, Mayor Turner adjourned the meeting in honor of Rich Firato at 8:21 p.m.

Minutes Prepared by:

Michelle Bigelow, City Clerk

CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Chris Ghione, Public Services Director

APPROVED BY: City Manager

APPROVE CONSULTANT AGREEMENT WITH SCHAAF & WHEELER CONSULTING CIVIL ENGINEERS IN THE AMOUNT OF \$74,472 FOR BUTTERFIELD BASIN FEASIBILITY STUDY

RECOMMENDATION(S)

Authorize the City Manager to execute and administer a consultant agreement in the amount of \$74,472 with Schaaf & Wheeler Consulting Civil Engineers for feasibility design work at the Butterfield Basin.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Protecting the Environment and Preserving Open Space and Agricultural Land
Maintaining and Enhancing Infrastructure

2024-2025 Strategic Priorities

Fiscal Sustainability
Healthy Community

Guiding Documents

Storm Drain Master Plan

REPORT NARRATIVE:

The City of Morgan Hill has previously received \$2 million in competitive funding from the State of California to upgrade the Butterfield Basin and support groundwater recharge. The project is currently in the approved FY 24-30 Capital Improvement Budget. The intent of the project is to convert the Butterfield Basin, currently used as a flood protection facility, to a multi-use basin that will support groundwater recharge, storm water trash capture requirements, and flood protection. The storm water trash capture requirements for the City are State-mandated infrastructure improvements and the multi-use basin construction has been identified by staff as a means to meet requirements without significant general fund cost impacts.

The proposed agreement with Schaaf & Wheeler Consulting Civil Engineers is the first step in moving forward with this project to identify feasible design alternatives for the multi-use basin. Following this initial feasibility work, specific design work for the project could begin.

A request for proposals was issued on May 29, 2024. Proposals for the work were received by two firms. The proposals were reviewed and scored by a team of City staff from the Public Services Department (see attachment).

COMMUNITY ENGAGEMENT:

Not Applicable

Providing improved flood protection and meeting state-mandated storm water requirements are expected municipal services provided by the City. When the project reaches the construction phase, the City will work to inform adjacent community members of any potential impacts.

ALTERNATIVE ACTIONS:

The City Council could choose not to move forward with this feasibility study and provide alternate direction to staff. Staff do not believe reissuing the request for proposals will result in any cost savings and would delay the project by at least 3 months.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Council previously approved the FY24-30 Capital Improvement Program Budget on June 19, 2024.

FISCAL AND RESOURCE IMPACT:

Funding for this agreement is available within the approved FY24-30 Capital Improvement Program within the Local Drainage Impact Fund under the Fisher/Butterfield Storm System Expansion Project. Grant funds of \$2 million will reimburse the project funds for approximately 61% of project costs.

CEQA (California Environmental Quality Act):

Categorical Exemption 15262:

A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This feasibility study is necessary to provide details for future environmental review.

	Akel Engineering	Schaaf & Wheeler
FIRM QUALIFICATIONS		
Reviewer 1	8	9
Reviewer 2	9	9
Reviewer 3	9	9
Reviewer 4	9	9
UNDERSTANDING		
Reviewer 1	8	9
Reviewer 2	8	8
Reviewer 3	8	9
Reviewer 4	9	9
OTHER FACTORS		
Reviewer 1	10	9
Reviewer 2	8	6
Reviewer 3	7	7
Reviewer 4	7	8
Totals	100	101



City of Morgan Hill

Public Services Department



CITY OF MORGAN HILL

LOCATION PLAN

Butterfield Basin

Date: 8/30/24

Drwn by: AE

PAGE 1 OF 1

CONSULTANT AGREEMENT FOR DESIGN PROFESSIONALS
Schaaf & Wheeler Consulting Civil Engineers

THIS AGREEMENT is entered into and becomes effective on _____ (Effective Date), by and between the CITY OF MORGAN HILL, a municipal corporation, ("CITY"), and Schaaf & Wheeler Consulting Civil Engineers a California corporation ("CONSULTANT") hereinafter referred to collectively as "Parties." In consideration of the promises and the mutual covenants contained in this Agreement, the Parties agree as follows:

1. **City Authority.** This Agreement is entered into pursuant to the action of the Morgan Hill City Council taken on _____, _____, 20____.

2. **Term of Agreement.** This Agreement shall cover services rendered from the Effective Date of this Agreement until September 4, 2025 at which time CONSULTANT'S services shall be completed. The City Manager is authorized to extend the term of this Agreement provided the compensation does not exceed the City Manager's authority pursuant to Chapter 3.04 of the Morgan Hill Municipal Code, unless otherwise authorized by City Council. Any such extension shall be in writing and signed by both Parties to this Agreement.

3. **Scope of Service.** The services to be performed by CONSULTANT shall be to evaluate the feasibility of converting the off-line Butterfield Basin into an in-line basin that can also capture trash and promote groundwater recharge as further described in **Exhibit A**.

4. **Compensation.** CONSULTANT shall be compensated as follows:

4.1. **Amount.** \$74,472.00. Total compensation to CONSULTANT under this Agreement during its initial term set forth in Section 2 above shall not exceed Seventy Four Thousand Four Hundred Seventy Two dollars and shall be billed based on the rate and basis set forth in **Exhibit B**. If the City Manager extends the term of this Agreement pursuant to the provisions of Section 2 above, the City Manager shall have the authority to increase the maximum compensation allowed to be paid to CONSULTANT, so long as City Council has appropriated sufficient funds therefor, the Parties mutually agree to such amount in a writing signed by both Parties to this Agreement, and provided further that in no event shall such maximum compensation allowed for the term exceed the City Manager's authority pursuant to Chapter 3.04 of the Morgan Hill Municipal Code, unless otherwise authorized by City Council.

4.2. **Billing.** CONSULTANT shall provide CITY with an invoice containing the dated, detailed, and itemized descriptions of all services performed and expenses incurred (if such expenses are reimbursable pursuant to Exhibit B) by CONSULTANT on a monthly basis unless otherwise specified in Exhibit B. All invoices shall be sent to the CITY addressed to the department head or project manager identified below in Section 13 Notices. Any rate charged shall be prorated where services are interrupted or not provided for any rate period (for example, any monthly rate charge should be prorated when services were interrupted or provided for only part of the month). For services billed on an hourly rate, the minimum unit of billed time shall not exceed one tenth of one hour. CITY shall pay for services and expenses (if so provided in Exhibit B) up to the limit of compensation set forth above, that in the CITY'S judgment were necessary and reasonable. Services for work performed and expenses incurred in excess of the total compensation set forth in paragraph 4.1 above shall be at no cost to CITY.

5. **Termination.** CITY or CONSULTANT shall have the right to terminate this Agreement, without cause, by giving thirty (30) days' written notice or less under urgent circumstances. Upon such termination, CONSULTANT shall submit to CITY an itemized statement of services performed for which compensation has not been paid. CITY may require CONSULTANT to complete certain work product or documents and CONSULTANT shall deliver to CITY all documents in its possession without additional compensation to CONSULTANT. The City Manager of CITY is authorized to terminate this Agreement, in whole or in part, on behalf of CITY.

5.1. **Non-Appropriations.** Notwithstanding anything contained in this Agreement to the contrary, if insufficient funds are appropriated, or funds are otherwise unavailable in the budget for CITY for any reason whatsoever in any fiscal year, for payments due under this Agreement, CITY will immediately notify CONSULTANT of such occurrence, and this Agreement shall terminate after the last day during the fiscal year for which appropriations shall have been budgeted for CITY or are otherwise available for payments.

6. **Performance of Work.** CONSULTANT represents that it is qualified by virtue of experience, training, education, and expertise to accomplish these services. Services shall be performed by CONSULTANT in accordance with professional practices in a manner consistent with a level of care, competence and skill exercised by qualified members of the CONSULTANT'S profession. By delivery of completed work, CONSULTANT certifies that the work conforms to the requirements of this Agreement and all applicable federal, state, and local laws. CONSULTANT shall perform all work and services under this Agreement in conformance with the time schedule set forth on Exhibit C, "Schedule of Performance," attached hereto and incorporated herein by this reference. CITY'S City Manager is authorized on behalf of CITY to modify the timeframes set forth on the Schedule of Performance within the term of this Agreement. If CONSULTANT desires to leave or store any of CONSULTANT'S equipment at a CITY site while CONSULTANT is performing work or service pursuant to this Agreement, CONSULTANT will first obtain the consent of CITY'S City Manager, or his/her delegate, to do so, and any such storage shall occur only in the manner and location allowed by such CITY official and entirely at CONSULTANT'S sole risk.

7. **Insurance Requirements.** CONSULTANT shall procure and provide proof of the insurance coverage required by this section in the form of certificates and endorsements. The required insurance must cover the activities of CONSULTANT, including its subcontractors, employees, and agents, relating to, or arising from, the performance of any work or service under this Agreement, and must remain in full force and effect at all times during the period covered by this Agreement. The coverages may be arranged under a single policy for the full limits required or by a combination of underlying policies with the balance provided by excess or "umbrella" policies, provided each such policy complies with the requirements set forth herein. Any deductibles or self-insured retentions must be declared to and approved by City. CONSULTANT further understands that the CITY reserves the right to modify the insurance requirements set forth herein, with thirty (30) days' notice provided to CONSULTANT, at any time as deemed necessary to protect the interests of the CITY.

7.1. **Insurance Types and Amounts.**

7.1.1. **Commercial General Liability (CGL).** CONSULTANT shall maintain CGL against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S

combined insurance policies (including any excess or “umbrella” policies), whichever is greater.

- 7.1.2. Automobile Liability. CONSULTANT shall maintain Automobile Liability covering all owned, non-owned and hired automobiles (if CONSULTANT does not own automobiles, then CONSULTANT shall maintain Hired/Non-owned Automobile Liability) against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S combined insurance policies (including any excess or “umbrella” policies), whichever is greater.
- 7.1.3. Workers' Compensation Insurance and Employer's Liability. CONSULTANT shall maintain Workers Compensation coverage, as required by law, in the minimum amount of: (i) one million dollars (\$1,000,000.00) for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S combined insurance policies (including any excess or “umbrella” policies), whichever is greater. If CONSULTANT is self-insured, CONSULTANT shall provide its Certificate of Permission to Self-Insure, duly authorized by the Department of Industrial Relations.
- 7.1.4. Pollution (Environmental) Liability. If the performance of CONSULTANT'S work or service under this Agreement involves hazardous materials, contaminated soil disposal, and/or a risk of accidental release of fuel oil, chemicals or other toxic gases or hazardous materials, CONSULTANT shall procure and maintain Pollution Liability covering the CONSULTANT'S liability for bodily injury, property damage and environmental damage resulting from pollution and related cleanup costs arising out of the work or services to be performed under this Agreement. Coverage shall be provided for both work performed on site, as well as during the transport of hazardous materials. Such coverage shall be in the minimum amount of: (i) one million dollars (\$1,000,000.00) for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S combined insurance policies (including any excess or “umbrella” policies), whichever is greater.
- 7.1.5. Professional Liability.
- 7.1.5.1. If the performance of CONSULTANT'S work or service under this Agreement involves professional and/or technical services (examples include, but are not limited to, architects, engineers, land surveyors, and appraisers), CONSULTANT shall procure and maintain either a claims made or occurrence Errors and Omission liability insurance in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S combined insurance policies (including any excess or “umbrella” policies), whichever is greater. Further, if CONSULTANT maintains a claims-made policy, CONSULTANT shall provide written evidence of such insurance to the CITY for at least five (5) years after the completion of work performed under this Agreement.

7.1.5.2. If the performance of CONSULTANT'S work or service under this Agreement relates to Information Technology or related services (examples include, but are not limited to computer programmers, software designers, hardware engineers, or other systems consultants), CONSULTANT shall procure and maintain a claims made Errors and Omission liability insurance, including Cyber Liability and Data Breach, in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

7.1.6. Sexual Abuse/Molestation Liability (SML): If the performance of CONSULTANT'S work or service under this Agreement involves contact with minors, CONSULTANT shall procure and maintain Sexual Abuse and Molestation insurance in the minimum amount of: (i) two hundred thousand dollars (\$200,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT'S combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

7.2. **Endorsements**. CONSULTANT shall provide proof of the following endorsements, listed for each policy for which endorsements are required, as outlined below:

7.2.1. General Liability and pollution liability (when pollution liability applies).

7.2.1.1. "Additionally Insured" - The City of Morgan Hill, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers are named as additional insureds on a form at least as broad as ISO Form CG 20 10 for ongoing operations.

7.2.1.2. "Waiver of Rights of Subrogation" - The insurer waives the right of subrogation against the City of Morgan Hill and CITY'S elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers; and

7.2.1.3. "Primary and Non-Contributing" - Insurance shall be endorsed to be primary and non-contributory and will not seek contribution from the City's insurance or self-insurance and shall be at least as broad as ISO Form CG 20 01.

7.2.2. Workers Compensation.

If the performance of CONSULTANT'S work or service under this Agreement involves access to or activity on any property or premises owned or occupied by the CITY, including, but not limited to, CONSULTANT'S presence during site visits and meetings, then insurer waives the right of subrogation against the City of Morgan Hill and the CITY'S elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers.

7.3. **Qualification of Insurers**. All insurance required pursuant to this Agreement must be issued by a company licensed and admitted, or otherwise legally authorized to carry out insurance business in the State of California, and each insurer must have a current A.M. Best's financial strength rating of "A" or better and a financial size rating of "VII" or better.

- 7.4. **Certificates.** CONSULTANT shall furnish CITY of Morgan Hill with copies of all certificates as outlined herein, whether new or modified, promptly upon receipt. In the event of a claim or legal action, CONSULTANT shall promptly furnish CITY of Morgan Hill with copies of all policies outlined herein. No policy subject to the CONSULTANT'S agreement with the CITY shall be canceled or materially changed except after thirty (30) days' notice by the insurer to CITY. A "material change" is a change that results in non-compliance with any insurance requirements in this section 7. Certificates, including renewal certificates, may be mailed electronically to riskmgmt@morganhill.ca.gov or delivered to the Certificate Holder address provided herein.

Certificate Holder address:

City of Morgan Hill
Attn: Risk Management
17575 Peak Avenue
Morgan Hill, CA 95037

8. **Non-Liability of Officials and Employees of the CITY.** No official or employee of CITY shall be personally liable for any default or liability under this Agreement.

9. **Compliance with Law.**

- 9.1. CONSULTANT and its officers, employees, agents, and subcontractors shall comply with all applicable laws, ordinances, administrative regulations, and permitting requirements in carrying out their obligations under this Agreement. CONSULTANT and its officers, employees, agents, and subcontractors covenant there shall be no discrimination based upon any basis prohibited by State or Federal law, including but not limited to, race, color, creed, religion, gender, marital status, age, sexual orientation, national origin, mental disability, physical disability, medical condition, or ancestry, in any activity pursuant to this Agreement.
- 9.2. Compliance with Wage and Hour Laws: Consultant, and any subcontractor it employs to complete work under this Agreement, shall comply with all applicable federal, state, and local wage and hour laws. Applicable laws may include, but are not limited to, the Federal Fair Labor Standards Act and the California Labor Code.

Final Judgments, Decisions, and Orders: For purposes of this Section, a "final judgment, decision, or order" refers to one for which all appeals have been exhausted or the time to appeal has expired. Relevant investigatory government agencies include: the federal Department of Labor, the California Division of Labor Standards Enforcement, or any other governmental entity or division tasked with the investigation and enforcement of wage and hour laws.

Prior Judgments against CONSULTANT and/or its Subcontractors: BY SIGNING THIS AGREEMENT, CONSULTANT AFFIRMS THAT IT HAS DISCLOSED ANY FINAL JUDGMENTS, DECISIONS OR ORDERS FROM A COURT OR INVESTIGATORY GOVERNMENT AGENCY FINDING – IN THE FIVE (5) YEARS PRIOR TO EXECUTING THIS AGREEMENT – THAT CONSULTANT OR ITS SUBCONTRACTOR(S) HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONSULTANT FURTHER AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) HAS SATISFIED AND COMPLIED WITH – OR HAS REACHED AGREEMENT WITH THE CITY REGARDING THE

MANNER IN WHICH IT WILL SATISFY – ANY SUCH JUDGMENTS, DECISIONS OR ORDERS.

Judgments or Decisions During Term of Contract: If at any time during the term of this Agreement, a court or investigatory government agency issues a final judgment, decision or order finding that CONSULTANT or an subcontractor it employs to perform work under this Agreement has violated any applicable wage and hour law, or CONSULTANT learns of such a judgment, decision, or order that was not previously disclosed, CONSULTANT shall inform the City Attorney, no more than fifteen (15) days after the judgment, decision or order becomes final or of learning of the final judgment, decision, or order. CONSULTANT and its subcontractors shall promptly satisfy and comply with any such judgment, decision, or order, and shall provide the City Attorney with documentary evidence of compliance with the final judgment, decision, or order within five (5) days of satisfying the final judgment, decision, or order. The City reserves the right to require CONSULTANT to enter into an agreement with the City regarding the manner in which any such final judgment, decision, or order will be satisfied.

City's Right to Withhold Payment: Where CONSULTANT or any subcontractor it employs to perform work under this Agreement has been found in violation of any applicable wage and hour law by a final judgment, decision or order of a court or government agency, the City reserves the right to withhold payment to CONSULTANT until such judgment, decision or order has been satisfied in full.

Material Breach: Failure to comply with any part of this Section constitutes a material breach of this Agreement. Such breach may serve as a basis for immediate termination of this Agreement and/or any other remedies available under this Agreement and/or law.

Notice to City Related to Wage Theft Prevention: Notice provided to the City Attorney as required under this Section shall be addressed to: City Attorney, City of Morgan Hill, 17575 Peak Avenue, Morgan Hill, CA 95037. The Notice provisions of this Section are separate from any other notice provisions in this Agreement and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section.

10. **Independent Contractor.** CONSULTANT is an independent contractor and not an agent or employee of CITY.
11. **Confidentiality.** All data, documents, or other information received by CONSULTANT from CITY or prepared in connection with CONSULTANT'S services under this Agreement are deemed confidential and shall not be disclosed to any third party by CONSULTANT without prior written consent by CITY.
12. **Conflict of Interest and Reporting.** CONSULTANT shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.
13. **Notices.** All notices shall be personally delivered or mailed, via first class mail to the below listed address. These addresses shall be used for delivery of service of process. Notices shall be effective five (5) days after date of mailing, or upon date of personal delivery.

Address of CONSULTANT is as follows:

Schaaf & Wheeler Consulting Engineers

Charles D. Anderson, P.E.
4699 Old Ironsides Drive, Suite 350
Santa Clara, CA 95054
408-246-4848

Address of CITY is as follows:

Development Services Center	with a copy to:
David Gittleson, P.E.	City Clerk
City of Morgan Hill	City of Morgan Hill
17575 Peak Avenue	17575 Peak Avenue
Morgan Hill, CA 95037	Morgan Hill, CA 95037

14. **Licenses, Permits and Fees.** CONSULTANT shall obtain a City of Morgan Hill Business License, all permits and licenses to the extent required by ordinances, codes, and regulations of the federal, state, and local government.

15. **Consultant's Proposal.** If applicable, this Agreement shall include CONSULTANT'S proposal or bid which is incorporated herein. In the event of any inconsistency between the terms of the proposal and this Agreement, this Agreement shall govern.

16. **Maintenance of Records.**

16.1. **Maintenance.** CONSULTANT shall prepare, maintain, and preserve all reports and records that may be required by federal, state, and CITY rules and ordinances related to services provided under this Agreement. CONSULTANT shall maintain records for a period of at least 3 years after receipt of final payment under this Agreement. If any litigation, claim, negotiation, audit exception, or other action relating to this Agreement is pending at the end of the 3-year period, then CONSULTANT shall retain said records until such action is resolved.

16.2. **Access to and Audit of Records.** The CITY shall have the right to examine, monitor and audit all records, documents, conditions, and activities of the CONSULTANT and its subcontractors related to services under this Agreement. Pursuant to Government Code Section 8546.7, if this Agreement involves the expenditure of public funds in excess of \$10,000, the Parties to this Agreement may be subject, at the request of the CITY or as part of any audit of the CITY, to the examination and audit of the State Auditor pertaining to matters connected with the performance of this Agreement for a period of three years after final payment under the Agreement.

16.3. **Ownership of Work Product.** All documents or other information developed or received by CONSULTANT for work performed under this Agreement shall be the property of CITY. CONSULTANT shall provide CITY with copies of these items upon demand or upon termination of this Agreement.

17. **Familiarity with Work.** By executing this Agreement, CONSULTANT represents that: (1) it has investigated the work to be performed; (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the difficulties and restrictions of the work under this Agreement. Should CONSULTANT discover any conditions materially differing from those inherent in the work or as represented by CITY, it shall immediately inform CITY and shall not proceed, except at CONSULTANT'S risk, until written instructions are received from CITY.

18. **Time of Essence.** Time is of the essence in the performance of this Agreement.
19. **No Assignment.** Neither this Agreement nor any portion shall be assigned by CONSULTANT, without prior written consent of CITY. Any attempted assignment not first approved by CITY shall be void and, at CITY'S option, shall terminate this Agreement effective as of the date of such attempted assignment.
20. **Attorney Fees.** In any legal action, dispute or arbitration arising out of or relating to this Agreement, the prevailing party shall be entitled to an award of its reasonable attorney fees, costs and expenses incurred.
21. **Defense and Indemnification.**
- 21.1. **Defense and Indemnification for Design Professional Services.** Consistent with California Civil Code Section 2782.8, for design professional services to be performed under this agreement by a design professional, as that term is defined under said Section 2782.8, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors in performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement ("CLAIM") to the extent of CONSULTANT'S proportionate percentage of fault.
- 21.2. **Defense and Indemnification for Non-Design Professional Services.** For all services performed under this agreement not covered by Section 21.1 above, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the performance of this Agreement or the failure to comply with any obligations contained in this Agreement by CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors ("CLAIM").
- 21.3. **Exceptions.** CONSULTANT is not required to indemnify INDEMNITEES against liability for bodily injury, property damage or personal injury, or any other loss, damage or expense arising from the sole negligence, active negligence, or willful misconduct of the CITY.
- 21.4. **Not limited by insurance.** The indemnity, defense and hold harmless provisions of this Agreement apply to all CLAIMS alleged against an INDEMNITEE, regardless of whether any insurance policies are applicable. Policy limits do not act as a limitation upon the amount of indemnification or defense to be provided by CONSULTANT.
- 21.5. **Right to Offset.** CITY shall have the right to offset against any compensation due CONSULTANT under this Agreement any amount due CITY from CONSULTANT as a result of CONSULTANT'S failure to pay CITY promptly any indemnification arising under

this Section (21) and any amount due CITY from CONSULTANT arising from CONSULTANT'S failure either to (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.

- 21.6. **Interpretation.** This Section shall constitute an agreement or contract of indemnity, incorporating the interpretations under California Civil Code Section 2778. It is expressly understood and agreed that the obligation of the CONSULTANT to indemnify the INDEMNITEE shall be as broad and inclusive as permitted by the laws of the State of California and shall survive termination of this Agreement.

22. **Entire Agreement; Modification; Conflicting Provisions.** This Agreement constitutes the entire Agreement between the Parties and supersedes any previous agreements, oral or written. This Agreement may be modified, or provisions waived, only by a subsequent mutual written agreement executed by CITY and CONSULTANT. If the provisions contained in the main body of this Agreement conflict with any provision contained in an exhibit to this Agreement, the provisions of the main body of this Agreement shall govern and control over any provision contained in an exhibit to this Agreement.

23. **Governing Law and Venue.** This Agreement shall be construed in accordance with the laws of the State of California. This Agreement was entered into and is to be performed in the County of Santa Clara. Any action or dispute arising out of this Agreement shall only be brought in Santa Clara County.

24. **Interpretation.** This Agreement is a negotiated document and shall be deemed to have been drafted jointly by the Parties, and no rule of construction or interpretation shall apply against any particular Party based on a contention that the Agreement was drafted by one of the Parties including, but not limited to, California Civil Code § 1654, the provisions of which are hereby waived. This Agreement shall be construed and interpreted in a neutral manner.

25. **Notice of Security and/or Privacy Incident.** If CONSULTANT, or its subconsultant, suspect, discover or are notified of a data security incident or potential breach of security and/or privacy relating to CITY PII, PHI and/or PCI, CONSULTANT shall immediately, but in no event later than forty-eight (48) hours from suspicion, discovery or notification of the incident or potential breach, notify CITY of such incident or potential breach. CONSULTANT shall, upon CITY's request, investigate such incident or potential breach, inform the CITY of the results of any such investigation, and assist the CITY in maintaining the confidentiality of such information. In addition to the foregoing, CONSULTANT shall provide CITY with any assistance necessary to comply with any state and/or federal laws requiring the provision of notice of any privacy incident or security breach with respect to any CITY PII, PHI and/or PCI to the affected or impacted individuals and/or organizations, in addition to any notification to applicable state and federal agencies. CONSULTANT agrees that it shall reimburse CITY for all expenses, costs, attorneys' fees, and resulting fines, penalties, and damages associated with such incident, breach, investigation and/or notification.

26. **Preservation of Agreement.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the rest of the Agreement shall remain in full force and effect and shall in no way be affected or invalidated.

27. **Binding Agreement.** Notwithstanding the provisions of Section 19 above, this Agreement shall bind any and all successors in interest, legal representatives and/or other permitted assignees or transferees of CONSULTANT in the same manner as if those successors in interest, legal representatives or other permitted assignees or transferees had entered into this Agreement originally.

28. ☒ **Data Sharing.** This Agreement requires access by CONSULTANT to CITY'S Geographic Information System (GIS) DATA for CONSULTANT to perform the work. CITY agrees to provide the GIS DATA to CONSULTANT solely for the purpose of performance of contracted work with the CITY upon the terms and conditions specified in Exhibit D, incorporated herein by this reference.

29. **Electronic Signatures.** Unless otherwise prohibited by law or CITY policy, the Parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the CITY.

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[Signatures on Next Page]

30. **Authority to Execute.** Those individuals who are signing this Agreement on behalf of entities represent and warrant that they are, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this Agreement.

IN WITNESS THEREOF, these Parties have executed this Agreement on the day and year shown below.

AS SET FORTH IN CA. CORP. CODE § 313, TWO SIGNATURES ARE REQUIRED FOR CALIFORNIA CORPORATIONS:

- (1) CHAIRPERSON OF THE BOARD, PRESIDENT, OR VICE PRESIDENT; AND
(2) SECRETARY, ASSISTANT SECRETARY, CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER.

ATTEST:

CITY OF MORGAN HILL

City Clerk/Deputy City Clerk

City Manager

Michelle Bigelow
Print Name

Christina J. Turner
Print Name

Date: _____

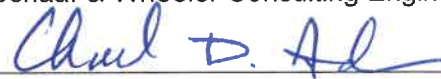
Date: _____

APPROVED AS TO FORM:
Donald A. Larkin

Schaaf & Wheeler Consulting Engineers

City Attorney

By: _____



Charles D. Anderson, President

Print Name and Title of Signer.

If Corporate: Chairman, President or Vice President

Print Name

Date: 8/28/24

Date: _____



By: _____

GLEN ANDERSON, ASST. SECRETARY

Print Name and Title of Signer.

If Corporate: Secretary, Assistant Secretary, Chief Financial Officer or Assistant Treasurer

Date: 8/28/24

Exhibit A

Butterfield Basin Feasibility Study

Scope of Services

The purpose of the study is to evaluate the feasibility of converting the existing offline Butterfield Basin facility into an online facility that also captures trash and sediment and promotes groundwater recharge.

Task A: Permit Research

1. Contact jurisdictional agencies to ascertain permit requirements for constructing and operating the basin change:
 - a. California Department of Fish and Wildlife
 - b. Central Coast Regional Water Quality Control Board
 - c. Santa Clara Valley Water District
 - d. United States Army Corps of Engineers
 - e. United States Fish and Wildlife Service
2. Provide a list of required permits and estimated permit schedules.
3. Identify prohibitions and challenges with future land use changes should the operational change make the area waters of the United States or State, if area is not already considered within these jurisdictions.

Task B: Meetings and Site Visits

1. Conduct up to four design meetings with City staff. Meetings may be held at City offices and/or virtually upon mutual agreement.
 - a. Prepare meeting agenda
 - b. Prepare meeting minutes
2. Visit the site to become familiar with field constraints and complete data gaps through measurement as necessary. (Infiltration testing is under a separate task.)
3. Provide photo documentation of site visits.

Task C: Project Management and Quality Control

1. Coordinate conceptual design activities, including Cornerstone.
2. Submit monthly invoices using template approved by City.
3. Track project schedule and budget.
4. Provide quality control review. Bluebeam Suite tools will be used on reports and plans to create a QA/QC record.

Task D: Topographic Mapping

1. Existing plans and topography provided by the City will be used. (Additional surveying is excluded from this scope of services.)
2. Supplement available topography using available County of Santa Clara LiDAR data sets.

Task E: Geotechnical Investigation

1. Existing geotechnical information relative to the basin furnished by the City will be used.
2. Cornerstone will perform double-ring infiltration tests within the basin to characterize anticipated percolation rates. Some thought should be given as to when to perform these tests (seasonality) within the confines of the feasibility study schedule.

Task F: Level of CEQA Documentation

1. Recommend type of CEQA document needed should City move forward with project design based on the conceptual design. (CEQA documents are not part of this scope of services.)
 - a. Categorical Exemption
 - b. Initial Study with Mitigated Negative Declaration
 - c. Environmental Impact Report

Task G: Draft Feasibility Study and Conceptual Design

1. Prepare draft feasibility study including conceptual design.
 - a. 30% submittal
 - b. 60% submittal (including infiltration tests)
 - c. 90% submittal
2. Provide estimates of probable cost and schedule with the 30%, 60%, and 90% submittals.
 - a. Design
 - b. CEQA
 - c. Permitting
 - d. Bid
 - e. Construction including environmental restrictions
3. Allow minimum of two weeks for City review of each submittal.

Task H: Final Feasibility Study and Conceptual Design

1. Incorporate City comments.
2. Feasibility Study in MS Word and pdf formats.

3. Conceptual Design in ACAD .dwg and pdf formats.
4. Final construction cost estimate in Excel and pdf formats.
5. Design, CEQA, permitting, and construction schedule in Microsoft Project and pdf formats.

Conceptual design will not include structural detailing or revegetation plan specifics. At the conceptual design level, bid specifications are not applicable.

EXHIBIT B
SCHEDULE OF COMPENSATION RATES

Schaaf & Wheeler
CONSULTING CIVIL ENGINEERS

4699 Old Ironsides Dr., Suite 350
Santa Clara, CA 95054-1860
408-246-4848

Hourly Charge Rate Schedule

Personnel Charges

Charges for personnel engaged in professional and/or technical work are based on the actual hours directly chargeable to the project.

Current rates by classification are listed below:

<u>Classification</u>	<u>Rate/Hr</u>
Principal Project Manager	\$295
Senior Project Manager	\$270
Senior Engineer	\$250
Associate Engineer	\$220
Assistant Engineer	\$200
Junior Engineer	\$185
Designer	\$175
GIS Analyst	\$175
Technician	\$160
Engineering Trainee	\$135

Litigation Charges

Court or deposition time as an expert witness is charged at \$500 per hour.

Materials and Services

Subcontractors, special equipment, outside reproduction, data processing, computer services, etc., will be charged at 1.10 times cost.

Effective 1/1/24

Exhibit C

Butterfield Basin Feasibility Study Schedule

The study schedule is tabulated herein. "NTP" refers to the issuance of a Notice to Proceed. The geotechnical investigation schedule is weather-dependent. The overall schedule has a six-month duration for study completion.

Task	Scheduled Completion
A. Permit Research	2 weeks from NTP
B. Meetings and Site Visits	
C. Project Management and Quality Control	
D. Topographic Mapping	1 week from NTP
E. Geotechnical Investigation	8 weeks from NTP
F. Level of CEQA Documentation	2 weeks from NTP
G. Draft Feasibility Study and Conceptual Design	
30% submittal	8 weeks from NTP
City review	10 weeks from NTP
60% submittal	12 weeks from NTP
City review	14 weeks from NTP
90% submittal	16 weeks from NTP
City review	18 weeks from NTP
H. Final Feasibility Study and Conceptual Design	24 weeks from NTP

CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Andrew Crabtree, Development Services Consultant

APPROVED BY: City Manager

ADOPT RESOLUTION TO ESTABLISH NEW AND UPDATED FEES FOR PLANNING, BUILDING, AND LAND DEVELOPMENT ENGINEERING

RECOMMENDATION(S)

1. Open/Close Public Hearing; and
2. Adopt resolution to establish new and updated Planning, Building, and Land Development Engineering fees as proposed.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Preserving and Cultivating Public Trust

2024-2025 Strategic Priorities

Fiscal Sustainability

Guiding Documents

General Plan

Municipal Code

REPORT NARRATIVE:

The City of Morgan Hill is proposing to update the City's fees for land development permits issued by Planning, Engineering Land Development (a part of the Public Services Department), and Building programs. The California Government Code allows cities to recover all or a portion of the cost of providing exchange-based services through the application of fees. The City of Morgan Hill accordingly requires the payment of a fee as part of the application for Planning, Building and Land Development Engineering permits administered through the City's Development Services program. These fees reflect the cost to review and process applications required for new construction. The fees collected include compensation for time by City teammates on activities such as technical review, stakeholder meetings, communication and public hearings, as well as costs incurred by the City such as noticing and general overhead expenses. These activities are intended to be 100% cost recovery, and therefore must be periodically reviewed to account for changes in personnel costs, overhead, internal service charges, and costs for supplies, technology, and services. Prior to the current

analysis, planning and land development engineering permit fees were last reviewed in 2021 and building permit fees were last reviewed in 2017. The City Council finds that providing these services is of special benefit to applicants both separate and apart from the general benefit to the public; and therefore, in the interests of fairness to the general public, the City desires to better recover the costs of providing these services from applicants who have sought the City's services by revising its schedule of development fees

Analysis

City fees are adjusted on an annual basis through a general cost of living percentage increase. Building permit fees are mostly based on project valuation, which increased due to increasing costs within the construction industry. However, it has been three years for Planning and Land Development Engineering and seven years for Building since the fees have been updated. The current fee study provides an opportunity to more accurately connect fees to actual operating costs, address changes in staffing since the last fee study, and reassess assumptions made in previous studies. The current fee study relies upon an analysis of the actual costs of service delivery for a typical permit using the established methodology previously employed by the City and the City's consultants.

The current fee study addresses the following:

- 1) updated staffing model
- 2) updated costs for salaries, benefits and overhead
- 3) adjustments to the number of hours required to deliver a particular service
- 4) updated public information staffing costs (counter service)

Based on the Fee Study, staff is proposing to update the City's fees for land development permits issued by Planning, Engineering Land Development (a part of the Public Services Department), and Building programs. Fees for service are determined based upon two primary variables:

- Fully Burdened Hourly Rate (FBHR)
- Number of hours to perform the service (Hours per Service)

This study indicates that both the FBHR and the Hours per Service should be increased to implement a 100% cost recovery fee program. The FBHR is proposed to be adjusted based on changes to the current staffing composition, employee pay rates, program administrative costs, and Citywide overhead rates. The Hours per Service for each permit have been reviewed by staff and adjusted in this study to align with the amount of time currently spent by staff hours in the review and issuance of these permits.

In summary:

- Proposed FBHR increases are 53% for Planning, 49% for Engineering Land Development and 9% for the Building programs. (The Building Program includes

Fire code permits.)

- Average permit fees increase by various amounts, ranging from 8% for Electrical permits issued by the Building Department up to 119% for Planning permits.
- Based upon projected activity levels by permit type, fees collected are expected to increase on average by program from between 9% for Mechanical, Electrical and Plumbing permits to 131% for Planning permits.
- The proposed increases to the FBHR and permit fees correspond to a 100% cost recovery model as established in the following analysis.

Proposed Change to FBHR	2024 Current	2024 Proposed	% Increase
Planning	\$253	\$387	53%
Engineering Land Development	\$248	\$370	49%
Building / Fire	\$234	\$256	9%

Average Permit Fee Increase	Unweighted	Weighted by Volume
Planning	119%	131%
Engineering Land Development	62%	51%
Building Permits	27%	33%
Building Plan Check	110%	92%
Building - Mechanical	9%	9%
Building - Electrical	8%	9%
Building - Plumbing	9%	9%
Fire	40%	14%

Planning permit fees increase by the greatest margin due to the increased Planning program FBHR and a significant increase in Hours per Service for most planning permits. Planning staff carefully reviewed the Hours per Service used in the two prior Fee Studies and determined that they significantly underrepresented the actual amount of time spent by staff to process each permit. Engineering Land Development fees also increased significantly, due in large part to the increased Engineering Land Development FBHR, along with more modest increases in the standard Hours per Service.

Building Permit fees have a less significant increase, correlating mostly with the modest increase in the Building program FBHR. However, plan check fees have increased more significantly, particularly for projects that include review by Engineering Land Development and Planning, due to increased FBHR for both programs and increased Hours per Service for Engineering Land Development. Fire reviews have also increased more significantly, due to increased Hours per Service.

The proposed fee update proposes to continue subsidizing fees for six planning permit types and recover less than 100% cost recovery, as adopted in 2022. These planning permits are Appeals, Temporary Use for Non-Profits, Tree Removals, Administrative Use Permits, Temporary Use Amendments, and Residential Private Livestock. The cost to process an Appeal is kept at less than cost recovery so that the fee will not become a potential obstacle to public participation in the planning process. Similarly, costs for the other identified permits are set at less than 100% cost recovery so that permit fees do not become an obstacle to code compliance and/or desirable land use activities for which the full cost recovery fee would be cost prohibitive. Providing these permit activities at less than 100% cost recovery requires that the City supplement the planning permit program with a General Fund contribution equivalent to the average amount of revenue lost with the reduced fees.

Proposed Fee Modifications

The City compared the proposed fees with the fees for comparable permit processes in Gilroy, San Jose, Campbell, and Sunnyvale. Based upon the input received from stakeholder outreach, and the comparison with other cities, the proposed fee structure was modified to create a reduced fee for an SB 330 Preliminary Application and to reduce the rate of escalation in fees for multifamily residential projects based on the number of units. The SB330 Preliminary Application vests residential applications with current fees and regulations in existence on the day fees are received for the application and starts a 180-day clock where that vesting will expire if a formal application is not filed. For the SB330 Preliminary Application Fee, it is recommended to create a tier system with one small fee equal to three (3) hours of review that vests the application with no staff feedback and the standard fee that includes detailed analysis of the proposal and a meeting with a departmental team as shown below:

Permit Type	Proposed Fee	Tiered Proposed Fee Approach
SB330 Preliminary Application	\$26,666	Vesting Only fee: \$1,161 Preliminary Review with department wide review and comment meeting: \$26,666

Implementation

The proposed fee schedule positions the City to recover as close to 100% cost recovery as feasible. Council may choose to adopt the fee schedule as proposed or may consider phased implementation over time until 100% cost recovery is met. For example, 50% of the proposed fee increase could take effect upon adoption, with an additional 25% increase at the end of the next two fiscal years. Staff have observed two,

three and five year phased-in implementation of new fees in different Bay Area municipalities. It is important to note that a phased approach will require General Fund subsidies until 100% cost recovery is met.

COMMUNITY ENGAGEMENT:

Public Notices related to development fee consideration by the City Council have been distributed and advertised in accordance with the provisions of Sections 66016 through 66018 of the California Government Code.

Two public meetings with developers and community members, one in person and one virtual, were held on August 13th and 14th, 2024. No one attended the in-person meeting, but the virtual meeting held on August 14th was attended by six (6) individuals representing the development community, including a participant from the Builder's Industry Association (BIA). A detailed summary of that meeting is included on Page 21 of the Fee Study.

Communication regarding the proposed fees was also received outside of the outreach meetings. For example, an email from Pete Larko of JP DiNapoli Companies, Inc. expressed concern about the fee increase, but further clarified that relative to the cost of the City's impact fees, permit fees are not significant. The mention of impact fees was also a common point made in the development meeting on August 14th and represent a separate conversation. Impact fees do not follow the same formula as development application fees and are charged much later in the development process. Impact fees are a one-time charge to new development imposed under the Mitigation Fee Act. These fees are charged to mitigate impacts resulting from the development activity and cannot be used to fund existing deficiencies.

ALTERNATIVE ACTIONS:

City Council can choose to maintain existing permit fees, adopt fees at a less than full cost recovery level, or implement a phased-in approach for the fees as proposed.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

No prior City Council actions have been taken on this proposed fee update. Planning and Land Development Engineering permit fees were last updated by the City Council in January 2022. Building permit fees were last updated in October 2017.

FISCAL AND RESOURCE IMPACT:

The annual impact on the Development Services Special Revenue Fund is anticipated to be an increase in revenue that will recoup more of the reasonable costs for providing a given service. If revenues fall short of operating expenses for any of the planning, building, and/or land development engineering programs, the General Fund will have to provide subsidies for the program.

Should the Council adopt the proposed updated fee schedule on September 4, 2024,

the new and updated fees would go into effect on November 4, 2024.

CEQA (California Environmental Quality Act):

Not a Project.

The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.

RESOLUTION NO. 24-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL ESTABLISHING NEW AND UPDATED PLANNING, LAND DEVELOPMENT ENGINEERING, AND BUILDING FEES

WHEREAS, the City Council, pursuant to Section 3.50.010 of the Morgan Hill Municipal Code (“Code”), requires the recovery of costs reasonably born from fees and charges levied in providing the regulation, products or services enumerated in Code Chapter 3.50 – Fee and Service Charge Revenue/Cost Comparison System; and

WHEREAS, the City of Morgan Hill has conducted a fee analysis to calculate the costs reasonably borne to provide the specified Planning, Land Development Engineering, and Building services, which study has been available to the public for at least ten (10) days prior to the adoption of this Resolution; and

WHEREAS, an in-person public meeting and a virtual public meeting were held with members of the development community and other interested parties on August 13, 2024 and August 14, 2024 respectively; and

WHEREAS, the proposed establishment of the fees that are the subject of this Resolution was agendized for consideration by the City Council of the City of Morgan Hill at a duly noticed public hearing of the Council held on September 4, 2024 at which hearing all interested persons were afforded an opportunity to be heard on said proposed fees; and

WHEREAS, the Council heard all relevant testimony and reviewed all written materials submitted in connection with its hearing on this Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE, AND ORDER AS FOLLOWS:

1. The City Council has conducted an extensive analysis of its Planning, Land Development Engineering, and Building Fees, including the cost to the City for special services and development applications and the revenues produced by those paying Planning, Land Development Engineering, and Building Fees; and
2. Current Planning, Land Development Engineering, and Building Fees charged for the City's Services do not adequately recoup the City's costs of providing certain Services; and
3. The City Council finds that providing these Services is of special benefit to Applicants both separate and apart from the general benefit to the public; and therefore, in the interests of fairness to the general public, the City desires to better recover the costs of providing these Services from Applicants who have sought the City's Services by revising its schedule of City-Wide Fees; and

4. The proposed Planning, Land Development Engineering, and Building Fees are initially based upon the information contained in a document prepared by City staff entitled "City of Morgan Hill Development Services Fund 206 Analysis", dated August 16, 2024; and
5. Based upon the analysis and the provided information, the City (i) identifies the purpose of the proposed fees, (ii) identifies the use to which the fees will be put, (iii) demonstrates a reasonable relationship between the fees' use and the types of services on which the fees are imposed, and (iv) demonstrates a reasonable relationship between the amount of the fees and the cost of the City's services attributable to the applications on which the fees are imposed; and
6. The City Council finds and determines the fees calculations utilized to establish new and updated Planning, Land Development Engineering and Building fees will not cause fee revenues to exceed the estimated cost reasonably borne of providing the services which the fees are levied; and
7. The City Council hereby adopts and approves the establishment of new and updated Planning, Land Development Engineering and Building fees as set forth in attached **Exhibit A** and incorporated by this reference; and
8. The City Council finds and determines that it is reasonable to continue to annually adjust the fees set forth in Schedule by the Consumer Price Index for Urban Wage Earners and Clerical Workers for the San Francisco, Oakland and San Jose Area, and hereby instructs, authorizes and directs the City Manager or his/her designee to so annually adjust the applicable fees as set forth Resolution 6503 adopted January 18, 2012; and
9. The City Manager or his/her designee is hereby authorized and directed to amend the City Fee Schedule to reflect the fees as set forth in **Exhibit A**.
10. Effective Date. This Resolution shall take effect upon its adoption; provided, however, that the New and Updated Planning, Land Development Engineering and Building Fees established hereunder shall first be imposed and collected sixty (60) days from the date of adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the 4th day of September, 2024.

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

APPROVED:

ATTEST:

MARK TURNER, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, adopted by the City Council at a regular meeting held on September 4, 2024.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

Michelle Bigelow, City Clerk

City of Morgan Hill Development Services Fund 206 Analysis

August 16, 2024

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Executive Summary

Based on the analysis summarized in this report, the City of Morgan Hill is proposing to update the City’s fees for land development permits issued by Planning, Engineering Land Development (a part of the Public Services Department), and Building programs. Fees for service are determined based upon two primary variables:

- Fully Burdened Hourly Rate (FBHR)
- Number of hours to perform the service (Hours per Service)

This analysis indicates that both the FBHR and the Hours per Service should be increased to implement a 100% cost recovery fee program. The FBHR is proposed to be adjusted based on changes to the current staffing composition, employee pay rates, program administrative costs, and Citywide overhead rates. The Hours per Service for each permit have been reviewed by staff and adjusted in this study to align with the amount of time currently spent by staff in the review and issuance of these permits.

In summary:

- Proposed FBHR increases are 53% for Planning, 49% for Engineering Land Development and 9% for the Building programs. (The Building Program includes Fire code permits.)
- Average permit fees increase by various amounts, ranging from 8% for Electrical permits issued by the Building Department up to 119% for Planning permits.
- Based upon projected activity levels by permit type, fees collected are expected to increase on average by program from between 9% for Mechanical, Electrical and Plumbing permits to 131% for Planning permits.
- The proposed increases to the FBHR and permit fees correspond to a 100% cost recovery model as established in the following analysis.

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Planning permit fees increase by the greatest margin due to the increased Planning program FBHR and a significant increase in Hours per Service for most planning permits. Planning staff carefully reviewed the Hours per Service used in the two prior Fee Studies and determined that they significantly underrepresented the actual amount of time spent by staff to process each permit.

Engineering Land Development fees also increase significantly, due in large part to the increased Engineering Land Development FBHR, along with more modest increases in the standard Hours per Service.

Building Permit fees have a less significant increase, correlating mostly with the modest increase in the Building program FBHR. However, plan check fees have increased more significantly, particularly for projects that include review by Engineering Land Development and Planning, due to increased FBHR for both programs and increased Hours per Service for Engineering Land Development. Fire reviews have also increased more significantly, due to increased Hours per Service.

In mid-August, the City conducted outreach to development stakeholders to gather input on the proposed fee increases. Five members of the public attended a virtual meeting and three spoke expressing opposition to fee increases as they would cause a barrier to development.

The City also compared the proposed fees with the fees for comparable permit processes in Gilroy, San Jose, Campbell, and Sunnyvale.

Based upon the input received from stakeholders, and the comparison with other cities, the proposed fee structure was modified to create a reduced fee for an SB 330 Preliminary Application and to reduce the rate of escalation in fees for multi-family residential projects based on the number of units.

Background

Land Use Permitting / Development Services

The City of Morgan Hill exercises regulative authority over land use activities within the City, including new construction, alterations to existing structures, and new land uses. This authority is implemented through the issuance of land use permits that ensure construction and land use activities conform to local, regional, and state policies and regulations. Permits are issued by different departments or discipline areas within the City, focused on planning (land use policy and zoning requirements), building (Building Code) and engineering (interface with public infrastructure). These three programs are referred to as Planning, Building and Engineering Land Development respectively. Collectively, they may be referred to as Development Services.

Per the City’s website, these three programs have the following purposes:

- The **Planning Division** performs a variety of services intended to protect, maintain and develop an attractive, safe, and healthy environment. The Planning Division is responsible for review/approval of Design Permits, Use Permits, Zoning changes, etc., including fulfillment of environmental review as required under the California Environmental Quality Act (CEQA). Many of these approvals are discretionary in nature and may require action to be taken by the City Council or Planning Commission.
- The **Building Division** serves the residents and developers within the City by answering general questions, providing plan review services, issuing grading and building permits, and much more. The Building Division is responsible for the issuance of Building Permits and Fire Permits and inspection of construction activities.
- **Engineering Land Development** provides development review/inspection services. It oversees all construction activities that pertain to the infrastructure constructed by developers within the City. Engineering Land Development is responsible for review/approval of Improvement Plans, Street Vacations, Final Subdivision Maps, etc. Engineering Land Development further reviews and inspects all onsite privately owned storm water treatment and detention/retention facilities in compliance with State mandates.

Cost Recovery Model

According to State law, local municipalities like the City of Morgan Hill, are allowed to establish fees for services such as the issuance of land use permits. The fee charged to an individual applicant should correspond to the general cost of delivering the corresponding service. For example, a Building Permit fee can be charged to pay for the work required to review and issue a Building Permit, including administrative activities for the permit, review of the proposed construction for consistency with the Building Code (plan check) and subsequent inspections by a Building Inspector to verify that construction is taking place consistent with the plans approved for the Permit.

Best Practices

In general, the City may choose to pass 100% of the costs for permitting services on to the applicants who are required to obtain a permit for a proposed land use. The costs for these services include front line staff costs (a proportional share of the salary and benefit costs for staff working directly on the issuance of permits), supplies and equipment (e.g., computers, stationary, vehicles, etc.), administrative staff costs (proportional share of management or support staff who enable the productivity of the front-line staff), and citywide overhead (e.g., building maintenance, IT, etc.). The City may elect to bear some of the costs of permitting through the use of other revenue sources, such as the City’s General Fund, which may consist of

monies collected from property, sales and hotel taxes. Attempting to fully fund permitting program costs through permit fees is referred to as a 100% cost recovery fee model.

To operate a 100% cost recovery fee program, the City must conduct periodic studies to quantify the exact cost of service delivery. These studies include an analysis of the Fully Burdened Hourly Rate (FBHR) as well as the typical number of hours (Hours per Service) required to process a permit. For the Hours per Service, it is permissible to utilize averages based on typical procedures in terms of hours spent in review, number of meetings or public hearings, number of inspections, etc. The FBHR is determined by calculating the true cost for an employee's hour of work. The Hours per Service are based on the experiences of City staff in processing recent permits. The product of the FBHR and Hours per Service is the standard fee for a particular permit. The permit fees are listed by type on a Fee Schedule so that applicants may know anticipated fees to process an application for a land use permit.

Like many cities, Morgan Hill typically increases fees annually using a generic inflationary rate. However, actual employee costs can change significantly independent of the general economy due to changes in staff team composition, salary rates, and other factors. Periodic review allows the fee levels to be set more accurately at the actual service cost.

Permit fees should not exceed the typical cost for the corresponding type of permit, or else they may be considered a form of taxation. On the other hand, if fees are less than 100% cost recovery, the cost of the permitting activity is being born (or subsidized) by some other funding source. A municipality may elect to charge a fee less than the amount required to fully cover the cost of the service (e.g., a cost recovery rate less than 100%), but should do so through a decision-making process that accounts for an alternative funding source to replace any fees not collected. If some fees are disproportionately high while others are low, the permittees paying the higher fees are subsidizing those paying the lower fees.

A 100% cost recovery program should generate a positive revenue balance for fee revenue when considered on an annual basis. In particular, the review and inspection of Building permit projects can take place over multiple fiscal years while fees are collected only at the beginning of either the plan check or building permit process. It is thus necessary for the City to maintain a positive balance across multiple fiscal years to cover the costs of work performed in a fiscal year subsequent to the fiscal year in which the corresponding revenue was collected. Planning and Engineering Land Development reviews may also cover multiple fiscal years, but to a lesser degree. Further, there may be fluctuations in the fund balance that are a result of the unpredictable increases and decreases in the demand for land use permits. Maintaining this slight buffer allows the City to retain experienced staff and overall productivity levels when construction activity and associated permit revenue drop.

While a time and materials fee could be the most precise means of tracking and collecting fees for full cost recovery, this approach creates significant administrative overhead. As a result, municipalities typically set fees based on the average cost of processing a type of permit, with time and materials fees only used for more unusual circumstances.

A 100% cost recovery approach may include limited exceptions for either legal or practical reasons. For example, if the City provides an appeal process for community members to challenge land use decisions, a substantial fee to file the appeal could be considered an undue burden on due process. As another example, the City may elect to subsidize a particular permit where a fee set at 100% cost recovery would discourage compliance with City regulations or unfavorably discourage land use activity. Typical examples

of Planning permits subsidized by cities include use permits for non-profit entities conducting a community event or a tree removal permit for a single-family homeowner.

Objectives

The City of Morgan Hill undertook this analysis to specifically review and propose updates to the permit fees for the City's Development Services activities and to align with the requirements for a 100% cost recovery fee program. Previously the City contracted with a consulting firm to conduct fee studies in 2021 (Planning and Engineering Land Development) and 2017 (Planning, Building and Engineering Land Development).

Since 2021, Planning and Engineering Land Development fees were increased annually based on a standardized inflationary adjustment. While Building Permit fees were not adjusted in the same manner, this was offset by the use of project valuation as an input to the Building Permit Fee. Project valuation, an estimated cost of construction for the project, increases periodically based on data collected by the construction industry on actual construction costs. Because Building Permit fees are calculated as a percentage of the expected construction costs (referred to as project valuation), they automatically increase as construction prices increase.

In addition to a desire to follow the best practice of periodic permit fee updates, the City was motivated by a desire to improve the fiscal stability of the Development Services Fund programs by better aligning revenues with actual costs. Fund 206 is used in the City's budget to track revenues and costs for Development Services, including Planning, Engineering Land Development and Building programs. Through the City's 2024-2025 budget process, it was noted that Fund 206 was continuing to operate in a deficit situation such that the City was forced to use General Fund money to cover some portion of the cost of Development Services.

Furthermore, as a best practice, the City has the objective of addressing changes in staffing composition, overhead costs, and permit procedures that had been implemented since the most recent fee studies and which could affect the cost of the Development Services permit program. Changes to staffing and overhead costs occur through the biennial adoption of the City's operating budget. Changes to permit procedures result from changes in State law as well as local land use regulations, and include the suspension of Morgan Hill's Residential Development Control System (RDCS) and a new preliminary review process brought on by the adoption of SB 330.

Methodology

Prior Fee Studies

Cities routinely conduct Fee Studies to support cost recovery fee programs, often with the assistance of an outside consultant. The nature of these studies is fairly routine, although their structure can vary significantly in terms of approach and detail. This particular analysis directly relies upon the methodology established in the City's two most recent Development Services Fee Studies, both of which were prepared by the same consultant and used the same methodology to determine an aggregate Fully Burdened Hourly Rate (FBHR) for each of the three main programs (Planning, Engineering Land Development and Building) and then to apply that rate to an aggregate of the number of hours for each enumerated permit included on the City's Fee Schedule. The following report provides a more detailed description of each step in this process.

Budget Alignment

As noted above, the City is using an aggregate FBHR for each program within Fund 206. This approach aligns well with the structure of the City's budget, which assigns staff on a proportionate basis to each program. For example, a portion of the funding for several positions (e.g., City Manager, Development Services Director, Assistant City Attorney, Management Analyst, etc.) are assigned within the City's budget to each of these programs. These positions or portions of these positions then become an administrative cost within the overall staffing cost for each program, rather than a specifically enumerated cost that is considered when determining the Hours per Service. An alternative approach would be to separate out one or more of these positions, calculate a separate FBHR specific to the position, and then allocate time specifically to that position at the specific FBHR. This approach would add both complexity and specificity, and may be desirable for the latter reason, but would not align well with the structure of the City's budget which allocates costs for materials, supplies, overhead, etc., as well as staffing, as an aggregate for each program.

Materials and supplies are included in the City's budget as a line item specific for each program. The Citywide overhead may also include materials and supplies, but in a generalized fashion where each program pays a proportionate share of the City's total costs. Some of the increase in Citywide overhead and corresponding decrease in materials and supplies costs for each program between 2021 and 2024 is attributed to a shift of materials and supplies cost from individual programs to the Citywide overhead.

Key Elements

Staff Team Composition

The following analysis begins with a quantification of the staff resources for each of the three programs. The following tables present the City’s staffing for each of the three Fund 206 programs as set forth in the City’s budget.

The key pieces of information for the fee analysis are the total number of hours spent on each activity and the percentage of those hours spent on each activity for each program. The first table summarizes the distribution between administrative, public information and permit processing for each program. Administrative activities include staff meetings, training, and administrative work such as contract management and supervision. Public information includes time spent in communication with the general public and/or applicants and other stakeholders, either in person, by phone, email or other means. Permit processing time is time available to work directly on the review and issuance of a land use permit. Notably, the Planning program has the greatest share of public information activity, while Engineering Land Development and Building have more hours dedicated to permit processing.

Distribution of Hours	Administrative		Public Information		Permit Processing	
Planning	3,978	39%	2,261	22%	4,026	39%
Land Development	3,023	37%	525	6%	4,703	57%
Building	3,514	22%	564	3%	12,176	75%

The allocation of hours to these different activities are further broken down in the following table. The table identifies staffing by position title and the percentage of that position assigned in the budget to the referenced Fund 206 program (% FTE or % Full Time Equivalent). The percentage of FTE assigned to the program determines how many productive hours are available for the work of the program by the indicated individual. The productive hours for each position, (productive hours being the total number of work hours in a year after subtraction of vacation, sick leave and break time), have been distributed between administrative, public information (counter) and permit processing activities as an indication of how much time is spent by each individual on each.

City of Morgan Hill –Development Services: Fund 206 Analysis
August 16, 2024

**City of Morgan Hill: Fund 206 Fee Study
FY 2024-2025**

Fund 206 Employee Time Resources

Fund 206 - Planning		Distribution of Work (%)			Distribution of Work (Hours)		
Position	FTE	Admin	Public Info	Permits	Admin	Public Info	Permits
City Manager	0.04	100%	-	-	64	-	-
Asst City Manager Development Services	0.30	64%	21%	15%	314	105	73
Development Services Director	0.30	54%	7%	39%	266	35	191
Senior Planner	1.00	22%	7%	71%	353	120	1,167
Associate Planner	0.80	25%	29%	46%	352	400	643
Assistant Planner	0.80	25%	28%	47%	354	400	673
Development Services Technician	0.05	6%	94%	-	5	81	-
Development Services Technician	0.90	13%	70%	17%	206	1,080	255
Part-Time / Temp	0.50	12%	3%	85%	123	25	852
Economic Development Coordinator	0.10	100%	-	-	168	-	-
Assistant City Attorney	0.17	33%	5%	62%	92	15	172
Business Assistant	0.10	100%	-	-	174	-	-
Municipal Service Assistant	0.80	100%	-	-	1,382	-	-
Management Analyst	0.07	100%	-	-	125	-	-
Total	5.93	39%	22%	39%	3,978	2,261	4,026

Fund 206 - Land Development		Distribution of Work (%)			Distribution of Work (Hours)		
Position	FTE	Admin	Public Info	Permits	Admin	Public Info	Permits
City Manager	0.02	100%	-	-	32	-	-
Public Services Director	0.03	33%	-	67%	16	-	33
Development Services Director	0.10	87%	-	13%	143	-	21
Deputy Director for Engineering	0.15	33%	-	67%	80	-	166
Senior Civil Engineer	0.75	43%	2%	55%	527	30	673
Supervising Civil Engineer	1.00	31%	7%	62%	503	120	1,017
Assistant Engineer	0.50	23%	17%	60%	206	150	540
Junior Engineer	0.75	23%	17%	60%	309	225	810
Senior Public Works Inspector	0.35	16%	-	84%	97	-	502
Senior Public Works Inspector	0.35	16%	-	84%	98	-	510
Environmental Programs Coordinator	0.45	56%	-	44%	453	-	353
Assistant City Attorney	0.07	32%	-	68%	37	-	78
Business Assistant	0.25	100%	-	-	436	-	-
Municipal Service Assistant	0.05	100%	-	-	86	-	-
Management Analyst	-	-	-	-	-	-	-
Total	4.82	37%	6%	57%	3,023	525	4,703

Fund 206 - Building		Distribution of Work (%)			Distribution of Work (Hours)		
Position	FTE	Admin	Public Info	Permits	Admin	Public Info	Permits
City Manager	0.02	100%	-	-	32	-	-
Asst City Manager Development Services	0.05	100%	-	-	82	-	-
Development Services Director	0.20	100%	-	-	328	-	-
Building Official	1.00	40%	2%	58%	663	25	952
Building Division Manager	1.00	24%	-	76%	393	-	1,247
Development Services Technician	0.75	13%	11%	76%	172	140	972
Development Services Technician	0.10	12%	40%	47%	21	69	81
Development Services Technician	1.00	12%	9%	79%	217	165	1,410
Development Services Technician	1.00	12%	10%	78%	212	165	1,335
Building Inspector II	1.00	12%	-	88%	214	-	1,522
Building Inspector II	1.00	12%	-	88%	214	-	1,530
Building Inspector II	1.00	12%	-	88%	217	-	1,575
Plan Check Engineer	1.00	12%	-	88%	216	-	1,552
Assistant City Attorney	0.16	100%	-	-	262	-	-
Business Assistant	0.10	100%	-	-	174	-	-
Municipal Service Assistant	0.05	100%	-	-	86	-	-
Management Analyst	0.07	100%	-	-	125	-	-
Total	9.50	22%	3%	75%	3,514	564	12,176

Notes

DPW Admin hours include floodplain and special projects

Fully Burdened Hourly Rate

The next step in the analysis process was to calculate a FBHR for each of the three programs based on staff team composition and the associated budget. The FBHR reflects the full cost, including all forms of overhead, for one hour of staff work on a permit. The FBHR is calculated by adding up all of the costs required to conduct the permit program, including salary, benefits, administration, public information, equipment and supplies and dividing the total costs by the total number of hours available. Based on this calculation, the analysis supports significant increases to the current FBHR for the Planning and Engineering Land Development programs, and a modest increase for the Building program as shown.

Proposed Change to FBHR	2024 Current	2024 Proposed	Increase	% Increase
Planning	\$253	\$387	\$134	53%
Engineering Land Development	\$248	\$370	\$122	49%
Building	\$234	\$256	\$22	9%

The calculation of the FBHR is the most complex part of this analysis and was carefully reviewed prior to making this recommendation as it will have a significant impact on the fees the City will be charging for new land use permits, and thus make new construction and land use activities more expensive.

The proposed increases reflect changes to:

- Cost of salary and benefits
- Proportion of staff time dedicated to administrative activities
- Availability of productive hours
- Equipment and supplies
- Citywide overhead
- Incorporation of public information costs within the permit program

The relative effect of each of these factors varies by program as discussed below.

Planning Program

The Planning Program FBHR is proposed to increase substantially from \$253 to \$387 per hour for the following reasons.

- 1) Public Information – the biggest factor increasing the FBHR for Planning is the allocation of 50% of the staff time spent on public information activities to the permit fee program. While it is not uncommon for a city to assume that the majority of public information time spent by Development Services staff (e.g., answering questions from potential applicants and/or community members during the workday at the counter, by email or by phone) is directly related to the issuance of permits, the previous two Studies assumed only 10% of this time would be allocated to the permit program based upon a rough estimation made by City staff. For this analysis, the City monitored public information over a two-week period and determined that 52% of the time spent on public information was in direct support of the conduct of the City’s land use permit program. To align with common practice, and with the support of the collected data, the City is proposing to increase the percentage of public information activities covered by permit fees from 10% to 50%. This adds administrative costs to the Planning fee program and thus increases the Planning FBHR.

- 2) Productive Hours – the second largest factor increasing the Planning FBHR is the loss of productive hours from the most recent Fee Study. Administrative costs and overhead are distributed over the total number of productive hours, so that when the number of productive hours is reduced, the FBHR is increased. The drop in productive hours is most notably the result of a reduction in staffing at the Senior Planner level. In the 2021 study the Planning program included two Senior Planner positions with a total of 3,288 productive hours. One position was removed and work duties reassigned so that in the current analysis, the remaining Senior Planner provides only 1,167 hours of productive time for permit processing. This reduction reflects increasing demand upon the Senior Planner to perform administrative tasks related to State Housing and Community Development requirements, the growing complexity of legal and procedural requirements placed upon local land use permitting, and other factors contributing to greater administrative workload.
- 3) Citywide Overhead – The third contributing factor to the increased Planning FBHR is an increase in Citywide overhead assigned to the Planning program. Increased administrative activity contributes as well. The potential increase in the Planning FBHR is somewhat offset by a decrease in the budget for supplies and equipment, but this decrease is also related to a shift in some of these expenses from a direct program specific line item in the budget to incorporation into the Citywide overhead.

Engineering Land Development

The Engineering Land Development Program FBHR is proposed to increase substantially from \$248 to \$370 per hour for the following reasons.

- 1) Citywide Overhead – The most significant factor increasing the Engineering Land Development FBHR is an increase in Citywide overhead for this program, due to a change in methodology for overhead allocation.
- 2) Productive Hours – The second factor for Engineering Land Development is a loss of productive hours. Due to changes in workload and revenue, Engineering Land Development staff were reassigned from Engineering Land Development to the City’s Capital Improvement Program, reducing the productive hours available within the Engineering Land Development program. As with Planning, this results in administrative and overhead costs being borne by a reduced number of productive hours, thereby resulting in a higher FBHR.
- 3) Public Information – The Engineering Land Development FBHR is also increased by a shift in public information hours to the fee program from 30% to 100%. Under current work assignments, all of the public information activities conducted by Engineering Land Development program staff are related to the permit program. This shift in public information has a lesser impact on Engineering Land Development than on the Planning program as the total number of hours for public information is considerably less (525 hours compared to 2,261 hours).
- 4) Labor Costs – The increase in the Engineering Land Development FBHR would be larger except that it is offset by reductions in the overall cost of labor and a reduction in administrative hours.

Building

By comparison to Planning and Engineering Land Development, the Building program has a modest proposed increase in FBHR from \$234 to \$256. While the Planning and Engineering Land Development programs were addressed in the 2021 Fee Study, the Building program was excluded and thus this analysis uses the 2017 Fee Study as a point of reference. This increase is a result of the following factors.

- 1) Labor Costs – The total labor cost for the Building program has increased substantially from the 2017 Study with the addition of new positions in the program.
- 2) Citywide Overhead – Citywide overhead has increased for the Building program and is the second largest factor increasing the Building FBHR.
- 3) Productive Hours – Factors causing increases to the FBHR are significantly offset by an increase in productive hours. The positions added within the program are focused on productive hours rather than administrative activities and thus have a much lesser effect on increasing the FBHR.
- 4) Public Information – Counter hour cost recovery is proposed to increase from 10% to 100% but this has a very minor impact on the FBHR as it is a small part of the Building program workload.

Calculation of FBHR

The following three tables present the calculation of the FBHR for each of the three programs. The FBHR is calculated by distributing program costs (salary, benefits, materials and supplies, and Citywide overhead) proportionately between work hours for administrative, public information, and permit processing activities.

The first category, Employee Services, includes the total cost of salary and benefits budgeted for each program. Overtime costs are subtracted from this total as any time spent as overtime should not be a factor in determining the FBHR for a regular work hour.

Non-Labor / Overhead includes the costs for supplies and materials and the general citywide overhead costs for each program as set in the budget.

The Total for Labor and Non-Labor is a calculation of the proportional cost for each of the three work activities including labor, supplies and materials and citywide overhead.

The fully burdened cost for administrative work hours is then distributed between the public information and permit processing time, so that each bears a proportional cost of the administrative activity.

50% of the public information hourly cost is added to 100% of the permit processing hourly cost to establish the Fully Burdened Hourly Rate (FBHR) for the Planning program. For Engineering Land Development and Building programs 100% of the public information costs are added to the FBHR.

City of Morgan Hill –Development Services: Fund 206 Analysis
August 16, 2024

Fund 206 - Planning	Budgeted Program Cost			Allocation to Activity			
	FY 24-25	Adjustment	24-25 Net Expenditures	Admin	General Public	Permits	Total
Allocation of Labor Factor				39%	22%	39%	100%
Labor Hours				3,978	2,261	4,026	10,265
Employee Services							
Salaries-General	\$ 805,205	-	\$ 805,205	\$ 312,041	\$ 177,357	\$ 315,807	
Salaries-Part-Time Temp	\$ 97,000	-	\$ 97,000	\$ 37,590	\$ 21,366	\$ 38,044	
Salaries-Earned leave	\$ 25,758	-	\$ 25,758	\$ 9,982	\$ 5,674	\$ 10,102	
Overtime-General	\$ 2,500	(2,500)	\$ -	\$ -	\$ -	\$ -	
Benefits (sum)	\$ 377,596	-	\$ 377,596	\$ 146,330	\$ 83,170	\$ 148,095	
Total Labor Cost	\$ 1,308,059	\$ (2,500)	\$ 1,305,559	\$ 505,944	\$ 287,566	\$ 512,049	\$1,305,559
Non-Labor / Overhead							
Supplies & Services Total	\$ 131,440	(8,600)	\$ 122,840	\$ 47,604	\$ 27,057	\$ 48,179	
Capital Outlay Total	\$ -	-	\$ -	\$ -	\$ -	\$ -	
Internal Services Total	\$ 469,490	-	\$ 469,490	\$ 181,942	\$ 103,411	\$ 184,137	
Total Non-Labor / Overhead Cost	\$ 600,930	\$ (8,600)	\$ 592,330	\$ 229,546	\$ 130,468	\$ 232,316	\$ 592,330
Total Labor and Non-Labor	\$ 1,908,988	\$ (11,100)	\$ 1,897,888	\$ 735,490	\$ 418,035	\$ 744,364	\$1,897,888
Allocation of Administrative Costs							
Administrative				\$ 735,490			\$ 735,490
Productive					\$ 418,035	\$ 744,364	\$1,162,399
Productive (%)					36%	64%	
Proportional Admin					\$ 264,505	\$ 470,985	\$ 735,490
Productive + Proportional Admin					\$ 682,539	\$1,215,349	\$1,897,888
Calculation of Billing Rate							
Cost Recovery Target					50%	100%	
Targeted Fee Revenue					\$ 341,270	\$1,215,349	\$1,556,619
Funding from Alternative Source					\$ 341,270	\$ -	\$ 341,270
Productive Hours Available						4,026	
Productive Hour Cost (Billing Rate)					\$ 85	\$ 302	\$ 387

City of Morgan Hill –Development Services: Fund 206 Analysis
August 16, 2024

Fund 206 - Land Development	Budgeted Program Cost			Allocation to Activity			
	FY 24-25	Adjustment	24-25 Net Expenditures	Admin	General Public	Permits	Total
Allocation of Labor Factor				37%	6%	57%	100%
Labor Hours				3,023	525	4,703	8,251
Employee Services							
Salaries-General	\$ 761,819	\$ (11,819)	\$ 750,000	\$ 274,785	\$ 47,721	\$ 427,493	
Salaries-Part-Time Temp	\$ 15,300	-	\$ 15,300	\$ 5,606	\$ 974	\$ 8,721	
Salaries-Earned leave	\$ 44,265	-	\$ 44,265	\$ 16,218	\$ 2,817	\$ 25,231	
Overtime-General	\$ 2,500	(2,500)	\$ -	\$ -	\$ -	\$ -	
Benefits (sum)	\$ 344,090	-	\$ 344,090	\$ 126,067	\$ 21,894	\$ 196,128	
Total Labor Cost	\$ 1,167,974	\$ (14,319)	\$ 1,153,654	\$ 422,676	\$ 73,405	\$ 657,573	\$ 1,153,654
Non-Labor / Overhead							
Supplies & Services Total	\$ 253,295	(1,250)	\$ 252,045	\$ 92,344	\$ 16,037	\$ 143,664	
Capital Outlay Total	\$ -	-	\$ -	\$ -	\$ -	\$ -	
Internal Services Total	\$ 336,235	-	\$ 336,235	\$ 123,190	\$ 21,394	\$ 191,651	
Total Non-Labor / Overhead Cost	\$ 589,530	\$ (1,250)	\$ 588,280	\$ 215,534	\$ 37,431	\$ 335,315	\$ 588,280
Total Labor and Non-Labor	\$ 1,757,504	\$ (15,569)	\$ 1,741,934	\$ 638,210	\$ 110,837	\$ 992,888	\$ 1,741,934
Allocation of Administrative Costs							
Administrative				\$ 638,210			\$ 638,210
Productive					\$ 110,837	\$ 992,888	\$ 1,103,725
Productive (%)					10%	90%	
Proportional Admin					\$ 64,090	\$ 574,120	\$ 638,210
Productive + Proportional Admin					\$ 174,926	\$ 1,567,008	\$ 1,741,934
Calculation of Billing Rate							
Cost Recovery Target					100%	100%	
Targeted Fee Revenue					\$ 174,926	\$ 1,567,008	\$ 1,741,934
Funding from Alternative Source					\$ -	\$ -	\$ -
Productive Hours Available						4,703	
Productive Hour Cost (Billing Rate)					\$ 37	\$ 333	\$ 370

City of Morgan Hill –Development Services: Fund 206 Analysis
August 16, 2024

Fund 206 - Building	Budgeted Program Cost			Allocation to Activity			
	FY 24-25	Adjustment	24-25 Net Expenditures	Admin	General Public	Permits	Total
Allocation of Labor Factor				22%	3%	75%	100%
Labor Hours				3,514	564	12,176	16,254
Employee Services							
Salaries-General	\$ 1,471,302	-	\$ 1,471,302	\$ 318,085	\$ 51,053	\$ 1,102,164	
Salaries-Part-Time Temp	\$ 15,300	-	\$ 15,300	\$ 3,308	\$ 531	\$ 11,461	
Salaries-Earned leave	\$ 58,569	-	\$ 58,569	\$ 12,662	\$ 2,032	\$ 43,875	
Overtime-General	\$ 5,000	(5,000)	\$ -	\$ -	\$ -	\$ -	
Benefits (sum)	\$ 728,805	-	\$ 728,805	\$ 157,562	\$ 25,289	\$ 545,953	
Total Labor Cost	\$ 2,278,976	\$ (5,000)	\$ 2,273,976	\$ 491,618	\$ 78,905	\$ 1,703,453	\$ 2,273,976
Non-Labor / Overhead							
Supplies & Services Total	\$ 334,440	(45,500)	\$ 288,940	\$ 62,467	\$ 10,026	\$ 216,447	
Capital Outlay Total	\$ -	-	\$ -	\$ -	\$ -	\$ -	
Internal Services Total	\$ 552,546	-	\$ 552,546	\$ 119,457	\$ 19,173	\$ 413,917	
Total Non-Labor / Overhead Cost	\$ 886,986	\$ (45,500)	\$ 841,486	\$ 181,923	\$ 29,199	\$ 630,364	\$ 841,486
Total Labor and Non-Labor	\$ 3,165,962	\$ (50,500)	\$ 3,115,462	\$ 673,541	\$ 108,104	\$ 2,333,817	\$ 3,115,462
Allocation of Administrative Costs							
Administrative				\$ 673,541			\$ 673,541
Productive					\$ 108,104	\$ 2,333,817	\$ 2,441,921
Productive (%)					4%	96%	
Proportional Admin					\$ 29,818	\$ 643,723	\$ 673,541
Productive + Proportional Admin					\$ 137,922	\$ 2,977,540	\$ 3,115,462
Calculation of Billing Rate							
Cost Recovery Target					100%	100%	
Targeted Fee Revenue					\$ 137,922	\$ 2,977,540	\$ 3,115,462
Funding from Alternative Source					\$ -	\$ -	\$ -
Productive Hours Available						12,176	
Productive Hour Cost (Billing Rate)					\$ 11	\$ 245	\$ 256

Hours per Service

The second step in calculating individual permit fees is to determine the number of work hours needed for staff to process the permit. This number of work hours (referred to as Hours per Service) includes activities such as application intake, creation of permit records, review of application materials for consistency with applicable policies and regulations, communications between staff and applicants, conduct of public hearings, writing staff reports and creation of permit documents. This calculation is performed for each permit type the City issues. The Hours per Service for a particular permit is the average number of hours required for these activities to complete the City's processing and issuance of that permit type.

While some Fee Studies calculate the Hours per Service based on time spent for individual positions to process a permit (e.g., hours spent by a Permit Technician, Associate Planner, etc.), the City of Morgan Hill, in prior Fee Studies and this analysis, uses an aggregate approach where hours are grouped or aggregated for multiple positions within each program (Planning, Engineering Land Development and Building) as applicable. This total number of hours for each program is then multiplied by the FBHR for that program to determine the 100% cost recover amount for each program. The resulting numbers for each program are added together to determine the full cost for the City to process and issue the permit.

The City may elect to charge a fee equivalent to the full cost (100% cost recovery) or to charge less than the full cost consistent with other City goals. For any permit where the City decides to set a fee at less than 100% cost recovery, the City should budget alternative funding for the cost of work not being recovered by permit fees.

Hours per Service Tables

The attached tables present the calculations to determine the current full cost for issuance of permits within Planning, Engineering Land Development and Building programs. Building program permits are presented in multiple tables including Building Permits, Building Plan Check, Mechanical, Electrical, Plumbing and Fire. These tables indicate the updated Hours per Service for each permit, using the same methodology as used in the previous Fee Studies, with an updated FBHR and adjustments to the particular hours per service based on current staff experience. The Tables also indicate the proposed permit fee for each permit, in most cases based on 100% cost recovery.

Multi-Department Plan Check

One notable change was made to the Building program Plan Check fee for multi-department review. Previously, Building Plan Check was broken into two categories, Building-only review and multi-department review. In this approach, any permit that required referral to another department was charged the same fee regardless of whether it was referred to one, two or three other departments. For the current analysis, the multi-departmental referral fees have been calculated to provide separate cost-recovery fees for Planning, Engineering Land Development and Building-Fire Marshall. By identifying separate cost-recovery fees for each of these disciplines, the City will be able to assess fees more precisely, where an applicant will only pay for the cost of referrals relevant to their permit.

Summary

Other changes made to the Fee per Service analysis are minor in nature, reflecting changes in permit processes (e.g., the suspension of the Residential Development Control System or RDCS) or other procedural changes. In a few cases the fee has been dropped as no longer needed or replaced with an actual time and services fee given the unpredictability of the Hours per Service for that particular activity.

The resulting FBHR will then be applied for each permit activity (shown in the Fees per Service tables).

In summary, the increased FBHR and an average increase in the Hours per Service for each permit type result in significant increases to the proposed 100% cost-recovery fee for each permit type. The average increase for permit type by program is summarized in the following table. The “Unweighted” increase represents the average increase in the permit fee for all permits in the corresponding program. The “Weighted” increase is a calculation of the average increase in fees weighted according to the projected volume of permits by permit type. An increase in the fee for a commonly used permit type will thus have a greater impact on the weighted average than a permit type that is seldom used.

Average Permit Fee Increase	Unweighted	Weighted
Planning	119%	131%
Engineering Land Development	62%	51%
Building Permits	27%	33%
Building Plan Check	110%	92%
Building - Mechanical	9%	9%
Building - Electrical	8%	9%
Building - Plumbing	9%	9%
Fire	40%	14%

*Revised based on FY24-25 Fees, effective July 1, 2024

Planning permit fees increase by the greatest margin due to the increased Planning program FBHR and a significant increase in Hours per Service for most planning permits. Planning staff carefully reviewed the Hours per Service used in the two prior Fee Studies and determined that they significantly underrepresented the actual amount of time spent by staff to process each permit.

Engineering Land Development fees also increase significantly, due in large part to the increased Engineering Land Development FBHR, along with more modest increases in the standard Hours per Service.

Building Permit fees have a less significant increase, correlating mostly with the modest increase in the Building program FBHR. However, plan check fees have increased more significantly, particularly for projects that include review by Engineering Land Development and Planning, due to increased FBHR for both programs and increased Hours per Service for Engineering Land Development. Fire reviews have also increased more significantly, due to increased Hours per Service.

(Hours per Service tables attached as a separate document.)

Conclusions

Cost Recovery Revenue Projections

A key objective for this analysis is to provide an opportunity for the City of Morgan Hill to improve the performance of Fund 206 in alignment with a 100% cost recovery model. The City has consistently needed to use General Fund money to cover the costs of operating and is not meeting the best practice objective of carrying a positive balance from fiscal year to fiscal year. This analysis determined that the City is undercharging for land use permits and thus the current fees are not at a 100% cost recovery level.

As shown in the following table, the City's fees are currently set at a range between 47% of cost-recovery for Planning up to 92% cost recovery for Building-Mechanical and Building-Plumbing. When projected permit activity levels by permit type are taken into consideration, using the City's current fees, the Planning program would only collect 42% of the full cost of reviewing and issuing permits. Data for other programs is shown in the table below.

Current Cost Recovery	Unweighted	Weighted
Planning	47%	43%
Engineering Land Development	62%	66%
Building Permits	83%	75%
Building Plan Check	53%	52%
Building - Mechanical	92%	92%
Building - Electrical	82%	91%
Building - Plumbing	92%	92%
Fire	75%	86%

*Revised based on FY24-25 Fees, effective July 1, 2024

With the proposed update to 100% cost recovery (with limited exceptions in the Planning program), the projected revenue for Fund 206 more closely aligns with the City's budget projections as shown in the following table. Forecast revenue depends on the level of permit activity. With the proposed fee increases and anticipated number of permits for each type, Fund 206 would slightly exceed the Fund 206 revenue forecast (\$ 5.9M) included within the City's adopted Operating Budget for FY 2024-25. Actual revenues could be more or less depending upon actual activity levels. Without the proposed fee change, revenues are projected to fall significantly short of the Budget forecast.

Revenue Projections	Current Fee	Proposed Fee
Planning	\$ 823,180	\$ 1,899,989
Engineering Land Development	846,681	1,281,824
Building Permits	1,455,674	1,940,175
Building Plan Check	447,495	858,628
Building - Mechanical	41,543	45,210
Building - Electrical	218,147	238,502
Building - Plumbing	49,156	53,517
Fire	199,338	232,768
Fund 206 Total	\$ 4,081,214	\$ 6,550,614

*Revised based on FY24-25 Fees, effective July 1, 2024

Implementing the proposed fee increases will thus improve the condition of Fund 206 to reduce the need for General Fund subsidy and allow the Fund to carry a positive balance from fiscal year to fiscal year, in keeping with 100% cost recovery model best practices.

Stakeholder Input

City staff conducted outreach to development industry stakeholders through an in-person meeting on Tuesday, August 13, 2024 and an on-line meeting on Wednesday, August 14, 2024. There were no attendees at the in-person meeting, but five members of the public attended the August 14 meeting. The City invited an established contact list of development industry representatives (developers, architects, engineers, consultants, etc.) that the City typically uses to invite stakeholders to this type of meeting. This list includes representatives of the Building Industry Association (BIA) and trade unions, as well as local developers and builders. Information for the meetings was also posted on the City's website and both meetings were open to the general public.

Three of the attendees at the August 14 meeting provided feedback to the City on the proposed fee increases. Two other community members attended the meeting but did not make any comments.

Dennis Martin of the Building Industry Association (BIA) provided a significant number of comments objecting to the proposed fee increases and the process for adoption of the new fees. He requested that Council consideration of the fees be delayed for several months so that the BIA could prepare an analysis of the proposed fees. He questioned the need for a fee update when fees were studied in 2021 and are adjusted annually based on price indices. He objected to the timing (outreach in August and consideration right after Labor Day) as inconvenient for stakeholder participation, and the lack of early outreach in the process. He noted the benefits of new development to the community and suggested that General Fund subsidy is warranted, if necessary to avoid fee increases or reduce fees so that desirable development may move forward. He questioned that premise that growing complexity of State regulations adds to administrative costs for the City, noting that State laws are intended to streamline the development process and reduce the amount of staff work required. He said that fee increases if adopted should be phased in over a longer time-period than 18 months.

Rogg Collins, of Evergreen DevCo, also emphatically opposed a proposed fee increase, stating that current fees are already too high. He gave a specific example that they were unable to bring a grocery store into one of their retail spaces because of the City's impact fees. He added that high construction costs and interest rates, along with high fees, are making development infeasible. He stated that if the government wants development to occur, fees will need to be lowered.

A third speaker, Alejandra, echoed the concerns from the BIA that developer stakeholders had not been included earlier in the fee analysis process.

City Comparisons

To provide context for this analysis, a survey was conducted of five neighboring cities (Gilroy, San Jose, Santa Clara, Sunnyvale, and Palo Alto) to compare the proposed permit fees with those charged by other cities. Such comparisons are complicated by the varying approaches taken by different jurisdictions in how to regulate land development, organize City departments and conduct permitting activities. The comparison was limited to the types of permits included in the analysis (Planning, Engineering Land Development and Building) and did not take into account impact fees or other costs of development that

could affect future development activity. Results from the survey will be provided, along with stakeholder input, when these fees are brought forward for potential adoption.

Policy Considerations

This analysis is being provided as the basis for the City to implement a 100% cost recovery model for services provided through the City's Fund 206 land use permitting programs (Planning, Engineering Land Development and Building). The City may elect to adopt new fees in accordance with the 100% cost recovery fees identified in this analysis.

Alternatives to 100% Cost Recovery

Alternatively, the City may elect to set some fees at less than 100% cost recovery fee levels. In this case the City should identify an alternative source of funding for the staff time required to process the subject permit.

The analysis assumes that the fee for four permits will not be at 100% cost recovery. The first two are appeals:

- Commission/Board Decision - Public Appeal
- Staff Decision - Public Appeal

Setting the fee for an appeal by a member of the public at 100% cost-recovery would contradict City objectives in that it could create an undue burden upon the intended due process. Other appeals, made by an applicant, can be set at 100% cost recovery and accounted for as a cost of development.

In addition, the following two permits were also considered at less than 100% cost recovery, based on well-established practice in Morgan Hill:

- Tree Removal Permit
- Temporary Use Permit (Non-Profit)

In the case of a Tree Removal Permit, a full cost recovery fee would discourage compliance as these permits are for homeowners who would find a full cost recovery fee too expensive. The Temporary Use Permit for Non-Profits are typically issued for special events hosted by community groups, typically funded through donations or community fund raising and a full cost recovery fee would exceed the practical ability of these types of organizations to pay for services.

Based on projected permit volumes, collectively, to subsidize these four permit types will require approximately \$47,000 annually of alternative revenue.

Public Information

If the City implements the proposed FBHR and resulting fees as identified in this analysis, a greater percentage of public information activities will be funded through the permit program. The analysis is based on 50% cost-recovery for Planning public information activity and 100% for Engineering Land Development and Building. Because of the significantly greater amount of time spent by Planning on public information, this increase most significantly affects the Planning FBHR. The City could alternatively utilize the General Fund to pay for a greater share of the public information work and thereby reduce the Planning FBHR and planning permit fees.

Phased Implementation

Because the proposed permit fee increases are substantial, the City may consider implementing them in a delayed manner with a portion of the increase effective in the near-term and additional increases scheduled over a period of time until they reach 100% cost recovery. For example, 50% of the proposed fee increase could take effect upon adoption, with an additional 25% increase at the end of the next two fiscal years.

**City of Morgan Hill: Fund 206 Fee Study
FY 2024-2025**

Calculation of Fully Burdened Hourly Rate (FBHR)

Fund 206 - Planning				Budgeted Program Cost				Allocation to Activity			
				FY 24-25	Adjustment	24-25 Net Expenditures		Admin	General Public	Permits	Total
Allocation of Labor Factor								39%	22%	39%	100%
Labor Hours								3,978	2,261	4,026	10,265
Employee Services											
Salaries-General				\$ 805,205.00	-	\$ 805,205		\$ 312,041	\$ 177,357	\$ 315,807	
Salaries-Part-Time Temp				\$ 97,000.00	-	\$ 97,000		\$ 37,590	\$ 21,366	\$ 38,044	
Salaries-Earned leave				\$ 25,758.00	-	\$ 25,758		\$ 9,982	\$ 5,674	\$ 10,102	
Overtime-General				\$ 2,500.00	(2,500)	\$ -		\$ -	\$ -	\$ -	
Benefits (sum)				\$ 377,595.69	-	\$ 377,596		\$ 146,330	\$ 83,170	\$ 148,095	
Total Labor Cost				\$ 1,308,059	\$ (2,500)	\$ 1,305,559		\$ 505,944	\$ 287,566	\$ 512,049	\$1,305,559
Non-Labor / Overhead											
Supplies & Services Total				\$ 131,440	(8,600)	\$ 122,840		\$ 47,604	\$ 27,057	\$ 48,179	
Capital Outlay Total				\$ -	-	\$ -		\$ -	\$ -	\$ -	
Internal Services Total				\$ 469,490	-	\$ 469,490		\$ 181,942	\$ 103,411	\$ 184,137	
Total Non-Labor / Overhead Cost				\$ 600,930	\$ (8,600)	\$ 592,330		\$ 229,546	\$ 130,468	\$ 232,316	\$ 592,330
Total Labor and Non-Labor				\$ 1,908,988	\$ (11,100)	\$ 1,897,888		\$ 735,490	\$ 418,035	\$ 744,364	\$1,897,888
Allocation of Administrative Costs											
Administrative								\$ 735,490			\$ 735,490
Productive									\$ 418,035	\$ 744,364	\$1,162,399
Productive (%)									36%	64%	
Proportional Admin									\$ 264,505	\$ 470,985	\$ 735,490
Productive + Proportional Admin									\$ 682,539	\$ 1,215,349	\$1,897,888
Calculation of Billing Rate											
Cost Recovery Target									50%	100%	
Targeted Fee Revenue									\$ 341,270	\$1,215,349	\$1,556,619
Funding from Alternative Source									\$ 341,270	\$ -	\$ 341,270
Productive Hours Available										4,026	
Productive Hour Cost (Billing Rate)								\$ 85	\$ 302	\$ 387	

Fund 206 - Land Development				Budgeted Program Cost				Allocation to Activity			
				FY 24-25	Adjustment	24-25 Net Expenditures		Admin	General Public	Permits	Total
Allocation of Labor Factor								37%	6%	57%	100%
Labor Hours								3,023	525	4,703	8,251
Employee Services											
Salaries-General				\$ 761,819	\$ (11,819.34)	\$ 750,000		\$ 274,785	\$ 47,721	\$ 427,493	
Salaries-Part-Time Temp				\$ 15,300	-	\$ 15,300		\$ 5,606	\$ 974	\$ 8,721	
Salaries-Earned leave				\$ 44,265	-	\$ 44,265		\$ 16,218	\$ 2,817	\$ 25,231	
Overtime-General				\$ 2,500	(2,500)	\$ -		\$ -	\$ -	\$ -	
Benefits (sum)				\$ 344,089.61	-	\$ 344,090		\$ 126,067	\$ 21,894	\$ 196,128	
Total Labor Cost				\$ 1,167,974	\$ (14,319)	\$ 1,153,654		\$ 422,676	\$ 73,405	\$ 657,573	\$1,153,654
Non-Labor / Overhead											
Supplies & Services Total				\$ 253,295	(1,250)	\$ 252,045		\$ 92,344	\$ 16,037	\$ 143,664	
Capital Outlay Total				\$ -	-	\$ -		\$ -	\$ -	\$ -	
Internal Services Total				\$ 336,235	-	\$ 336,235		\$ 123,190	\$ 21,394	\$ 191,651	
Total Non-Labor / Overhead Cost				\$ 589,530	\$ (1,250)	\$ 588,280		\$ 215,534	\$ 37,431	\$ 335,315	\$ 588,280
Total Labor and Non-Labor				\$ 1,757,504	\$ (15,569)	\$ 1,741,934		\$ 638,210	\$ 110,837	\$ 992,888	\$1,741,934
Allocation of Administrative Costs											
Administrative								\$ 638,210			\$ 638,210
Productive									\$ 110,837	\$ 992,888	\$1,103,725
Productive (%)									10%	90%	

Proportional Admin				\$ 64,090	\$ 574,120	\$ 638,210
Productive + Proportional Admin				\$ 174,926	\$ 1,567,008	\$1,741,934
Calculation of Billing Rate						
Cost Recovery Target				100%	100%	
Targeted Fee Revenue				\$ 174,926	\$1,567,008	\$1,741,934
Funding from Alternative Source				\$ -	\$ -	\$ -
Productive Hours Available					4,703	
Productive Hour Cost (Billing Rate)				\$ 37	\$ 333	\$ 370

Fund 206 - Building	Budgeted Program Cost			Allocation to Activity			
	FY 24-25	Adjustment	24-25 Net Expenditures	Admin	General Public	Permits	Total
Allocation of Labor Factor				22%	3%	75%	100%
Labor Hours				3,514	564	12,176	16,254
Employee Services							
Salaries-General	\$ 1,471,302.00	-	\$ 1,471,302	\$ 318,085	\$ 51,053	\$1,102,164	
Salaries-Part-Time Temp	\$ 15,300.00	-	\$ 15,300	\$ 3,308	\$ 531	\$ 11,461	
Salaries-Earned leave	\$ 58,569.00	-	\$ 58,569	\$ 12,662	\$ 2,032	\$ 43,875	
Overtime-General	\$ 5,000.00	(5,000)	\$ -	\$ -	\$ -	\$ -	
Benefits (sum)	\$ 728,804.79	-	\$ 728,805	\$ 157,562	\$ 25,289	\$ 545,953	
Total Labor Cost	\$ 2,278,976	\$ (5,000)	\$ 2,273,976	\$ 491,618	\$ 78,905	\$1,703,453	\$2,273,976
Non-Labor / Overhead							
Supplies & Services Total	\$ 334,440	(45,500)	\$ 288,940	\$ 62,467	\$ 10,026	\$ 216,447	
Capital Outlay Total	\$ -	-	\$ -	\$ -	\$ -	\$ -	
Internal Services Total	\$ 552,546	-	\$ 552,546	\$ 119,457	\$ 19,173	\$ 413,917	
Total Non-Labor / Overhead Cost	\$ 886,986	\$ (45,500)	\$ 841,486	\$ 181,923	\$ 29,199	\$ 630,364	\$ 841,486
Total Labor and Non-Labor	\$ 3,165,962	\$ (50,500)	\$ 3,115,462	\$ 673,541	\$ 108,104	\$2,333,817	\$3,115,462
Allocation of Administrative Costs							
Administrative				\$ 673,541			\$ 673,541
Productive					\$ 108,104	\$2,333,817	\$2,441,921
Productive (%)					4%	96%	
Proportional Admin					\$ 29,818	\$ 643,723	\$ 673,541
Productive + Proportional Admin					\$ 137,922	\$ 2,977,540	\$3,115,462
Calculation of Billing Rate							
Cost Recovery Target					100%	100%	
Targeted Fee Revenue					\$ 137,922	\$2,977,540	\$3,115,462
Funding from Alternative Source					\$ -	\$ -	\$ -
Productive Hours Available						12,176	
Productive Hour Cost (Billing Rate)				\$ 11	\$ 245	\$ 256	

**City of Morgan Hill: Fund 206 Fee Study
FY 2024-2025**

Fund 206 Employee Time Resources

Fund 206 - Planning	
Position	FTE
City Manager	0.04
Asst City Mgr. For Comm Dev	0.30
Comm Development Director	0.30
Senior Planner	1.00
Associate Planner	0.80
Assistant Planner	0.80
Development Services Technician	0.05
Development Services Technician	0.90
Part-Time / Temp	0.50
Economic Development Coordinator	0.10
Assistant City Attorney	0.17
Business Assistant	0.10
Municipal Service Assistant	0.80
Management Analyst	0.07
Total	5.93

Distribution of Work (%)		
Admin	Public Info	Permits
100%	0%	0%
64%	21%	15%
54%	7%	39%
22%	7%	71%
25%	29%	46%
25%	28%	47%
6%	94%	0%
13%	70%	17%
12%	3%	85%
100%	0%	0%
33%	5%	62%
100%	0%	0%
100%	0%	0%
100%	0%	0%
39%	22%	39%

Distribution of Work (Hours)		
Admin	Public Info	Permits
64	-	-
314	105	73
266	35	191
353	120	1,167
352	400	643
354	400	673
5	81	-
206	1,080	255
123	25	852
168	-	-
92	15	172
174	-	-
1,382	-	-
125	-	-
3,978	2,261	4,026

Fund 206 - Land Development	
Position	FTE
City Manager	0.02
Public Services Director	0.03
Comm Development Director	0.10
Deputy Director for Engineering	0.15
Senior Civil Engineer	0.75
Supervising Civil Engineer	1.00
Assistant Engineer	0.50
Junior Engineer	0.75
Senior Public Works Inspector	0.70
Senior Public Works Inspector	0.70
Environmental Programs Coordinator	0.45
Assistant City Attorney	0.07
Business Assistant	0.25
Municipal Service Assistant	0.05
Management Analyst	0.00
Total	5.52

Distribution of Work (%)		
Admin	Public Info	Permits
100%	0%	0%
33%	0%	67%
87%	0%	13%
33%	0%	67%
43%	2%	55%
31%	7%	62%
23%	17%	60%
23%	17%	60%
16%	0%	84%
16%	0%	84%
56%	0%	44%
32%	0%	68%
100%	0%	0%
100%	0%	0%
0%	0%	0%
37%	6%	57%

Distribution of Work (Hours)		
Admin	Public Info	Permits
32	-	-
16	-	33
143	-	21
80	-	166
527	30	673
503	120	1,017
206	150	540
309	225	810
97	-	502
98	-	510
453	-	353
37	-	78
436	-	-
86	-	-
-	-	-
3,023	525	4,703

Fund 206 - Building	
Position	FTE
City Manager	0.02
Asst City Mgr. For Comm Dev	0.05
Comm Development Director	0.20
Building Official	1.00
Building Division Manager	1.00
Development Services Technician	0.75
Development Services Technician	0.10
Development Services Technician	1.00
Development Services Technician	1.00
Building Inspector II	1.00
Building Inspector II	1.00
Building Inspector II	1.00
Plan Check Engineer	1.00
Assistant City Attorney	0.16
Business Assistant	0.10
Municipal Service Assistant	0.05
Management Analyst	0.07
Total	9.50

Distribution of Work (%)		
Admin	Public Info	Permits
100%	0%	0%
100%	0%	0%
100%	0%	0%
40%	2%	58%
24%	0%	76%
13%	11%	76%
12%	40%	47%
12%	9%	79%
12%	10%	78%
12%	0%	88%
12%	0%	88%
12%	0%	88%
12%	0%	88%
100%	0%	0%
100%	0%	0%
100%	0%	0%
100%	0%	0%
22%	3%	75%

Distribution of Work (Hours)		
Admin	Public Info	Permits
32	-	-
82	-	-
328	-	-
663	25	952
393	-	1,247
172	140	972
21	69	81
217	165	1,410
212	165	1,335
214	-	1,522
214	-	1,530
217	-	1,575
216	-	1,552
262	-	-
174	-	-
86	-	-
125	-	-
3,514	564	12,176

Notes

DPW Admin hours include floodplain and special projects

City of Morgan Hill: Fund 206 Fee Analysis
FY 2024-2025

Building Permit Cost of Service

Building Program - Building Permits		Cost Recovery Analysis						Hours per Service Detail				
Permit Type		Hours per Service	Proposed Fee	Proposed % Cost Recovery	Current Fee	Current % Cost Recovery	Proposed % Increase	Permit Tech	Plan Check	Fire Plan Check	Building Inspector	Building Total
	(FBHR)		256.00									
Building Permit (Not Combination) Valuation Based Fees												
\$1 - \$500												
Any Valuation		0.75	\$ 192	100%	\$ 141	73%	36%	0.25	0.00	0.00	0.50	0.75
\$501 to \$2,000												
first \$500		1.00	\$ 256	100%	\$ 188	73%	36%	0.50	0.00	0.00	0.50	1.00
each additional \$100 (round up)		0.03	\$ 8	100%	\$ 11		-30%					0.03
\$2,001 - \$25,000												
first \$2,000		1.50	\$ 384	100%	\$ 376	98%	2%	0.75	0.00	0.00	0.75	1.50
each additional \$1000 (round-up)		0.06	\$ 15	100%	\$ 9		71%					0.06
\$25,001 to \$50,000												
first \$25,000		3.00	\$ 768	100%	\$ 611	80%	26%	1.50	0.00	0.00	1.50	3.00
each additional \$1000 (round-up)		0.07	\$ 18	100%	\$ 11		63%					0.07
\$50,001 to \$100,000												
first \$50,000		4.75	\$ 1,216	100%	\$ 893	73%	36%	2.00	0.00	0.00	2.75	4.75
each additional \$1000 (round-up)		0.06	\$ 15	100%	\$ 11		40%					0.06
\$100,001 to \$500,000												
first \$100,000		8.00	\$ 2,048	100%	\$ 1,504	73%	36%	3.00	0.00	0.00	5.00	8.00
each additional \$1000 (round-up)		0.02	\$ 5	100%	\$ 6		-15%					0.02
\$500,001 to \$1,000,000												
first \$500,000		19.00	\$ 4,864	100%	\$ 3,760	77%	29%	5.00	0.00	0.00	14.00	19.00
each additional \$1000 (round-up)		0.01	\$ 3	100%	\$ 4		-36%					0.01
\$1,000,000 and up												
first \$1,000,000		28.00	\$ 7,168	100%	\$ 5,640	79%	27%	6.00	0.00	0.00	22.00	28.00
each additional \$1000 (round-up)		0.03	\$ 8	100%	\$ 6		28%					0.03

Combination Building Permits Valuation Based Fees										
\$1 - \$500										
Any Valuation	1.00	\$ 256	100%	\$ 141	55%	82%	0.50	0.00	0.00	0.50 1.00
		\$ -								
\$501 to \$2,000										
first \$500	1.25	\$ 320	100%	\$ 188	59%	70%	0.50	0.00	0.00	0.75 1.25
each additional \$100 (round up)	0.03	\$ 8	100%	\$ 9		-15%				0.03
\$2,001 - \$25,000										
first \$2,000	1.75	\$ 448	100%	\$ 329	73%	36%	0.75	0.00	0.00	1.00 1.75
each additional \$1000 (round-up)	0.09	\$ 23	100%	\$ 13		77%				0.09
\$25,001 to \$50,000										
first \$25,000	4.00	\$ 1,024	100%	\$ 658	64%	56%	1.50	0.00	0.00	2.50 4.00
each additional \$1000 (round-up)	0.08	\$ 20	100%	\$ 19		8%				0.08
\$50,001 to \$100,000										
first \$50,000	6.00	\$ 1,536	100%	\$ 1,128	73%	36%	2.00	0.00	0.00	4.00 6.00
each additional \$1000 (round-up)	0.12	\$ 31	100%	\$ 23		34%				0.12
\$100,001 to \$500,000										
first \$100,000	12.00	\$ 3,072	100%	\$ 2,256	73%	36%	4.00	0.00	0.00	8.00 12.00
each additional \$1000 (round-up)	0.03	\$ 8	100%	\$ 6		28%				0.03
\$500,001 to \$1,000,000										
first \$500,000	26.00	\$ 6,656	100%	\$ 4,700	71%	42%	6.00	0.00	0.00	20.00 26.00
each additional \$1000 (round-up)	0.04	\$ 10	100%	\$ 8		28%				0.04
\$1,000,000 and up										
first \$1,000,000	48.00	\$ 12,288	100%	\$ 8,460	69%	45%	10.00	0.00	0.00	38.00 48.00
each additional \$1000 (round-up)	0.05	\$ 13	100%	\$ 8		60%				0.05
Grading - Permit Fees										
50 cubic yards or less										
Any Amount up to and including 50 cubic yards	1.50	\$ 384	100%	\$ 225	59%	71%	0.50	0.00	0.00	1.00 1.50
51 to 100 cubic yards										
first 50 cubic yards	1.50	\$ 384	100%	\$ 282	73%	36%	0.50	0.00	0.00	1.00 1.50
each additional cubic yard	0.02	\$ 5	100%	\$ 5		2%				0.02
101 to 1,000 cubic yards										
first 100 cubic yards	2.50	\$ 640	100%	\$ 451	70%	42%	1.00	0.00	0.00	1.50 2.50
each additional 100 cubic yards	0.13	\$ 33	100%	\$ 25		33%				0.13
1,001 to 10,000 cubic yards										
First 1,000 cubic yards	3.75	\$ 960	100%	\$ 676	70%	42%	1.75	0.00	0.00	2.00 3.75

each additional hundred cubic yards	0.04	\$ 10	100%	\$ 7		46%						0.04
10,001 to 100,000 cubic yards												
1st 10,000 cubic yards	8.00	\$ 2,048	100%	\$ 1,353	66%	51%	3.00	0.00	0.00	5.00	8.00	
each additional 10,000 cubic yards or fraction thereof	0.33	\$ 84	100%	\$ 88		-4%					0.33	
100,001 to 200,000 cubic yards												
1st 100,000 cubic yards	11.00	\$ 2,816	100%	\$ 2,142	76%	31%	4.00	0.00	0.00	7.00	11.00	
each additional 10,000 cubic yards or fraction thereof	0.10	\$ 26	100%	\$ 23		11%					0.10	
Roofs												
Re-Roofs: Comp/Tile/Shake (Includes new roof sheath)												
1 - 15 SQUARES	1.00	\$ 256	100%	\$ 297	116%	-14%	0.50	0.00	0.00	0.50	1.00	
16-30 SQUARES	1.50	\$ 384	100%	\$ 469	122%	-18%	0.75	0.00	0.00	0.75	1.50	
31 and more SQUARES	1.75	\$ 448	100%	\$ 587	131%	-24%	0.75	0.00	0.00	1.00	1.75	
Steel Roof System												
Any Size	2.00	\$ 512	100%	\$ 587	115%	-13%	1.00	0.00	0.00	1.00	2.00	
			100%									
Overlay												
Residential Composition Overlay - Lifetime	1.25	\$ 320	100%	\$ 469	147%	-32%	0.50	0.00	0.00	0.75	1.25	
Miscellaneous Roof												
Single-ply Roof System 1-30 SQUARES	2.00	\$ 512	100%	\$ 469	92%	9%	1.00	0.00	0.00	1.00	2.00	
Single-ply Roof System 31 and more SQUARES	2.50	\$ 640	100%	\$ 587	92%	9%	1.00	0.00	0.00	1.50	2.50	
Tar & Gravel (Built-Up/BUR)	2.00	\$ 512	100%	\$ 469	92%	9%	1.00	0.00	0.00	1.00	2.00	

City of Morgan Hill: Fund 206 Fee Analysis
FY 2024-2025

Building Plan Check Fee Cost of Service

Building Permit Program - Plan Check					Building Avg. Review/Inspection Time					Referral Review Time			Fee Calculation				
Permit Type					Permit Tech	Plan Check	Fire Plan Check	Building Inspector	Building Total	Land Dev	Planning	Fire Plan Check	Base Buildig Fee	Land Dev Surcharge	Planning Surcharge	Fire Inspection Surcharge	Total (Max)
													\$ 256	\$ 370	\$ 387	\$ 204	
Multi-Department Plan Check Valuation Based Fees																	
\$1 - \$500																	
Any Valuation					0.75	0.25	0.00	0.00	1.00	0.25	0.25	0.25	\$ 256	\$ 93	\$ 97	\$ 51	\$ 496
													\$ -	\$ -	\$ -	\$ -	\$ -
\$501 - \$2,000																	
first \$500					1.25	0.25	0.00	0.00	1.50	0.50	0.50	0.50	\$ 384	\$ 185	\$ 194	\$ 102	\$ 865
each additional \$100 (round-up)									0.03	0.03	0.00	0.00	\$ 8	\$ 11	\$ -	\$ -	\$ 19
\$2,001 - \$25,000																	
first \$2,000					1.50	0.50	0.00	0.00	2.00	1.00	0.50	0.50	\$ 512	\$ 370	\$ 194	\$ 102	\$ 1,178
each additional \$1,000 (round-up)									0.05	0.04	0.01	0.01	\$ 13	\$ 15	\$ 4	\$ 2	\$ 34
\$25,001 - \$50,000																	
first \$25,000					1.75	1.50	0.00	0.00	3.25	2.00	0.75	0.75	\$ 832	\$ 740	\$ 290	\$ 153	\$ 2,015
each additional \$1,000 (round-up)									0.02	0.04	0.01	0.01	\$ 5	\$ 15	\$ 4	\$ 2	\$ 26
\$50,001 - \$100,000																	
first \$50,000					2.25	1.50	0.00	0.00	3.75	3.00	1.00	1.00	\$ 960	\$ 1,110	\$ 387	\$ 204	\$ 2,661
each additional \$1,000 (round-up)									0.08	0.02	0.00	0.00	\$ 20	\$ 7	\$ -	\$ -	\$ 28
\$100,001 - \$500,000																	
first \$100,000.00					3.00	5.00	0.00	0.00	8.00	4.00	1.25	1.25	\$ 2,048	\$ 1,480	\$ 484	\$ 255	\$ 4,267
each additional \$1,000 (round-up)									0.02	0.00	0.00	0.00	\$ 5	\$ -	\$ -	\$ -	\$ 5
\$500,001 - \$1,000,000																	
first \$500,000.00					5.00	11.00	0.00	0.00	16.00	5.00	3.00	3.00	\$ 4,096	\$ 1,850	\$ 1,161	\$ 612	\$ 7,719
each additional \$1,000 (round-up)									0.02	0.00	0.00	0.00	\$ 5	\$ -	\$ -	\$ -	\$ 5
\$1,000,001 and up																	
first \$1,000,000.00					8.00	18.00	0.00	0.00	26.00	6.00	5.00	5.00	\$ 6,656	\$ 2,220	\$ 1,935	\$ 1,020	\$ 11,831
each additional \$1,000 (round-up)									0.03	0.01	0.01	0.01	\$ 8	\$ 4	\$ 4	\$ 2	\$ 17
Grading - Plan Review Fees																	
50 cubic yards or less																	

Any Amount up to and including 50 cubic yards	0.50	0.75	0.00	0.00	1.25	0.50	0.50	0.00	\$ 320	\$ 185	\$ 194	\$ -	\$ 699
51 to 100 cubic yards													
first 50 cubic yards	0.50	0.75	0.00	0.00	1.25	0.50	0.50	0.00	\$ 320	\$ 185	\$ 194	\$ -	\$ 699
each additional cubic yard					0.02				\$ 5	\$ -	\$ -	\$ -	\$ 5
101 to 1,000 cubic yards													
first 100 cubic yards	1.00	1.25	0.00	0.00	2.25	0.50	0.50	0.00	\$ 576	\$ 185	\$ 194	\$ -	\$ 955
each additional 100 cubic yards					0.05				\$ 13	\$ -	\$ -	\$ -	\$ 13
1,001 to 10,000 cubic yards													
First 1,000 cubic yards	1.25	1.50	0.00	0.00	2.75	0.50	0.50	0.00	\$ 704	\$ 185	\$ 194	\$ -	\$ 1,083
each additional hundred cubic yards					0.03				\$ 8	\$ -	\$ -	\$ -	\$ 8
10,001 to 100,000 cubic yards													
1st 10,000 cubic yards	2.50	3.50	0.00	0.00	6.00	0.50	0.50	0.00	\$ 1,536	\$ 185	\$ 194	\$ -	\$ 1,915
each additional 10,000 cubic yards or fraction thereof					0.25				\$ 64	\$ -	\$ -	\$ -	\$ 64
100,001 to 200,000 cubic yards													
1st 100,000 cubic yards	3.25	5.00	0.00	0.00	8.25	0.50	0.50	0.00	\$ 2,112	\$ 185	\$ 194	\$ -	\$ 2,491
each additional 10,000 cubic yards or fraction thereof					0.42				\$ 108	\$ -	\$ -	\$ -	\$ 108
200,001 cubic yards or more													
1st 200,000 cubic yards	4.50	8.00	0.00	0.00	12.50	0.50	0.50	0.00	\$ 3,200	\$ 185	\$ 194	\$ -	\$ 3,579
each additional 10,000 cubic yards or fraction thereof					0.10				\$ 26	\$ -	\$ -	\$ -	\$ 26
Standard Plan Check (Not Routed) Valuation Based Fees													
\$1 - \$500													
Any Valuation	0.50	0.25	0.00	0.00	0.75				\$ 192				\$ 192
\$501 - \$2,000													
first \$500	0.75	0.25	0.00	0.00	1.00				\$ 256				\$ 256
each additional \$100 (round-up)					0.03				\$ 8				\$ 8
\$2,001 - \$25,000													
first \$2000.00	1.00	0.50	0.00	0.00	1.50				\$ 384				\$ 384
each additional \$1,000 (round-up)					0.06				\$ 15				\$ 15
\$25,001 - \$50,000													
first \$25,000.00	1.50	1.50	0.00	0.00	3.00				\$ 768				\$ 768
each additional \$1,000 (round-up)					0.03				\$ 8				\$ 8
\$50,001 - \$100,000													
first \$50,000.00	2.25	1.50	0.00	0.00	3.75				\$ 960				\$ 960
each additional \$1,000 (round-up)					0.08				\$ 20				\$ 20
\$100,001 - \$500,000													
first \$100,000.00	3.00	5.00	0.00	0.00	8.00				\$ 2,048				\$ 2,048

each additional \$1,000 (round-up)					0.02				\$	5			\$	5
\$500,001 - \$1,000,000														
first \$500,000.00	5.00	11.00	1.00	0.00	17.00				\$	4,352			\$	4,352
each additional \$1,000 (round-up)					0.02				\$	5			\$	5
\$1,000,001 and up														
first \$1,000,000.00	8.00	18.00	2.00	0.00	28.00				\$	7,168			\$	7,168
each additional \$1,000 (round-up)					0.03				\$	8			\$	8

City of Morgan Hill: Fund 206 Fee Analysis

FY 2024-2025

Building - Mechanical Permit Cost of Service

Building Permit Program - Mechanical		Fee Calculation		Cost Recovery Analysis		
Permit Type		Estimated Time	Proposed Fee	Current Fee	Current Cost Recovery %	Proposed % Increase
	(FBHR)		\$ 256			
Permit Issuance		0.45	\$ 115	\$ 106	92%	9%
Furnaces Installation						
Residential: Installation or relocation of forced air or gravity-type furnace or burner, each		0.50	\$ 128	\$ 118	92%	8%
Commercial: Installation or relocation of forced air or gravity-type furnace or burner, each		1.00	\$ 256	\$ 234	91%	9%
Installation or relocation of suspended heater, recessed wall heater, floor furnace, or floor mounted unit heater including flue vent, each		0.75	\$ 192	\$ 176	92%	9%
Appliance Vents and Ducts						
Installation, relocation or replacement of appliance vent, ducts, per system		0.75	\$ 192	\$ 176	92%	9%
Condensing units (AC), each		0.50	\$ 128	\$ 118	92%	8%
Boilers, Compressors & Absorption Systems						
Installation or relocation of each boiler, compressors 1-15 horsepower, or absorption system 0 - 500,000 Btu/h, each		0.75	\$ 192	\$ 176	92%	9%
Installation or relocation of each boiler, compressors 16-50 horsepower, or absorption system 500,001 - 1,750,000 Btu/h, each		1.00	\$ 256	\$ 234	91%	9%
Installation or relocation of each boiler, compressors 51 and over horsepower, or absorption system 500,001 - 1,750,001 and over Btu/h, each		1.25	\$ 320	\$ 293	92%	9%
Air Handlers						
Installation or relocation of air-handling unit, each		0.75	\$ 192	\$ 176	92%	9%
Evaporative Coolers						
Each non-residential evaporative cooler other than portable type, each		1.00	\$ 256	\$ 234	91%	9%
Ventilation & Exhaust						
Residential: Ventilation fan or hoods connected to a single duct, exhaust fan for bathrooms, kitchens, or laundry rooms, each		0.75	\$ 192	\$ 176	92%	9%
Commercial: Installation of kitchen hood each which is served by mechanical exhaust, including the ducts for such hood, each		2.00	\$ 512	\$ 469	92%	9%
Ventilation system which is not a portion of any heating or air-conditioning, each		1.00	\$ 256	\$ 233	91%	10%
Repairs or Additions						
The repair, alteration, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or evaporative cooling system, including installation of controls, each		0.75	\$ 192	\$ 176	92%	9%
Incinerators						
Installation or relocation of commercial or industrial-type incinerator, each		3.00	\$ 768	\$ 703	92%	9%
Miscellaneous						
Each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed, each		1.00	\$ 256	\$ 234	91%	9%

City of Morgan Hill: Fund 206 Fee Analysis
FY 2024-2025

Building - Electrical Permit Cost of Service

Building Permit Program - Electrical					Fee Calculation		Cost Recovery Analysis		
Permit Type					Estimated Time	Proposed Fee	Current Fee	Current Cost Recovery %	Proposed % Increase
(FBHR)						\$ 256			
Permit Issuance					0.45	\$ 115	\$ 106	92%	9%
Unit Fee Schedule									
Receptacle, switch, lighting outlets, lighting fixtures, sockets or other lamp holding devices, per system					0.50	\$ 128	\$ 118	92%	8%
Pole or platform-mounted lighting fixtures (up to 5), each					1.00	\$ 256	\$ 234	91%	9%
Theatrical-type lighting fixtures or assemblies, per system					2.50	\$ 640	\$ 587	92%	9%
Kitchen circuits - remodels					0.75	\$ 192	\$ 176	92%	9%
Bathroom circuits - remodels					0.50	\$ 128	\$ 118	92%	8%
Non-Residential Appliances, and Receptacle Outlets					1.25	\$ 320	\$ 293	92%	9%
Power Apparatus									
1 to 100 - HP or KW, each					1.00	\$ 256	\$ 234	91%	9%
101 and over - HP or KW, each					1.50	\$ 384	\$ 352	92%	9%
Services									
Services of 600 volts or less and not over 200 amperes in rating, each					1.00	\$ 256	\$ 234	91%	9%
Services of 600 volts or less and over 200 amperes and over, each					1.50	\$ 384	\$ 352	92%	9%
Photovoltaic									
Residential					1.20	\$ 307	\$ 280	91%	10%
Commercial <10kW					1.45	\$ 371	\$ 338	91%	10%
Commercial greater than or equal to 10kW - 49kW					1.95	\$ 499	\$ 454	91%	10%
Commercial >49kW					2.70	\$ 691	\$ 629	91%	10%
Solar Structure (0-50kW)					3.00	\$ 768	\$ -	0%	0%
Each kW over 50kW					0.02	\$ 5	\$ -	0%	0%
Residential: Repair of photovoltaic electrical systems, each					1.00	\$ 256	\$ 234	91%	9%
Commercial and Industrial: Repair of photovoltaic electrical systems, each					1.25	\$ 320	\$ 293	92%	9%
Miscellaneous Apparatus, Conduits, and Conductors									
Electrical apparatus, conduits and conductors for which a permit is required					0.75	\$ 192	\$ 176	92%	9%
Busways					2.00	\$ 512	\$ 469	92%	9%
Temporary Power Service									
Temporary metered service power pole or pedestal including pole or pedestal-mounted receptacle outlets, each					1.00	\$ 256	\$ 234	91%	9%
Temporary distribution system (up to 5) poles including temporary lighting and receptacle outlets for construction sites, decorative light, Christmas tree sales lots, firework stands, each					1.00	\$ 256	\$ 234	91%	9%
Each additional distribution system					1.00	\$ 256	\$ 234	91%	9%
Private Swimming Pools - Repairs/Replacement									
For private, residential in-ground, swimming pools for single-family occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool, each pool					1.00	\$ 256	\$ 234	91%	9%
Carnivals and Circuses									
For electric generators, electrically driven rides, mechanically driven rides and walk through attractions or displays having electric lighting					2.00	\$ 512	\$ 469	92%	9%
Carnivals and circuses booth and pathway lighting					2.00	\$ 512	\$ 469	92%	9%
Signs, Outline Lighting, Marquees									
Signs, outline lighting systems or marquees supplies from one branch circuit					1.25	\$ 320	\$ 293	92%	9%
Additional branch circuits (up to 5) within the same sign, outline lighting system or marquee					1.00	\$ 256	\$ 234	91%	9%

City of Morgan Hill: Fund 206 Fee Analysis
FY 2024-2025

Building - Plumbing Permit Cost of Service

Building Permit Program - Plumbing			Fee Calculation		Cost Recovery Analysis		
Permit Type			Estimated Time	Proposed Fee	Current Fee	Current Cost Recovery %	Proposed % Increase
(FBHR)				\$ 256			
Permit Issuance			0.45	\$ 115	\$ 106	92%	9%
				\$ -			
Fixtures and Vents							
Installation or repair plumbing fixture, trap or set of fixtures on one trap, backflow device, including condensate lines			0.50	\$ 128	\$ 118	92%	8%
For repairs or alterations of drainage or vents piping, each			0.75	\$ 192	\$ 176	92%	9%
Sewers, Disposal Systems and Interceptors							
Building Sewer Lateral, each			1.00	\$ 256	\$ 234	91%	9%
Private sewage or disposal system, each			1.00	\$ 256	\$ 234	91%	9%
Industrial water pretreatment interceptor, each			2.00	\$ 512	\$ 469	92%	9%
Non-residential rainwater systems, up to 5 per drain			1.50	\$ 384	\$ 352	92%	9%
Water Piping and Water Heaters							
Installation, alteration or repair of water piping and/or water treating equipment, including pressure regulator, per system			1.00	\$ 256	\$ 234	91%	9%
For installation and replacement of water heater including vent, each			0.45	\$ 115	\$ 106	92%	9%
Gas Piping Systems							
Gas piping system, 1-10 outlets			0.45	\$ 115	\$ 106	92%	9%
Gas piping system, over 10 outlets			1.50	\$ 384	\$ 352	92%	9%
Lawn Sprinklers, Vacuum Breakers, Backflow Protections Devices							
Installation of lawn sprinkler systems including backflow protection device, and atmospheric-type vacuum breakers, per system			1.00	\$ 256	\$ 234	91%	9%
Swimming Pools and Spas - Plumbing Repair / Replacement							
Public pool including anti-entrapment device			1.25	\$ 320	\$ 293	92%	9%
Private pool including anti-entrapment device			1.00	\$ 256	\$ 234	91%	9%
Public spa including anti-entrapment device			1.25	\$ 320	\$ 293	92%	9%
Private spa including anti-entrapment device			1.00	\$ 256	\$ 234	91%	9%
Installation or replacement of anti-entrapment device			1.25	\$ 320	\$ 293	92%	9%
Thermal Solar Water Heating			1.00	\$ 256	\$ 234	91%	9%
Miscellaneous							
Each additional or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which no other fee is listed in this code			0.75	\$ 192	\$ 176	92%	9%

City of Morgan Hill: Fund 206 Fee Analysis
FY 2024-2025

Fire Permit Fee Cost of Service

Fire Permit Program			Fee Calculation		Cost Recovery Analysis		
Permit Type			Estimated Time	Proposed Fee	Current Fee	Current Cost Recovery %	Proposed % Increase
(FBHR)				\$ 256			
Fire Alarm							
1-15 Devices			3.00	\$ 768	\$ 704	92%	9%
16-50 Devices			4.00	\$ 1,024	\$ 937	92%	9%
51-100 Devices			5.00	\$ 1,280	\$ 1,171	91%	9%
101-500 Devices			6.00	\$ 1,536	\$ 1,407	92%	9%
Each additional 50 devices over 500 devices			0.04	\$ 10	\$ 9	88%	14%
Fire Sprinklers							
Residential Single Family/Townhouse 13D System			3.00	\$ 768	\$ 704	92%	9%
Apartment/Condo			4.00	\$ 1,024	\$ 704	69%	45%
Additional time per unit			0.75	\$ 192	\$ 118	61%	63%
Master Plan Review				\$ -	\$ 677		Actual Time
Commercial - New Construction							
1-20 Appliances			3.50	\$ 896	\$ 704	79%	27%
21-100 Appliances			4.50	\$ 1,152	\$ 937	81%	23%
101-200 Appliances			5.25	\$ 1,344	\$ 1,113	83%	21%
201-350 Appliances			6.25	\$ 1,600	\$ 1,348	84%	19%
351-500 Appliances			7.50	\$ 1,920	\$ 1,642	86%	17%
Each additional 100 appliances over 500 appliances			0.75	\$ 192	\$ 34	18%	465%
Commercial - Tenant Improvements							
1-20 Appliances			3.25	\$ 832	\$ 646	78%	29%
21-100 Appliances			3.75	\$ 960	\$ 761	79%	26%
101-200 Appliances			4.25	\$ 1,088	\$ 879	81%	24%
201-350 Appliances			4.75	\$ 1,216	\$ 996	82%	22%
351-500 Appliances			5.25	\$ 1,344	\$ 1,113	83%	21%
Each additional 100 appliances over 500 appliances			0.75	\$ 192	\$ -	0%	
High Piled Storage			3.00	\$ 768	\$ 704	92%	9%
Suppression System			2.75	\$ 704	\$ 704	100%	0%
Underground Piping / Hydrant System / Backflow			4.00	\$ 1,024	\$ 761	74%	35%
Each Additional Hydrant or Backflow			0.75	\$ 192	\$ -	0%	
Medical Gas Systems			3.00	\$ 768	\$ 704	92%	9%

City of Morgan Hill: Fund 206 Fee Analysis
FY 2024-2025

Land Development Program Cost of Service

Land Development Program						Hours per Service Detail			Activity/Service Cost Analysis			
Fee Description						Eng	Plng	Bldg	Eng	Plng	Bldg	Cost of Service for Activity
									\$ 370	\$ 387	\$ 256	FBHR
Public Improvement - Plan Check												
\$1 - \$100,000						66.75	0.00	0.50	\$ 24,698	\$ -	\$ 128	\$ 24,826
Any Valuation												
\$100,001 to \$200,000												
first \$100,000						66.75	0.00	0.50	\$ 24,698	\$ -	\$ 128	\$ 24,826
each additional \$1,000 (round-up)						0.263	0.000	0.000	\$ 97	\$ -	\$ -	\$ 97.13
\$200,001 to \$500,000												
first \$200,000						93.00	0.00	0.50	\$ 34,410	\$ -	\$ 128	\$ 34,538
each additional \$1,000 (round-up)						0.084	0.000	0.002	\$ 31	\$ -	\$ 0	\$ 31.57
\$500,001 to \$1,000,000												
first \$500,000						118.25	0.00	1.00	\$ 43,753	\$ -	\$ 256	\$ 44,009
each additional \$1,000 (round-up)						0.047	0.000	0.000	\$ 17	\$ -	\$ -	\$ 17.39
\$1,000,001 to \$5,000,000												
first \$1,000,000						141.75	0.00	1.00	\$ 52,448	\$ -	\$ 256	\$ 52,704
each additional \$1,000 (round-up)						0.013	0.000	0.000	\$ 5	\$ -	\$ -	\$ 4.69
\$5,000,000 and up												
first \$5,000,000						192.50	0.00	1.00	\$ 71,225	\$ -	\$ 256	\$ 71,481
each additional \$1,000 (round-up)						0.04	0.00	0.00	\$ 14	\$ -	\$ 0	\$ 14.30
Public Improvement - Inspection												
\$1 - \$100,000												
Any Valuation						87.50			\$ 32,375			\$ 32,375
\$100,001 to \$200,000												
first \$100,000						87.50			\$ 32,375			\$ 32,375
each additional \$1,000 (round-up)						0.54			\$ 200			\$ 199.80
\$200,001 to \$500,000												
first \$200,000						141.50			\$ 52,355			\$ 52,355
each additional \$1,000 (round-up)						0.517			\$ 191			\$ 191.17

\$500,001 to \$1,000,000												
first \$500,000	296.50	\$ 109,705	100%	\$ 73,488	49%	296.50			\$ 109,705			\$ 109,705
each additional \$1,000 (round-up)	0.46	\$ 169	100%	\$ 114	49%	0.458			\$ 169			\$ 169.46
\$1,000,001 to \$5,000,000												
first \$1,000,000	525.50	\$ 194,435	100%	\$ 130,248	49%	525.50			\$ 194,435			\$ 194,435
each additional \$1,000 (round-up)	0.07	\$ 27	100%	\$ 18	49%	0.073			\$ 27			\$ 27.10
\$5,000,000 and up												
first \$5,000,000	818.50	\$ 302,845	100%	\$ 202,869	49%	818.50			\$ 302,845			\$ 302,845
each additional \$1,000 (round-up)	0.16	\$ 61	100%	\$ 41	49%	0.16			\$ 61			\$ 60.57
Plan Revision (after approval of Public Improvement Plans)												
	3.00	\$ 1,110	100%	\$ 248	348%	3.00			\$ 1,110			\$ 1,110.00
Map Check												
Parcel Map	42.00	\$ 15,511	100%	\$ 9,401	65%	36.00	5.00	1.00	\$ 13,320	\$ 1,935	\$ 256	\$ 15,511
Tract Map/Subdivision Map (Service #149)	50.00	\$ 18,357	100%	\$ 11,107	65%	43.00	5.00	2.00	\$ 15,910	\$ 1,935	\$ 512	\$ 18,357
Certificate of Compliance - Lot Line Adjustment / Lot Merger	32.00	\$ 11,743	100%	\$ 7,408	59%	30.00	1.00	1.00	\$ 11,100	\$ 387	\$ 256	\$ 11,743
Parcel Map - Lot Line Adjustment / Lot Merger	34.50	\$ 12,685	100%	\$ 7,968	59%	31.50	2.00	1.00	\$ 11,655	\$ 774	\$ 256	\$ 12,685.00
Streets/Easements												
Public Easement Review	13.50	\$ 4,995	100%	\$ 3,347	49%	13.50			\$ 4,995			\$ 4,995.00
Street Vacation	43.50	\$ 16,095	100%	\$ 9,667	66%	43.50			\$ 16,095			\$ 16,095.00
Easement Abandonment	39.00	\$ 14,430	100%	\$ 9,667	49%	39.00			\$ 14,430			\$ 14,430.00
Reimbursement Agreement	21.50	\$ 7,955	100%	\$ 5,329	49%	21.50			\$ 7,955			\$ 7,955.00
FEMA Compliance												
Base Fee												
New Structure	4.75	\$ 1,701	100%	\$ 1,040	64%	4.25	0.00	0.50	\$ 1,573	\$ -	\$ 128	\$ 1,700.50
New Accessory Structure and New ADU	3.75	\$ 1,331	100%	\$ 791	68%	3.25	0.00	0.50	\$ 1,203	\$ -	\$ 128	\$ 1,330.50
Improvement of Existing Structure:												
Non-Substantial Improvement w/o Detailed Review	3.50	\$ 1,181	100%	\$ 592	99%	2.50	0.00	1.00	\$ 925	\$ -	\$ 256	\$ 1,181.00
Non-Substantial Improvement with Detailed Review	4.50	\$ 1,551	100%	\$ 839	85%	3.50	0.00	1.00	\$ 1,295	\$ -	\$ 256	\$ 1,551.00
Substantial Improvement (not Accessory Structure)	6.00	\$ 2,163	100%	\$ 1,349	60%	5.50	0.00	0.50	\$ 2,035	\$ -	\$ 128	\$ 2,163.00
Substantial Improvement of Accessory Structure/ADU	4.25	\$ 1,516	100%	\$ 916	65%	3.75	0.00	0.50	\$ 1,388	\$ -	\$ 128	\$ 1,515.50
Additional Review Fees												
Elevation Certificate Review	2.75	\$ 1,018	100%	\$ 682	49%	2.75			\$ 1,018			\$ 1,017.50
Flood Field Inspection	2.50	\$ 925	100%	\$ 620	49%	2.50			\$ 925			\$ 925.00
Flood Study Review with Valley Water Coordination	6.50	\$ 2,405	100%	\$ 1,611	49%	6.50			\$ 2,405			\$ 2,405.00
Review of CLOMR/CLOMR-F/LOMR/LOMR-F	4.00	\$ 1,480	100%	\$ 991	49%	4.00			\$ 1,480			\$ 1,480.00
Public Outreach for LOMR/LOMR-F	6.00	\$ 2,220	100%	\$ 1,487	49%	6.00			\$ 2,220			\$ 2,220.00
Review of BFE Determination for Zone A w/o a BFE or Zone D	2.00	\$ 740	100%	\$ 496	49%	2.00			\$ 740			\$ 740.00
Stormwater Runoff Management Plan Review												
Tier 1 Project	11.50	\$ 4,255	100%	\$ 2,850	49%	11.50			\$ 4,255			\$ 4,255.00

Tier 2 Project	34.00	\$ 12,580	100%	\$ 7,435	69%	34.00			\$ 12,580			\$ 12,580.00
Tier 3 Project	48.00	\$ 17,760	100%	\$ 10,658	67%	48.00			\$ 17,760			\$ 17,760.00
Tier 4 Project	54.00	\$ 19,980	100%	\$ 12,889	55%	54.00			\$ 19,980			\$ 19,980.00
Erosion & Sediment Control/Stormwater Pollution Prevention Plan (SWPPP) Review & Compliance												
Type 1 & Type 2 Projects:												
< 1 Acre in Soil Disturbance	2.25	\$ 833	100%	\$ 558	49%	2.25			\$ 833			\$ 832.50
1+ Acre in Soil Disturbance	3.75	\$ 1,388	100%	\$ 930	49%	3.75			\$ 1,388			\$ 1,387.50
Type 3 Projects	1.75	\$ 648	100%	\$ 435	49%	1.75			\$ 648			\$ 647.50
Type 4 Projects	1.25	\$ 463	100%	\$ 310	49%	1.25			\$ 463			\$ 462.50
Stormwater BMP Operations & Maintenance Agreement	9.00	\$ 3,330	100%	\$ 2,231	49%	9.00			\$ 3,330			\$ 3,330.00
Private Sanitary Sewer Agreement	11.50	\$ 4,255	100%	\$ 2,850	49%	11.50			\$ 4,255			\$ 4,255.00
Assessment District Reapportionment												
City Staff Only (Contractor Costs Additional)	18.00	\$ 6,660	100%	\$ 2,973	124%	18.00			\$ 6,660			\$ 6,660.00
Preliminary Review on Projects / Engineering Services	10.00	\$ 3,700	100%	\$ 2,478	49%	10.00			\$ 3,700			\$ 3,700.00
Additional Plan Review (after 3rd submittal)	1.00	\$ 370	100%	\$ 248	49%	1.00			\$ 370			\$ 370.00
Re-Inspection Fee	1.00	\$ 370	100%	\$ 248	49%	1.00			\$ 370			\$ 370.00
Complexity Fee	12.00	\$ 4,440	100%	\$ 2,973	49%	12.00			\$ 4,440			\$ 4,440.00
Agreement Extensions / Improvement Agreement Amendments												
With City Manager Approval	12.50	\$ 4,625	100%	\$ 3,099	49%	12.50			\$ 4,625			\$ 4,625.00
With City Council Approval	19.00	\$ 7,030	100%	\$ 4,709	49%	19.00			\$ 7,030			\$ 7,030.00
Preliminary Fee Estimate	1.50	\$ 555	100%	\$ 371	50%	1.50			\$ 555			\$ 555.00
GIS / Technology Fee		5% of Public Improvement Fee	100%	5% of Public Improvement Fee								

Notes

[1] Activity related to Public Improvement Plan Check & Inspection is based on the number of valuation increments, rather than number of projects.

City of Morgan Hill: Fund 206 Fee Analysis
FY 2024-2025

Planning Program Cost of Service

Planning Permit Program						Cost Recovery Analysis						Hours per Service Detail						Activity/Service Cost Analysis						
Permit Type						Hours per Service	Proposed Fee	Proposed % Cost Recovery	Current Fee	Proposed % Increase		PIng	Eng	Bldg	Fire	Housing	Police (Captain)	PIng	Eng	Bldg	Fire	Housing	Police (Captain)	Total
Agreements																		\$ 387	\$ 370	\$ 256	\$ 225	\$ 178	\$ 282	FBHR
Development Agreement, Non-Residential		60.00	\$ 23,220	100%	\$ 14,415	61%						60.00	0.00	0.00	0.00	0.00	0.00	\$ 23,220	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,220
Development Agreement, Residential		60.00	\$ 23,220	100%	\$ 14,415	61%						60.00	0.00	0.00	0.00	0.00	0.00	\$ 23,220	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,220
CC&Rs (Plus City Attorney Fees)		7.00	\$ 2,658	100%	\$ 1,250	113%						4.00	3.00	0.00	0.00	0.00	0.00	\$ 1,548	\$ 1,110	\$ -	\$ -	\$ -	\$ -	\$ 2,658
Other Agreements / Documents Review (Plus City Attorney Fees)		4.00	\$ 1,548	100%	\$ 505	207%						4.00	0.00	0.00	0.00	0.00	0.00	\$ 1,548	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,548
Appeals																								
Commision/Board Decision - Applicant Appeal		45.00	\$ 17,330	100%	\$ 8,960	93%						40.00	5.00	0.00	0.00	0.00	0.00	\$ 15,480	\$ 1,850	\$ -	\$ -	\$ -	\$ -	\$ 17,330
Commission/Board Decision - Public Appeal		45.00	\$ 600	3%	\$ 624	-4%						40.00	5.00	0.00	0.00	0.00	0.00	\$ 15,480	\$ 1,850	\$ -	\$ -	\$ -	\$ -	\$ 17,330
Staff Decision - Applicant Appeal		42.00	\$ 16,220	100%	\$ 7,329	121%						40.00	2.00	0.00	0.00	0.00	0.00	\$ 15,480	\$ 740	\$ -	\$ -	\$ -	\$ -	\$ 16,220
Staff Decision - Public Appeal		42.00	\$ 600	4%	\$ 624	-4%						40.00	2.00	0.00	0.00	0.00	0.00	\$ 15,480	\$ 740	\$ -	\$ -	\$ -	\$ -	\$ 16,220
Approval Amendments																								
Minor Amendment (per Code Section 17.20.190)		37.00	\$ 13,699	100%	\$ 7,651	79%						24.00	10.00	1.00	1.00	0.50	0.50	\$ 9,288	\$ 3,700	\$ 256	\$ 225	\$ 89	\$ 141	\$ 13,699
Major Approval Amendment (Non Admin - s/b Major)		80.00	\$ 29,737	100%	\$ 13,665	118%						55.00	19.00	2.00	2.00	1.00	1.00	\$ 21,285	\$ 7,030	\$ 512	\$ 450	\$ 178	\$ 282	\$ 29,737
Boundary Adjustments																								
Annexation City Process		334	Actual Cost	100%	\$ 26,491							320.00	8.00	2.00	2.00	1.00	1.00	\$ 123,840	\$ 2,960	\$ 512	\$ 450	\$ 178	\$ 282	\$ 128,222
Annexation LAFCO Process		220	\$ 85,140	100%	\$ 30,348	181%						220.00	0.00	0.00	0.00	0.00	0.00	\$ 85,140	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 85,140
Out of Agency Contract for Services		68.00	\$ 26,316	100%	\$ 10,559	149%						68.00	0.00	0.00	0.00	0.00	0.00	\$ 26,316	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 26,316
Urban Service Area Amendment City Process		328.00	Actual Cost	100%	\$ 16,399							320.00	8.00	0.00	0.00	0.00	0.00	\$ 123,840	\$ 2,960	\$ -	\$ -	\$ -	\$ -	\$ 126,800
Urban Service Area Amendment LAFCO Process		220.00	\$ 85,140	100%	\$ 30,348	181%						220.00	0.00	0.00	0.00	0.00	0.00	\$ 85,140	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 85,140
(Plus additional fees collected by LAFCO/Other agencies)																								
Design Permits																								
Landscape Plan Review Only		10.00	\$ 3,870	100%	\$ 2,528	53%						10.00	0.00	0.00	0.00	0.00	0.00	\$ 3,870	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,870
Non-Residential Design Permit (Major, >10,000 SF in floor area)		134.50	\$ 50,563	100%	\$ 18,767	169%						80.00	50.00	2.00	2.00	0.00	0.50	\$ 30,960	\$ 18,500	\$ 512	\$ 450	\$ -	\$ 141	\$ 50,563
Non-Residential Design Permit (Minor)		69.50	\$ 26,024	100%	\$ 10,316	152%						36.00	31.00	1.00	1.00	0.00	0.50	\$ 13,932	\$ 11,470	\$ 256	\$ 225	\$ -	\$ 141	\$ 26,024
Plan Detail Review (misc. site details, e.g., lighting, trash encl.)		8.00	\$ 3,096	100%	\$ 2,129	45%						8.00	0.00	0.00	0.00	0.00	0.00	\$ 3,096	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,096
Residential Design Permit - 6 units or less		67.50	\$ 25,160	100%	\$ 12,524	101%						40.00	24.00	1.00	1.00	1.00	0.50	\$ 15,480	\$ 8,880	\$ 256	\$ 225	\$ 178	\$ 141	\$ 25,160
Residential Design Permit - 7 units to 15 units		75.50	\$ 28,222	100%	\$ 15,528	82%						46.00	26.00	1.00	1.00	1.00	0.50	\$ 17,802	\$ 9,620	\$ 256	\$ 225	\$ 178	\$ 141	\$ 28,222
Residential Design Permit - 16 -50		142.00	\$ 52,910	100%	\$ 19,509	171%						80.00	55.00	2.00	2.00	2.00	1.00	\$ 30,960	\$ 20,350	\$ 512	\$ 450	\$ 356	\$ 282	\$ 52,910
Projects with horizontal subdivision: Each Additional 10 units		54.00	\$ 20,121	100%								40.00	10.00	1.00	1.00	1.00	1.00	\$ 15,480	\$ 3,700	\$ 256	\$ 225	\$ 178	\$ 282	\$ 20,121
Single-lot/condo projects: Each Additional 10 units		19.00	\$ 6,661	100%								10.00	5.00	1.00	1.00	1.00	1.00	\$ 3,870	\$ 1,850	\$ 256	\$ 225	\$ 178	\$ 282	\$ 6,661
Site Plan Only (no new square footage)		35.00	\$ 13,358		\$ 6,772	97%						24.00	11.00	0.00	0.00	0.00	0.00	\$ 9,288	\$ 4,070	\$ -	\$ -	\$ -	\$ -	\$ 13,358
Design Review (Preliminary Review)																								
(Includes one Planning Commission hearing)																								
Conceptual Plan Review (Staff)		40.00	\$ 14,737	100%	\$ 6,714	120%						28.00	8.00	1.00	1.00	1.00	1.00	\$ 10,836	\$ 2,960	\$ 256	\$ 225	\$ 178	\$ 282	\$ 14,737
PC		63.00	\$ 23,813	100%	\$ 10,682	123%						50.00	10.00	1.00	1.00	0.00	1.00	\$ 19,350	\$ 3,700	\$ 256	\$ 225	\$ -	\$ 282	\$ 23,813
Non-Residential (Minor) Preliminary Plan Review to PC		45.00	\$ 16,898	100%	\$ 7,410	128%						35.00	7.00	1.00	1.00	0.00	1.00	\$ 13,545	\$ 2,590	\$ 256	\$ 225	\$ -	\$ 282	\$ 16,898
Residential SB330 Preliminary Application Review (staff)		71.00	\$ 26,666	100%	\$ 13,654	95%						55.00	12.00	1.00	1.00	1.00	1.00	\$ 21,285	\$ 4,440	\$ 256	\$ 225	\$ 178	\$ 282	\$ 26,666
Residential - 6 units or less Preliminary Plan Review to PC		48.00	\$ 17,816	100%	\$ 8,090	120%						35.00	9.00	1.00	1.00	1.00	1.00	\$ 13,545	\$ 3,330	\$ 256	\$ 225	\$ 178	\$ 282	\$ 17,816
Residential - 7 units or more Preliminary Plan Review to PC		67.00	\$ 25,101	100%	\$ 11,611	116%						50.00	13.00	1.00	1.00	1.00	1.00	\$ 19,350	\$ 4,810	\$ 256	\$ 225	\$ 178	\$ 282	\$ 25,101
Projects with horizontal subdivision: Each Additional 10 units		35.00	\$ 12,836	100%								25.00	6.00	1.00	1.00	1.00	1.00	\$ 9,675	\$ 2,220	\$ 256	\$ 225	\$ 178	\$ 282	\$ 12,836
Single-lot/condo projects: Each Additional 10 units		13.00	\$ 4,373	100%								6.00	3.00	1.00	1.00	1.00	1.00	\$ 2,322	\$ 1,110	\$ 256	\$ 225	\$ 178	\$ 282	\$ 4,373
Environmental Review (CEQA)																								
Expanded Initial Study (Internal Prep)		172.00	\$ 66,360	100%	\$ 16,125	312%						160.00	12.00	0.00	0.00	0.00	0.00	\$ 61,920	\$ 4,440	\$ -	\$ -	\$ -	\$ -	\$ 66,360
Historic Assessments - Historical Consultant (Deposit)																								

Historic Assessments - Staff-level	42.00	\$ 16,084	100%	\$ 5,008	221%	32.00	10.00	0.00	0.00	0.00	0.00	\$ 12,384	\$ 3,700	\$ -	\$ -	\$ -	\$ -	\$ 16,084
Initial Environmental Assessment (Plus outside agency fees)	10.00	\$ 3,836	100%	\$ 2,271	69%	8.00	2.00	0.00	0.00	0.00	0.00	\$ 3,096	\$ 740	\$ -	\$ -	\$ -	\$ -	\$ 3,836
Mitigation Monitoring and Reporting Program (Long-term Mitigation Annual Monitoring)	5.00	\$ 1,935	100%	\$ 1,265	53%	5.00	0.00	0.00	0.00	0.00	0.00	\$ 1,935	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,935
SC County Habitat Plan Review	2.00	\$ 774	100%	\$ 505	53%	2.00	0.00	0.00	0.00	0.00	0.00	\$ 774	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 774
Exceptions																		
Minor Exception	16.50	\$ 6,377	100%	\$ 3,222	98%	16.00	0.50	0.00	0.00	0.00	0.00	\$ 6,192	\$ 185	\$ -	\$ -	\$ -	\$ -	\$ 6,377
Variance	65.25	\$ 24,894	100%	\$ 10,831	130%	62.00	0.75	1.00	1.00	0.00	0.50	\$ 23,994	\$ 278	\$ 256	\$ 225	\$ -	\$ 141	\$ 24,894
Administrative Extension of Time for Approvals	17.00	\$ 6,579	100%	\$ 2,150	206%	17.00	0.00	0.00	0.00	0.00	0.00	\$ 6,579	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,579
Non Administrative Extension of Time for Approvals	32.00	\$ 12,384	100%	\$ 3,857	221%	32.00	0.00	0.00	0.00	0.00	0.00	\$ 12,384	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,384
General Plan Amendment																		
Land Use Diagram Amendment	128.00	\$ 49,400	100%	\$ 17,789	178%	120.00	8.00	0.00	0.00	0.00	0.00	\$ 46,440	\$ 2,960	\$ -	\$ -	\$ -	\$ -	\$ 49,400
Text Amendment	88.00	\$ 33,920	100%	\$ 10,077	237%	80.00	8.00	0.00	0.00	0.00	0.00	\$ 30,960	\$ 2,960	\$ -	\$ -	\$ -	\$ -	\$ 33,920
Historic/Cultural Resources																		
Alteration-Minor - per 18.60.070B2a under \$10,000 valuation (plus additional fees if Planning Commission hearing is required)	3.00	\$ 1,161	100%	\$ 380	206%	3.00	0.00	0.00	0.00	0.00	0.00	\$ 1,161	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,161
Alteration-Major - per Section 18.60.070B2b \$10,000+ valuation (plus additional fees if Planning Commission hearing is required)	35.00	\$ 13,545	100%	\$ 5,438	149%	35.00	0.00	0.00	0.00	0.00	0.00	\$ 13,545	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,545
Demolition or Relocation (Formerly Alteration)	38.00	\$ 14,655	100%	\$ 6,182	137%	35.00	3.00	0.00	0.00	0.00	0.00	\$ 13,545	\$ 1,110	\$ -	\$ -	\$ -	\$ -	\$ 14,655
Designation	32.00	\$ 12,384	100%	\$ 8,092	53%	32.00	0.00	0.00	0.00	0.00	0.00	\$ 12,384	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,384
Miscellaneous																		
Residential Private Livestock Permit	9.00	\$ 1,045	100%	\$ 873	20%	9.00	0.00	0.00	0.00	0.00	0.00	\$ 3,483	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,483
Reversion to Acreage Processing	12.50	\$ 4,838	100%	\$ 3,162	53%	12.50	0.00	0.00	0.00	0.00	0.00	\$ 4,838	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,838
Transfer of Development Credit (Per Hillside Combining District - 18.44 MHMC)	42.00	\$ 16,254	100%	\$ 8,978	81%	42.00	0.00	0.00	0.00	0.00	0.00	\$ 16,254	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 16,254
Williamson Act Cancelation	80.00	\$ 30,960	100%	\$ 12,140	155%	80.00	0.00	0.00	0.00	0.00	0.00	\$ 30,960	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,960
Williamson Act New Contract	45.00	\$ 17,415	100%	\$ 6,576	165%	45.00	0.00	0.00	0.00	0.00	0.00	\$ 17,415	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,415
Williamson Act Non-Renewal	20.00	\$ 7,740	100%	\$ 1,012	665%	20.00	0.00	0.00	0.00	0.00	0.00	\$ 7,740	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,740
Sign Review																		
Alteration to Existing Sign (Limited Scope)	0.75	\$ 290	100%	\$ 189	54%	0.75	0.00	0.00	0.00	0.00	0.00	\$ 290	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 290
Sign Review Over the Counter - Copy Change	1.00	\$ 387	100%	\$ 253	53%	1.00	0.00	0.00	0.00	0.00	0.00	\$ 387	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 387
New Sign Permit - First Sign	1.50	\$ 581	100%	\$ 380	53%	1.50	0.00	0.00	0.00	0.00	0.00	\$ 581	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 581
Each additional Sign	0.50	\$ 194	100%	\$ 126	54%	0.50	0.00	0.00	0.00	0.00	0.00	\$ 194	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 194
New Sign within a Master Sign Program	0.75	\$ 290	100%	\$ 189	54%	0.75	0.00	0.00	0.00	0.00	0.00	\$ 290	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 290
Subdivision/Real Estate Tract Signs (on and/or off-site)	3.00	\$ 1,161	100%	\$ 758	53%	3.00	0.00	0.00	0.00	0.00	0.00	\$ 1,161	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,161
Temporary/Promotional Signs	0.75	\$ 290	100%	\$ 63	361%	0.75	0.00	0.00	0.00	0.00	0.00	\$ 290	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 290
Uniform Sign Program	28.00	\$ 10,836	100%	\$ 3,668	195%	28.00	0.00	0.00	0.00	0.00	0.00	\$ 10,836	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,836
Subdivision																		
Tentative Parcel Map Review - 4 lots or less	31.00	\$ 11,878	100%	\$ 7,299	63%	24.00	7.00	0.00	0.00	0.00	0.00	\$ 9,288	\$ 2,590	\$ -	\$ -	\$ -	\$ -	\$ 11,878
Tentative Subdivision Map Review (5-15 lots)	41.00	\$ 15,646	100%	\$ 9,797	60%	28.00	13.00	0.00	0.00	0.00	0.00	\$ 10,836	\$ 4,810	\$ -	\$ -	\$ -	\$ -	\$ 15,646
Tentative Subdivision Map Review (16-25 lots)	51.00	\$ 19,482	100%	\$ 12,317	58%	36.00	15.00	0.00	0.00	0.00	0.00	\$ 13,932	\$ 5,550	\$ -	\$ -	\$ -	\$ -	\$ 19,482
Tentative Subdivision Map Review (26+ Lots per each 25 lots)	63.00	\$ 24,058	100%	\$ 15,331	57%	44.00	19.00	0.00	0.00	0.00	0.00	\$ 17,028	\$ 7,030	\$ -	\$ -	\$ -	\$ -	\$ 24,058
Tree Removals																		
Tree Removal Permit	8.00	\$ 124	4%	\$ 125	-1%	8.00	0.00	0.00	0.00	0.00	0.00	\$ 3,096	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,096
Use Permits																		
Administrative Use Permit	45.00	\$ 8,449	50%	\$ 7,682	10%	38.00	4.00	1.00	1.00	0.50	0.50	\$ 14,706	\$ 1,480	\$ 256	\$ 225	\$ 89	\$ 141	\$ 16,897
Conditional Use Permit - New Construction	71.00	\$ 26,666	100%	\$ 12,168	119%	62.00	4.00	2.00	2.00	0.50	0.50	\$ 23,994	\$ 1,480	\$ 512	\$ 450	\$ 89	\$ 141	\$ 26,666
Conditional Use Permit - No New Construction	69.00	\$ 25,926	100%	\$ 11,672	122%	62.00	2.00	2.00	2.00	0.50	0.50	\$ 23,994	\$ 740	\$ 512	\$ 450	\$ 89	\$ 141	\$ 25,926
Temporary Use Permit	36.50	\$ 13,644	100%	\$ 6,178	121%	26.00	8.00	1.00	1.00	0.00	0.50	\$ 10,062	\$ 2,960	\$ 256	\$ 225	\$ -	\$ 141	\$ 13,644
Temporary Use Permit (Non-Profit)	29.50	\$ 101	1%	\$ 100	1%	26.00	1.00	1.00	1.00	0.00	0.50	\$ 10,062	\$ 370	\$ 256	\$ 225	\$ -	\$ 141	\$ 11,054
Temporary Use Permit Amendment	18.50	\$ 3,399	50%	\$ 3,304	3%	15.00	1.00	1.00	1.00	0.00	0.50	\$ 5,805	\$ 370	\$ 256	\$ 225	\$ -	\$ 141	\$ 6,797
Zoning Requests (Includes one PC and one CC Hearing)																		

Planned Development	138.00	\$ 52,871	100%	\$ 18,046	193%	130.00	5.00	1.00	1.00	0.50	0.50	\$ 50,310	\$ 1,850	\$ 256	\$ 225	\$ 89	\$ 141	\$ 52,871
Residential Planned Development Review	136.50	\$ 52,220	100%	\$ 17,644	196%	130.00	3.00	1.00	1.00	1.00	0.50	\$ 50,310	\$ 1,110	\$ 256	\$ 225	\$ 178	\$ 141	\$ 52,220
Residential Planned Development (concurrent with subdivision)	118.00	\$ 45,615	100%	\$ 11,112	311%	115.00	3.00	0.00	0.00	0.00	0.00	\$ 44,505	\$ 1,110	\$ -	\$ -	\$ -	\$ -	\$ 45,615
Zoning Map Amendment Review	124.00	\$ 47,920	100%	\$ 11,877	303%	120.00	4.00	0.00	0.00	0.00	0.00	\$ 46,440	\$ 1,480	\$ -	\$ -	\$ -	\$ -	\$ 47,920
Zoning Map Amendment Review (concurrent with GPA or ANX)	62.00	\$ 23,960	100%	\$ 9,600	150%	60.00	2.00	0.00	0.00	0.00	0.00	\$ 23,220	\$ 740	\$ -	\$ -	\$ -	\$ -	\$ 23,960
Zoning Text Amendment Review	82.00	\$ 31,700	100%	\$ 12,635	151%	80.00	2.00	0.00	0.00	0.00	0.00	\$ 30,960	\$ 740	\$ -	\$ -	\$ -	\$ -	\$ 31,700
Zoning Confirmation Letter (designation only, additional info: T&M)	2.00	\$ 774	100%	\$ 1,644	-53%	2.00	0.00	0.00	0.00	0.00	0.00	\$ 774	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 774
Fees for Additional Services																		
City Council Meeting / Additional Meeting	8.00	\$ 3,062	100%	\$ 2,266	35%	6.00	2.00	0.00	0.00	0.00	0.00	\$ 2,322	\$ 740	\$ -	\$ -	\$ -	\$ -	\$ 3,062
LAFCO Meeting / Additional Meeting	6.00	\$ 2,322	100%	\$ 1,770	31%	6.00	0.00	0.00	0.00	0.00	0.00	\$ 2,322	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,322
Planning Commission Meeting / Additional Meeting	8.00	\$ 3,062	100%	\$ 2,393	28%	6.00	2.00	0.00	0.00	0.00	0.00	\$ 2,322	\$ 740	\$ -	\$ -	\$ -	\$ -	\$ 3,062
Planning Consultation (Hourly)	1.00	\$ 387	100%	\$ 253	53%	1.00	0.00	0.00	0.00	0.00	0.00	\$ 387	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 387

CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Patricia Pretell

APPROVED BY: City Manager

ADOPT RESOLUTION TO ESTABLISH NEW CARRY CONCEALED WEAPON (CCW) LICENSE RENEWAL FEE, FINGERPRINT ROLL AND LIVE SCAN FEE, AND UPDATE LIVE ENTERTAINMENT ANNUAL PERMIT FEE

RECOMMENDATION(S)

Adopt resolution to establish new CCW license renewal fee, Fingerprint Roll and Live Scan fee, and update Live Entertainment Annual Permit fee.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Enhancing Public Safety

Maintaining and Enhancing Infrastructure

Preserving and Cultivating Public Trust

2024-2025 Strategic Priorities

Fiscal Sustainability

Community Engagement

Guiding Documents

Morgan Hill 2035 General Plan

Public Safety Master Plan

REPORT NARRATIVE:

To ensure the City's fiscal sustainability, staff regularly reviews the City's Fee Schedule to establish and or update fees to recover the cost of providing services. City policy dictates that fees should, whenever feasible, cover the expenses associated with providing services. The proposed updates are determined based on the time required to perform the service. Any fees that fail to generate enough revenue to cover service costs are subsidized by the General Fund.

Establish a carry concealed weapon (CCW) license renewal fee:

The City Council adopted a Carrying Concealed Weapons (CCW) License fee schedule on April 5, 2023. A subsequent update was presented to the City Council on October 4, 2023, providing the City Council with a comparison of the estimated time and the actual time it takes to process a CCW license application as well as information to establish a

fee for the renewal process.

A time study was conducted to establish the processing fee for renewing a CCW application at \$540. Half of this fee (\$270) is paid when submitting the application through Permitium, and the remaining balance will be collected for those approved applications.

Establish Fingerprint Roll and Live Scan fee:

Live Scan fingerprinting is a procedure designed to electronically capture an individual's fingerprints and transmit them to the California Department of Justice and the Federal Bureau of Investigation for the purpose of conducting criminal background checks. The Fingerprint Rolling Fee is levied to account for the time and labor involved in the fingerprinting process and is collected at the time of fingerprinting. A recent time and fee study was conducted to calculate the cost and found it to be \$18 for City services plus pass-through fees from third party federal agencies, currently at \$49. Fingerprinting Rolling Fee was originally established by the City Council on September 28, 1988, per Resolution 4217. However, since the Covid-19 pandemic, the City has not been providing this service and the fee was not on the City's master user fee schedule for a while.

Update Live Entertainment Annual Permit Fee:

The Live Entertainment fees were established by the City Council on July 17, 2002, by Resolution 5591. Following an extensive analysis, the Morgan Hill Police Department has found that the current fee does not accurately reflect the time and resources required to issue the Live Entertainment Permit. In order for a permit to be approved as listed in Morgan Hill Municipal Code, Chapter 5.28, the following areas are reviewed by staff to determine the validity of the required documentation:

- * Alcoholic Beverage Control (ABC) License
- * Background Investigation
- * Security Guard - State of California Research
- * Floor Plan Review

In fiscal year 2024, the City processed 13 Live Entertainment Permits. Based on the analysis of staff time required, the current fee, whether for initial permit or renewal, needs to be increased to \$330 to be full cost recovered.

COMMUNITY ENGAGEMENT:

The public hearing was noticed in the local newspaper 10 days prior to today's public hearing. In addition, an email blast was sent to the known current CCW license and live entertainment permit holders 10 days prior to the public hearing.

ALTERNATIVE ACTIONS:

The Council has the discretion not to adopt the proposed fees or adopt them at a lower amount.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Live Entertainment fees were established by the City Council on July 17, 2002.
The Fingerprint fee was established by the City Council on September 28, 1988.

FISCAL AND RESOURCE IMPACT:

CCW License renewal fee: Assuming approximately 15 constituents renew with the Morgan Hill Police Department and qualify, approving the proposed fee would generate approximately \$8,100 for the general fund every two years. No net impact to the General Fund.

Fingerprint Rolling and Live Scan fee: Assuming approximately 50 constituents utilize the Fingerprint Rolling service, approving the proposed fee would generate approximately \$900 for the General Fund annually. No net impact to the General Fund.

Live Entertainment Permit fees: Approving the updated fee would generate approximately \$4,290 for the General Fund annually. No net impact to the General Fund.

CEQA (California Environmental Quality Act):

Not a CEQA Project. Organizational or administrative activities of governments will not result in direct or indirect physical changes in the environment.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL ESTABLISHING CARRY CONCEALED WEAPON LICENSE RENEWAL FEE, FINGERPRINT ROLL AND LIVE SCAN FEE, AND UPDATING LIVE ENTERTAINMENT ANNUAL PERMIT FEE

WHEREAS, the City Council, pursuant to Section 3.50.010 of the Morgan Hill Municipal Code (“Code”), requires the recovery of costs reasonably born from fees and charges levied in providing the regulation, products or services enumerated in Code Chapter 3.50 – Fee and Service Charge Revenue/Cost Comparison System; and

WHEREAS, the City of Morgan Hill has conducted a fee study to calculate the costs reasonably borne to provide carry concealed weapon license renewal, fingerprint roll and live scan service, and live entertainment annual permit, which study has been available to the public for at least ten (10) days prior to the adoption of this Resolution; and

WHEREAS, the proposed establishment and updating of the fees that are the subject of this Resolution was agendized for consideration by the City Council of the City of Morgan Hill at a duly noticed public hearing of the Council held on September 4, 2024 at which hearing all interested persons were afforded an opportunity to be heard on said proposed fees; and

WHEREAS, the Council heard all relevant testimony and reviewed all written materials submitted in connection with its hearing on this Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE, AND ORDER AS FOLLOWS:

1. The City Council has conducted an extensive analysis of its carry concealed weapon license renewal, fingerprint roll and live scan, and live entertainment annual permit fees, including the cost to the City for providing the services for carry concealed weapon license renewal, fingerprint roll and live scan, and live entertainment annual permit; and
2. Based upon the analysis and the provided information, the City (i) identifies the purpose of the proposed fees, (ii) identifies the use to which the fees will be put, (iii) demonstrates a reasonable relationship between the fees’ use and the types of services on which the fees are imposed, and (iv) demonstrates a reasonable relationship between the amount of the fees and the cost of the City's services attributable to the applications on which the fees are imposed; and
3. The City Council finds and determines the fees calculations utilized to establish new carry concealed weapon license renewal, fingerprint roll and live scan fees, and updated live entertainment annual permit will not cause fee revenues to exceed the

estimated cost reasonably borne of providing the services which the fees are levied;
and

4. The City Council hereby adopts and approves the establishment of a new carry concealed weapon license renewal fee, fingerprint roll and live scan fee, and updating live entertainment annual permit fee as set forth in attached **Exhibit A** and incorporated by this reference; and
5. The City Council finds and determines that it is reasonable to continue to annually adjust the fees set forth in Schedule by the Consumer Price Index for Urban Wage Earners and Clerical Workers for the San Francisco, Oakland and San Jose Area, and hereby instructs, authorizes and directs the City Manager or his/her designee to so annually adjust the carry concealed weapon license renewal, fingerprint roll and live scan, and live entertainment annual permit fees as set forth Resolution 6503 adopted January 18, 2012; and
6. The City Manager or his/her designee is hereby authorized and directed to amend the City Fee Schedule to reflect the fees as set forth in **Exhibit A**.
7. Effective Date. This Resolution shall take effect upon its adoption; provided, however, that the New and Updated Fees established hereunder shall first be imposed and collected sixty (60) days from the date of adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the 4th day of September 2024.

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

APPROVED:

ATTEST:

MARK TURNER, Mayor

MICHELLE BIGELOW, City Clerk

∞ **CERTIFICATION** ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 23-015, adopted by the City Council at a regular meeting held on September 4, 2024.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

Michelle Bigelow, City Clerk

EXHIBIT A

Fingerprint Roll and Live Scan Fee (NEW)

	HR Rate	# of FTE	# of HR per FTE	Total
Cadet/Records Specialist	\$51.70	1	0.35	\$ 18.09
Sub-Total City Cost:				18.09
<u>Plus pass-through fees:</u>				
Department of Justice (DOJ)				32.00
Federal Bureau of Investigation (FBI)				17.00
Sub-Total Pass-Through Cost:				\$ 49.00
Total Cost:				\$ 67.09

Proposed Fee: \$18 plus Pass-Through

Carry Concealed Weapon (CCW) License Renewal Fee (NEW)

	HR Rate	# of FTE	# of HR per FTE	Total
Community Services Officer	\$85.27	1	3.50	298.45
Captain	\$237.83	1	1.00	237.83
Total Personnel:				\$ 536.28
Permit Tracker:				\$ 10.00
Total Cost:				\$ 546.28
Proposed Fee:				\$ 540.00

Live Entertainment Annual Permit Fee (UPDATED)

	HR Rate	# of FTE	# of HR per FTE	Total
PD Sergeant	\$193.01	1	1.50	289.52
Accounting Assistant I/II	\$86.47	1	0.50	43.24
Total Cost:				\$ 332.75
<u>Current Fee</u>				
New:				\$ 131.00
Renewal:				\$ 69.00
Proposed Fee:				\$ 330.00

CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Donald Larkin, City Attorney

APPROVED BY: City Manager

INTRODUCE ORDINANCE PROHIBITING SMOKING IN MULTIUNIT RESIDENTIAL BUILDINGS

RECOMMENDATION(S)

1. Waive first and second reading of the Ordinance; and
2. Introduce new Ordinance prohibiting smoking in multiunit residential buildings.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Supporting Our Youth, Seniors, and Entire Community

Enhancing Public Safety and Quality of Life

2024-2025 Strategic Priorities

Healthy Community

REPORT NARRATIVE:

POLICY CONSIDERATION:

Should the City support public health and safety by prohibiting smoking in multiunit/family buildings?

REPORT NARRATIVE:

The health risks of tobacco use and exposure to secondhand smoke are well documented. More than 40,000 Californians die each year from smoking-related disease, making tobacco use the number one cause of preventable death. In Santa Clara County, one in eight deaths annually is attributed to smoking-related illness or diseases, such as cancer, heart disease, and respiratory diseases.

The U.S. Surgeon General has concluded that there is no safe level of exposure to secondhand smoke and the California Air Resources Board has classified secondhand smoke as a toxic air contaminant. Secondhand smoke is responsible for more than 4,000 heart disease-related and lung cancer deaths each year in California. According to the Centers for Disease Control (CDC), the only way to fully protect nonsmokers is to eliminate smoking in homes, worksites, and public places. Not only does prohibiting

smoking in such locations decrease exposure to harmful secondhand smoke, it also decreases fire risk and reduces the amount of cigarette butt litter.

The Santa Clara County's Healthy Cities Program seeks to address tobacco-related health concerns by promoting policies and practices to provide tobacco-free and smoke-free communities. As part of this funding, the City of Morgan Hill was awarded a \$38,164 grant from Santa Clara County's Public Health Department (PHD) to implement tobacco prevention policies that have been shown to reduce exposure to secondhand smoke.

The American Lung Association evaluates local tobacco control policies. As of 2024, Morgan Hill received an overall grade of "C" for the city's tobacco control policies but an "F" grade for smoke-free housing policies. The Santa Clara County Healthy Cities program gives the city a bronze medal for its policies to reduce exposure to secondhand smoke. A policy to prohibit smoking in multiunit residences is required to receive a silver medal.

Based on research on best practices to reduce exposure to secondhand smoke, the draft ordinance amends the Morgan Hill Municipal Code to include the following components for the Council's consideration:

Require smoke-free multiunit housing:

1. Defined as two or more attached residences, which may include apartments, condominiums, townhomes, attached single-family homes, duplexes, triplexes, etc.
2. Prohibit smoking inside units in multiunit housing.
3. Prohibit smoking in outdoor common areas (allows owners the option to create designated smoking areas that meet certain criteria).
4. "Smoking" includes the use of cigarettes, cigars, cigarillos, hookahs, pipes, electronic smoking devices, and marijuana.

Based on data from the Santa Clara County Public Health Department, 33% of Santa Clara County households live in multiunit housing. Santa Clara County residents who live in multiunit housing are twice as likely to be exposed to secondhand smoke (51%) compared with those living in single-family homes. Several studies on drifting secondhand smoke in multiunit housing have confirmed that secondhand smoke can and does transfer between units, creeping under doorways and through wall cracks. Because people spend a considerable amount of time at home, smoke-free policies in residential settings can significantly protect residents from second-hand smoke.

Increasingly, landlords are choosing to adopt smoking restrictions in properties they own or manage for a number of reasons, including: (1) to reduce cleaning costs from a unit with a smoker; (2) to lower the fire risk and related insurance costs; and (3) in response to tenant demand. The California Apartment Association's sample lease form contains a provision indicating that smoking is prohibited everywhere on the property,

unless the owner has adopted a different policy.

Under California law, indoor common areas of multiunit housing are required to be smoke-free if any employees enter the premises. However, there is no law prohibiting smoking in individual units or in outdoor common areas, such as walkways, courtyards, playgrounds, and pool areas. In Santa Clara County, 10 cities and Santa Clara County have adopted laws to require smoke-free units in multiunit residences; 11 cities and Santa Clara County require smoke-free outdoor common areas in multi-family housing.

Implementation and Enforcement

To aid in the implementation of smoke-free multiunit housing requirements, the following elements are incorporated into the draft ordinance:

1. **A phase-in period** – The smoke-free housing requirements would become operative six months after the ordinance's adoption to allow time to notify residents and property owners/managers of the new requirements.
2. **Lease requirements** - The ordinance requires landlords to provide notice of the smoking restrictions to tenants and to incorporate the requirements into a tenant's lease. This means that a violation involving a person smoking inside their unit could be enforced by the landlord as a lease violation and/or by the City. New tenants who move in after the ordinance's effective date would sign the updated lease agreement including the smoking restrictions. Existing tenants would have their leases updated on a rolling basis as the leases are renewed.
3. **Common interest developments**, such as condominiums, would be required to provide notice of the smoking restrictions to owners and to prospective buyers or renters.
4. **Signage** – The ordinance requires "No Smoking" signs to be posted where smoking is prohibited. Grant funds from the PHD will cover the cost of providing "No Smoking" signs to multiunit housing properties and to local businesses, which will aid in implementation of the ordinance.

Following the education period about the new ordinance, enforcement will be complaint-driven. In general, communities that have adopted smoke-free multiunit housing laws have not been overwhelmed by complaints. Most have found education and warnings about the new law to be sufficient. As a last resort, the City of Morgan Hill can cite an individual for smoking in violation of the law. The ordinance also provides for private rights of enforcement by civil action. However, as a practice, education will be the first step to encourage compliance.

COMMUNITY ENGAGEMENT:

As described above, the City has been awarded grant funds that will be used to assist in education efforts with landlords, property managers, and tenants. The ordinance has a built-in implementation period, which will provide ample time to perform outreach to multiunit buildings within the City.

ALTERNATIVE ACTIONS:

The Council could choose not to prohibit smoking in multiunit buildings, or could recommend modifications to the ordinance as drafted.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On April 5, 2023, Councilmember Borgioli identified smoking in multiunit buildings as a future agenda item. On May 3, 2023, the Council voted 5-0 to direct the City Attorney to come back with an ordinance prohibiting smoking in multiunit buildings.

The City has regulated exposure to secondhand smoke through its Smoking Pollution Control ordinance, adopted in 1985. This ordinance was updated in 2012. Consistent with state law, the City prohibits smoking in indoor workplaces. Additionally, smoking is prohibited in recreational areas, outdoor dining areas, building entryways, service areas (e.g., bus stops, ATMS), and public events (Chapter 8.44).

Additionally, the City requires a license to sell tobacco products; prohibits the sale of flavored tobacco products; and prohibits the sale of electronic cigarette products. (See Chapter 5.64).

FISCAL AND RESOURCE IMPACT:

Fiscal:

The City has received a grant from County Public Health that covers \$38,164. Staff does not anticipate any other significant costs.

Resource:

The County grant will reimburse the City for staff time implementing this ordinance. Staff work on the ordinance is not expected to significantly interfere with other priorities.

CEQA (California Environmental Quality Act):

This Ordinance is not a project under the requirements of the California Quality Act of 1970, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment, either directly or ultimately.

ORDINANCE NO. xxxx, NEW SERIES

**AN ORDINANCE OF THE CITY OF MORGAN HILL
ADDING CHAPTER 8.42 (“SMOKING IN MULTIUNIT
BUILDINGS”) OF TITLE 8 (“HEALTH AND SAFETY”) TO
THE MORGAN HILL MUNICIPAL CODE TO PROHIBIT
SMOKING IN AND AROUND MULTIUNIT RESIDENCES**

THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 8.42 (“Smoking in Multiunit Buildings” of Title 8 (“Health and Safety”)) is hereby established to read as follows:

8.42.010 Definitions

For the purpose of this chapter, unless the context clearly requires a different meaning, the words, terms, and phrases set forth in this section or another portion of the Morgan Hill Municipal Code, shall have the meanings that are given them in this section:

- A. “Adjacent Unenclosed Property” means any unenclosed area of a property—publicly or privately owned—that is next to or has a common boundary with a multi-unit residence. This does not include a single-family home.
- B. “Common Area” means every enclosed and every unenclosed area of a multiunit residence that residents of more than one unit are entitled to enter or use, including, but not limited to, halls, pathways, lobbies, courtyards, elevators, stairs, community rooms, playgrounds, gym facilities, swimming pools, parking garages, parking lots, grassy or landscaped areas, recreational area, restrooms, laundry rooms, cooking areas, and eating areas.
- C. “Common Interest Development” as defined:
 - 1. A community apartment project as defined in California Civil Code section 4105, in this code, or any successor legislation;
 - 2. A condominium project as defined in California Civil Code section 4125, in this code, or any successor legislation;
 - 3. A planned development as defined in California Civil Code section 4175, in this code, or any successor legislation;
 - 4. A real property development as defined in California Civil Code section 1351(c), in this code; or any successor legislation;
 - 5. A stock cooperative as defined in California Civil Code section 4190, in this code, or any successor legislation;
- D. “Enclosed Area” means an area closed in by a roof and four walls with appropriate openings for air to enter and exit with appropriate ventilation. It encompasses all the space between a floor and a ceiling that is bounded by walls, doorways, or windows—

- whether open or closed—covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. It can additionally include an area that has:
1. Overhead cover, regardless of whether the area includes vents or other overhead openings, or at least 3 walls or vertical constraints; or
 2. 4 walls or other vertical wall constraints to airflow, regardless of composition; or as defined in the Code.
- E. “Electronic smoking device” means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.
- F. “Existing Unit” means any unit that is not a new unit by the effective date of this code.
- G. “Homeowners’ association” or “HOA” means a nonprofit or unincorporated organization, or entity established for the purpose of managing or maintaining a common interest development. A homeowners’ association shall also mean “association” as defined in California Civil Code section 4080, in this code, or any successor legislation.
- H. “Hotel” as defined by California Civil Code Section 1940 or elsewhere in this Code. It can but is not limited to meaning a similar establishment in which the operator has the status of an innkeeper (e.g. a motel, motor inn, bed and breakfast, boarding house, etc.)
- I. “Landlord” means any person or agent of a person who owns, manages, or is otherwise legally responsible for a unit in a multiunit residence that is leased to a residential tenant. For purposes of this ordinance, a tenant who sublets their unit (e.g., a sublessor) is not a landlord.
- J. “Lot” means a separate parcel of land shown and identified as such on the record of the county recorder, or in the final map of an approved and recorded subdivision.
- K. “Marijuana” or “Cannabis” as defined pursuant to Business and Professions Code Section 26001(f), in Section 9.16.020 of this Code, and by other state law. However, in all parts of this code is shall mean all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds of such plants. “Cannabis” does not mean “industrial hemp” as defined by Health and Safety Code Section 11018.5.
- L. “Marijuana or Cannabis product” means a product where the cannabis plant has undergone a process and been turned into a concentrate for the purpose of smoking.

- M. “Multiunit Residence” means a property containing two or more attached units, including, but not limited to, apartment buildings, common interest developments, senior and assisted living facilities, and long-term health care facilities.
1. Multiunit Residences do not include the following:
 - a. a hotel or motel that meets the requirements of California Civil Code section 1940, established under our code, or other applicable state and local law;
 - b. mobile home park;
 - c. a campground;
 - d. a marina or port;
 - e. a single-family home with a detached or attached in law, except if used as a health care facility subject to licensing requirements; and
 - f. a single-family home with an accessory dwelling unit or second unit permitted pursuant to California Government Code sections 65852.1, 65852.2, or 65852.22; or an ordinance of the municipal code of Morgan Hill adopted pursuant to those sections, except where the accessory dwelling unit or second unit is rented or is used as a health care facility subject to licensing requirements.
- N. “New Unit” means a unit that is issued a certificate of occupancy more than 180 days after the effective date of this ordinance, or one that is now available for residential use 180 days for the first time more than 180 days after the effective date of this ordinance.
- O. “Nonsmoking Area” means any enclosed or unenclosed area that has been designated as an area in which smoking is prohibited in this chapter, elsewhere in this code, or by other applicable law.
- P. “Person” means any natural person, firm, partnership, corporation, cooperative association, corporation, personal representative, receiver, trustee, assignee, or any other legal entity, including government agencies.
- Q. “Reasonable distance” as defined in this code, means twenty-five feet in any direction from an area in which smoking is prohibited.
- R. “Rental Complex” means a property where 50% of the units are rented by or on behalf of the same landlord.
- S. “Smoke” as defined in this code, but also means inhaling, exhaling, or burning, any tobacco, nicotine, marijuana, marijuana plant product, whether natural or synthetic.
- T. “Smoking” as previously enumerated by Section 8.44 of this Code, but also can mean:
1. carrying any lighted, heated, or activated tobacco, nicotine, marijuana, or plant product, whether natural or synthetic, intended for inhalation; or
 2. using an “electronic smoking device,” that delivers nicotine or other substances;
- or

3. For purposes of this Code, smoking does not include the use of traditional, sacred tobacco as part of an Indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice.
- U. “Unenclosed area” means any area that is not in an enclosed area as defined by this Code, including but not limited to a balcony, terrace, patios, or porch.
- V. “Unit” means a personal dwelling space, even one lacking cooking facilities or private plumbing facilities, and includes any associated exclusive use, enclosed or unenclosed area, such as a private balcony, porch, deck, or patio. “Unit” includes, without limitation, an apartment unit; a condominium unit; a townhouse; a room in a senior facility; a room in a long-term health care facility, assisted living facility, community care facility, or hospital; a room in a hotel or motel; a dormitory room; a room in a single-room occupancy facility; a room in a homeless shelter; a mobile home; a camper vehicle or tent; a single-family home; and an accessory dwelling unit or second unit.
- W. “Wall” means any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

8.42.020 Smoking Restrictions.

- A. Effective 180 days from the effective date of this ordinance, smoking is prohibited in new and existing multi-unit residences.
- B. No person shall smoke inside any new or existing unit of a multi-unit residence including any associated or unassociated common area, with the exception of it being within a designated smoking area as defined by this code below.
 1. Designated smoking area is defined by this code in Morgan Hill Code Section 8.44.030, but it is defined as:
 - a. an unenclosed area;
 - b. at least twenty-five (25) feet from an adjacent or an unenclosed area primarily used by children, unenclosed areas of K-12 school campuses, or unenclosed areas with improvements that facilitate physical activity including, for example, playgrounds, tennis courts, and swimming pools;
 - c. has been clearly marked and with defined perimeter;
 - d. has conspicuous signage as defined in this chapter that includes text not less than one inch in height and with imagery relating to the international “no smoking” sign with the red circle and bar across it as defined in this chapter and elsewhere in this code;
 - e. located a reasonable distance from any enclosed area that is in a multi-unit residence, including an operable doorway, window, opening or vent that has been designated by this chapter;
 - f. shall have ashtrays, ashcans, or other receptacles designed for or primarily used for disposal of smoking waste within the area;
 - g. not more than 10% total of the outdoor area of designated property; and

- h. not within any enclosed or unenclosed area where smoking is otherwise prohibited by this chapter, state, or other law;
- C. The landlord will maintain and ensure that the designated smoking area remain free of smoking and tobacco waste by providing ash trays, trash cans, or other receptacles.
- D. The prohibitions contained in this Section do not apply to a person who is smoking while actively passing on the way to another destination.
- E. No person shall intimidate, harass, harm, threaten, or otherwise retaliate against any person who seeks compliance with this ordinance.
- F. Violation of this subsection shall effectuate penalties and relevant criminal charges.

8.42.030 Requirements for Rental Properties.

The following requirements apply to multiunit residences other than units in a common interest development that are not being rented:

- A. Within one hundred eighty (180) days of the effective date of this ordinance codified in this chapter, every landlord shall deliver to each unit a copy of this chapter and a written notice clearly stating:
 - 1. All units are designated nonsmoking units and smoking is prohibited in a unit, including any associated private balcony, porch, deck, or patio, as of the effective date; and
 - 2. Smoking in all common areas or outdoor areas except for specifically designated smoking areas, is a violation of chapter as of the effective date.
- B. Within one hundred eighty (180) days of the effective date of this ordinance codified in this chapter, every landlord shall provide prospective tenants with written notice clearly stating that:
 - 1. Smoking is prohibited in units, including any associated unenclosed area including a private balcony, porch, deck, or patio, as of the effective date; and
 - 2. Smoking is prohibited in all common areas and outdoor areas, except for specifically designated smoking areas as defined above or by the Morgan Hill municipal code previously, as of the effective date.
- C. As of the effective date, the person or persons with legal control over common areas shall post and maintain clear and unambiguous “No Smoking” signs at entrances and exits, in common areas, and in conspicuous places adjoining the property grounds.
 - 1. In addition, as of the effective date, the person or persons with legal control over the multiunit residence shall post and maintain signs in sufficient numbers and locations in the multiunit residence to indicate that smoking is prohibited in all units.

2. The absence of signs shall not be a defense to a violation of any provision of this chapter.
 3. "No Smoking" signs shall be clearly, sufficiently, and conspicuously posted on the building or other places where smoking is regulated by this chapter by the owner, operator, manager or other person having control of such building or other places.
 - (i) They are not required inside or on doorways of units except for hotels or motels that meet the criteria listed in California Civil Code section 1940, subdivision (b)(2)
 4. As defined in this code, and this chapter, "No Smoking" signage shall include:
 - (i) letters not less than one inch in height and
 - (ii) the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it)
- D. Landlords with knowledge of violations shall take reasonable steps to investigate and enforce the regulations, including a written notice to the resident of the landlord's knowledge of the violation, a request to cease the violation, and the course of action to be taken if the violation is not corrected.

8.42.040. Requirements for Common Requirements for Common Interest Developments.

The following requirements apply to common interest developments:

- A. As of the effective date, the HOA shall provide to all owners of units a copy of this chapter and written notice clearly stating that:
 1. Smoking is prohibited in units, including any associated private balcony, porch, deck, or patio; and
 2. Smoking is prohibited in all common areas and outdoor areas except for specifically designated smoking areas as designated by this code or the persons with legal control over the property as defined by this Code.
- B. As of the effective date, every seller of a unit shall provide prospective buyers or renters, a copy of this chapter and written notice clearly stating that:
 1. Smoking is prohibited in units, including any associated private balcony, porch, deck, or patio; and
 2. Smoking is prohibited in all common areas and outdoor areas except for specifically designated smoking areas as designated by this code and/or the persons with legal control over the property as defined by this ordinance.
- C. As of the effective date, the HOA, or any person having legal ownership or control over common areas, shall post and maintain clear and unambiguous "No Smoking" signs in sufficient numbers and locations in the common interest development to make it obvious to a reasonable person that smoking is prohibited throughout the common interest

development. The absence of signs shall not be a defense to a violation of any provision of this chapter.

- D. HOAs with knowledge of violations shall take reasonable steps to investigate and enforce the regulations, including a written notice to the resident of the HOA's knowledge of the violation, a request to cease the violation, and the course of action to be taken if the violation is not corrected.
- E. The HOA shall also distribute resources provided for free by the City of Morgan Hill and/or the County of Santa Clara to assist with nicotine dependence, such as referrals to quitline or any other educational online resources.

18.24.050 Interpretation.

- A. The provisions of this chapter shall be liberally construed to protect the public health to the maximum effect possible.
- B. Notwithstanding (1) any provision of this chapter or of this code, (2) any failure by any person to restrict smoking under this chapter, or (3) any explicit or implicit provision of this code that allows smoking in any place—nothing in this code shall be interpreted to limit any person's legal rights under other laws with regard to smoking, including rights in nuisance, trespass, property damage, and personal injury or other legal or equitable principles.
- C. Any violation of this chapter is hereby declared to be a public nuisance. Nonconsensual exposure to smoke from smoking occurring on or drifting into residential property is a nuisance.

18.24.060 Violations and Penalties.

- A. No landlord, his or her designee, or person with legal control over any multiunit residence shall permit smoking anywhere on the premises of the multiunit residence outside of the designated smoking areas as stated in this code.
- B. Any person who violates any provision of this chapter shall be guilty of an infraction punishable by:
 - 1. A fine, not exceeding one hundred dollars (\$100), for the first violation;
 - 2. A fine, not exceeding two hundred fifty dollars (\$250), for a second violation of this chapter;
 - 3. A fine, not exceeding five hundred dollars (\$500), for each additional violation of this chapter.
- C. Every violation of this ordinance that occurs shall be considered a separate violation.
- D. If three violations occur in one calendar year, the person shall be found guilty of a misdemeanor. However, Title 1 of the Morgan Hill Municipal Code allows for the City Attorney and/or his designee to exercise discretionary authority.

- E. No person shall intentionally or recklessly expose another person to smoke in response to that person's effort to achieve compliance of this chapter. Causing, permitting, aiding, abetting, or supporting the actions of any person in this code shall also constitute a violation of this chapter.
- F. Any person may bring a civil action to enforce this article to prevent future violations and may sue to recover actual or statutory damages, including court costs, and attorney fees.

Section 2. Severability. Should any provision of this ordinance be deemed unconstitutional or unenforceable by a court of competent jurisdiction, such provision shall be severed from the ordinance, and such severance shall not affect the remainder of the ordinance.

Section 3. Effective Date; Posting. This Ordinance shall take effect on _____, 20__.
The City Clerk is hereby directed to publish this Ordinance or a summary thereof pursuant to Government Code Section 36933.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 4th DAY OF SEPTEMBER, 2024, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE _____ DAY OF _____, 20__, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

APPROVED:

ATTEST:

MARK TURNER, Mayor

MICHELLE BIGELOW, City Clerk

CERTIFICATE OF THE CITY CLERK

I, MICHELLE BIGELOW, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. XXXX, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the XX day of XX, 2024.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

MICHELLE BIGELOW, City Clerk

CITY COUNCIL STAFF REPORT

MEETING DATE: September 4, 2024

PREPARED BY:

Michelle Bigelow, City Clerk

APPROVED BY: City Manager

APPROVE SUPPORT OF THE CAL CITIES RESOLUTION TO BE CONSIDERED AT THE 2024 ANNUAL CONFERENCE

RECOMMENDATION(S)

1. Confirm "support" for the resolution to be considered on "Fair and Equal Treatment of All Government Officials at All Levels of Government"; and
2. Authorize the City's voting delegate(s) to vote on the resolution to be considered at the Cal Cities annual conference.

COUNCIL PRIORITIES, GOALS & STRATEGIES

City Council Ongoing Priorities

Fostering a Positive Organizational Culture

Preserving and Cultivating Public Trust

REPORT NARRATIVE:

Cal Cities is holding its Annual Conference on October 16 - 18, 2024. At the Annual Conference, Cal Cities will conduct its General Assembly Meeting, at which members vote on resolutions from member cities and elected officials. These resolutions help guide cities and Cal Cities in their efforts to improve the quality, responsiveness, and vitality of local government in California. This year, one resolution has been introduced for consideration at the conference. Cal Cities bylaws provide that each city is entitled to one vote on matters affecting municipal or League policy. The voting delegate and/or alternate(s) must be registered for the conference and present to vote. At the August 28, 2024, City Council meeting, the Council appointed Mayor Mark Turner as the primary voting delegate and Mayor Pro Tem Marilyn Librers and Council Member Yvonne Martinez Beltran as alternate voting delegates.

The General Assembly Meeting will be held on Friday, October 18 at 8:30 a.m. to consider the resolution that has been brought forward:

A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR THE CALIFORNIA LEGISLATURE TO ENACT LAWS THAT ENSURE THAT "WHAT APPLIES TO ONE, APPLIES TO ALL" IN THE FAIR AND EQUAL TREATMENT OF ALL GOVERNMENTAL OFFICIALS AT ALL LEVELS IN THE

STATE OF CALIFORNIA

By approving the recommendation, our Cal Cities representatives will have the Council's general guidance for the resolution vote and are authorized to vote on amendments in the manner they deem to be in the best interest of the City.

COMMUNITY ENGAGEMENT:

This report serves to inform the community of the Cal Cities business item for consideration.

ALTERNATIVE ACTIONS:

Council could decide to not support the recommended actions.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

Each year, the City Council appoints voting delegates to attend and vote at Cal Cities Annual Conference. When Cal Cities has resolutions for consideration, the City Council takes a position on those resolutions.

FISCAL AND RESOURCE IMPACT:

The cost of the conference registration is included in the adopted FY 2024-25 City Council budget

CEQA (California Environmental Quality Act):

Not a project.

Proposals for state legislation are not projects, as defined in Section 15378 of the State CEQA guidelines



**2023-2024
CAL CITIES OFFICERS**

President

Daniel T. Parra
Mayor
Fowler

First Vice President

Lynne Kennedy
Mayor Pro Tem,
Rancho Cucamonga

Second Vice President

Gabe Quinto
Council Member,
El Cerrito

Immediate Past President

Ali Sajjad Taj
Mayor Pro Tem,
Artesia

**Executive Director
and CEO**

Carolyn M. Coleman

August 28, 2024

TO: Mayors, Council Members, City Managers, and City Clerks

RE: Cal Cities 2024 Resolution Packet

Sixty days before the Cal Cities [Annual Conference and Expo](#), Cal Cities members may submit resolutions on issues of importance to cities. This year, Cal Cities received one resolution by the Aug. 17 deadline.

The attached packet contains the proposed resolution, supporting letters from city officials, and an analysis of the resolution by Cal Cities. The packet includes detailed information on the resolution process.

We encourage each city council to consider the resolution and determine a city position so your voting delegate can represent your city's position on the resolution.

Voting Delegates: City councils must appoint a voting delegate to vote during the General Assembly. Each city may also appoint up to two alternate delegates. If your city has not already done so, please appoint your voting delegate by Sept. 25. [The voting delegate packet](#) contains more information.

The Cal Cities 2024 General Assembly will be held Oct. 18 at 8:30 a.m. in the Long Beach Convention Center during the [Annual Conference and Expo](#).

For questions about resolutions, voting delegates, or the General Assembly, please contact [Zach Seals](#).



LEAGUE OF
**CALIFORNIA
CITIES**

2024 **Resolutions Packet**

Information on 2024 Resolutions Process

Consideration by Policy Committee (pre-conference)

Per the Cal Cities bylaws, the Cal Cities President has referred the submitted resolution to the [Governance, Transparency, and Labor Relations Policy Committee](#). The committee will meet on Oct. 3 at 10 a.m. via Zoom to review the resolution and make a recommendation that will be sent to the Resolutions Committee. A public comment period will be held during the meeting. Register for the meeting [here](#).

A list of recommendations the policy committee may make during its meeting are on page three of this packet.

Consideration by Resolutions Committee (during conference)

On Oct. 17 at 1:30 p.m. the Resolutions Committee will meet to review the resolution and the recommendation of the policy committee.

The Resolutions Committee consists of one representative from each of Cal Cities caucuses, departments, divisions, and policy committees, as well as up to ten additional appointments made by the Cal Cities President. A public comment period will be held during the meeting. Refer to the onsite conference program for the location.

A list of recommendations the Resolutions Committee may make during its meeting are on page three of this packet.

Consideration by the General Assembly (during conference)

The General Assembly will convene on Oct. 18 at 8:30 a.m. to consider any qualified resolutions. To vote during the General Assembly, voting delegates must have checked-in at the voting delegate booth.

Conference attendees will receive materials for the General Assembly on the evening of Oct. 17. For more information on voting and discussion procedures during the General Assembly, see page four of this packet.

Petitioned Resolutions (during conference)

The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. To initiate a petitioned resolution, voting delegates from 10% of member cities must sign the petition. The resolution and signatures are due at least 24 hours before the beginning of the General Assembly. Voting delegates who have checked-in at the voting delegate booth can receive more information on petitioned resolutions at the booth onsite.

How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure Cal Cities represents cities with one voice. These policies directly guide Cal Cities' advocacy to promote local decision-making, and lobby against statewide policies that erode local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how resolutions and the General Assembly work.

Prior to the Annual Conference and Expo

General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance

to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members

review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during

the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved¹ by either a policy committee

or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go to the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.²

General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, and policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates—one from every member city.

Seven **policy committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, and municipal department, as well as individuals appointed by the Cal Cities president.

¹ The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

² Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).

Policy Committee and Resolutions Committee Actions

The submitted resolution will be heard by the policy committee to which it was assigned, and the Resolutions Committee. The below table shows what recommendations these bodies may make on the resolution.

Policy Committee Actions	Resolutions Committee Actions
Approve	Approve
Disapprove*	Disapprove*
No Action	No Action
Amend and approve	Amend and approve
Refer to appropriate policy committee for further study*	Approve as amended
Refer as amended to appropriate policy committee for further study*	Refer to appropriate policy committee for further study*
	Refer as amended to appropriate policy committee for further study*
	Approve with additional amendment(s)
	Additional amendments and refer to appropriate policy committee for further study*

**If a resolution is disapproved or referred for further study by all policy committees to which it is assigned and the Resolutions Committee, it will not proceed to the General Assembly.*

General Assembly Voting and Discussion Procedures

Discussion Procedures:

Discussion procedures during the General Assembly are guided by two calendars: the Consent Calendar and the Regular Calendar. As seen below, resolutions are calendared by the recommendations they receive from policy committees and the Resolutions Committee.

For General Resolutions:

Policy Committee Recommendation	Resolutions Committee Recommendation	Calendar
Approve	Approve	Consent Calendar
Approve	Disapprove or refer	Regular Calendar
Disapprove or refer	Approve	Regular Calendar
Disapprove or refer	Disapprove or refer	Does not proceed to General Assembly

For Petitioned Resolutions:

Policy Committee Recommendation	Resolutions Committee Action	Calendar
N/A	Approve	Regular Calendar
	Disapprove or Refer	Regular Calendar
	Disqualified	Does not proceed to General Assembly

Items on the Consent Calendar will be presented as one motion during the General Assembly from the Resolutions Committee chair. Unless an item on the Consent Calendar is set aside by the majority of the General Assembly, a vote will be taken on the whole calendar. If an item is set aside, it will be opened for discussion, followed by a vote.

Items on the Regular Calendar will be presented individually by the Resolutions Committee chair. After a recommendation is presented by the Resolutions Committee chair, the resolution will be opened for discussion by the General Assembly. A vote will take place following discussion.

Voting Procedures:

Per Cal Cities Bylaws Article XII, Sec. 2, all votes will be conducted by voice vote first. If the presiding official cannot determine the outcome a vote will be taken by an alternative method, typically a raise of voting cards by voting delegates. A roll call vote may be called for by delegates of ten percent or more of the General Assembly.

2024 Resolution

1. Resolution on Fair and Equal Treatment of All Governmental Officials at All Levels submitted by City of Glendora
 - Letters of concurrence submitted by:
 - i. April A. Verlato, Mayor, City of Arcadia
 - ii. Robert Gonzales, Mayor, City of Azusa
 - iii. Tim Hepburn, Mayor, City of La Verne
 - iv. Bill Uphoff, Mayor, City of Lomita
 - v. John M. Cruikshank, Mayor, City of Rancho Palos Verdes
 - Referred to Governance, Transparency, and Labor Relations Policy Committee
 - Policy Committee Recommendation:
 - Resolutions Committee Recommendation:

**Resolution No. 1: Fair and Equal
Treatment of All Governmental
Officials at All Levels submitted by
City of Glendora**

1. A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR THE CALIFORNIA LEGISLATURE TO ENACT LAWS THAT ENSURE THAT “WHAT APPLIES TO ONE, APPLIES TO ALL” IN THE FAIR AND EQUAL TREATMENT OF ALL GOVERNMENTAL OFFICIALS AT ALL LEVELS IN THE STATE OF CALIFORNIA

Source: City of Glendora

Concurrence of five or more cities/city officials

City Officials: April A. Verlato, Mayor, City of Arcadia; Robert Gonzales, Mayor, City of Azusa; Tim Hepburn, Mayor, City of La Verne; Bill Uphoff, Mayor, City of Lomita; John M. Cruikshank, Mayor, City of Rancho Palos Verdes

Referred to: Governance, Transparency and Labor Relations Policy Committee

WHEREAS, the General Assembly of the League of California Cities objects to the practice of the California Legislature of imposing rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials of the State of California; and

WHEREAS, examples of such rules or regulations that apply to local city elected officials that do not otherwise apply to the elected officials of the State of California include, but are not limited to:

California's open meeting rules, codified in the Ralph M. Brown Act, Government Code, Chapter 9, §§ 54950 *et seq.*, which purport to “declare[] that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly,” but which limits its application to “local agencies,” but not including elected officials of the State of California;

Creating “one-off” exemptions, in the form of Senate Bill No. 174, from the California Environmental Quality Act (“CEQA”) which purportedly requires all government agencies to consider the environmental consequences of their actions before approving plans and policies or committing to a course of action on a project in order to demolish and then rebuild State offices for the Governor and other State officials;

Adopting rules, in the form of Senate Bill No. 1439, amending the Political Reform Act (the "Act"), by removing the exception for local elected officers from contribution limits requiring disqualification on development project decisions," but not including elected officials of the State of California;

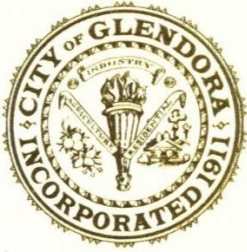
Adopting rules, in the form of Assembly Bill No. 571, that apply to city and county candidates for local elected office, but not to candidates for state-wide office, including, but not limited to: prohibiting the making a contribution over the AB 571 limit to another candidate in jurisdictions subject to the AB 571; requiring a candidate that has qualified as a committee to establish a separate controlled committee and campaign bank account for each specific office; prohibiting a candidate from redesignating a committee for one election for another election.

WHEREAS, the General Assembly of the League of California Cities now calls upon the Governor and the California Legislature to adopt a policy, practice, and procedure requiring, in their legislative activities, that "what applies to one applies to all."

NOW, THEREFORE, BE IT RESOLVED at the League General Assembly, assembled at the League Annual Conference on October 18, 2024 in Long Beach, California, that the League calls upon the Governor of the State of California and the elected members of the California Legislature, including all members of the Senate and Assembly to adopt the following policy:

"The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

Resolution No. 1: Letters of Concurrence



July 10, 2024

The City Council of Glendora
is proposing the following resolution for consideration at the
California League of Cities annual conference
on
October 18, 2024

Proposed Resolution: ("To ensure fairness and equal treatment for all government officials in
California")

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

The following five city council members are in concurrence with their letters of support (attached):

- ✓ Mayor John Cruikshank, City of Rancho Palos Verdes
- ✓ Mayor Bill Uphoff, City of Lomita
- ✓ Mayor Robert Gonzales, City of Azusa
- ✓ Mayor April Verlato, City of Arcadia
- ✓ Mayor Tim Hepburn, City of La Verne

Please confirm receipt of this request.

Sincerely,

Michael Allawos
Council Member
City of Glendora



April A. Verlato
Mayor

July 9, 2024

Honorary Mike Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

RE: Support for "Glendora CalCities Resolution"

Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,

April A. Verlato
City of Arcadia Mayor

240 West Huntington Drive
Post Office Box 60021
Arcadia, CA 91066-6021
(626) 574-5403 City Hall
averlato@ArcadiaCA.gov
www.ArcadiaCA.gov

July 8, 2024

Hon. Michael Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

Councilmember Allawos:

I would like to support Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024:

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution "

I am an elected representative for the City of Azusa . We should all have the same rules to be governed by.

Sincerely,



Mayor Robert Gonzales

*The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.



CITY OF LA VERNE CITY HALL

3660 "D" Street, La Verne, California 91750-3599
www.cityoflaverne.org

July 8, 2024

Ms. Kathleen Sessman
Glendora City Clerk
116 E. Foothill Blvd.
Glendora, California 91741

Re: Item 14 – Cal Cities Annual Conference Resolution

Dear Ms. Sessman:

As the Mayor of the City of La Verne, I would like to voice support for Glendora's timely and needed resolution, within agenda item #14, for the upcoming League of California Cities (Cal Cities) annual conference this coming October 18, 2024.

In its simplistic form, the proposed Resolution states what we all believe should be true for each and every elected official: We should all have the same rules to be governed by. No matter what level of government an official is elected to, we are here to do the people's work and be their collective voices. The Resolution simply states:

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

Whether the State Legislature or Governor heed our collective voices, we at the local level, through our Cal Cities membership, will have demonstrated our resolve that the basic leadership characteristic of leadership by example is the best approach to holding elective office.

Sincerely,

Tim Hepburn
Mayor

General Administration 909/596-8726 • Water Customer Service 909/596-8744 • Community Services 909/596-8700
Public Works 909/596-8741 • Finance 909/596-8716 • Community Development 909/596-8706 • Building 909/596-8713
Police Department 909/596-1913 • Fire Department 909/596-5991 • General Fax 909/596-8737

Bill Uphoff
Lomita, CA

July 8, 2024

Hon. Mike Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

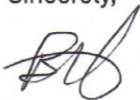
Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,



Bill Uphoff, Mayor
City of Lomita

The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.

John M. Cruikshank
Rancho Palos Verdes, CA

July 6, 2024

Hon. Mike Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,



John M. Cruikshank, Mayor
City of Rancho Palos Verdes

The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.

Resolution No. 1: Staff Analysis

League of California Cities Staff Analysis on Resolution No. 1

Staff: Johnnie Pina, Legislative Affairs, Lobbyist
Committee: Governance, Transparency, and Labor Relations

Summary:

This Resolution states that the League of California Cities shall call upon the Governor of the State of California and the elected members of the California Legislature, including all members of the Senate and Assembly to adopt the following policy:

“The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution.”

Background:

This resolution states that examples of the California Legislature imposing rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials of the State of California include, but are not limited to:

- California's open meeting rules, codified in the **Ralph M. Brown Act**, Government Code, Chapter 9, §§ 54950 *et seq.*;
- “One-off” exemptions, in the form of Senate Bill No. 174, from the **California Environmental Quality Act (“CEQA”)**;
- Rules, in the form of **Senate Bill No. 1439**, amending the **Political Reform Act** (the “Act”); and
- Rules, in the form of **Assembly Bill No. 571**, that apply to city and county candidates for local elected office, but not to candidates for state-wide office.

Ralph M. Brown Act

[The California Attorney General's \(AG\) Office](#) defines [The Ralph M. Brown Act](#) (Brown Act) as what governs meetings conducted by local legislative bodies, such as boards of supervisors, city councils and school boards. The AG's office states the Act represents the Legislature's determination of how the balance should be struck between public access to meetings of multi-member public bodies on the one hand and the need for confidential candor, debate, and information gathering on the other.

[The Ralph M. Brown Act](#) governs local agencies, the [Bagley-Keene Open Meeting Act](#) covers all state boards and commissions, and [Government code](#)

[9027](#) governs the state Legislature. The California Constitution also mandates open meetings for state agencies, boards, and commissions. Specifically, the Constitution requires that each local agency comply with the Brown Act (Article I, section 3(b)(7)): and that the proceedings of each house of the Legislature be open and public (with exceptions for employment matters; matters affecting security; confer with legal counsel; and to meet as a caucus (Article IV, section 7)).

Although fairly detailed requirements apply to state agencies and other state bodies, they do not apply to the Legislature. The Legislature has Constitutional authority to adopt rules for its proceedings that are consistent with the requirement that the proceedings of each house and the committees be open and public.

Another notable difference between the Legislature and a city council is the ability for Legislators to have a caucus to discuss a bill, express how they will vote, and to count votes. This is not allowed under the Brown Act. One other difference is that the laws governing teleconferencing for members of the state Legislature is far less flexible than it is for local bodies. However, state agencies have more flexibility than locals in that regard.

California Environmental Quality Act (“CEQA”)

The Resolution cites the Legislature's action in exempting from CEQA the reconstruction of the State Capitol Annex building. The State Legislature enacted the [California Environmental Quality Act \(CEQA\)](#) in 1970, establishing it as a public disclosure law for the environmental review of discretionary projects and a process for mitigating or avoiding potential environmental impacts.

[SB 174 \(Committee on Budget and Fiscal Review\)](#) Chaptered by Secretary of State. Chapter 74, Statutes of 2024 was signed into law July 2, 2024. This bill exempts the work performed under the State Capitol Building Annex Act of 2016 from the California Environmental Quality Act (CEQA). In this example the Legislature exempted themselves as not being considered a “public agency,” “state agency,” or “lead agency” under CEQA. A lead agency under CEQA is the public agency that has the principal responsibility for carrying out or approving a project that is subject to CEQA.

Over the years, the Legislature has also created many CEQA exceptions and exemptions for local projects involving local agencies as well.

The Political Reform Act (PRA) - Senate Bill No. 1439

[SB 1439 \(Glazer\)](#) Chaptered by Secretary of State. Chapter 848, Statutes of 2022 amends section 84308 and is aimed at preventing "pay-to-play" practices, in part by prohibiting parties, participants, and their respective agents in a

proceeding involving a license, permit, or other entitlement for use from contributing more than \$250 to an officer of an agency during a 12 month period. When the Levine Act was first enacted in 1982, Section 84308 applied to appointed members of boards and commissions who were running for elective office. SB 1439 expended this law to now apply to local elected officials. Since it is focused on permits and licenses, it now applies to State agencies and local agencies that approve permits and licenses. Section 84308 does not apply to the Legislature or the Courts. It is important to note that unlike local governments, neither issue permits and licenses.

The Political Reform Act (PRA) - Assembly Bill No. 571

[AB 571 \(Mullin\)](#) Chaptered by Secretary of State. Chapter 556, Statutes of 2019 established default campaign contribution limits for county and city office at the same level as the limit on contributions from individuals to candidates for Senate and Assembly, effective January 1, 2021. This bill permitted a county or city to establish its own contribution limits, which would prevail over these default limits.

The Resolution cites AB 571 as an example of treating cities differently than the State. The Fair Political Practices Commission clarifies in their [AB 571 fact sheet](#) that under AB 571 a city may elect to have "no" contribution limit in which case the state contribution limit will not apply as a default for that jurisdiction. A city or county can set contribution limits higher than the default state limit, AB 571 sets a default in line with contributions Assembly Members and Senators if a city or county is silent on contribution limits.

Fiscal Impact:

Unknown.

Existing Cal Cities Policy:

Mission Statement

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

We Believe:

- Local self-governance is the cornerstone of democracy.
- In the involvement of all stakeholders in establishing goals and in solving problems.
- In conducting the business of government with transparency, openness, respect, and civility. The spirit of honest public service is what builds communities.
- Open decision-making that is of the highest ethical standards honors the public trust.
- The vitality of cities is dependent upon their fiscal stability and local autonomy. The active participation of all city officials increases Cal Cities' effectiveness.

- Partnerships and collaborations are essential elements of focused advocacy and lobbying.
- Ethical and well-informed city officials are essential for responsive, visionary leadership and effective and efficient city operations.

Comments:

Additional Examples

The Legislature has passed and the Governor has signed many laws that apply to local governments and do not apply to the state or the state Legislature. This year [AB 2561 \(McKinnor\)](#) was introduced, which requires local governments to present in a public meeting a detailed report about their vacancy rates and detailed information about their hiring practices. This is an attempt to address public sector vacancy rates. This bill does not apply to the state in a time when they are also dealing with high vacancy rates.

Additionally, there were several bills that aim to amend the Levine Act, which now applies to local elected officials, to make changes to SB 1439, referenced previously in the analysis. None of the bills would amend the law to be applicable to Assembly Members or Senators.

[AB 817 \(Pacheco\)](#), co-sponsored by Cal Cities tried to bring parity to the Brown Act by making the teleconference rules for state advisory bodies the same for local advisory bodies but the Legislature struck the bill down.

Applying to elected officials or to the legislative body? Legislature or the State?

The resolution also states, "... applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate."

This portion of the resolve clause is specifically speaking to local elected officials and State Assembly Members and Senators. However, many of the "where as" clauses are in reference to laws that apply to cities, the state and the Legislature as government agencies and not specifically to the elected officials on the governing bodies. For example, the Brown Act applies rules to the Legislative body and not the individual council member. Additionally, the city council as a whole is the lead agency under CEQA and not the individual council members.

Inherent Powers of the Legislative Branch

The resolution also states, "This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

It is unclear what inherent powers of the legislative branch under the California Constitution means in this context. The legislative branch does have the power

of preemption over cities and can state that a change in law is a matter of state wide concern. This allows the legislative branch to apply new laws or amend existing laws to apply to general law and charter cities. It seems like the last sentence of the resolve clause could negate the rest of the resolve clause if not clarified.

Support:

The following letters of concurrence were received:

April A. Verlato, Mayor, City of Arcadia

Robert Gonzales, Mayor, City of Azusa

Tim Hepburn, Mayor, City of La Verne

Bill Uphoff, Mayor, City of Lomita

John M. Cruikshank, Mayor, City of Rancho Palos Verdes