

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of:	February 12, 2009
Item No.:	10
Staff:	Peter Maurer

FILE NUMBER: A08-0013

APPLICANT: El Dorado County Sheriff

REQUEST: Amend Objective 6.1.1 and Policy 6.1.1.1 to incorporate the Local Hazard Mitigation Plan into the Public Health, Safety, and Noise Element of the General Plan

ENVIRONMENTAL DOCUMENT: Addendum prepared to the 2004 General Plan Environmental Impact Report (SCH #2001082030)

SUMMARY RECOMMENDATION: Adopt resolution to amend Objective 6.1.1. and Policy 6.1.1.1

BACKGROUND

In past disaster events, El Dorado County has been successful in receiving 100 percent reimbursement for disaster response costs and recovery projects. Over the course of the last few years, California and other states have seen a dramatic increase in the number of disaster events, each costing millions if not billions in some cases for jurisdictions to recover. With that in mind, state government officials have begun to take a very close look at why so many homes are destroyed, people injured or worse, and what action local jurisdictions are taking to correct the problem. What they found was that lessons learned from past disasters were not being included in General Plans and zoning ordinances as a means of preventing, and or mitigating future impacts from disaster events on new building and sub-divisions. To correct this problem and motivate local officials to take a proactive stance, AB 2140 was enacted and became law on January 1, 2007.

In order to maintain the 100 percent funding for disaster response, the County must comply with two elements of the bill:

- a. **Have a FEMA-approved Local Hazard Mitigation Plan (LHMP) that identifies potential disaster level events that can impact our county, and includes policies, objectives and measures for prevention and mitigation.**

The County adopted the plan on March 29, 2005. Amendments were made in May of that year updating EID's and the City of Placerville's responses to disasters. The plan has been approved by FEMA.

- b. **That the Board of Supervisors include by resolution the LHMP into the county's "Safety" Element of the General Plan.**

This action has not happened yet and therefore is the purpose of the action before you.

The LHMP is a large document that is posted on the Sheriff's Office web site. It can be downloaded and viewed by visiting their web site and looking up the following document:

http://www.co.el-dorado.ca.us/sheriff/oes_mitigation_plan.pdf

STAFF ANALYSIS

The Office of Emergency Services (OES) is responsible for responding to natural and man-made disasters, as well as preparing for such responses. Disasters may include wildfires, floods, avalanches, hazardous spills, and other events that threaten the lives and well-being of the County's residents. The LHMP is a multi-jurisdictional plan, serving also the cities of Placerville and South Lake Tahoe, as well as utilities in the county and the Office of Education.

Based on discussion with the State OES Mitigation Officer, in order for the County to comply with AB 2140, a resolution adopting the LHMP into the Safety Element of the local agencies General Plan must be adopted by the Board of Supervisors. Attached is a proposed resolution for that purpose. By taking no action, the County's funds for disaster response would be reduced to 75 percent of the costs of that response.

This state law also required that an analysis of critical public facilities be undertaken. While this study is nearly complete, SB 1764 modified the previous statute so that it is not required to be completed to meet the provisions of AB 2140. Staff proposes that the LHMP be adopted by reference into the General Plan with the following amendment to Objective 6.1.1 and Policy 6.1.1.1:

Public Health, Safety, and Noise Element

GOAL 6.1: COORDINATION

A coordinated approach to hazard and disaster response planning.

OBJECTIVE 6.1.1: EL DORADO COUNTY OPERATIONAL AREA MULTI-JURISDICTIONAL LOCAL HAZARD EMERGENCY OPERATIONS FUNCTIONAL MITIGATION PLAN

The El Dorado County ~~Operational Area Multi-Jurisdictional Local Hazard Emergency Operations Functional Mitigation~~ Plan shall serve as the implementation program for this Goal.

Policy 6.1.1.1 The El Dorado County ~~Operational Area Multi-jurisdictional Local Hazard Emergency Operations Functional Mitigation~~ Plan (LHMP) shall serve as the implementation program for the coordination of hazard planning and disaster response efforts within the County and is incorporated by reference into this Element. The County will ensure that the ~~El Dorado County Operational Area Multi Hazard Emergency Operations Functional Plan~~ LHMP is updated on a regular basis to keep pace with the growing population.

ENVIRONMENTAL REVIEW

An addendum to the 2004 General Plan Environmental Impact Report has been prepared discussing whether the proposed amendment changes the impacts identified in that document and if any new impacts or mitigation measures have been identified. No new impacts or measures were identified, and the project is not a substantial change to the General Plan.

In addition to the impacts and mitigation measures discussed in the EIR, the plan also addresses storm drainage and geologic hazards, which were not identified as significant impacts in the EIR. The means by which these hazards are addressed in the LHMP is similar to and compatible with the General Plan.

RECOMMENDATION

Forward a recommendation to the Board of Supervisors to take the following action:

1. Approve the addendum to the 2004 General Plan EIR; and
2. Adopt the Resolution amending Objective 6.1.1 and Policy 6.1.1.1 of the Public Health, Safety, and Noise Element, based on the findings in Attachment 2.

SUPPORT INFORMATION

Attachments:

Attachment 1	Resolution Adopting General Plan Amendment
Attachment 2	Findings
Attachment 3	Addendum to General Plan EIR
Attachment 4	Letter from Sheriff's Office of Emergency Services
Attachment 5	AB 2140
Exhibit A	Amendment to Objective 6.1.1 and Policy 6.1.1.1

ATTACHMENT 2

FINDINGS FOR APPROVAL

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Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

1.0 CEQA Findings

- 1.1 The proposed change to Objective 6.1.1 and Policy 6.1.1.1 is not a substantial change and does not require substantial changes to the previous EIR because there are no new significant environmental effects and no substantial increases in the severity of previously identified significant effects. Changes in the severity of the impacts will not increase for all impacts, as described in the addendum and in the staff report.
- 1.2 Substantial changes to the previous EIR are not required due to the lack of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Hazard mitigation plan implements the General Plan and its policies and does not create or result in new environmental effects.
- 1.3 An addendum to the 2004 General Plan EIR is appropriate for compliance with CEQA, pursuant to 14 CCR §15164, based on the following:
 - 1.3.1 No new significant effects have been identified as a result of the proposed amendment to Objective 6.1.1 and Policy 2.2.5.20 than those analyzed in the 2004 General Plan EIR, as discussed in the addendum and staff report.
 - 1.3.2 As discussed in the addendum and staff report, each of the significant effects examined in the EIR and addressed Hazard Mitigation Plan will not be substantially more severe than shown in the previous EIR;
 - 1.3.3 No mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and
 - 1.3.4 No mitigation measures or alternative that are considerably different from those analyzed in the previous EIR have been identified that would substantially reduce one or more significant effects on the environment.

2.0 Administrative Findings

- 2.1 Adoption of the Hazard Mitigation Plan and incorporation of said plan into the General Plan is consistent with State of California Assembly Bill 2140 and Senate Bill 1764.