



FLOODING AHEAD: PLANNING FOR SEA LEVEL RISE

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ISSUE

What actions can the County of San Mateo, and the 20 cities and two relevant local special agencies within the county, take now to plan for sea level rise?

SUMMARY

San Mateo County is at severe risk for sea level rise (SLR) over the period 2015-2100. The County, and the 20 cities and two relevant local special agencies within the county,¹ do not have a coordinated approach to address *existing* problems related to flooding and are not prepared for the added challenge of SLR. This investigation documents the countywide risk that SLR poses to people, property, and critical infrastructure. For example, wastewater treatment plants are highly vulnerable to SLR and this vulnerability presents significant problems for all cities, not just those along the coast and bay.

This Grand Jury report discusses ways to get organized to plan for SLR, as well as alternative sources of funding for SLR-related projects. Based on this investigation, the Grand Jury recommends that a single organization undertake SLR planning on a countywide basis. This report also examines ways to address SLR as part of local land use planning and recommends including SLR-related policies in local General Plans. It also recommends implementation of a coordinated program to raise public awareness of SLR, particularly as to how it may impact this county. Finally, the report highlights the need for effective and coordinated advocacy at the regional, State, and federal levels.

The Grand Jury strongly urges action *now* to undertake countywide planning for SLR. By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, such as those that may be triggered by new FEMA flood hazard maps. By acting now, San Mateo County jurisdictions may apply land use planning measures to mitigate future exposure to SLR. Finally, by acting now to address SLR, San Mateo County can also address the lack of coordination among jurisdictions that is evident in existing flood prevention efforts. Notably, this lack of coordination places the county at a severe disadvantage when applying for federal or State monies for flood protection.

GLOSSARY

County of San Mateo or **County**: County government under the Board of Supervisors

San Mateo County or **SMC**, or **county**: the geographic entity. Local governments and residents collectively.

¹ The two relevant special agencies with responsibilities for flood prevention are the County Flood Control District and the San Francisquito Creek Joint Powers Authority.

Levees: includes levees, horizontal levees, walls, dikes, and similar structures designed to prevent flooding along the coast, bay shoreline, and along creeks subject to tidal flows

Local officials: elected and appointed officials and staff of the County, cities, and special agencies within the county, interviewed by the jury

CEQA: California Environmental Quality Act. A law governing the environmental review process, including the preparation of environmental impact reports, to be used by local governments when considering proposed new developments.

JPA: Joint Powers Authority. A separate government agency created by its member agencies (such as cities and counties), typically with officials from the member agencies on its governing board. JPAs are formed for specific purposes and to exercise powers commonly held by the member agencies. For example, two or more cities may form a JPA to manage a common government function, such as fire protection for their jurisdictions, where it is more cost-effective to act together than separately.

Specific Agencies

BCDC: San Francisco Bay Conservation and Development Commission. A State agency with permit authority over new development along the San Francisco Bay shoreline. BCDC requires an SLR risk assessment for any new development within its jurisdiction. It published the report *Living with a Rising Bay: Vulnerability and Adaptation in San Francisco Bay and on Its Shoreline* (2011).

C/CAG: City/County Association of Governments of San Mateo County. A JPA formed by the County of San Mateo and all 20 cities within the county for various purposes including, for example, oversight of a regional transportation Congestion Management Program.

CCC: California Coastal Commission. A State agency with permit authority over new development along the coast. CCC requires an SLR risk assessment for new development within its jurisdiction.

CEC: California Energy Commission. A State agency responsible for energy policy and planning, including research. It published the reports *The Impacts of Sea Level Rise on the San Francisco Bay* (2012) and *Climate Change Scenarios and Sea Level Rise Estimates for California* (2009).

CO-CAT: Coastal and Ocean Working Group of the California Climate Action Team. A working group of senior staff from 17 State agencies with ocean and coastal resource management responsibilities. It issued the *State of California Sea-Level Rise Guidance Document* (2013) for use by State agencies as part of their assessments and decisions.

FEMA: Federal Emergency Management Administration. A federal agency whose responsibilities include preparing Flood Insurance Rate Maps that depict areas subject to

inundation by a “100-year storm.”² At present, FEMA does not map flood hazards based on anticipated future sea levels.

NRC: National Research Council. An operating arm of the National Academy of Sciences and the National Academy of Engineering, a private nonprofit institution. It published the report *Sea Level Rise for the Coasts of California, Oregon and Washington: Past, Present and Future* (2012).

SCC: State Coastal Conservancy. A State agency that purchases, protects, restores, and enhances coastal resources. Currently supports preparation of local coastal plans and vulnerability assessments in San Mateo County that address SLR.

BACKGROUND

San Mateo County (SMC) residents are at severe risk for flooding due to projected sea level rise (SLR) over the period 2015-2100. In fact, SLR is already occurring. Measurements at the San Francisco Tide Station at the Golden Gate show eight inches of SLR between 1897 and 2006, consistent with figures from around the world.³

The precise amount and rate of SLR are unknown, but State agencies have consistently advised that seas are rising at “accelerating rates,” and project SLR ranging up to 65 inches (167 centimeters) by the year 2100.⁴ One scientist advised SMC officials of the possibility of even greater SLR, nearly 15 feet, during this century.⁵

² A “100-year-storm” is used to define a rainfall event that statistically has a one percent chance of occurring in any given year. However, it is not the storm that will occur once every 100 years. Rather, it is the rainfall totals that have a one percent chance of being equaled or exceeded each year.

³ Matthew Heberger et al. (Pacific Institute) 2012, *The Impacts of Sea Level Rise on the San Francisco Bay*, California Energy Commission (CEC) Publication No. CEC-500-2012-014, pp. 2-3; and San Francisco Bay Conservation and Development Commission (BCDC), *Living with a Rising Bay: Vulnerability and Adaptation in San Francisco Bay and on Its Shoreline*, Staff Report, October 6, 2011, p. 18.

⁴ In 2008, Governor Schwarzenegger issued an executive order requiring State agencies to prepare SLR scenarios for the years 2050 and 2100 to “assess project vulnerability, reduce expected risks, and increase resilience to sea level rise.” In response, the Coastal and Ocean Working Group of the California Climate Action Team (CO-CAT), representing 17 State agencies, proposed interim SLR projections for the year 2100 ranging from 31 to 69 inches, grouped into “low,” “medium,” and “high” models (based on a 2009 CEC study). For some planning purposes, agencies such as BCDC focused on 55 inches of SLR, the average projection in the “high” model. However, CO-CAT urged agencies to “select SLR values based on agency and context-specific considerations of risk tolerance and adaptive capacity.” (See BCDC, *Living with a Rising Bay*, pp. 9, 20-22.) In 2012, the National Research Council (NRC) issued a report *Sea Level Rise for the Coasts of California, Oregon and Washington: Past, Present and Future*. The report projects SLR ranging from about 16 inches to 65 inches (42 to 167 centimeters) by the year 2100. The NRC report was commissioned by California, Oregon, and Washington State agencies, by the National Oceanic and Atmospheric Administration (NOAA), the U.S. Army Corps of Engineers, and the U.S. Geological Survey. CO-CAT now considers the NRC report to be the “best available science” on SLR for this state, but allows State agencies to use the projections “in a flexible manner” in their assessments or decisions. (See CO-CAT, *Sea-Level Rise Guidance Document*, March 2013, p. 1, and California Coastal Commission (CCC), *Draft Sea Level Rise Policy Guidance*, October 14, 2013, p. 4.)

⁵ John Englander, Conference Speech at Jackie Speier, Rich Gordon, and Dave Pine, “Meeting the Challenge of Sea Level Rise in San Mateo County,” December 9, 2013, College of San Mateo Theatre, San Mateo, CA.

Scientists have identified the major sources of SLR: an increase in water temperature causing expansion of the oceans, plus the addition of water from melting glaciers.⁶ Based on scientific studies, State agencies warn that additional SLR is now *inevitable*.⁷

Most discussions of SLR focus on the cause (climate change) and means of prevention (such as reducing carbon emissions). This Grand Jury report is not about preventing SLR, but rather about *adaptation* to SLR. Adaptation includes measures such as constructing or modifying levees, elevating structures, restoring wetlands, or abandoning low-lying areas.

This report addresses SLR that is projected to gradually increase through the year 2100. Although this may seem to stretch far into the future, it is within the lifespan of younger residents and the useful life of many existing buildings and infrastructure. Substantial areas of the county are *already* within existing FEMA flood insurance rate maps. Unless better protected, these areas could feel the first impact of SLR at any time.

Over the last 20 years, there have been incidents of severe flooding in SMC. In December 2014, low-lying basins and levee over-topping were contributing factors when a moderate “five-year”⁸ storm left hundreds of residents homeless.⁹ If the County, cities, and two relevant local special agencies are struggling to address *existing* flood conditions, how will they handle worse conditions in the future?¹⁰

METHODOLOGY

Documents

See Bibliography for a detailed list:

- Federal, State, and regional agency reports
- Consultant studies prepared for government agencies

⁶ The risk is not just SLR alone, that is, a slow rise in sea level until one day the levees are topped. For one thing, SLR can undermine the integrity of existing levees. Even more, the risk lies in the *combination* of SLR, plus the yearly high tides (“king” tides), plus a 100-year storm that causes a storm surge and wave action in the Bay, plus heavy rainwater runoff in creeks. Other factors that influence the risk of flooding due to SLR include changes in land elevation due to earthquakes, and the subsidence, or sinking, of land such as that caused by excess pumping of groundwater. See BCDC, *Living with a Rising Bay*, p. 4; and see Schaaf & Wheeler, Consulting Civil Engineers, *Climate Change Impacts for San Mateo, California*, February 2, 2009, pp. 4-10 (report commissioned by the City of San Mateo).

⁷ “Perhaps the most notable finding from the IPCC is that the effect of GHG emissions will continue long after emissions are reduced. The IPCC projects that global temperature will continue rising for a few centuries before stabilizing. Sea level rise from thermal expansion will continue for centuries to millennia. Sea level rise from ice-sheet melting will continue for several millennia.” BCDC, *Living with a Rising Bay*, p. 9.

⁸ A five-year storm statistically is a storm whose magnitude has a 20% chance of occurrence each year.

⁹ Angela Swartz, “Cleanup Begins: Some Still Can’t Return to Homes Damaged from Storm, CSM Shelter Available,” *San Mateo Daily Journal*, December 16, 2014; a 45-year flood in 1998 that damaged about 1,700 properties was a factor that led to the creation of the San Francisquito Creek JPA. See <http://sfcjpa.org/web/about/agency-overview/>.

¹⁰ The two relevant local special agencies with responsibilities for flood prevention are the San Mateo County Flood Control District and the San Francisquito Creek Joint Powers Authority.

- Information from government websites
- City and county planning documents
- Newspaper articles
- Videos of two conferences on SLR held in San Mateo County

Site Tours

Silicon Valley Clean Water wastewater treatment plant (Redwood Shores)

Interviews

In conducting this investigation, the jury interviewed 14 individuals including two elected officials; four city managers or assistant city managers; four executive directors, general managers, or assistant general managers of three joint powers authorities; and four County of San Mateo appointed officials.

DISCUSSION

San Mateo County's Exposure to Sea Level Rise

As noted earlier, State agencies project SLR within a range of up to 65 inches by 2100. A 2012 report, prepared by the Pacific Institute for the California Energy Commission (CEC), documents the potential impacts on areas around San Francisco Bay of sea level rise of 16 inches by 2050 and 55 inches by 2100.¹¹

The results of the CEC study are startling. Of all the counties in California, SMC is by far the most exposed to SLR, in terms of both the residents and economic value at risk. Assuming 55 inches of SLR, the replacement value of buildings and contents at risk of flooding along the bay is estimated to exceed \$23 billion, while that along the coast is valued at \$910 million (land value is not included in these figures).¹² This is about one-quarter of the statewide total and nearly 40% of the Bay Area total. The dollar figure only hints at the threat to the people and structures within SMC due to SLR:

- 120,000 residents at risk of losing their homes to flooding (also nearly one-quarter of the statewide and 40 percent of the Bay Area totals)¹³
- 110,000 employees at job locations at risk

¹¹ Heberger et al., *The Impacts of Sea Level Rise*, pp. 6-21. As noted in the discussion in footnote 4 of this Grand Jury report, 55 inches is the average of "high" model projections. Thus, it represents a close-to-worst-case scenario (excluding catastrophic SLR discussed elsewhere in this report).

¹² SCC, "San Mateo County Shoreline Vulnerability Assessment," Staff Recommendation, January 29, 2015, p. 2. Valuation of coastal property at risk was not included in the Heberger et al. report but was provided by the Pacific Institute.

¹³ Pacific Institute, "Thematic Maps." <http://www.pacinst.org/publications/sea-level-rise-thematic-maps/>. Based upon 2010 U.S. Census data, the website updates the 110,000 population figure for SMC that was included in Heberger et al.

- 6 wastewater treatment plants at risk
- 1 power plant at risk
- 72 miles of highways at risk
- 420 miles of roads at risk
- 10 miles of railroads at risk
- 78 EPA-regulated hazardous material sites at risk
- 75% of existing wetlands at risk of being “unviable”

The Grand Jury reviewed SLR flood maps prepared by the Pacific Institute, which show the impact of 55 inches of SLR.¹⁴ These maps are included in the Appendix. All of Foster City and substantial areas of Redwood City and San Mateo could be inundated. Serious flooding could also occur in East Palo Alto, Menlo Park, San Carlos, Belmont, Burlingame, Millbrae, San Bruno, and South San Francisco.

The 55-inch SLR flood zone covers important commercial centers including part of South San Francisco’s biotech industrial area, the hotels along Burlingame’s shoreline, numerous shopping areas, business parks, and recreational spaces. Within this floodplain are the headquarters of Visa International in Foster City, Franklin Templeton Investments in San Mateo, Oracle in Redwood Shores, and Facebook in Menlo Park.

Fifty-five inches of SLR waters would flood San Francisco International Airport and the County’s Half Moon Bay and San Carlos Airports. Other County facilities at risk include the new jail under construction and the Government Center, both in Redwood City. The Caltrain line in San Mateo, Burlingame, and Millbrae is threatened. The Port of Redwood City and marinas operated by the County Harbor District at Pillar Point on the coast and at Oyster Point in South San Francisco could be flooded.

The new Kaiser Foundation hospital in Redwood City, the Kaiser Foundation medical office building in San Mateo, the new Palo Alto Medical Foundation medical office building in San Carlos, and the Stanford Health Care medical office buildings in Redwood City are all within the 55-inch SLR flood zone.

On the coast, parts of Half Moon Bay and Pescadero could be flooded. In Pacifica, the potential for SLR has “very serious implications . . . areas of the Sharp Park Golf Course, the Rockaway Beach district, and the West Linda Mar and West Sharp Park neighborhoods could be inundated.”¹⁵ Further, “coastal erosion processes that have caused damage along the high bluffs of Pacifica’s northern neighborhoods would very likely increase in magnitude . . . while there

¹⁴ Pacific Institute, “Impacts of Sea Level Rise on the California Coast.”
http://www2.pacinst.org/reports/sea_level_rise/gmap.html.

¹⁵ Dyett & Bhatia (consultants), *City of Pacifica Draft General Plan*, March 2014, pp. 7-8.

could be new risks of erosion along the length of Pacifica’s coastline in areas that are not currently exposed to wave action erosion. . . .”¹⁶

Countywide Impact—Tax Revenue

Although no exact figure has been calculated, it is evident that the impacts identified above would also have a severe effect on tax revenues from a variety of sources. In particular, a reduction in property tax revenue from SLR flood zones would affect all taxing entities in the county. This might affect the provision of County and city services throughout the county.

Countywide Impact—Wastewater Treatment Plants

The impact of SLR is not limited to jurisdictions touching the ocean or bay. Inundation of wastewater treatment plants would pose severe countywide environmental and health threats. Since sewer systems rely on gravity, treatment plants are often located at sea level, with outflow of treated wastewater into the bay or ocean. The CEC report identified the following plants in SMC as vulnerable with 55 inches of SLR:¹⁷

- Mid-Coast Sewer Authority (includes the city of Half Moon Bay)
- City of Millbrae
- San Francisco International Airport
- City of San Mateo (includes the city of Foster City and part of the town of Hillsborough)
- South Bayside System Authority (now Silicon Valley Clean Water) (includes the cities and towns of Atherton, Belmont, East Palo Alto, Menlo Park, Portola Valley, Redwood City, San Carlos, and Woodside)
- South San Francisco/San Bruno (includes the town of Colma)

In addition to the threat of flooding, it is likely that these plants, and others that pump their treated water into the bay or ocean, will also need to install stronger pumps in order to deal with the increased water pressure at depths that will have increased due to SLR.¹⁸

The State CO-CAT advises that shoreline wastewater treatment plants with no space to relocate inland have “low adaptive capacity and high potential impacts from flooding.” For such facilities, preparing for a higher projected SLR would be prudent.¹⁹

The Grand Jury toured the largest treatment plant, located in Redwood Shores, operated by Silicon Valley Clean Water. It serves 200,000 south county residents. At the plant, key

¹⁶ Ibid.

¹⁷ Heberger et al., *The Impacts of Sea Level Rise*, p. 16. Note also that the City of Brisbane is served by the Southeast Water Quality Control treatment facility in San Francisco, which also appears to be vulnerable to SLR.

¹⁸ Source: Interview.

¹⁹ CO-CAT, *Sea-Level Rise Guidance*, pp. 3-4.

components have been elevated to protect against possible levee failure. However, this does not take into account SLR. Also, staff noted that the treatment plant receives wastewater from four pumping stations, all of which are in the SLR flood plain.²⁰

Catastrophic Sea Level Rise

A 2013 *National Geographic Magazine* article described potential SLR of 212 feet, over many centuries.²¹ In a presentation to SMC officials, oceanographer John Englander said that a 10-foot rise over just 10-15 years is possible this century if two west Antarctic glaciers break loose into the ocean.²² This would be *in addition to* the SLR already projected by State agencies. This Grand Jury report looks at the local planning required for up to about 55 inches of SLR. At this level, SLR impacts SMC to a much greater extent than other Bay Area counties, and it makes sense to look at this county separately. However, SLR on the order of 15 feet or more would severely impact the entire Bay Area and planning may need to be addressed primarily at the regional level.

SLR Is a Countywide Issue

A key question is whether SLR should be viewed as a *countywide* threat or only as a risk to areas threatened with *actual inundation*. The answer to this question has important implications for how the problem is addressed—and who pays for it.

Currently, flood control, whether along creeks or shorelines, is the responsibility of each city, as cities have responsibility for public safety and for land use. In fact, exposure to SLR is partly the result of land use decisions by cities to develop tidal wetlands and other low-lying areas.

However, as detailed above, the impact of SLR will fall on *all* county residents. In particular, the exposure of wastewater treatment plants and the loss of countywide tax revenue are serious countywide threats.

Public Awareness of the Threat

Developing a plan to adapt to SLR will require broad support among elected officials and other government policymakers and, most importantly, the general public. This, in turn, requires greater public awareness of the issue.

Two forums on SLR sponsored by Congresswoman Jackie Speier, Assemblyman Rich Gordon, and Supervisor Dave Pine have served to educate many local elected officials and government

²⁰ Source: Interview.

²¹ Tim Folger and George Steinmetz, “Rising Seas: How They Are Changing Our Coastlines,” *National Geographic*, September 2013.

²² John Englander, Conference Speech at Speier, Gordon, and Pine, “Meeting the Challenge of Sea Level Rise”; see also Will Travis (former Executive Director of BCDC), Conference Speech at Speier, Gordon, and Pine, “Meeting the Challenge of Sea Level Rise.” Travis noted that at some point higher levees may not be viable and suggested that we may need to look at the Dutch model of “living with water”; see also Larry Goldzband (Executive Director of BCDC), Conference Speech at Speier, Gordon, and Pine, “Meeting the Challenge of Sea Level Rise.” He noted the possibility of addressing SLR at the Golden Gate, rather than along the entire length of the bay shoreline.

staff.²³ However, as one city manager noted, continuing education is necessary as elected officials rotate off their councils.

Moreover, despite some press coverage of the two forums, it appears that the public at large is not well informed on the issue. At present, the Grand Jury is not aware of any on-going educational efforts by local governments to inform county residents about SLR, particularly as it may impact SMC.

Preparing for SLR

Existing Flood Protection in San Mateo County

Cities and two special local agencies are responsible for construction and maintenance of levees within their jurisdictions.²⁴ Often, they pay the entire cost of levee projects. They work closely with various regional, State, and federal permitting agencies to meet design standards, both for the structures themselves and the adjacent shoreline environment.²⁵

Presently, there is a chain of levees along the bay. Each link in the chain is the responsibility of a different city or special agency. However, flood risk is based on topography, not political boundaries. Thus, the safety of properties in any given city often depends on levee projects undertaken by its neighboring cities. The public is protected only so long as the “weakest link” in the chain of levees is able to meet the threat. Officials interviewed by the Grand Jury identified a number of existing “weak links.”

Currently, no countywide agency has oversight of the levees as a whole. No agency provides countywide planning, coordinates cities’ construction and maintenance efforts, or assists with grant applications related to *existing* flood problems, much less preparing for SLR. Cities do not contribute money to pay for projects outside their jurisdiction, even though their own residents may benefit.

The San Mateo County Flood Control District is “countywide” on paper but its tax base is limited by the California Water Code to certain “subzones,” which were specified prior to the voters’ adoption in 1978 of Proposition 13. The District’s revenue stream is small and limited to funding flood control along the Colma, San Bruno, and San Francisquito Creeks. The District has no staff of its own, contracting with the County’s Public Works Department on an as-needed basis for necessary staffing.

²³Jackie Speier, Rich Gordon, and Dave Pine, “Meeting the Challenge of Sea Level Rise in San Mateo County,” College of San Mateo, December 9, 2013, and “Planning for Sea Level Rise in San Mateo County,” Foster City City Hall, June 27, 2014.

²⁴ The cities of East Palo Alto and Menlo Park, the San Mateo County Flood Control District, the city of Palo Alto and the Santa Clara Valley Water District have formed the San Francisquito Creek Joint Powers Authority to address flooding, enhanced ecosystems and recreation along that creek in both San Mateo and Santa Clara Counties. The San Mateo County Flood Control District also has responsibility for flood control along Colma and San Bruno Creeks.

²⁵ Other agencies may be involved in particular situations. For instance, Caltrans is responsible for protecting State highways and airport owners may be responsible for protecting certain airports. (Source: Interviews.)

Current Efforts in San Mateo County to Plan for SLR²⁶

The County has taken the lead in trying to jump-start the process of planning for SLR. Along with working groups of elected officials, city staff, and special district personnel, the County has commenced (a) conducting a vulnerability assessment, (b) exploring options for a countywide governance organization to address flood control and SLR, and (c) identifying sources of funding. In January 2015, the County's Office of Sustainability received a grant from the State Coastal Conservancy (SCC) to jointly manage an SLR vulnerability assessment for SMC. The study will cover the entire bayside and the coast from Half Moon Bay north.²⁷ While there is currently no guarantee, staff is confident that the Office of Sustainability will continue working on SLR beyond the period of the grant.

Characteristics of a Possible Organization to Address SLR Planning

Almost every local official interviewed by the Grand Jury acknowledged the need for greater coordination among jurisdictions to address SLR. Each person was asked about options for "getting organized" to address SLR. Some of the characteristics identified by many of those interviewed include:

- The organization should be countywide, including upland and coastal communities.
- The cities should participate in decision-making by the organization.
- The organization should have a *focus* on SLR and have a staff with expertise in the subject.
- The organization must be sustainably funded.

Interviewees also identified a number of existing needs related to planning for SLR that should be met:

- Identify consistent SLR-related projections and flood control project standards for all jurisdictions
- Help coordinate jurisdictions regarding SLR-related flood control projects and seek a commitment by jurisdictions to implement projects in a timely fashion

²⁶ Other important SLR-related efforts in SMC include the "SFO/San Bruno Creek/Colma Creek Resilience Study," a joint effort of the airport, affected cities, and the County to assess SLR impacts in the vicinity of San Francisco International Airport (Brendan P. Bartholomew, "Peninsula Sea-Level Study to Focus on Flood Threats Surrounding SFO," *San Francisco Examiner*, February 13, 2014). The San Francisquito Creek JPA is undertaking two SLR-related projects: the SAFER Bay project will protect property within the cities of East Palo Alto and Menlo Park from Bay 100-year tides with up to three feet of SLR and enhance and create Bay marshes; and the San Francisco Bay to Highway 101 project along San Francisquito Creek that will protect the tidally influenced areas of East Palo Alto and Palo Alto from a 100-year creek flow coincident with an extreme tide and 26 inches of SLR (<http://sfcjpa.org/projects>). In addition, the SCC is funding Local Coastal Plan updates for Half Moon Bay and Pacifica that will address adaptation to SLR (SCC, "San Mateo County Shoreline Vulnerability Assessment" RFP, February 18, 2015).

²⁷ SCC, "San Mateo County Shoreline Vulnerability Assessment," Staff Recommendation, January 29, 2015.

- Assist with grant applications (State and federal agencies prefer to provide grants to projects that demonstrate a multi-jurisdictional approach)
- Seek to broaden the revenue sources for SLR projects

However, several city managers and others questioned whether the cities are ready for a new organization to assume direct control of levees, since such an organization might impinge on city authority regarding public safety, land use, and use of eminent domain.

Organizational Options

The Grand Jury discussed the following organizational options for SLR planning with the interviewees:

- Expanding the role of the County Flood Control District (SMCFCD) and/or the County Office of Sustainability
- Creating a new independent special district with an elected board (such as the Santa Clara Valley Water District)
- Expanding the role of the City/County Association of Governments (C/CAG)
- Creating a new joint powers authority (JPA) with an appointed board of elected officials from the cities and County (and possibly relevant special agencies)

The County option (first bullet point) offers advantages. As an existing agency, the Flood Control District would not need to be created anew (although legislative action would be required to expand its role). Its existing jurisdiction extends countywide, at least on paper. County staff already has expertise in matters relating to flood control. Although separate, the SMC Office of Sustainability is also developing staff with knowledge about SLR. The relevant functions of the Office of Sustainability and County's Public Works Department (which staffs the County Flood Control District) could easily be coordinated or merged. Both the Flood Control District and the Office of Sustainability are responsible to the County Board of Supervisors. Therefore, a way would need to be found to ensure that cities may participate in decision-making. Given its other responsibilities, some interviewees were also concerned that the County Board of Supervisors might not be able to give SLR the focus it requires.

In the case of an independent special district with its own elected board (second bullet point), neither the cities nor the County Board of Supervisors would have decision-making authority. It is not a near-term option, since it would require voter approval, hiring of staff and acquisition of office space, among other things. The Grand Jury's investigation also suggests that the creation of a new district would be an expensive choice, particularly if the district's responsibilities are limited to SLR planning. An independent special district might be a more appropriate option if responsibilities included actual levee construction and maintenance.

The Grand Jury inquired as to whether C/CAG, which already has committees on several environmental subjects, could expand its role to include planning for SLR. However, local officials felt that C/CAG is strongly focused on congestion management and does not have

expertise in SLR/flood control. C/CAG staff has not proposed to the agency's Board of Directors that the agency take on SLR.²⁸

Creating a new JPA (fourth bullet point) would allow the cities (and County) to have a voice. A JPA for SLR could hire staff with expertise in the field and, as a single-purpose agency, could stay focused on SLR. One negative factor is the need to create a brand new governmental structure and the added expense to do so. However, it is possible that the JPA could contract for administrative services and staffing with another agency, such as the County. A second concern expressed by local officials is the need to structure the JPA so that a membership that includes the County, 20 cities, and possibly other relevant local agencies does not become unwieldy.

Based on this analysis, the Grand Jury concludes that, under current circumstances, there is no perfect choice for an organization to undertake countywide SLR planning. However, it appears that either enlarging the role of the County Flood Control District or creating a new JPA would be viable options. What is critical is that a coordinated countywide approach be agreed upon soon.

Funding of an Organization to Plan for SLR

The costs of an organization that only focuses on *planning-type* functions such as coordinating local jurisdictions, conducting studies, developing standards and timelines, and preparing grant applications would be much less than the cost of actual construction of levees. It could be funded by member contributions, grants, and contributions from industry and wastewater treatment agencies. This would be similar to the general fund revenues that C/CAG currently collects from member contributions and grants.

Funding of Projects to Protect against SLR

At the Grand Jury's first interview, a local official posed the following question regarding SLR: "how are we going to pay for it?" Levee construction is extremely expensive. Projects recently completed or proposed in the county, just to address existing needs, have run into the tens of millions of dollars.²⁹

Current Funding for Levee Protection in San Mateo County

Currently, funding for levee projects comes mainly from local general funds or capital improvement funds, plus, in some cases, an assessment on property owners who directly benefit from such projects. Where relatively few properties are involved, the assessment per parcel can be prohibitive.

²⁸ Source: Interview.

²⁹ For example, in 2012 the City of San Mateo completed \$22.7 million in levee improvements to protect 8,000 properties and faces raising another \$22.35 million for levee improvements to protect 1,500 properties that remain in FEMA flood insurance rate maps (Larry Patterson, Conference Speech at Speier, Gordon, and Pine, "Meeting the Challenge of Sea Level Rise"). The San Francisquito Creek JPA has secured State and local funding for its \$37.5 million project for the portion of that creek between the Bay and Highway 101 (Gennady Sheyner, "San Francisquito Creek Project Sees Breakthrough after Permit Stall," *Palo Alto Online*, November 3, 2014, and interview).

The cost of flood insurance to property owners is also expensive. As a result, cities focus on projects that remove residents from FEMA flood zones (which determine the need for insurance). Savings on insurance helps offset the cost of a property assessment.

Potential Countywide Sources of Funding for SLR Projects

City general funds and assessments on properties that directly benefit may also be used for SLR-related projects. However, since SLR has countywide impacts, spreading part of the cost countywide appears justified. Some potential sources of countywide revenue include:³⁰

- Wastewater agencies may impose fees on customers within their service area to help pay for levee projects that protect wastewater treatment plants and pumping stations threatened by SLR.
- Officials interviewed doubt that, at present, SLR levee projects could secure the 66.7% voter approval required under Proposition 218 for a special tax (i.e., a tax imposed to raise revenue for a specific purpose). However, this could be a source of funds in the future, when the threat of SLR becomes more evident.
- The County and cities may raise funds through general taxes, such as County Measure A (2012), which require approval of a simple majority of voters, and distribute a *portion* of such revenues to protect against SLR, so long as the measure does not include a specific commitment to fund SLR projects.
- C/CAG used the simple majority voter threshold to win approval for County Measure M (2010), a vehicle registration fee used for a variety of transportation projects and for mitigation of transportation-related stormwater pollution.³¹ Any organization, such as the County Flood Control District or a new JPA, that addresses SLR and other related issues such as groundwater management and water pollution, might be able to use a similar approach.
- State law (SB 628, 2014) allows for the formation of Enhanced Infrastructure Financing Districts within cities and counties with the authority to issue bonds, with 55% voter approval, for purposes such as “flood control levees and dams, retention basins, and drainage channels.”³² In certain circumstances, such districts may be formed within SMC jurisdictions to serve as a source of funding for SLR projects.
- Contributions may be solicited from business parks or agencies responsible for facilities such as airports or highways that are within SLR flood plains. For example, the Facebook headquarters campus in Menlo Park will benefit from the San Francisquito Creek JPA’s SAFER project, and the company has contributed \$275,000 toward its design and EIR.³³
- Mitigation fees may be imposed on new developments in areas subject to SLR.

³⁰ Source: Interview.

³¹ C/CAG, Funding-Local/Measure M. <http://ccag.ca.gov/funding/measure-m/>.

³² California Legislative Information, SB-678 Enhanced Infrastructure Financing Districts.

³³ Renee Batti, “Stemming the Tide,” *Almanac: The Hometown Newspaper for Menlo Park, Atherton, Portola Valley and Woodside*, March 10, 2014, and interview source.

Potential Regional, State, and Federal Sources of Funding for SLR Projects

To date, local cities have received little federal or State funding for levee projects.³⁴ Several officials advised that granting agencies typically prefer projects that show multi-jurisdictional cooperation, placing the local government entities in San Mateo County at a significant competitive disadvantage in securing such funds. However, even for a multi-jurisdictional project, grants are highly competitive. SLR-related projects face a further difficulty if the granting agency does not yet recognize the risk of SLR. Finally, since SMC is by far the county most vulnerable to SLR, it may be difficult to find other counties with similar needs with which to collaborate on a regional basis. However, there is one new source of funding:

- The State of California’s Climate Resilience Account, created in 2014, is a source of grant funding directed specifically at SLR. Although only \$2.5 million has been allocated statewide in the first year, it may be enlarged in the future.

Reducing Costs by Integrating SLR-Related Projects with Other Levee Projects

Given that the amount and rate of SLR are uncertain, local officials may be reluctant to spend large amounts of money for projects that may never be needed. Possible cost-saving options that cities and relevant special agencies may examine on a case-by-case basis include:³⁵

- Integrating SLR-related protection with existing planned or proposed levee projects³⁶
- Developing SLR-related projects in stages, with specific “triggers” required before undertaking each stage of construction

In order to take advantage of these cost-saving options, however, SLR planning should begin now. For instance, a FEMA representative has advised county officials that new FEMA flood hazard maps will be forthcoming in the near future. These maps will reflect a new higher calculation of bay wave action during storms. This new calculation, which is independent of any SLR effect, may trigger the need for new levee projects to keep properties in SMC from being subject to flood insurance requirements. Incorporating consideration of future SLR in these new projects may result in cost-savings later.³⁷

SLR Is a Land Use Issue

Levee projects are a common solution to SLR. However, they may not be feasible everywhere, due to financial, environmental, or technical reasons. If the risk of flooding due to SLR cannot be completely eliminated, the County and cities will need to examine land use measures to help mitigate the threat of SLR.³⁸ Possible land use measures include the following:

³⁴ Notably, San Francisquito Creek JPA has received an \$8 million State Water Resources Board grant for a multi-jurisdictional project. (Source: Interview.)

³⁵ Craig Conner, U.S. Army Corps of Engineers, Conference Speech at Speier, Gordon, and Pine, “Meeting the Challenge of Sea Level Rise.” These suggestions were supported by local officials interviewed by the Grand Jury.

³⁶ The San Francisquito Creek JPA’s San Francisco Bay to Highway 101 flood protection project will address, in combination, a 100-year creek flow coincident with an extreme tide and 26 inches of SLR. (Source: Interview.)

³⁷ Kathleen Schaefer, FEMA, Conference Speech at Speier, Gordon, and Pine, “Meeting the Challenge of Sea Level Rise.”

³⁸ Flood control levees themselves are local land uses, sometimes offering public trails, and vista points, and other recreational options.

- Jurisdictions can include adaptation to SLR in the Safety Element of their General Plans. While not required by State Guidelines,³⁹ several cities in the county do mention SLR in their Safety Elements and/or Climate Action Plans.⁴⁰
- Jurisdictions may restrict new development or types of land use in areas subject to SLR.
- Jurisdictions may use building codes to mitigate SLR flood risk. For instance, they could require habitable areas and key building equipment be placed above flood level.
- Jurisdictions may identify areas suitable for environmental resource protection and habitat enhancement, in light of the threat of SLR.
- Jurisdictions may need to identify certain areas to be abandoned to SLR.
- Jurisdictions may impose SLR mitigation fees as a condition of approval on major residential or commercial projects in undeveloped areas subject to future SLR.
- Jurisdictions may use the CEQA environmental review process to ensure that exposure to SLR is considered, and mitigation measures identified, when major residential or commercial projects are proposed within a SLR flood plain.

Actions Needed at the Regional, State, and Federal Levels

While focused on SMC, this investigation points to the need for action on SLR at other levels of government. The County, cities, and relevant local special districts, through their representation at regional agencies, memberships in state associations, lobbyists, and elected State and federal legislators, could advocate on our behalf. Some examples include:

- Federal agencies, such as the U.S. Army Corps of Engineers, do not currently recognize SLR in their flood control mapping and/or funding.⁴¹
- Federal and State funding is extremely limited for all stages of adaptation to SLR: studies, planning, and actual levee projects.

³⁹ California Governor’s Office of Planning and Research, *State of California General Plan Guidelines*, 2003.

⁴⁰ The City of Pacifica’s draft Safety Element has a particularly comprehensive discussion related to SLR. However, the City will wait for “an adequate model with sufficient local detail” to project specific impacts of SLR (see Dyett & Bhatia, *City of Pacifica Draft General Plan*, March 2014, pp. 8-11 – 8-16). The City of San Carlos approved a *Climate Action Plan* (CAP) as a component of the City’s General Plan update. The CAP includes a BCDC map of the city showing SLR of 16 and 55 inches. The City’s approach to SLR is to cooperate with regional agencies, such as BCDC. (See City of San Carlos, *Climate Action Plan*, October 12, 2009, pp. 2, 87-91.) The City of San Mateo commissioned a report that includes a description of the potential effects of SLR on that city and has appended the report to the City’s General Plan. However, the General Plan states that “considering that there is no definitive estimate and that sea level rise will occur slowly over time, the City will continue to address FEMA’s current certification standards” (see *City of San Mateo 2030 General Plan*, 2010, pp. VII-6 and Appendix V, Schaaf & Wheeler, *Climate Change Impacts for San Mateo, California*).

⁴¹ This may change. “In accord with the Biggert-Water Flood Insurance Reform Act of 2012, FEMA is to establish a Technical Mapping Advisory Council that will provide recommendations to FEMA on flood hazard mapping guidelines— including . . . the impacts of sea level rise. . . . FEMA will be required to incorporate future risk assessment in accordance with the recommendations of the Council.” (See FEMA, <http://www.fema.gov/coastal-frequently-asked-questions#CoastalFloodHazardMappingQuestions>, pp. 10-11.)

- With just \$2.5 million in this year’s budget for statewide use, funding of the California Climate Resilience Account, dedicated to SLR, is inadequate.
- California General Plan Guidelines (2003), prepared by the Governor’s Office of Planning and Research, do not require that SLR be addressed in the Safety Element or elsewhere in local general plans.
- Regional agencies, such as BCDC, could provide a forum for discussing SLR, including alternatives for addressing catastrophic SLR greater than 10 feet.

While these and other actions at the regional, State, and federal levels are important, it must be emphasized that San Mateo County cannot afford to wait for planning and resources to appear from outside the county. They may never come.

FINDINGS

- F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.
- F2. SLR is a threat *countywide*, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.
- F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR’s potential impacts on this county.
- F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).
- F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.
- F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for *existing* flood control projects. The same is true for future SLR-related projects.
- F7. To the Grand Jury’s knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes.⁴² No consistent SLR projection has been adopted countywide by the County and cities.
- F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.
- F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.
- F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

⁴² See discussion of SLR planning in several San Mateo County cities in footnote 39.

- F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.
- F12. By acting *now*, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

RECOMMENDATIONS

The Grand Jury recommends increased public education about SLR:

- R1. The County, each city in the county and relevant local special agencies⁴³ should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

The Grand Jury recommends identifying a single organization to undertake SLR planning:

- R2. The County, each city in the county and relevant local special agencies⁴⁴ should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to *focus* on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making⁴⁵
- The organization is sustainably funded

- R3. The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments⁴⁶
- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction

⁴³ San Mateo County Flood Control District and San Francisquito Creek Joint Powers Authority.

⁴⁴ Ibid.

⁴⁵ The organization could also create a technical advisory committee with representatives of departments responsible for levee construction and management, as well as representatives of public facilities at risk, such as airports and wastewater treatment plants.

⁴⁶ A vulnerability assessment could (a) inventory areas at risk for SLR (commercial, residential, public facilities, and infrastructure), (b) determine the adequacy of existing levee protection, and (c) identify and prioritize the projects that will be needed to adapt to SLR.

- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1

R4. The County, cities and two relevant local special agencies⁴⁷ should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address *existing* flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

R5. The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

The Grand Jury recommends that SLR be addressed in local land use planning:

R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element⁴⁸ should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

⁴⁷ San Mateo County Flood Control District and San Francisquito Creek Joint Powers Authority.

⁴⁸ As an alternative, the City of San Carlos has addressed SLR in its Climate Action Plan (CAP). The City states that the CAP was developed as a “component of the 2009 General Plan update . . . a legally defensible approach to ensuring that the Climate Action Plan is implemented” (see City of San Carlos, *Climate Action Plan*, 2009, p. 2).

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the Grand Jury requests responses as follows:

From the following governing bodies:

Responses to recommendations R1, R2, R3, R4, R5, R6, and R7 are requested from:

- The County of San Mateo Board of Supervisors
- The City and Town Councils of Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Foster City, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Pacifica, Portola Valley, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, and Woodside

Responses to recommendations R1, R2, R3, R4, R5, and R7 are requested from:

- The Board of Directors of the San Francisquito Creek Joint Powers Authority

Response to recommendation R4 is requested from:

- The Board of Directors of the City/County Association of Governments of San Mateo County

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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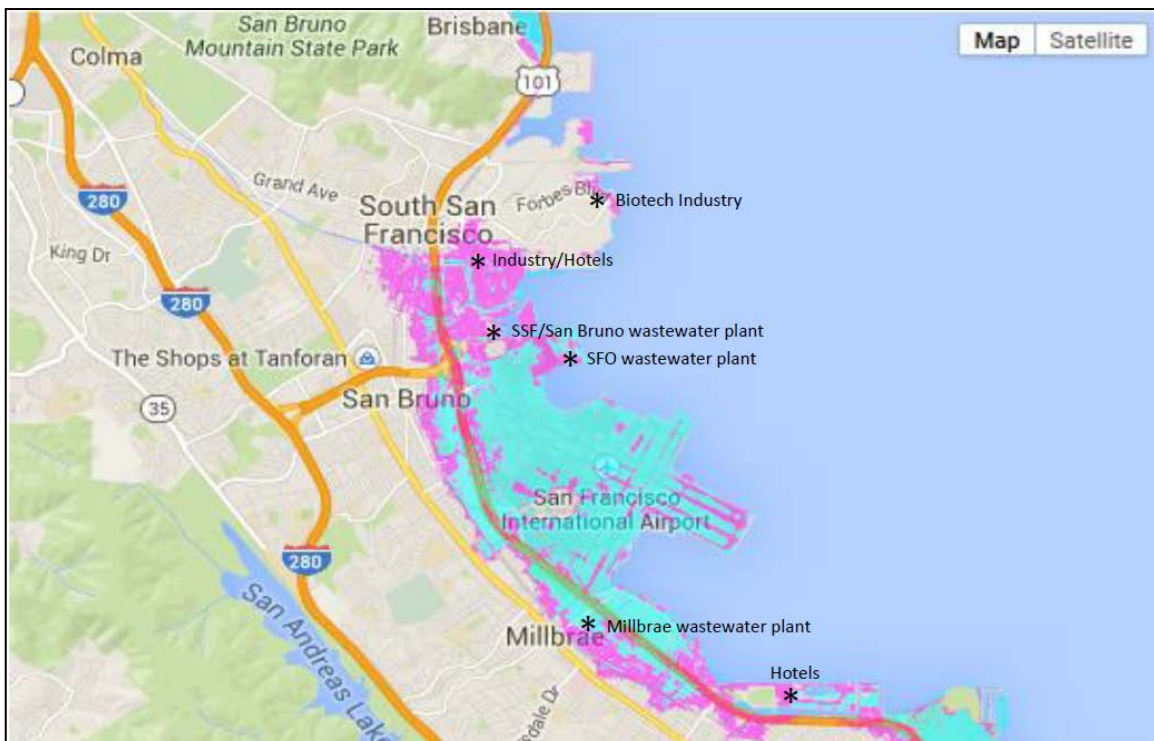
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APPENDIX



Sea level rise inundation maps for selected areas of San Mateo County are presented below. The turquoise-colored zones represent the “current area at risk” to flooding during a 100-year storm, without consideration of existing flood protection levees. The magenta-colored zones represent the area at risk during a 100-year storm with 1.4 meters of SLR (140 centimeters or about 55 inches). The green-colored zones represent areas at risk of erosion from 1.4 meters of SLR, but are not clearly distinguishable at the scale used in this Appendix. These maps were prepared by the Pacific Institute, with specific infrastructure and major government and commercial facilities identified by the Grand Jury with an * symbol.

SAN FRANCISCO INTERNATIONAL AIRPORT AND VICINITY




Maps from Pacific Institute at "http://www2.pacinst.org/reports/sea_level_rise/gmap.html"
Modified by the Grand Jury to show facilities at risk

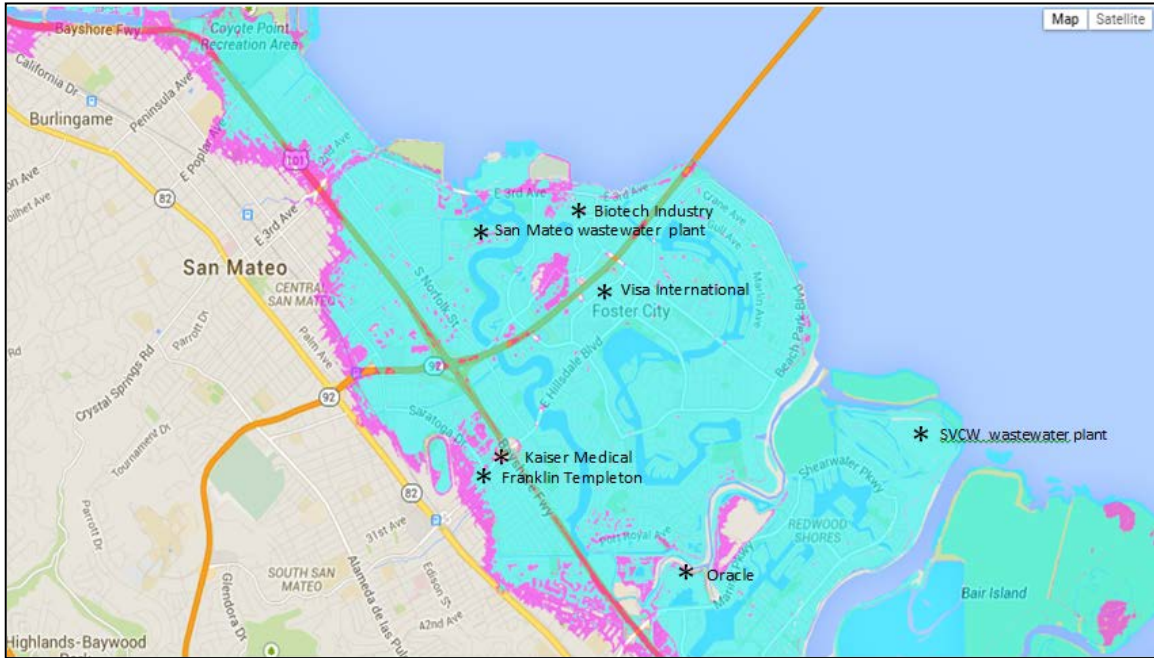
Area at risk from a 100-year coastal flood event

-  Current area at risk
-  Area at risk with a 1.4 meter sea-level rise

Erosion



-  Area at risk from erosion in 2100 with a 1.4 meter sea-level rise

SAN MATEO AND VICINITY




Maps from Pacific Institute at "http://www2.pacinst.org/reports/sea_level_rise/gmap.html"
Modified by the Grand Jury to show facilities at risk

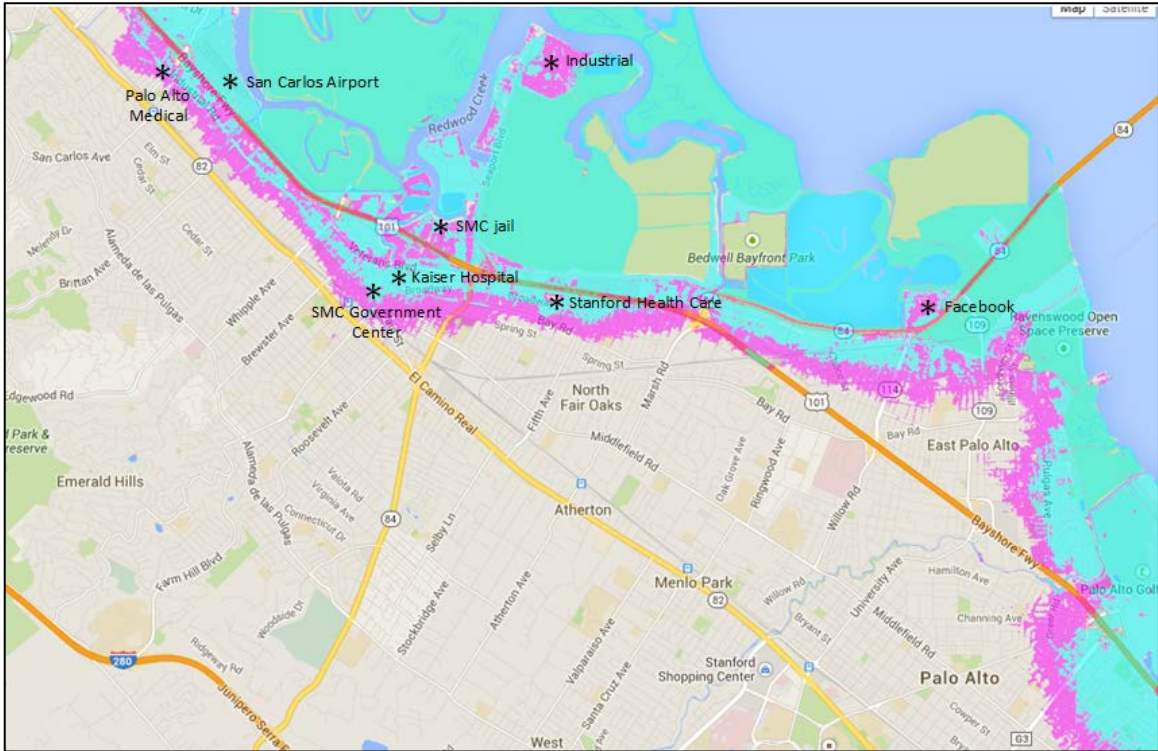
Area at risk from a 100-year coastal flood event

-  Current area at risk
-  Area at risk with a 1.4 meter sea-level rise

Erosion



-  Area at risk from erosion in 2100 with a 1.4 meter sea-level rise

REDWOOD CITY AND VICINITY




Maps from Pacific Institute at "http://www2.pacinst.org/reports/sea_level_rise/gmap.html"
Modified by the Grand Jury to show facilities at risk

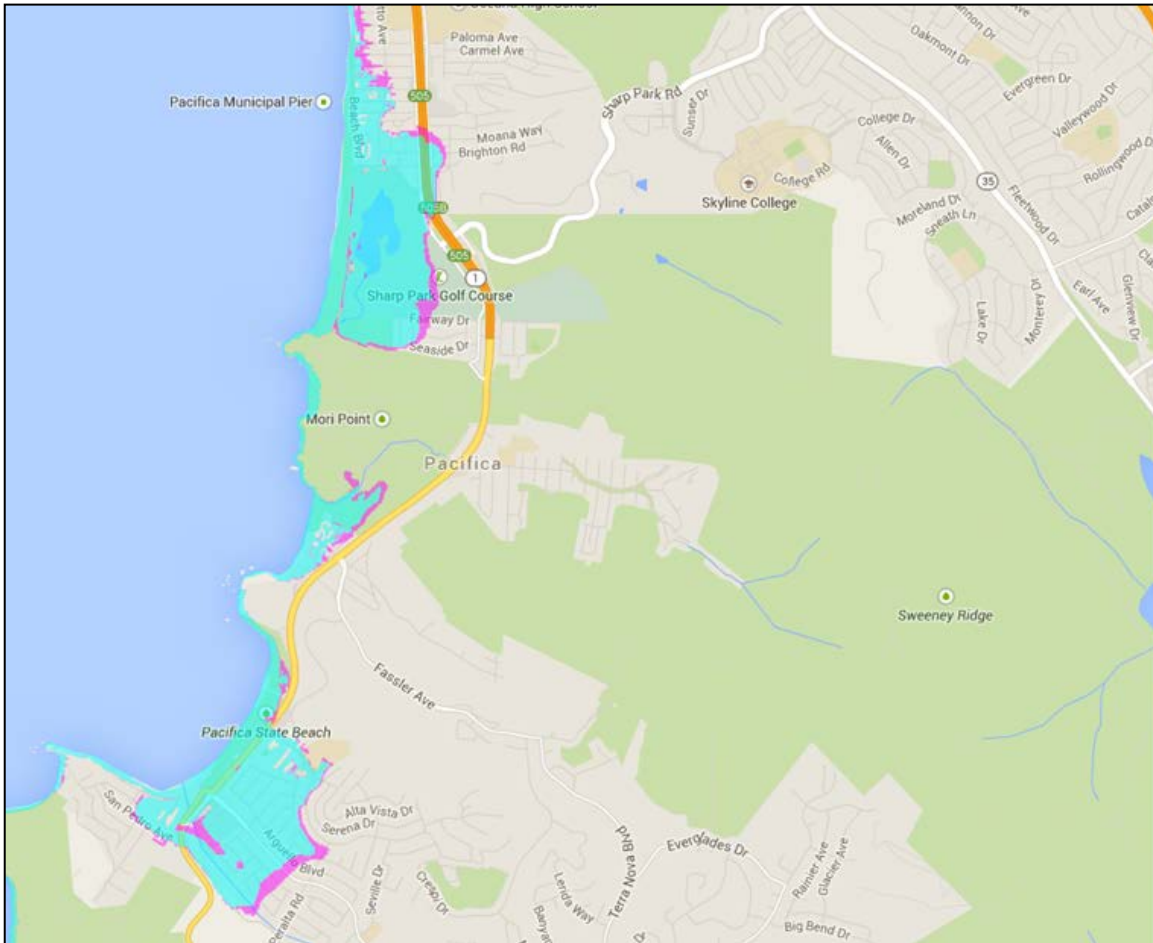
Area at risk from a 100-year coastal flood event

-  Current area at risk
-  Area at risk with a 1.4 meter sea-level rise

Erosion

-  Area at risk from erosion in 2100 with a 1.4 meter sea-level rise

PACIFICA



Maps from Pacific Institute at "http://www2.pacinst.org/reports/sea_level_rise/gmap.html"

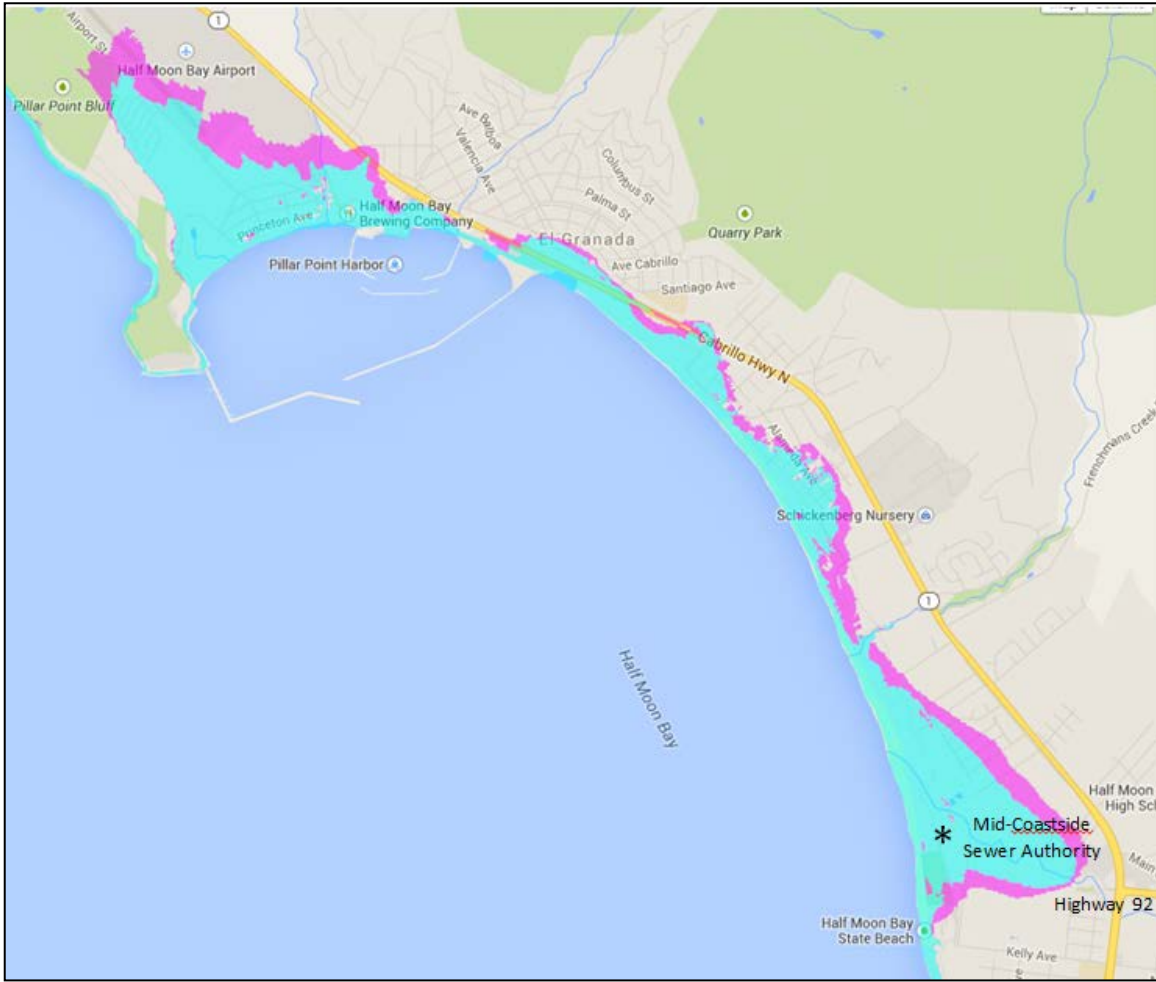
Area at risk from a 100-year coastal flood event

- Current area at risk
- Area at risk with a 1.4 meter sea-level rise

Erosion

- Area at risk from erosion in 2100 with a 1.4 meter sea-level rise

HALF MOON BAY



Maps from Pacific Institute at "http://www2.pacinst.org/reports/sea_level_rise/gmap.html"
Modified by the Grand Jury to show facility at risk

Area at risk from a 100-year coastal flood event

- Current area at risk
- Area at risk with a 1.4 meter sea-level rise

Erosion

- Area at risk from erosion in 2100 with a 1.4 meter sea-level rise

Issued: June 4, 2015

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside

August 14, 2015

Hon. Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Subject: **C/CAG's RESPONSE TO THE 2014-15 SAN MATEO COUNTY CIVIL GRAND JURY REPORT TITLED "FLOODING AHEAD: PLANNING FOR SEA LEVEL RISE"**

Honorable Judge Etezadi,

This letter was approved by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG) at its public meeting on August 13, 2015.

Below are C/CAG's responses to the 2014-15 San Mateo County Civil Grand Jury Report titled "Flooding Ahead: Planning for Sea Level Rise".

GRAND JURY FINDINGS:

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

Response: Partially agree. It is a wide range between 65 inches and 15 feet. Commonly cited reports indicate an upper level limit of anticipated sea level rise of 176 cm (69 inches). There is not sufficient data to accurately predict the exact level of SLR by the year 2100. The statement of catastrophic SLR of nearly 15 feet this century seems inappropriate as a factual finding for this report.

F2. SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

Response: Partially agree. While SLR is a threat countywide, the report's analysis of this issue seems incomplete. It calls out wastewater treatment plants but fails to mention other major infrastructure such as the airports, transportation facilities, hospitals, and other critical infrastructures. Also, the focus on tax base, the report neglects the relevant importance of SLR impacts on the coastside of San Mateo County.

Honorable Judge Etezadi (page 2 of 6)

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

Response: Partially Agree. While many local officials are familiar with and concerned about the threat of SLR, it appears subjective to say there is inadequate public awareness of SLR's potential impacts on this county.

F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

Response: Agree.

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

Response: Partially Agree. Flood risk in general is based on many issues in addition to topography. While flood risk is related to topography and other mitigation measures in place, impacts of flooding are not limited to the same areas, as in the example of a flood wastewater treatment plant having wide-ranging impacts beyond the area inundated with floodwaters.

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.

Response: Agree.

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

Response: Agree.

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

Response: Agree. In addition, SLR planning and coordination should go beyond the county and include efforts with adjacent counties and at the regional level.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

Response: We can only acknowledge this finding because it states the information obtained by interviews. However, we believe the opinions of policy makers and elected officials should be sought in addition to those of city managers'.

Honorable Judge Etezadi (page 3 of 6)

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

Response: Partially Agree. Agencies can address SLR in their own plans, but are also impacted by what adjacent municipalities do or do not include in their planning efforts.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

Response: Agree.

F12. By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

Response: Partially Agree. Although by acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, it may result in cost increases to current programmed levee projects and hence delay such projects if the additional funding is not available yet.

GRAND JURY RECOMMENDATIONS

R1. The County, each city in the county and relevant local special agencies⁴³ should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Response: This recommendation refers to relevant local special agencies as the San Mateo County Flood Control District and the San Francisquito Creek Joint Powers Authority in footnote 43. We believe relevant local special agencies should also include sanitary districts and wastewater treatment plants such as the Sewer Authority Mid-Coastside and the Silicon Valley Clean Water.

R2. The County, each city in the county and relevant local special agencies⁴⁴ should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- *The organization is countywide in scope*
- *The organization is able to focus on SLR*
- *Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making⁴⁵*
- *The organization is sustainably funded*

Honorable Judge Etezadi (page 4 of 6)

Response: This recommendation appears to have omitted consideration of a viable option when recommending the single organization: an existing countywide joint powers authority, C/CAG. The report indicates “local officials” felt C/CAG is strongly focused on congestion management and does not have expertise in SLR/flood control. Congestion management is only one of the many functions of CCAG which range from airport land use to developing mechanisms for cities to measure reduction in Greenhouse Gas Emission. The report negates the fact that C/CAG already manages a countywide stormwater program, has committees focused on environmental quality, resource conservation, and climate protection, and also addresses solid waste and housing issues. As such, we believe the Grand Jury Report inappropriately dismisses the option of C/CAG serving as the single organization, or serving as the model for a new organization – it is countywide in scope, can focus on a variety of issues, including SLR if so requested by its member agencies, has the County and every city represented on the Board of Directors, and has established sustainable funding for the programs it implements. Given that no agency is currently focused on SLR, any agency will be challenged to develop staffing and sustainable funding. The agency taking on SLR should be governed by elected representatives from all impacted jurisdictions, with liaisons to adjacent counties or regional partners. CCAG represents a unique organization that embodies the long tradition in San Mateo County of working collaboratively to utilize resources most efficiently. Whether CCAG becomes the single agency or represents the model for another JPA, it would be extremely unfortunate to ignore this tradition and resource.

R3. The organization’s responsibilities should include:

- *Adopt consistent SLR projections for use in levee planning countywide*
- *Conduct and/or evaluate vulnerability assessments⁴⁶*
- *Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR*
- *Undertake grant applications for SLR-related planning and projects*
- *Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction*
- *Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies*
- *Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain*
- *Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues*
- *Assist the County and cities in public awareness efforts, as described in R1*

Response: This recommendation appears to be bayside-focused. Also, it appears to imply levee building is the primary measure for SLR response. It appears to be missing mitigation and adaptation measures for the coastside of San Mateo County.

Honorable Judge Etezadi (page 5 of 6)

R4. *The County, cities and two relevant local special agencies⁴⁷ should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.*

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Response: A) With regard to the first paragraph of this recommendation, it appears to focus on levee building. Existing flooding problems are not limited to creeks subject to tidal action. There are ongoing local flooding problems throughout the county that are due to channelized and restricted creek channels, imperviousness of contributing watersheds, upstream sediment sources, undersized culverts under key locations, such as Highway 101, etc.

Response: B) With regard to the second paragraph of this recommendation, without appropriate analysis, C/CAG cannot agree with the recommendation to consider expanding the role of the new organization to include potential compatible functions such as the National Pollutant Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

In order to consider such change in a thoughtful manner, there needs to be more detailed analysis and study done first, as well as outreach to elected officials from impacted jurisdictions to properly define the roles, responsibilities, and governance structure of a proposed new organization. In addition, since this new organization will have direct impact on every jurisdiction in San Mateo County, the governing body of this organization should have elected representation from each impacted jurisdiction.

This San Mateo County Civil Grand Jury Report on “Flooding Ahead: Planning For Sea Level Rise” focused on SLR throughout the report. It has no analysis of the NPDES program nor does it provide data to illustrate the appropriateness of combining the functions of SLR and NPDES. Similarly, there is no discussion of groundwater management and the connection to SLR or flooding issues.

Comprehensive evaluation, and outreach to all impacted jurisdictions, would be required to determine the appropriateness of integrating other issues, such as existing flooding, stormwater management, and groundwater management.

R5. *The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:*

- *Member contributions*
- *Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants*
- *Grants solicited from available potential sources such as the California Climate Resilience Account*

Honorable Judge Etezadi (page 6 of 6)

- *Reducing administrative costs by contracting for services with the County or another agency*

Response: The funding model described in this recommendation appears to be generally similar to the C/CAG model.

R6. *The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element⁴⁸ should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.*

Response: No comment.

R7. *The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.*

Response: Agree.

If you have any questions, please contact the C/CAG Executive Director, Sandy Wong, at (650) 599-1409.

Sincerely,



Mary Ann Nihart, Chair
City/County Association of Governments of San Mateo County



**Town of Atherton
Office of the Mayor
91 Ashfield Road
Atherton, California 94027
Phone: (650) 752-0500
Fax: (650) 614-1212**

July 16, 2015

Grand Jury Foreperson
c/o Court Executive Office
400 County Center
Redwood City, CA 94063-1655

SUBJECT: GRAND JURY REPORT
“Flooding Ahead: Planning for Sea Level Rise”

Attention Jury Foreperson:

Attached please find the Town of Atherton’s response to the above noted Grand Jury Report. Pursuant to California Penal Code Section 933.05, the response was considered by the City Council at a public meeting on July 15, 2015.

Should you have any questions concerning this response, please contact City Manager George Rodericks at (650) 752-0504.

Sincerely,

TOWN OF ATHERTON

Rick DeGolia
Mayor

RESPONSE TO GRAND JURY REPORT

Report Title: *Flooding Ahead: Planning for Sea Level Rise*

Report Date: July 15, 2015

Response by: Town of Atherton

By: Rick DeGolia, Mayor

FINDINGS:

- I (we) CAN GENERALLY agree with the findings numbered:

F4, F5, F6, F7, F8, F10, F11, F12

- I (we) disagree wholly or partially with the findings numbered:

F1, F2, F3, F9

RECOMMENDATIONS:

- Recommendations numbered n/a have been implemented.

(Attach a summary describing implemented actions.)

- Recommendations numbered n/a have not yet been implemented, but will be implemented in the future.

(Attach a timeframe for implementation.)

- Recommendations numbered R1-R7 require further analysis.

(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)

- Recommendations numbered n/a will not be implemented because they are not warranted or are not reasonable.

(Attach an explanation.)

Date: 7/16/15

Signed: Rick DeGolia

FINDINGS

F1 requires that the Town independently verify specific statistics related to scientific projects. The Town has not done so and while we can express general agreement that portions of San Mateo County are at risk for flooding, the Town does not have independent information concerning specific areas of the County nor can we assess that the entirety of the County is at severe risk as a general statement. The Grand Jury Report itself notes specifics and then articulates that the "...precise amount and rate of sea level rise are unknown..."

F2 asserts that the threat is "...countywide, including the upland areas..." The Town would like to ensure that any analysis conducted includes the coastline, upland areas, and inclusive airports. Further, the Town wants to ensure that broader issues such as continuing development and water resources are addressed.

F3 asserts that there is inadequate public awareness of the impacts of sea level rise. There does not appear to be any data associated with the Grand Jury Report in support of this assertion.

F9 is a re-statement of comments within the Grand Jury Report with respect to the Grand Jury's independent interviews. The Town cannot attest to the interview information.

RECOMMENDATIONS

R1: The County, each city in the county and relevant local agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

The Town has an Environmental Programs Committee and other groups that can assist with the public education effort; but, as the Grand Jury Report suggests, there should be a concerted effort on behalf of the region to educate the community with consistent, timely, and relevant information. Until such time as that effort and information is available, the Town will provide general education materials and links to other relevant information promulgated by the County, State, and Association of Bay Area Governments.

R2: The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded San Mateo County Flood Control District, to undertake countywide sea level rise planning.

The Town supports a countywide approach but believes that further analysis is necessary to determine whether that agency is a new joint powers authority, the existing County Flood Control District, or other existing regional agency, such as C/CAG. Further, the Town believes that whatever agency is ultimately created, that that agency is directly responsible to the electorate. Because this issue is countywide, the Town believes that the County of San Mateo should take the lead in formation of the roles, responsibilities, and funding. As a result, the Town cannot identify a time frame for further action.

R3: The organization's responsibilities as listed by the Grand Jury.

The Town supports the responsibilities as listed by the Grand Jury; however, cannot implement the recommendation or suggest a time frame for implementation (see response to R2).

R4: The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond sea level rise to include planning and coordination of efforts to address existing flooding problems along the Bay, coast and creeks that are

subject to tidal action. The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the NPDES, currently managed by C/CAG and the new (2014) State requirements for local sustainable groundwater planning.

The focus of the Grand Jury Report is on sea level rise. The Town supports a regional approach to sea level rise issues; however, consolidating various other functions and responsibilities away from existing agencies (local, regional, C/CAG, ABAG, etc.) into this newly formed agency may prove difficult. State and Federal laws already designate responsibility for these other functional areas. Careful consideration must be given to this issue before doing so. As a result, the Town cannot identify a time frame for further action.

R5: The organization – its administration, staffing, and program expenses – should be funded on a sustainable basis by Member Contributions, Contributions solicited from parties threatened by sea level rise, grants, and contracts for services with the County.

Local agency revenues are stretched fairly tightly to address local issues. Formation of a regional agency and assessment of member agencies will further deplete local resources necessary for local infrastructure and safety needs. Careful consideration and analysis needs to go into the determination of local formulaic assessments. Further, soliciting contributions from those potentially impacted by future sea level rise suffer from legal challenges as public agencies educate the community about the threat of sea level rise and then solicit contributions from those impacted in order to fund infrastructure projects to protect them. More analysis is necessary with respect to funding options. As a result, while the Town supports the funding of a regional agency to address the issue(s). The Town believes that the initial funding and organizational effort should come from the County. The Town cannot identify a time frame for further action.

R6: The County and each city should amend its General Plan, as needed, to address the risk for sea level rise. The Safety Element should include a map of any areas vulnerable to sea level rise, as determined by measurements in the countywide vulnerability assessment. Further, it should identify policies that apply to areas threatened by sea level rise.

The Town has budgeted a General Plan update for FY 2015/16. General Plan updates carry with them mandated public meetings, environmental review and comment periods, as well as notice periods. The Town is implementing the update during the next 12 months. The Town will evaluate sea level rise information for inclusion in the update. However, because of the required noticing, public meetings, comment periods, and environmental review requirements, the Town cannot commit to a time frame of less than 6 months. The Town anticipates completing the General Plan update(s) by the end of FY 2015/16.

R7: The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists and elected State and federal legislators should pursue sea level rise related issues with government bodies outside of San Mateo County.

The Town supports the inclusion of sea level rise related issues in relevant conversations with government bodies outside of San Mateo County and will do so as appropriate.



CITY OF BRISBANE

50 Park Place
Brisbane, California 94005-1310
(415) 508-2100
Fax (415) 467-4989

September 3, 2015

Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Honorable Judge Etezadi:

Please accept this letter as the City of Brisbane's formal response to the June 4, 2015 letter from the San Mateo County Superior Court of California regarding the 2014-2015 Grand Jury Report, "Flooding Ahead: Planning for Sea Level Rise (SLR)"

The City of Brisbane has reviewed the Grand Jury's report, and the City Council approved the following responses at its meeting of September 3, 2015.

FINDINGS

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

RESPONSE: The City of Brisbane agrees that some flooding from sea level rise is inevitable by 2100. Unfortunately, there is no scientific consensus on what the level of the increase is likely to be. In late July, 2015, the journal *Atmospheric Chemistry and Physics* posted on-line a pre-peer reviewed study by 17 well-known climate scientists, headed by Dr. James Hansen, NASA's former chief climate scientist. Through historical and contemporary models they demonstrate that ice sheet melting in Greenland and Antarctica could occur much faster than previously thought. Because of the many variables involved, the study makes no definitive prediction. Nevertheless, Dr. Hansen in a follow-up essay made the following statement: "My conclusion, based on the total information available, is that continued high emissions would result in multi-meter sea level rise this century and lock in

continued ice sheet disintegration such that building cities or rebuilding cities on coast lines would become foolish."¹

F2. SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

RESPONSE: The City of Brisbane agrees that the disruption from sea level rise is a countywide problem.

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

RESPONSE: The City of Brisbane agrees that the general public is not fully aware of the potential impacts from sea level rise. They are probably even less aware of the extensive infrastructure improvements that will have to be made if the County is to effectively address the problem.

F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

RESPONSE: The City of Brisbane agrees that currently the financial responsibility for constructing and maintaining levees falls on the individual city, special district, or the County within whose jurisdiction the levee is physically located.

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

RESPONSE: The City of Brisbane agrees with the Finding

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.

¹ Hansen, James. "Darn!! Sea Level Ahead! In 200-900 Years. When??" Web blog post. *Climate Science, Awareness and Solutions*. Earth Institute, Columbia University. 27 Jul 2015.

RESPONSE: The City of Brisbane agrees that no countywide organization is specifically tasked with coordinating existing flood control projects or the future projects that will be required to address sea level rise.

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes.² No consistent SLR projection has been adopted countywide by the County and cities.

RESPONSE: The City of Brisbane agrees that no countywide projection for sea level rise has been adopted. Since we haven't done a survey of other cities, we can only say that the Grand Jury's finding on the widespread lack of land use plans for addressing future sea level rise seems plausible. We do know that the Bay Conservation and Development Commission (BCDC) has been addressing sea level rise, and that it has prepared maps of areas around the Bay that would be inundated at different increased water levels.

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

RESPONSE: The City of Brisbane recognizes the need for a countywide approach to addressing the problems and infrastructure needs generated by sea level rise. The coordination of the planning, implementation, and financing involves not only all the relevant jurisdictions in the County but also the entire Bay Area. Under the leadership of Supervisor David Pine, an effort to move in this direction has already begun. Additionally, the cooperative efforts of Congresswoman Jackie Speier, Assemblyman Rich Gordon, Supervisor David Pine, and working groups of elected officials, city staff and special district personnel have commenced (a) conducting a vulnerability assessment, (b) exploring options for a countywide governance organization to address flood control and SLR, and (c) identifying sources of funding.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

RESPONSE: Since the City of Brisbane is not sure how representative the sample of interviewees was nor the reasons for their reported views, it is difficult to make an informed response. However, we are in favor of a countywide effort to address the challenges of sea level rise

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

² See discussion of SLR planning in several San Mateo County cities in footnote 39.

RESPONSE: The City of Brisbane agrees with this Finding.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

RESPONSE: The City of Brisbane agrees with this Finding. It suggests that organizing a workable Bay Area wide program may be difficult.

F12. By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

RESPONSE: The City of Brisbane agrees that the integration and coordination between programmed levee projects and future oriented projects that take into account sea level rise may be able to lower overall costs. The City also agrees that land use planning is an appropriate and valuable tool to address potential sea level rise exposure issues.

RECOMMENDATIONS

The Grand Jury recommends increased public education about SLR:

R1. The County, each city in the county and relevant local special agencies³ should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

RESPONSE: The City of Brisbane agrees with the Recommendation.

The Grand Jury recommends identifying a single organization to undertake SLR planning:

R2. The County, each city in the county and relevant local special agencies⁴ should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- *The organization is countywide in scope*
- *The organization is able to focus on SLR*
- *Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making⁵*

³ San Mateo County Flood Control District and San Francisquito Creek Joint Powers Authority.

⁴ Ibid.

⁵ The organization could also create a technical advisory committee with representatives of departments responsible for levee construction and management, as well as representatives of public facilities at risk, such as airports and wastewater treatment plants.

- *The organization is sustainably funded*

RESPONSE: The City of Brisbane agrees that there should be a single countywide organization that addresses the problems and infrastructure needs generated by sea level rise. Furthermore, we agree with the response provided by C/CAG, namely, that "this recommendation appears to have omitted consideration of a viable option when recommending the single organization: an existing countywide joint powers authority, C/CAG." Besides congestion management, C/CAG also manages a variety of other programs, including those that deal with airports' land use, air quality, countywide storm water, solid waste, climate protection, etc. Every city and the County are represented on the Board of Directors, and a funding system for the current programs is in place. Since no existing agency in the County is responsible for responding to sea level rise, "any agency will be challenged to develop staffing and sustainable funding." "C/CAG represents a unique organization that embodies the long tradition in San Mateo County of working collaboratively to utilize resources most efficiently."

R3. The organization's responsibilities should include:

- *Adopt consistent SLR projections for use in levee planning countywide*
- *Conduct and/or evaluate vulnerability assessments⁶*
- *Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR*
- *Undertake grant applications for SLR-related planning and projects*
- *Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction*
- *Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies*
- *Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain*
- *Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues*
- *Assist the County and cities in public awareness efforts, as described in R1*

RESPONSE: The City of Brisbane agrees that this is a very plausible list of responsibilities. However, the final determination of the responsibilities of the countywide organization should be negotiated and agreed to by the members of the organization. We agree with C/CAG that the infrastructure needs will undoubtedly encompass more than levee building.

⁶ A vulnerability assessment could (a) inventory areas at risk for SLR (commercial, residential, public facilities, and infrastructure), (b) determine the adequacy of existing levee protection, and (c) identify and prioritize the projects that will be needed to adapt to SLR.

R4. *The County, cities and two relevant local special agencies⁷ should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.*

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

RESPONSE: The City of Brisbane strongly disagrees with this recommendation. There are no findings in the Grand Jury Report to support either preferring the expansion of the San Mateo County Flood Control District into the new sea level rise organization, or the subsuming of roles (NPDES) presently performed capably by C/CAG into that organization.

R5. *The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:*

- *Member contributions*
- *Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants*
- *Grants solicited from available potential sources such as the California Climate Resilience Account*
- *Reducing administrative costs by contracting for services with the County or another agency*

RESPONSE: The City of Brisbane agrees that any new organization will need to be adequately funded. The funding strategy will need to be negotiated and agreed to by the member agencies.

The Grand Jury recommends that SLR be addressed in local land use planning:

R6. *The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element⁸ should include a map of any areas vulnerable to SLR, as*

⁷ San Mateo County Flood Control District and San Francisquito Creek Joint Powers Authority.

⁸ As an alternative, the City of San Carlos has addressed SLR in its Climate Action Plan (CAP). The City states that the CAP was developed as a “component of the 2009 General Plan update . . . a legally defensible approach to ensuring that the Climate Action Plan is implemented” (see City of San Carlos, *Climate Action Plan*, 2009, p. 2).

determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

RESPONSE: The City of Brisbane agrees that sea level rise would be an appropriate topic for the Safety Element of the General Plan, and that local land use planning should take sea level rise into account.

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

RESPONSE: The City of Brisbane agrees that local agencies through their countywide, regional and state organizations should advocate for appropriate sea level rise mitigation measures.

On behalf of the City of Brisbane, I would like to thank the members of the San Mateo County Grand Jury for focusing attention on the important issue of sea level rise.

Sincerely,

Terry O'Connell, Mayor
City of Brisbane

cc: San Mateo Grand Jury
City Clerk

September 21, 2015



Honorable Susan I. Etezadi, Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: Grand Jury Report "Flooding Ahead: Planning for Sea Level Rise" Response

Dear Judge Etezadi:

At its meeting on August 25, 2015, the City Council of the City of Belmont approved the following response to the Grand Jury Report "Flooding Ahead: Planning for Sea level Rise". The numbers provided below correspond with the numbers in the Grant Jury report.

Grand Jury Findings and Belmont's Responses

The City of Belmont reviewed all 12 Findings in the Grand Jury report. The City does not possess expertise regarding Sea Level Rise ("SLR") to necessarily agree with the numbers presented in these Findings. However, we acknowledge that these projections have been made and presented in various reports. Additionally, the City is not in a position to verify the research conducted by the Grand Jury; therefore, our responses should not be interpreted as unconditional agreement on the accuracy of the report, but rather specific only to the information contained in the Grand Jury's report and their stated findings. We do not have independent knowledge of the results of the Grand Jury's interviews, and therefore cannot necessarily agree with Finding 9, instead, we acknowledge that these interviews took place as noted in the Grand Jury report.

Based on the research presented in the Grand Jury's Report and qualifications noted above, City of Belmont generally agrees with the findings stated below.

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

F2. SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

F12. By acting now, SMC may be able to reduce future costs by integrating SLR - related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

Grand Jury Recommendations and Belmont's Responses

The City of Belmont reviewed all seven of the Recommendations in the Grand Jury report. Our planned actions and time frame for implementation are below.

R1. The County, each city in the county and relevant local special agencies⁴³ should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

City Response: The City of Belmont regularly shares updates to the public by using various communication methods at its disposal. This includes providing informational brochures at community events, a dedicated drainage and storm water webpage, social media and City Manager's Weekly Updates. The City will provide appropriate outreach concerning SLR via our outlets, upon Council direction.

In addition, the County of San Mateo is currently working on a grant-funded vulnerability study regarding SLR, which the City of Belmont is participating in. Upon conclusion of that study, City will have more relevant local information to share with the public.

R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to focus on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making
- The organization is sustainably funded

City Response: *The City generally agrees that a single organization could be beneficial in taking on the planning for SLR. However, the City believes that further analysis is necessary to determine whether that agency is a new joint powers authority, the existing County Flood Control District, or other existing regional agency, such as C/CAG. Through a thoughtful discussion on the structure of this single organization the City wants to ensure the ability to control its costs, and that the local agencies are treated equitably when projects are being prioritized. We are ready to work with the other impacted agencies to select the organization through a collaborative effort.*

R3. The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments
- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1.

City Response: *The City generally agrees with the stated responsibilities of such proposed organization. However, as stated in response R2 the functions listed should be developed as part of the discussions about this organization. Because this issue is countywide, this will not be the responsibility of the City, so we will not be taking action on this item or suggest a time frame for implementation.*

R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

City Response: *The City neither agrees nor disagrees with expanding the role of the selected organization to handle these other areas. The City believes this requires a thoughtful consideration of both efficiency of functions provided by this single organization, Federal and State designation of responsibilities, and its cost (see responses to R2 and R3). Careful consideration must be given to this issue before doing so. We are ready to work with other impacted agencies, however this issue is countywide, and this will not be the responsibility of the City, so we will not be taking action on this item or suggest a time frame for implementation.*

R5. The organization-its administration, staffing, and program expenses – should be funded on a sustainable basis by:

- **Member contributions**
- **Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants**
- **Grants solicited from available potential sources such as the California Climate Resilience Account**
- **Reducing administrative costs by contracting for services with the County or another agency**

City Response: *The City generally agrees that sustainable funding is needed and any organization created should be prudently looking at various funding options. However, City's local revenues are stretched fairly tightly to address its local priorities, aging infrastructure and operational needs. Formation of a regional agency and assessment of member agencies will further deplete local resources necessary for operational, infrastructure, and safety needs. The City is concerned that costs must be controlled and sustainable revenues or formulaic assessments will need careful analysis.*

We are ready to work with other impacted agencies, however this issue is countywide, and this will not be the responsibility of the City, so we will not be taking action on this item or suggest a time frame for implementation.

R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

City Response: *The City of Belmont is in the process of comprehensively updating its General Plan. A Preferred Land Use Plan and preliminary policy framework has been established, and City staff and a consultant team are now working on drafting the various elements. Revising the plan's Safety Element is a component of this process. In addition to other State-mandated requirements, the revised Safety Element will include a map of flood prone areas, including those that are vulnerable to Sea Level Rise (SLR), as determined by measurements in the countywide Vulnerability Assessment. Policies that pertain to allowable land uses, hazard mitigation, and SLR adaptation measures will be contained in the Safety Element, as well as other elements where applicable (e.g. Land Use and Conservation). The City anticipates that a public review draft of the updated Safety Element will be available in early 2016.*

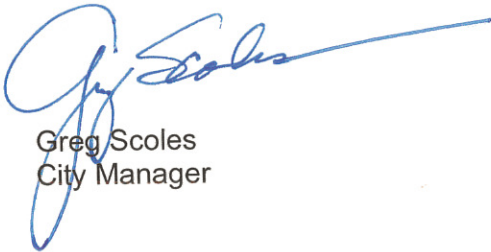
At the same time, Belmont is preparing a Climate Action Plan (CAP), which will propose municipal –and community-based measures for reducing greenhouse gas emissions in accordance with State directives. The General Plan and the CAP will be consistent with and supportive of one another and ensure that the City is fulfilling its obligation to help mitigate the effects of global climate change and SLR that may result from it.

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

City Response: The City supports and agrees that our representatives should pursue SLR-related issues with government bodies outside of the county and will do so as appropriate.

We appreciate the opportunity to comment on the Grand Jury report. If you have any questions, please contact me at (650) 595-7410.

Sincerely,



Greg Scoles
City Manager

cc: Afshin Oskoui, Director of Public Works



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Manager



DATE: August 17, 2015
BOARD MEETING DATE: September 1, 2015
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: John L. Maltbie, County Manager
SUBJECT: Board's Response to the 2014-2015 Civil Grand Jury Report "Flooding Ahead: Planning for Sea Level Rise"

RECOMMENDATION:

Approve the Board of Supervisors' response to the 2014-2015 Civil Grand Jury Report "Flooding Ahead: Planning for Sea Level Rise."

BACKGROUND:

On June 4, 2015, the 2014-2015 San Mateo County Civil Grand Jury filed a report titled "Flooding Ahead: Planning for Sea Level Rise." The Board of Supervisors is required to submit comments on the findings and recommendations pertaining to the matters under control of the County of San Mateo within ninety days. The County's response to the report is due to the Hon. Susan I. Etezadi no later than September 3, 2015.

Acceptance of this report contributes to the Shared Vision 2025 outcome of a Collaborative Community by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process improvements are made to improve the quality and efficiency of services provided to the public and other agencies.

DISCUSSION:

The Grand Jury made 12 findings and seven recommendations in its report. The Board's responses follow each finding or recommendation.

Grand Jury's Findings

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

Board's Response: Agree. Sea level rise (SLR) projections for the year 2100 vary significantly. As noted by the Grand Jury, a widely cited source for future sea level rise is the National Research Council's 2012 report entitled "*Sea Level Rise for the Coasts of California, Oregon and Washington: Past Present and Future*" which projects SLR of up to 65 inches (167 centimeters) by 2100. A study written by James Hansen, NASA's former lead climate scientist, and 16 co-authors, and published on July 23, 2015, concludes that glaciers in Greenland and Antarctica will melt 10 times faster than previous consensus estimates, resulting in SLR of at least 10 feet in as little as 50 years. At a SLR conference held in San Mateo on December 9, 2013, SLR expert John Englander stated that 15 feet of SLR is possible depending on the calving of the Antarctic ice sheet.

F2. SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

Board's Response: Agree. The County is currently conducting a vulnerability assessment that examines how SLR will affect specific points of critical infrastructure across the County. The vulnerability assessment stakeholder groups include representatives from all cities because the impacts of sea level rise will be felt throughout the County, not just where flooding occurs.

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

Board's Response: Agree, and both local officials and the general public would benefit from more information about the effects of SLR on the County. The County is currently taking steps to increase awareness about the effects of sea level rise through various public outreach initiatives including the development of a website entitled "*Sea Change San Mateo County*" (see: <http://seachangesmc.com>).

F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

Board's Response: Agree.

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

Board's Response: Agree. In many cases waterways form county and city boundaries, and as a result the watersheds and floodplains created by those waterways affect areas in multiple jurisdictions. Moreover, sea level rise does not respect jurisdictional lines as rising seas may simply circumvent one jurisdiction's actions and increase the risk facing its neighbors.

F6. Currently, no countywide agency exists to provide planning, facilitate coordination

among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.

Board's Response: Agree. As the Grand Jury noted, there is coordination among local governments in specific geographical areas, such as the areas controlled by the San Mateo County Flood Control District and the area controlled by the San Francisquito Creek Joint Powers Authority; however, there is currently no entity with countywide responsibility or powers related to flood control or SLR.

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

Board's Response: Agree. The County is similarly unaware if other jurisdictions have made such efforts. However, the County is currently conducting a vulnerability assessment that will include SLR projections and maps.

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

Board's Response: The County agrees that SLR requires a countywide approach and close coordination. The County has discussed the need for such a countywide approach with a number of city managers and elected officials.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

Board's Response: The County cannot agree nor disagree with this finding, as it is unaware of the positions of those interviewed.

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

Board's Response: Agree to the extent that these actions are ways for the County to address SLR, but whether the County can or will take on these actions is subject to funding and the political process. As noted in the Grand Jury's report, there is no dedicated SLR-specific funding stream to finance SLR-related studies or projects at this time. The County has adopted an Energy Efficiency Climate Action Plan (EECAP) and a San Mateo County Climate Action Plan Vulnerability Assessment, the latter of which examined SLR and other climate change impacts to the county.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

Board's Response: Agree. The County believes that State, regional and/or federal funding will be needed to address SLR given the magnitude of the adaptation efforts that will be required. State, regional and federal agencies also play a critical role in the

regulatory permitting of any SLR protection measures.

F12. By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

Board's Response: Agree

Grand Jury's Recommendations

R1. The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Board's Response: This recommendation is currently being implemented by the County. The County (through Supervisor Dave Pine's office and the Office of Sustainability), together with the offices of Congresswoman Jackie Speier and Assemblymember Rich Gordon, have convened three countywide conferences on SLR. In addition, one of the key tasks in the work program for the County's new Climate Resiliency Specialist includes community engagement and outreach. Examples of specific upcoming outreach efforts include collaborating with the California King Tides project, presenting at a Sustainable San Mateo County workshop on sea level rise, and utilizing County communication channels like the County website, social media, and mailing lists. The County has just launched a dedicated SLR website entitled "Sea Change San Mateo County" (see: <http://seachangesmc.com>) which features updates on the County's vulnerability assessment study that is currently in progress, links to SLR resources, and event updates.

R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to focus on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making
- The organization is sustainably funded

Board's Response: The County, through Supervisor Dave Pine's office and the Office of Sustainability (OOS), has taken the lead in coordinating sea level rise efforts across the County. The County's SLR related initiatives include the following:

- Together with the office of Congresswoman Speier and Assemblymember Gordon, the County has held three public forums to raise awareness of SLR and solicit input from cities and other stakeholders.
- In May of 2015, the County hired a new Climate Resiliency Specialist to coordinate its SLR planning and outreach efforts.

- The County has partnered with the California Coastal Conservancy to conduct a sea level rise vulnerability assessment study that will identify and assess the community assets and natural resources that will be most affected by SLR and storm events along the San Mateo County bayshore and coastline from Half Moon Bay north. This study is now underway and is scheduled to be completed in May 2016.
- The County, in partnership with the cities of San Bruno, South San Francisco, Colma, and the San Francisco International Airport, completed a detailed SLR study of the shoreline area northwest of the airport where the San Bruno and Colma creeks enter the San Francisco Bay.
- The County has played a coordinating role in connection with the release of the Federal Emergency Management Agency's new draft flood maps.
- The County has applied for a National Oceanographic and Atmospheric Administration (NOAA) Regional Coastal Resilience grant to develop a sea level rise and flood risk reduction plan for three watersheds (Colma, San Bruno and Millbrae Creeks), and to raise awareness and capacity to address sea level rise in these watersheds among key stakeholders.

The Grand Jury's recommendation to identify a single organization to undertake countywide SLR planning requires further analysis. The Board agrees that a coordinated, countywide approach is needed for SLR planning and to build on the County's SLR effort to date. The attributes for such an organization listed in the Grand Jury's recommendations seem appropriate.

The County has been in discussions with the cities and relevant local special agencies to identify the best organizational structure for addressing SLR, and will continue to participate in these discussions in the future. These discussions and decisions will take into account the recommendations of the Grand Jury. The County continues to explore the Grand Jury's idea to expand the authority of the existing Flood Control District to include sea level rise efforts in addition to its current flood control duties, but these discussions are ongoing. The County suggests that the organization be staffed by or have access to the engineering staff of the County and the cities and utilize existing resources to the extent possible.

The County also suggests that the County, the cities, the Flood Control District, and C/CAG set a deadline of December 2015 to form a stakeholder committee that will study the Grand Jury's recommendations for a countywide organization and make a recommendation as to the form of a potential countywide SLR organization.

R3. The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments
- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be

- passed through to agencies with direct responsibility for project construction
- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1

Board's Response: This recommendation will require further analysis (see Board's Response to R2 above), but overall the list of the organization's proposed responsibilities seems reasonable. Currently, the OOS and Climate Resiliency Specialist provide centralized support to cities around SLR planning and many of these responsibilities listed above are being fulfilled by the OOS. For example, the OOS is currently conducting a countywide sea level rise vulnerability assessment, funded by a California State Coastal Conservancy grant. Additionally, the OOS has helped convene multiple meetings that have provided valuable forums for inter-jurisdictional coordination and the exchange of information related to SLR. Meeting attendees have included a diversity of stakeholders such as cities, regulatory agencies, and the business community. Information provided by these attendees has helped shape the scope of work for the vulnerability assessment and identify shortcomings in current SLR maps. After the vulnerability assessment is completed, the County's Climate Resiliency Specialist will help facilitate SLR-related projects with cities, including securing funds. The Climate Resiliency Specialist will also advocate on SLR-issues with relevant government agencies and engage in public education as described in the Board's Response to R1.

R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Board's Response: This recommendation requires further analysis – see Board's Response to R2 above. This recommendation would require agreement among stakeholders, including the cities, C/CAG, and other agencies before proceeding.

The County believes that the primary purpose of the organization should be to defend the County against sea level rise and flooding dues to storm events. SLR and flood control are interrelated as flooding from fluvial (freshwater) sources is linked to tidal conditions that affect creeks and storm drains near the shoreline of the Bay and the Pacific Ocean.

The County also agrees that it may be cost-effective to integrate SLR protection with other levee-improvement programs. For example, the Foster City levees project that is now being planned to address the Federal Emergency Management Agency's requirements for flood protection presents an opportunity to also incorporate future SLR. A possible approach is to construct these levees with "adaptive capacity" so that their height can be more easily increased in the future.

The County believes that NPDES and groundwater management are potential functions that a comprehensive water management agency could undertake in the future, together with SLR and flood control, as all of these issues are interrelated. However, NPDES is currently managed by the City/County Association of Governments and the cities, and various agencies and cities are already addressing groundwater issues. The County would not want a discussion of the NPDES and groundwater management to delay the creation or expansion of an entity focused on flood protection and sea level rise.

R5. The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

Board's Response: This recommendation requires further analysis – see Board's Response to R2 above. The County has been in discussions with the cities and relevant local special agencies to identify the best approach going forward, and will continue to participate in these discussions in the future. These discussions and decisions will take into account these recommendations with regard to funding of the organization.

R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

Board's Response: The County has implemented this recommendation through its Energy Efficiency Climate Action Plan (EECAP). The EECAP was developed and adopted as a Sustainability Element in the County's General Plan. Along with the EECAP, there is a San Mateo County Climate Action Plan Climate Change Vulnerability Assessment that identifies sea level rise as a significant climate change impact. After the current sea level rise vulnerability assessment is completed, there will be additional opportunities to update the General Plan with the latest data and analysis on risk for SLR.

R7. The County, cities, and relevant local special agencies, through their representatives

on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

Board's Response: This recommendation has been implemented, and will continue to be implemented as the County's SLR efforts progress. Since 2013, Supervisor Dave Pine has collaborated with elected representatives at both the state and federal level on SLR issues, including California Assemblyman Rich Gordon and Congresswoman Jackie Speier. Supervisor Pine also serves on the Board of the San Francisco Bay Conservation and Development Commission and the San Francisco Bay Restoration Authority. He has been an advocate for addressing SLR throughout the Bay Area. In addition, Supervisor Pine, the Department of Public Works Director, and the Climate Resiliency Specialist are participating in CHARG, a Bay-wide effort to coordinate SLR planning across jurisdictions. Over time, the County's Climate Resiliency Specialist will also interact with government bodies outside San Mateo County on advocacy around SLR planning.

FISCAL IMPACT:

There is no net fiscal impact associated with accepting this report.



The City of Burlingame

TERRY NAGEL, MAYOR
ANN KEIGHRAN, VICE MAYOR
RICARDO ORTIZ
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August 17, 2015

Honorable Susan I. Etezadi
Judge of the Superior Court
C/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Subject: City of Burlingame Response to Grand Jury Report "Flooding Ahead: Planning for Sea Level Rise"

Dear Judge Etezadi:

Thank you for the opportunity to review and comment on the above referenced Grand Jury report regarding Sea Level Rise. After reviewing the Grand Jury report and all available data pertaining to our community, below are the City of Burlingame's responses to the findings and recommendations contained in the report.

Responses to Grand Jury Findings:

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic Sea Level Rise (SLR) of nearly 15 feet is a possibility this century.

Response: The City partially agrees with the finding that there are multiple reports of varying SLR projections. The City does not possess independent expertise regarding SLR to necessarily agree with the figures presented in the findings.

- F2.** SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

Response: The City agrees with the finding.

- F3.** Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

Response: The City agrees with the finding.

- F4.** Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

Response: The City agrees with the finding.

- F5.** Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

Response: The City agrees with the finding.

- F6.** Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.

Response: The City agrees with the finding.

- F7.** To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

Response: The City agrees with the finding.

- F8.** There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

Response: The City agrees with the finding.

- F9.** Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

Response: The City does not have independent knowledge of the results of the Grand Jury interviews, and therefore cannot agree or disagree with the finding. Instead, the City acknowledges that these interviews took place as noted in the Grand Jury report.

- F10.** The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

Response: The City partially disagrees with the finding. The cities can address SLR in their General Plans and Climate Action Plans and can adopt relevant policies. However, the flood risk is based on topography and not political boundaries. Therefore, addressing SLR policies should be performed on a regional basis in coordination with the cities in order to promote the greatest regional benefit from these policies and plans.

- F11.** Many actions to address SLR are within the authority of regional, State, and federal agencies.

Response: The City agrees with the finding. However, it should be noted that there has not been a concerted effort by regional, state, or federal agencies to take the lead on SLR. Absent a coordinated regional effort to address SLR impacts, this continues to place the burden on local agencies to address SLR in their local policies and plans, though doing so will not adequately address the issue as it is of regional significance and impact

- F12.** By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

Response: The City agrees with the finding.

Responses to Grand Jury Recommendations:

The Grand Jury recommends increased public education about SLR:

- R1.** The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Response: The City is in the process of implementing this recommendation to increase public education and awareness of SLR as part of the General Plan Update. Additionally, the City will continue to monitor and participate in studies and regional efforts to understand the impacts of SLR to our community. Upon development of a regional plan, the City will work with the designated regional agency to further increase public education of SLR as part of regional effort.

The Grand Jury recommends identifying a single organization to undertake SLR Planning:

- R2.** The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded

SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to focus on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making
- The organization is sustainably funded

Response: The City has not yet implemented the above recommendation, and cannot do so without the cooperation of the County and other cities. However, the City is supportive of the County performing an evaluation of the various governance options as listed above. The structure and scope of the organization listed in the above recommendation appears to be reasonable. The City cannot unilaterally dictate the timing of implementation of this recommendation, as this effort requires regional cooperation.

R3. The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
 - Conduct and/or evaluate vulnerability assessments
 - Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
 - Undertake grant applications for SLR-related planning and projects
 - Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
 - Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
 - Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
 - Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
-

- Assist the County and cities in public awareness efforts, as described in R1

Response: The City has not yet implemented the above recommendation, and cannot do so without the cooperation of the County and other cities. However, the City is supportive of the County performing an evaluation of the various governance options as listed above. The structure and scope of the organization listed in the above recommendation appears to be reasonable. The City cannot unilaterally dictate the timing of implementation of this recommendation as this effort requires regional cooperation.

- R4.** The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Response: The City has not yet implemented the above recommendation, and cannot do so without the cooperation of the County and other cities. However, the City is supportive of the County performing an evaluation of the various governance options as listed above. The scope and structure of the organization listed in the above recommendation appears to be reasonable. The City cannot unilaterally dictate the timing of implementation of this recommendation as this effort requires regional cooperation.

- R5.** The organization-its administration, staffing, and program expenses-should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

Response: The City has not yet implemented the above recommendation, and cannot do so without the cooperation of the County and other cities. However, the City is supportive of the County performing an evaluation of the various governance options

as listed above. The structure and scope of the organization listed in the above recommendation appears to be reasonable. The City cannot unilaterally dictate the timing of implementation of this recommendation as this effort requires regional cooperation.

The Grand Jury recommends that SLR be addressed in local land use planning:

- R6.** The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

Response: The City is in the process of implementing this recommendation. The City has initiated a process to update its General Plan, which will study the SLR issues affecting local land use and zoning policies, and will address them as part of the General Plan Update. However, it should be noted that SLR is a regional issue and as such, flood risk is based on topography and not political boundaries. Therefore, addressing SLR policies should be performed on a countywide basis in coordination with the cities.

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

- R7.** The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

Response: The City has implemented this recommendation and continues to work with regional, state and federal agencies to address the SLR issues. The City Manager, Public Works Director and Community Development Director have been involved in raising awareness to address SLR issues with regional, State and federal agencies. The City will continue to remain engaged in the SLR issues.

The above responses to the Grand Jury Report were approved at a public meeting on August 17, 2015. The City of Burlingame will continue to remain engaged in SLR issues and fully support the County performing an evaluation of potential governance options for this issue.

Sincerely,



Terry Nagel
Mayor

RESOLUTION NO. 78-2015

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME APPROVING
RESPONSE TO THE SAN MATEO COUNTY CIVIL GRAND JURY REPORT:
"FLOODING AHEAD: PLANNING FOR SEA LEVEL RISE"**

WHEREAS, the San Mateo County Civil Grand Jury released a report entitled, "Flooding Ahead: Planning for Sea Level Rise" on June 4, 2015; and

WHEREAS, the report states that San Mateo County is at severe risk for Sea Level Rise (SLR) over the period of 2015 through 2100; and

WHEREAS, the report indicates that no coordinated countywide mechanism currently exists to address the existing flooding problems in the region, and the agencies are not prepared for the added challenge of SLR; and

WHEREAS, the report included 12 findings along with 7 recommendations to address those findings; and

WHEREAS, The County has requested that each agency respond to the findings and recommendations, and submit responses to the San Mateo County Grand Jury by September 3, 2015; and

WHEREAS, the City Council has reviewed the proposed draft response letter attached hereto as Exhibit A.

NOW, THEREFORE, be it RESOLVED, and it is hereby ORDERED, that the letter in response to the San Mateo County Grand Jury Report, "Flooding Ahead: Planning for Sea Level Rise", is hereby approved, and the Mayor is authorized to sign and convey said letter on behalf of the City.



Mayor

I, MARY ELLEN KEARNEY, City Clerk of the City of Burlingame, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the City Council held on the 17th day of August, 2015, and was adopted thereafter by the following vote:

AYES: COUNCILMEMBERS: BROWNRIGG, KEIGHRAN, NAGEL, ORTIZ, ROOT
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE



City Clerk



TOWN OF COLMA

1198 El Camino Real • Colma, California • 94014-3212
Tel 650-997-8300 • Fax 650-997-8308

July 15, 2015

City Council

Joanne F. del Rosario
Mayor

Diana Colvin
Vice Mayor

Helen Fiscaro
Council Member

Raquel "Rae" Gonzalez
Council Member

Joseph Silva
Council Member

City Officials

Sean Rabé
City Manager

Kirk Stratton
Chief of Police

Christopher Diaz
City Attorney

Cyrus Kianpour
City Engineer

Brad Donohue
Public Works Director

Michael Laughlin, AICP
City Planner

Brian Dossey
Director of Recreation
Services

Lori Burns
Human Resources Manager

The Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 8th Floor
Redwood City, CA 94063-1655

Re: **Grand Jury Report: "Flooding Ahead: Planning For Sea Level Rise"**

Dear Judge Etezadi:

The Colma City Council received the San Mateo County Civil Grand Jury report titled "Flooding Ahead: Planning For Sea Level Rise" in late June. The report contained several "findings" and "recommendations."

The Town was requested to submit comments in regards to the findings and recommendations within 90 days and no later than September 3, 2015.

For the "findings," the Town was to indicate one of the following:

1. Council agrees with the finding.
2. Council disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefore.

Additionally, for the Grand Jury "recommendations," the Town was requested to report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the Grand Jury report.
4. The recommendation will not be implemented because it is not warranted or reasonable, with an explanation therefore.

The following response to the Grand Jury Report was approved by the Colma City Council, at its meeting on Wednesday, July 15, 2015.

Grand Jury Findings

The 2014/15 Grand Jury found the following regarding Sea Level Rise in San Mateo County:

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

TOWN OF COLMA RESPONSE: The Town Of Colma agrees with this finding.

F2. SLR is a threat *countywide*, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

TOWN OF COLMA RESPONSE: The Town Of Colma agrees with this finding.

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

TOWN OF COLMA RESPONSE: The Town Of Colma agrees with this finding.

F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

TOWN OF COLMA RESPONSE: The Town Of Colma agrees with this finding.

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

TOWN OF COLMA RESPONSE: The Town Of Colma agrees with this finding.

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for *existing* flood control projects. The same is true for future SLR-related projects.

TOWN OF COLMA RESPONSE: The Town Of Colma agrees with this finding.

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

TOWN OF COLMA RESPONSE: The Town Of Colma agrees with this finding.

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

TOWN OF COLMA RESPONSE: The Town Of Colma partially disagrees with this finding as further study is needed to determine if a countywide approach is the best means of addressing sea level rise.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

TOWN OF COLMA RESPONSE: The Town Of Colma partially disagrees with this finding as neither the City Council nor the City Manager were interviewed for the Grand Jury Report.

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

TOWN OF COLMA RESPONSE: The Town Of Colma partially disagrees with this finding as further study is needed to determine the best means of addressing sea level rise, including adoption of relevant policies.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

TOWN OF COLMA RESPONSE: The Town Of Colma partially disagrees with this finding as further study is needed to determine the best means of addressing sea level rise.

F12. By acting *now*, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

TOWN OF COLMA RESPONSE: The Town Of Colma partially disagrees with this finding as further study is needed to determine the best means of addressing sea level rise.

Grand Jury Recommendations

The Grand Jury recommends increased public education about SLR:

R1. The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

TOWN OF COLMA RESPONSE: The Town Of Colma has not yet implemented this recommendation but will implement it and the Town believes the recently-formed San Mateo County Sea Level Rise Vulnerability Assessment Study will provide the best means of addressing sea level rise – including increasing awareness. The Town is actively participating in the Study.

The Grand Jury recommends identifying a single organization to undertake SLR planning:

R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to *focus* on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making
- The organization is sustainably funded

TOWN OF COLMA RESPONSE: The Town Of Colma believes this recommendation requires further analysis of Sea Level Rise and the most efficient means of addressing it prior to the establishment of any organization focusing on SLR. The recently-formed San Mateo County Sea Level Rise Vulnerability Assessment Study will provide the best means

of addressing SLR. The Town is actively participating in the Study and once completed, the Town will consider the type of organization best suited to addressing SLR.

R3. The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments⁴⁶
- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1

TOWN OF COLMA RESPONSE: The Town Of Colma believes this recommendation requires further analysis of Sea Level Rise and the most efficient means of addressing it prior to the establishment of any organization focusing on SLR. The recently-formed San Mateo County Sea Level Rise Vulnerability Assessment Study will provide the best means of addressing SLR. The Town is actively participating in the Study and once completed, the Town will consider the type of organization best suited to addressing SLR.

R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address *existing* flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs. The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

TOWN OF COLMA RESPONSE: This recommendation requires further analysis prior to any implementation. As noted in the above responses, the Town Of Colma believes further analysis of Sea Level Rise and the most efficient means of addressing it are important prior to the establishment of any organization focusing on SLR. The recently-formed San Mateo County Sea Level Rise Vulnerability Assessment Study will provide the best means of addressing SLR. The Town is actively participating in the Study and once completed, the Town will consider the type of organization best suited to addressing SLR, and any expanded role.

R5. The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants

- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

TOWN OF COLMA RESPONSE: This recommendation requires further analysis prior to any implementation. As noted in the above responses, the Town Of Colma believes further analysis of Sea Level Rise and the most efficient means of addressing it are important prior to the establishment of any organization focusing on SLR. The recently-formed San Mateo County Sea Level Rise Vulnerability Assessment Study will provide the best means of addressing SLR. The Town is actively participating in the Study and once completed, the Town will consider the type of organization best suited to addressing SLR, and the types of sustainable funding for the organization.

The Grand Jury recommends that SLR be addressed in local land use planning:

R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

TOWN OF COLMA RESPONSE: This recommendation requires further analysis prior to any implementation. The recently-formed San Mateo County Sea Level Rise Vulnerability Assessment Study will provide the best means of addressing SLR. The Town is actively participating in the Study and once completed, the Town will determine if its General Plan will require an amendment.

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

TOWN OF COLMA RESPONSE: This recommendation requires further analysis prior to any implementation. The recently-formed San Mateo County Sea Level Rise Vulnerability Assessment Study will provide the best means of addressing SLR. The Town is actively participating in the Study and once completed, the Town will determine if and when to address SLR issues before regional, State, and federal government agencies.

On behalf of the Town of Colma, I would like to thank the Grand Jury for their work on this report.

Sincerely,



Joanne F. del Rosario
Mayor



CITY OF DALY CITY

333-90TH STREET

DALY CITY, CA 94015-1895

PHONE: (650) 991-8000

September 3, 2015

Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

RE: 2014-2015 Grand Jury Report "Flooding Ahead: Planning for Sea Level Rise"

Dear Judge Etezadi:

On behalf of the City Council of Daly City, I am submitting this response to the 2014-2015 San Mateo County Grand Jury Report titled "Flooding Ahead: Planning for Sea Level Rise." The response that follows detailing the Grand Jury Findings and Recommendations was presented to and approved by the City Council at its regular meeting on August 10, 2015.

FINDINGS

F1.

San Mateo County is at severe risk for flooding due to the gradual rise in Sea Level Rise (SLR), projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

Response:

The City agrees with the scientific projections detailed in the finding.

F2.

SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of countywide property tax base is within the area threatened by SLR.

Response:

The City agrees with the finding.

F3.

Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

Response:

The City partially agrees with this finding. Many cities, including Daly City, have included details concerning SLR in local sustainability program information. A better job of publicizing this issue and its potential impacts should be undertaken by the County in conjunction with those jurisdictions potentially most directly impacted.

F4.

Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (The County is responsible for unincorporated areas).

Response:

The City agrees with this finding.

F5.

Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

Response:

The City agrees with this finding.

F6.

Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.

Response:

The City agrees with the finding.

F7.

To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

Response:

The City neither agrees nor disagrees with the finding as we are unaware of what other local jurisdictions have undertaken in this regard.

RECOMMENDATIONS

The Grand Jury recommends increased public education about SLR:

R1.

The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Response:

The City agrees with this recommendation as it pertains to Daly City.

The Grand Jury recommends identifying a single organization to undertake SLR planning:

R2.

The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to focus on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making.
- The organization is sustainably funded

Response:

The City agrees with this recommendation, particularly with respect to ensuring that sustainable funding is provided to such a proposed countywide agency.

R3.

The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments
- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain

- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1

Response:

The City concurs with the recommendation.

R4.

The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other Levee-improvement programs.

The county and cities may also consider expanding the role of the new organization to include potential compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Response:

The City partially agrees with this recommendation. While we concur that a coordinated effort should be developed through a countywide agency to address multi-jurisdictional issues and levee improvement, we are not in agreement that cities should cede control to such an agency to address issues of a localized nature such as NPDES and sustainable groundwater management. Some jurisdictions, like Daly City, have consistently addressed these latter issues effectively and should not be subject to a countywide agency exerting control over existing efforts and dictating future actions, especially if funds are not provided to implement such mandates.

R5.

The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

Response:

The City partially agrees with this recommendation. We concur that adequate funding should be provided to address the issue(s) associated with SLR. However, in order to focus efforts in a sustainable manner that recognizes there are a variety of local needs in the cities which need to

be balanced against this emerging need, a countywide assessment solely for this purpose should be implemented.

The Grand Jury recommends that SLR be addressed in local land use planning:

R6.

The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety element should include a map of any areas vulnerable to SLR, as determined by measurement in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

Response:

The City neither agrees nor disagrees with this recommendation. While addressing SLR may be important to future planning efforts and development, it cannot be accomplished simply by updating the General Plan. For coastal jurisdictions, long-term planning concerns regarding SLR must be addressed in a General Plan Coastal Element. This will require a partnership with the State Coastal Commission to address in a coordinated and consistent manner. It cannot be undertaken independently by each coastal jurisdiction.

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

R7.

The County, cities, and relevant local special agencies, through their representative on regional agencies, membership in state association, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

Response:

The City agrees that any future activities related to SLR must be addressed in a comprehensive and coordinated manner among governing agencies and elected representatives at all levels.

In conclusion, the City of Daly City appreciates the opportunity to provide written responses to the San Mateo County Civil Grand Jury Report on Planning for Sea Level Rise (SLR). This issue is of significant importance to the County of San Mateo and all of the local jurisdictions as we grapple with concerns related to environmental sustainability. No single agency can tackle the challenges brought on by SLR, thus it is imperative that comprehensive, coordinated planning efforts be implemented to respond to the risks associated with SLR in the San Mateo County.

Should you or the Grand Jury require additional information or clarification concerning the City of Daly City's response, please contact me directly at (650) 991-8127.

Sincerely,



Patricia E. Martel
City Manager



CITY OF EAST PALO ALTO

OFFICE OF THE MAYOR
2415 UNIVERSITY AVENUE
EAST PALO ALTO, CA 9430

September 1, 2015

Honorable John L. Grandsaert
Presiding Judge
San Mateo County Superior Court
400 County Center
Redwood City, CA 94063-1655

SUBJECT: GRAND JURY REPORT
“Flooding Ahead: Planning for Sea Level Rise”

Dear Judge Grandsaert :

Attached please find the City of East Palo Alto’s response to the above referenced Grand Jury Report. The response was considered by the City Council at its regular meeting on September 1, 2015.

Should you have any questions concerning this response, please contact City Manager Carlos Martinez at (650) 853-3118.

Sincerely,

Lisa Gauthier
Mayor

Enc.

RESOLUTION NO. 4651

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO
AUTHORIZING THE MAYOR TO FILE A RESPONSE TO THE SAN MATEO
GRAND JURY REPORT. DATED JUNE 4, 2015, ENTITLED
"FLOODING AHEAD: PLANNING FOR SEA LEVEL RISE"**

WHEREAS, pursuant to California Penal Code section 933, a public agency which receives a Grand Jury Report addressing aspects of the public agency's operations, must respond to the Report's findings and recommendations contained in the Report in writing within ninety days to the Presiding Judge of the Solano County Superior Court; and

WHEREAS, the City Council has received and reviewed the San Mateo Grand Jury Report, dated June 4, 2015, entitled "Flooding Ahead: Planning For Sea Level Rise;" and

WHEREAS, the City Council has reviewed and considered the response to the Grand Jury, which is Attachment 3 of the Staff Report accompanying this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Palo Alto hereby approves the City Council's response letter to the San Mateo Grand Jury Report, dated June 4, 2015, entitled "Flooding Ahead: Planning For Sea Level Rise." as stated in Exhibit A, which is incorporated herein by this reference, and authorizes the Mayor to sign the response letter and transmit it to the Presiding Judge of the Superior Court of San Mateo County.

PASSED AND ADOPTED this 1st day of September 2015, by the following vote:

AYES: RUTHERFORD, MOODY, GAUTHIER, ABRICA

NAES:

ABSENT: ROMERO


ABSTAIN:

SIGNED:



Lisa Gauthier, Mayor

ATTEST:



Terrie Gillen, Deputy City Clerk

APPROVED AS TO FORM:



John A. Nagel, City Attorney

RESPONSE TO GRAND JURY REPORT

Report Title: **Flooding Ahead: Planning for Sea Level Rise**

Report Date: June 4, 2015

Response by: City of East Palo Alto, September 1, 2015

FINDINGS:

The City agrees with the following findings numbered: F2, F4, F5, F6, F7, F8, F10, F11, and F12.

- F2. SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.
- F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).
- F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.
- F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.
- F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes.⁴² No consistent SLR projection has been adopted countywide by the County and cities.
- F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.
- F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.
- F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.
- F12. By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

The City either disagrees wholly or partially with the following findings numbered: F1, F3, and F9, as described below.

FINDINGS

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

To fully agree with this assertion it would require that the City independently verify specific statistics related to scientific projects. The City has not done so and while we can express general agreement that portion of San Mateo County are at risk for flooding, the City does not have independent information concerning specific areas of the County nor can we assess that the entirety of the County is at severe risk as a general statement. The Grand Jury Report itself notes specifics and then articulates that the "...precise amount and rate of sea level rise are unknown..."

The City of East Palo Alto is a member of the San Francisquito Creek Joint Power Authority and has been working with the SFJPA Stakeholders to address the SFJPA main function, flooding from the San Francisquito Creek. Furthermore, the SFJPA, at the request of East Palo Alto, agreed to expand its role to manage a study (the SAFER Bay Project) funded jointly by the Cities of East Palo Alto, Menlo Park, Palo Alto, Facebook, the California Department of Water Resources, the California Coastal Conservancy and the U.S. Fish & Wildlife Services, assess existing levees and address long term sea level rise. The "SAFER" Bay Project includes environmental assessment and design of an expanded levee system along San Francisco Bay from East Palo Alto to Redwood City in San Mateo County.

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

F3 asserts that there is inadequate public awareness of the impacts of sea level rise. There does not appear to be any data associated with the Grand Jury Report in support of this assertion.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

F9 is a re-statement of comments within the Grand Jury Report with respect to the Grand Jury's independent interviews. The City cannot attest to the interview information.

RECOMMENDATIONS:

- Recommendation numbered R1 has been implemented. An *Actions Summary* is included below.
- Recommendations R2 – R7 requires further analysis. An *Explanation* to each of these recommendations is included below. *Timeframe* for these matters to be prepared for discussion: For each of these matters, R2 – R7, the City will participate in SLR discussions as they already happen at the local level through the SFCJPA monthly and at the regional level as they may develop countywide.

RECOMMENDATIONS

The Grand Jury recommends increased public education about SLR:

R1: The County, each city in the county and relevant local agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

- Recommendation numbered R1 has been implemented.

Actions Summary: The City of East Palo Alto is a member of the San Francisquito Creek Joint Powers Authority and has been already actively working with the SFJPA stakeholders to address and educate the public about flooding from the San Francisquito Creek as well as tidal flooding due to SLR, within the City and SFJPA limited resources.

In addition, the SFJPA has developed a fluvial flood notification system to which residents can subscribe, and in coordination with Menlo Fire and the County Office of Emergency Services, developed a Community Emergency Readiness Training (CERT) to ensure the community's emergency preparedness in case of a disaster or flooding due to a fluvial or tidal event.

The SFJPA Board of Directors has monthly meetings open to the public. The City and the SFJPA has already conducted and will continue its local public education efforts to increase awareness of SLR. While the City agrees, that other relevant agencies should conduct additional public education effort to increase awareness of potential SLR impacts on the county, regional efforts are better led by regional agencies.

R2: The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded San Mateo County Flood Control District, to undertake countywide sea level rise planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to *focus* on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making
- The organization is sustainably and equitably funded

Explanation: The City supports a countywide approach but believes that further analysis is necessary to determine whether that organization is a new joint powers authority, the existing County Flood Control District, or other existing regional agency, such as C/CAG. Because this issue is countywide, the City believes that the County of San Mateo is in a better position to take the lead in formation of the roles, responsibilities, and funding, and in initiating the regional discussion, including cities and relevant local special agencies, to identify the ideal organizational structure and Agency to undertake countywide SLR planning.

There is no evidence that the best solution is a single organization. The outcome of these discussions may lead to the finding that the best solution is the formation of a new agency, or a multitude of collaborations that may also include private sector stakeholders.

Timeframe: The City will participate in SLR discussions as they already happen at the local level through the SFCJPA monthly and at the regional level as they may develop countywide.

R3: The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments
- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1

Explanation: The City supports the statements including in the organization's responsibilities; however, doesn't consider them to be all inclusive and further analysis and stakeholders' participation is needed to further define the responsibilities of the organization.

Timeframe: The City will participate in SLR discussions as they already happen at the local level through the SFCJPA monthly and at the regional level as they may develop countywide.

R4: The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond sea level rise to include planning and coordination of efforts to address existing flooding problems along the Bay, coast and creeks that are subject to tidal action. The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the NPDES, currently managed by C/CAG and the new (2014) State requirements for local sustainable groundwater planning.

Explanation: The focus of the Grand Jury Report is on sea level rise. The City supports a regional approach to sea level rise issues; however, consolidating various other functions and responsibilities away from existing agencies (local, regional, C/CAG, ABAG, etc.) that have considerable regulatory and technical professional experience into this newly to be formed agency may prove difficult and inefficient. State and Federal laws already designate responsibility for these other functional areas. Careful consideration must be given to this issue before doing so.

Timeframe: The City will participate in SLR discussions as they already happen at the local level through the SFCJPA monthly and at the regional level as they may develop countywide.

R5: The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

Explanation: Local agency revenues are stretched fairly tightly to address local issues. Formation of a regional agency and assessment of member agencies will further deplete local resources necessary for local infrastructure and safety needs. Careful additional consideration and analysis needs to go into developing a funding formula that is equitable, minimize the impacts to, and protects financially vulnerable populations, including seniors on fixed income, and the County's low income population. Therefore, more analysis is necessary with respect to funding options. As a result, while the City supports the funding of a regional agency to address the issue(s), the City is not in a position to lead this effort or identify a time frame for further action.

Timeframe: The City will participate in SLR discussions as they already happen at the local level through the SFCJPA monthly and at the regional level as they may develop countywide.

The Grand Jury recommends that SLR be addressed in local land use planning:

R6: The County and each city should amend its General Plan, as needed, to address the risk for sea level rise. The Safety Element should include a map of any areas vulnerable to sea level rise, as determined by measurements in the countywide vulnerability assessment. Further, it should identify policies that apply to areas threatened by SLR.

Explanation: The City is currently going through the process of updating its General Plan for the past two years. The General Plan updates carry with them mandated public meetings, environmental review and comment periods, as well as notice periods. The City will evaluate sea level rise information for inclusion in the current update. However, because of the required noticing, public meetings, comment periods, and environmental review requirements, the City cannot commit to a specific time frame, or including results of studies that have not been completed or verified by the City. The City anticipates completing its General Plan update(s) by the end of FY 2015/16.

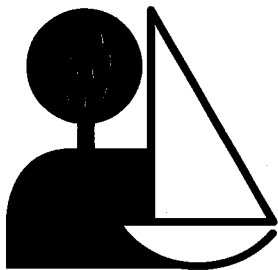
Timeframe: The City will participate in SLR discussions as they already happen at the local level through the SFCJPA monthly and at the regional level as they may develop countywide.

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

R7: The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists and elected State and federal legislators should pursue sea level rise related issues with government bodies outside of San Mateo County.

Explanation: The City supports the advocacy to resolve and inclusion of sea level rise related issues in relevant conversations with government bodies outside of San Mateo County and will do so as appropriate. However, further definition of the SLR agenda, including among them the prioritization of the issues, sources of funding, and organizational structure, is needed for the City to champion them.

Timeframe: The City will participate in SLR discussions as they already happen at the local level through the SFCJPA monthly and at the regional level as they may develop countywide.



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222

August 3, 2015

Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Subject: RESPONSE TO GRAND JURY REPORT "FLOODING AHEAD: PLANNING FOR SEA LEVEL RISE"

Dear Judge Etezadi:

The City of Foster City is in receipt of the Grand Jury's Report entitled, "Flooding Ahead: Planning for Sea Level Rise." Pursuant to your June 4, 2015 directive to respond, the City of Foster City held a public meeting on August 3, 2015 and approved this letter.

In response to the listed "Findings and Recommendations", the City of Foster City is not in a position to verify the research conducted by the Grand Jury; therefore, our responses should not be interpreted as unconditional agreement on the accuracy of the report, but rather specific only to the information contained in the Grand Jury's report and their stated research. Specifically, there appears to be inconsistencies in the grand jury report, as well as sea level rise predictions by various sources. The City of Foster City is currently working with a consultant to determine their recommended elevation to incorporate in the City's current levee project, to account for sea level rise. Ultimately, the City Council will provide direction for the incorporation of sea level rise with the project design.

That being said, the City of Foster City generally agrees with the content and conclusions of the report. Our specific responses to the Grand Jury's "Findings" and "Recommendations" are as follows:

FINDINGS

- F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.*
- F2. SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.*
- F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.*
- F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).*
- F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.*
- F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.*
- F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.*
- F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.*
- F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.*
- F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.*
- F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.*
- F12. By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.*

Based on the research presented in the Grand Jury's Report, EMID generally agrees with all of the findings stated above.

RECOMMENDATIONS

The Grand Jury recommends increased public education about SLR:

R1. The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Federal Emergency Management Agency (FEMA) has prepared a coastal flood hazard study and its impact on Foster City/EMID. Based on the FEMA coastal flood hazard study, roughly 85 percent of Foster City's levee system does not meet the required freeboard elevation per Title 44 of the Code of Federal Regulations, Section 65.10 and therefore, the levee will not retain accreditation status when the Flood Insurance Rate Map (FIRM) is updated in mid-2016.

In response to the study and in order to retain accreditation of the levee, EMID and the City of Foster City are currently working on a Levee Improvement Project. Included in the levee design will be the incorporation of design parameters to address Sea Level Rise. As part of the public outreach and education component of the Levee Improvement Project, public education regarding increasing awareness of SLR and its potential effects to Foster City will be included.

In addition, the County of San Mateo is currently working on a grant-funded vulnerability study regarding SLR, which the City of Foster City is participating in.

The Grand Jury recommends identifying a single organization to undertake SLR planning:

R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- *The organization is countywide in scope*
- *The organization is able to focus on SLR*
- *Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making*
- *The organization is sustainably funded*

See response to R1 above.

R3. The organization's responsibilities should include:

- *Adopt consistent SLR projections for use in levee planning countywide*
- *Conduct and/or evaluate vulnerability assessments*
- *Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR*
- *Undertake grant applications for SLR-related planning and projects*
- *Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction*
- *Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies*
- *Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain*
- *Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues*
- *Assist the County and cities in public awareness efforts, as described in R1*

See response to R1 above.

R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

See response to R1 above.

R5. *The organization-its administration, staffing, and program expenses – should be funded on a sustainable basis by:*

- *Member contributions*
- *Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants*
- *Grants solicited from available potential sources such as the California Climate Resilience Account*
- *Reducing administrative costs by contracting for services with the County or another agency*

See response to R1 above.

The Grand Jury recommends that SLR be addressed in local land use planning:

R6. *The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.*

See response to R1 above.

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

R7. *The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.*

See response to R1 above.

Sincerely,



Art Kiesel
Mayor
City of Foster City

MINUTE ORDER

No. 1433

OFFICE OF THE CITY CLERK
FOSTER CITY, CALIFORNIA

Date: August 4, 2015

Attention: City Council/EMID Board
Honorable Susan I. Etezadi, Judge of the Superior Court
Kevin M. Miller, City/District Manager
Jeff Moneda, Public Works Director

City Council/EMID Board Meeting Date: August 3, 2015

Subject: Response to 2014-2015 Grand Jury Report entitled, "Flooding Ahead: Planning for Sea Level Rise."

Motion by Councilmember Bronitsky, seconded by Councilmember Perez, and carried unanimously, 5-0-0, IT WAS ORDERED approving the response letter to the Honorable Susan I. Etezadi, Judge of the Superior Court with amendments to address the inconsistency of the 2014-2015 Grand Jury Report regarding the elevations associated with sea level rise.



CITY CLERK/DISTRICT SECRETARY



CITY OF HALF MOON BAY

City Hall • 501 Main Street • Half Moon Bay • CA • 94019

August 19, 2015

Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Subject: June 4, 2015 Grand Jury Report, "Flooding Ahead: Planning for Sea Level Rise"

Dear Madam:

The City Council of the City of Half Moon Bay, at its August 18, 2015 meeting, reviewed and approved the following responses to the San Mateo County Civil Grand Jury 2014-2015 Report "Flooding Ahead: Planning for Sea Level Rise."

FINDINGS

- F1. San Mateo County is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic sea level rise (SLR) of nearly 15 feet is a possibility this century.

The City Council agrees that San Mateo County is at severe risk for flooding and property damage due to SLR.

- F2. SLR is a threat *countywide*, including the upland areas. All residents depend on public infrastructure, especially waste water treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

The City Council agrees with this finding.

- F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

The City Council agrees with this finding.

- F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

The City Council agrees with this finding.

- F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

The City Council agrees with this finding.

- F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for *existing* flood control projects. The same is true for SLR-related projects.

The City Council agrees with this finding.

- F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use purposes. No consistent SLR projection has been adopted countywide by the County and cities.

The City Council agrees with this finding.

- F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

The City Council agrees with this Finding.

- F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

The City Council agrees with this Finding.

- F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and adopt relevant policies.

The City Council agrees with this Finding.

- F11. Many actions to address SLR are within the authority of regional, state and federal agencies.

The City Council agrees with this Finding.

- F12. By acting *now*, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

The City Council does not have enough first-hand information upon which to agree or disagree with this finding. The City Council agrees that proactive response to SLR is needed in SMC and throughout the San Francisco Bay Area.

RECOMMENDATIONS

- R1. The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

The City Council agrees that more effort should be undertaken to increase awareness of SLR and increase the level of public education on the subject. The City has initiated public education in conjunction with its General Plan Update.

- R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to *focus* on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making
- The organization is sustainably funded

The City Council does not have enough first-hand information upon which to agree or disagree with this recommendation. Additional information is needed to understand potential funding, governance and prioritization of projects.

- R3. The organization's responsibilities should include:
- Adopt consistent SLR projections for use in levee planning countywide
 - Conduct and/or evaluate vulnerability assessments
 - Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR

- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for projects construction
- Monitor SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new development proposed in the SLR floodplain
- Advocate on behalf of the member jurisdiction with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1

The City Council does not have enough first-hand information upon which to agree or disagree with this recommendation. Additional information is needed to understand potential funding, governance and prioritization of projects. .

- R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address *existing* flooding along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

The City Council does not have enough first-hand information upon which to agree or disagree with this recommendation. Additional information is needed to understand potential funding, governance and prioritization of projects. As a member of C/CAG, the City would want to ensure that C/CAG and its Board are actively consulted and supportive of the proposal.

- R5. The organization-its administration, staffing, and program expenses-should be funded on a sustainable basis by:
- Member contributions
 - Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as waste water treatment plants
 - Grants solicited from available potential sources such as the California Climate Resilience Account

- Reducing administrative costs by contracting for services with the County or another agency

The City Council does not have enough first-hand information upon which to agree or disagree with this recommendation. Additional information is needed to understand potential funding, governance and prioritization of projects.

- R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

The City Council agrees that the City's General Plan should identify and address the risks associated with SLR. The City is currently in the process of comprehensively updating the General Plan. The General Plan update will include details on risks associated with SLR, as well as goal and policies to decrease the potential impacts related to SLR.

- R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

The City Council agrees with the recommendation to pursue SLR-related issues and solutions at a regional, statewide and federal level.

Thank you for the consideration of the foregoing.

Sincerely,



Marina Fraser
Mayor

9/13/15



TOWN OF HILLSBOROUGH

1600 FLORIBUNDA AVENUE

HILLSBOROUGH

CALIFORNIA

94010-6418

August 10, 2015

Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury Report "Flooding Ahead: Planning for Sea Level Rise"

Dear Judge Etezadi:

The Town of Hillsborough received the above referenced San Mateo County Grand Jury Report in June 2015. The report contains findings and recommendations pertaining to Hillsborough to which Hillsborough was directed to respond in writing no later than September 3, 2015. On August 10, 2015, the Hillsborough City Council held a public meeting and approved the following responses to the Grand Jury Report findings and recommendations.

Findings

- F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

The Town partially agrees that SMC is at severe risk for flooding due to the observed gradual rise in sea level, projected at up to 65 inches, of the San Francisco Bay as indicated and widely accepted by the California Energy Commission (CEC), Coastal and Ocean Working Group of the California Climate Action Team (CO-CAT), and California Coastal Commission. However, the Town does not have the ability to independently confirm the catastrophic SLR of nearly 15 feet as indicated in the Grand Jury Report and described by John Englander in his conference speech for "Meeting the Challenge of Sea Level Rise in San Mateo County". In addition, as found in F7, there are no consistent projections of SLR in SMC.

- F2. SLR is a threat *countywide*, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

The Town agrees with this assessment. While the Town's boundaries do not directly border the San Francisco Bay today, the southern portion of the Town is served by the City of San Mateo's Wastewater Treatment Plant, which is vulnerable to a SLR of 55 inches (Grand Jury Report, "Countywide Impact – Wastewater Treatment Plants, page 7). Additionally, transportation infrastructure such as highways and the commuter railroad could be at great risk of flooding potentially impacting Hillsborough residents' ability to travel.

- F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

The Town wholly disagrees with this finding as there is insufficient data to support the level of public awareness regarding SLR's potential impacts.

- F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

The Town agrees with this statement. The Town does not have any levees bordering the San Francisco Bay, but acknowledges other communities in SMC do.

- F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

The Town agrees with this statement. As stated above in F2, the Town coordinates with another municipality within the range of a 55 inch SLR to treat its wastewater.

- F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.

The Town agrees with this statement, and acknowledges there has been minimal coordination amongst jurisdictions concerning recent SLR projections.

- F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

The Town agrees with this statement. The Town is unaware of any SMC jurisdictions which have adopted SLR projects.

- F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

The Town agrees with this statement, and acknowledges the value coordination among SMC jurisdictions on future SLR-related projects will have on addressing potential impacts.

- F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

The Town disagrees with the finding. This is a re-statement of comments within the Grand Jury Report with respect to the Grand Jury's independent interviews. The Town cannot attest to the interview information.

- F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

The Town partially disagrees with this statement. The Town agrees its General Plan serves as the long-term plan for the physical development of the Town and the relationship of private development to bodies of water or waterways impacted by SLR.

The Town disagrees that its Climate Action Plan (CAP) may be a significant document to map the threat of sea level rise. The Town's CAP primarily targets the reduction of greenhouse gas (GHG) emissions, which indirectly seeks to address one of the possible causes for SLR. As stated in the Grand Jury Report section "Background", the report is "not about preventing SLR, but rather about adaptation to SLR (page 7)." In that light, the Town's infrastructure master plans (water, wastewater, storm drains, and streets) are more relevant to discussing and identifying potential SLR threats, and developing plans for the Town to address SLR-related impacts.

- F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

The Town agrees with this statement, and believes a SMC coordinated effort should also involve agencies at the regional, State, and federal levels.

- F12. By acting *now*, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

The Town agrees with this statement as it pertains to participating in coordinated regional planning efforts and addressing potential SLR-related impacts within its jurisdictional boundaries. The Town acknowledges jurisdictions bordering the San Francisco Bay may be able to reduce their risk exposure by considering and possibly implementing improvements to their levees.

RECOMMENDATIONS

- R1. The County, each city in the county and the relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

This recommendation requires further analysis. The Town will first consider what types of impacts its residents may encounter regarding SLR, and determine the appropriate messages and levels of effort in its public education activities within six months.

- R2 – R5 The Grand Jury recommends identifying a single organization to undertake SLR planning:

The recommendation will not be implemented because it is not warranted at this time. The Town is not presently in a position to determine what other agencies desire for coordinating SLR efforts. The Town supports the intent of the recommendations outlined from R2 to R5. The Town supports further discussions between SMC jurisdictions to determine whether a single organization is appropriate to lead SLR-related efforts.

The Town supports a regional approach; however, consolidating functions and responsibilities away from existing agencies (local, regional, City / County Association of Governments, the Association of Bay Area Governments, etc.) into this newly formed agency may be difficult. State and federal laws already designate responsibility for these functional areas.

Moreover, further analysis is necessary to evaluate what, if any, the potential organization's responsibilities should be, how it should be administered, and how it should be funded. Unfortunately, this analysis cannot be performed solely by the Town, but must be coordinated as mentioned above. Careful consideration must be given to these recommendations before implementing them.

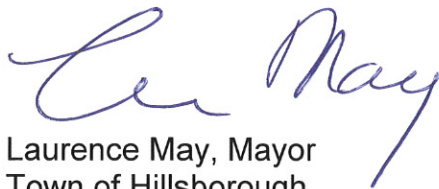
- R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

The recommendation will not be implemented because it is not reasonable at this time. The Town has budgeted a General Plan update for FY 2015/16. General Plan updates carry with them mandated public meetings, environmental review and comment periods, as well as notice periods. The Town is implementing the update during the next 12 months. The Town will evaluate sea level rise information for possible inclusion in the update. However, because of the required noticing, public meetings, comment periods, and environmental review requirements, the Town cannot commit to a time frame of 6 months or less. The Town anticipates completing the General Plan update(s) by the end of FY 2015/16, which may or may not include SLR considerations.

- R7. The County, cities, and relevant local special agencies through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

The Town supports the inclusion of sea level rise related issues in relevant conversations with government bodies outside of San Mateo County and will do so as appropriate. The recommendation has not yet been implemented, but will be implemented in the future.

Sincerely,

A handwritten signature in blue ink that reads "Laurence May". The signature is written in a cursive, flowing style.

Laurence May, Mayor
Town of Hillsborough



August 25, 2015

Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: Grand Jury Report: "Flooding Ahead: Planning for Sea Level Rise"

Dear Judge Etezadi:

The City Council of the City of Menlo Park (City) voted at its public meeting on August 25, 2015 to authorize this response to the San Mateo County (SMC) Civil Grand Jury Report "Flooding Ahead: Planning for Sea Level Rise" released on June 4, 2015.

Responses to Findings

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

Response: *The City agrees that the County of San Mateo is at risk of flooding due to sea level rise (SLR). While studies of the California coastline indicate a potential increase of up to 65 inches in SLR, estimates of catastrophic levels vary significantly. As a member agency of the San Francisquito Creek Joint Powers Authority (SFCJPA), the City is participating in the SAFER Bay project. The SAFER Bay project will evaluate infrastructure alternatives to protect Menlo Park, East Palo Alto, and Palo Alto against extreme tides and Sea Level Rise.*

F2. SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

Response: *The City agrees that SLR is a threat countywide and that if nothing is done, major infrastructure will be affected.*

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

Response: *The City is familiar and concerned about the threat of SLR. Through the SAFER Bay project, the SFCJPA has conducted public forums to increase public awareness of SLR to the City's residents.*

F4. Levees including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

Response: *The City agrees.*

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

Response: *The City agrees that flood risk is based on topography, not jurisdictional boundaries. A multi-jurisdictional approach to SLR, such as that undertaken by the SAFER Bay project which includes the Cities of Menlo Park, Palo Alto and East Palo Alto, addresses these regional challenges.*

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.

Response: *The City agrees.*

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

Response: *The City agrees.*

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

Response: *The City agrees.*

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

Response: *The City supports a coordinated approach to SLR and believes in the development of a countywide organization to lead this effort.*

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

Response: *The City agrees. The City is in the process of updating its General Plan Land Use Element, which will address sea level rise and complement existing policies in the Safety Element.*

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

Response: *The City partially agrees. Cities and other local agencies can also take action to address SLR.*

F12. By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

Response: *The City agrees.*

Responses to Recommendations

R1. The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Response: *The City has been in the process of implementing this recommendation through the SFCJPA / SAFER Bay Project. The impacts of SLR will continue to be discussed at the SFCJPA's public meetings.*

R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to focus on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision making
- The organization is sustainably funded

Response: *This recommendation has not been implemented. The City agrees that SLR planning should be undertaken by a single organization that represents the County and the cities. While the focus of this report focuses on expanding the role of the SMC Flood Control District or the creation of a new joint powers authority, the City / County Association of Governments (C/CAG) should also be considered as an organization capable of undertaking SLR planning. C/CAG currently manages other countywide programs that include stormwater, environmental quality, and climate protection. The new agency undertaking SLR should be represented by all of the jurisdictions in the County.*

R3. The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments

- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1

Response: *This recommendation has not been implemented. The City believes that these responsibilities are reasonable. However, we recommend that planning for SLR also include other mitigation measures, not just the creation of levees. In addition, the organization should be responsible for assessing flooding related to both SLR and coastal surge, fluvial, and surface conditions.*

R4. The County, cities and two relevant local agencies (SFCJPA and SMC Flood Control District) should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Response: *This recommendation has not been implemented. The City agrees that the organization should include planning for SLR in addition to flooding related to coastal surge, fluvial, and surface conditions. Such an approach would allow for the organization to assess protection measures that are comprehensive in nature. However, the addition of other functions, such as those related to groundwater planning, requires further analysis. The City believes that the integration of other functions into the organization should be discussed and evaluated with the County, cities, and relevant local agencies.*

R5. The organization – its administration, staffing, and program expenses-should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities, such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account

- Reducing administrative costs by contracting for services with the County or another agency

Response: *This recommendation has not been implemented. The City agrees that the organization should be funded on a sustainable basis.*

R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment (R3). Further, it should identify policies that apply to areas threatened by SLR.

Response: *This recommendation has not been implemented. The City is in the process of updating its General Plan Land Use Element, which will address sea level rise and complement existing policies in the Safety Element. The Safety Element includes a map of areas vulnerable to SLR. In addition, the City has approved a five year strategy to reduce Green House Gas (GHG) emissions through its Climate Action Plan (CAP). As part of the CAP, the City is in the process of installing photovoltaic systems for two City facilities as well as electric vehicle charging stations. Energy efficiency improvements are also in the process of being implemented at City Hall which will reduce the building's cooling and heating load and energy consumption. The CAP's five year strategy will reduce GHGs, which are the likely cause of increased climate temperature and accelerated SLR.*

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

Response: *The City has been in the process of implementing this recommendation and will continue to do so.*

Sincerely,



Catherine Carlton
Mayor



City of Millbrae
621 Magnolia Avenue, Millbrae, CA 94030

ROBERT G. GOTTSCHALK
Mayor

ANNE OLIVA
Vice Mayor

REUBEN D. HOLOBER
Councilman

MARGE COLAPIETRO
Councilwoman

WAYNE J. LEE
Councilman

July 29, 2015

Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Etezadi:

We are in receipt of the Grand Jury’s final report entitled, “Flooding Ahead: Planning for Sea Level Rise.” Pursuant to your June 4, 2015 request for response, the Millbrae City Council held a public meeting on July 28, 2015 and approved this response. The City of Millbrae responds to the Grand Jury’s findings, conclusions and recommendations as follows:

FINDINGS

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic Sea Level Rise (SLR) of nearly 15 feet is a possibility this century.

Response: Concur with the finding.

F2. SLR is a threat *countywide*, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

Response: Concur with the finding.

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR’s potential impacts on this county.

Response: Concur with the finding.

F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

City Council/City Manager/City Clerk
(650) 259-2334

Building Division/Permits
(650) 259-2330

Community Development
(650) 259-2341

Finance
(650) 259-2350

Fire
(650) 259-2400

Police
(650) 259-2300

Public Works/Engineering
(650) 259-2339

Recreation
(650) 259-2360

Response: Concur with the finding.

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

Response: Concur with the finding.

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for *existing* flood control projects. The same is true for future SLR-related projects.

Response: Concur with the finding.

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projections have been adopted countywide by the County and cities.

Response: Concur with the finding.

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

Response: Neither agree nor disagree with the finding.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

Response: Concur with the finding.

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

Response: Concur with the finding.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

Response: Concur with the finding.

F12. By acting *now*, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

Response: Neither agree nor disagree with the finding; Finding is directed to SMC.

RECOMMENDATIONS

The Grand Jury recommends increased public education about SLR:

R1. The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Response: Concur with the recommendation.

The Grand Jury recommends identifying a single organization to undertake SLR planning:

R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to *focus* on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making
- The organization is sustainably funded

Response: Neither agree nor disagree with the recommendation.

R3. The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments
- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues

- Assist the County and cities in public awareness efforts, as described in R1

Response: Neither agree nor disagree with the recommendation as responsibilities are better determined if such an organization were to be created.

R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address *existing* flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Response: Neither agree nor disagree with the recommendation as expanding roles are better determined if such an organization were to be created.

R5. The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

Response: Neither agree nor disagree with the recommendation as funding responsibilities are better determined if such an organization were to be created.

The Grand Jury recommends that SLR be addressed in local land use planning:

R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

Response: Concur with the recommendation.

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

Response: Concur with recommendation.

In conclusion, the City of Millbrae appreciates the opportunity to provide written responses to the Civil Grand Jury's Report on Sea Level Rise. The City Council approved the response contained herein at a public meeting on July 28, 2015.

Cordially,



Robert G. Gottschalk
Mayor



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA

170 Santa Maria Avenue • Pacifica, California 94044-2506
www.cityofpacifica.org

MAYOR
Karen Ervin

MAYOR PRO TEM
Sue Digre

COUNCIL
Mary Ann Nihart
Mike O'Neill
John Keener

August 17, 2015

Hon. Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: City of Pacifica Response to Grand Jury Report dated June 4, 2015, entitled "Flooding Ahead: Planning for Sea Level Rise"

Dear Hon. Susan I. Etezadi:

On behalf of the City of Pacifica, this letter serves as the City's response to the report named above, and was approved by the City Council at its August 10, 2015, meeting. Pursuant to California Penal Code Section 933.05, the City is responding to each finding and to each recommendation individually.

FINDINGS

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

The City of Pacifica agrees with this finding in general and looks forward to working with other cities, the County and special districts to determine specific impacts.

F2. SLR is a threat *countywide*, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

The City of Pacifica agrees with this finding.

F3. Although many local officials are now familiar with and concerned about the threat of

SLR, there is inadequate public awareness of SLR's potential impacts on this county.

The City of Pacifica agrees with this finding.

- F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

The City of Pacifica agrees with this finding to the best of our knowledge.

- F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

The City of Pacifica agrees with this finding.

- F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for *existing* flood control projects. The same is true for future SLR-related projects.

The City of Pacifica disagrees with this finding. The City/County Association of Governments of San Mateo County (C/CAG) does exist and has a structure that could lead countywide efforts related to SLR.

- F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

The City of Pacifica agrees with the finding that no consistent SLR projection has been adopted countywide.

- F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

The City of Pacifica agrees with this finding.

- F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

The City of Pacifica has no direct knowledge about support for a new countywide organization, thus neither agrees nor disagrees with this finding.

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

The City of Pacifica agrees with this finding.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

The City of Pacifica agrees with this finding.

F12. By acting *now*, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

The City of Pacifica agrees with this finding.

RECOMMENDATIONS

The Grand Jury recommends increased public education about SLR:

Rec 1. *The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.*

The City of Pacifica agrees with this recommendation and has taken steps to begin to inform the public and increase public awareness of SLR and its potential effects.

For example, the City of Pacifica adopted a Climate Action Plan in July 2014. While the Climate Action Plan is focused on greenhouse gases, the appendix to the Climate Action Plan suggests general steps to adaptation planning to SLR. The process to adopt the Climate Action Plan included establishment of an advisory committee of citizens and included public outreach, engagement and feedback.

In addition to the Climate Action Plan, the City is in the process of adopting a comprehensive General Plan Update which includes the results of public outreach and engagement regarding topics such as SLR and future hazard mitigation planning. In fact, the Grand Jury report acknowledged our draft Safety Element as “particularly comprehensive related to SLR.”

We are also engaged with the County and other cities in updating our Hazard Mitigation Plan and have prepared a survey for residents to complete in the next few months that both informs them of the issues and helps us understand where information gaps may exist. SLR will be a specific topic in

the three different venues used by Pacifica Hazard Mitigation planners in seeking community input. Feedback obtained from the public will be included in Pacifica's Annex to the County's Multi-Jurisdictional Hazard Mitigation Plan which, once approved by Cal OES, FEMA, and the Pacifica City Council, will be incorporated into the Safety Element of Pacifica's updated General Plan.

Lastly, we already share information about storm water issues, emergency preparedness activities, etc., at events such as Pacifica's annual Earth Day in April and Fog Fest in September and can add information about SLR when available. We have also introduced a new online tool for community engagement that can be used to both share SLR information and gather input.

The Grand Jury recommends identifying a single organization to undertake SLR planning:

Rec 2. *The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:*

- *The organization is countywide in scope*
- *The organization is able to focus on SLR*
- *Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making*
- *The organization is sustainably funded*

The City of Pacifica agrees with this recommendation and is an active participant with other San Mateo County jurisdictions and special districts to form an organization as recommended above.

Rec 3. *The organization's responsibilities should include:*

- *Adopt consistent SLR projections for use in levee planning countywide*
- *Conduct and/or evaluate vulnerability assessments*
- *Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR*
- *Undertake grant applications for SLR-related planning and projects*
- *Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction*
- *Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies*
- *Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain*
- *Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues*
- *Assist the County and cities in public awareness efforts, as described in Rec 1*

The City of Pacifica agrees with this recommendation and is an active participant with other San Mateo County jurisdictions and special districts to form an organization with the responsibilities as recommended above.

Rec 4. *The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.*

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

The City of Pacifica agrees with this recommendation and is an active participant with other San Mateo County jurisdictions and special districts to form an organization with an expanded role as recommended above.

Rec 5. *The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:*

- *Member contributions*
- *Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants*
- *Grants solicited from available potential sources such as the California Climate Resilience Account*
- *Reducing administrative costs by contracting for services with the County or another agency*

The City of Pacifica agrees with this recommendation and is an active participant with other San Mateo County jurisdictions and special districts to form an organization as recommended above. “Member contributions” may be necessary but will be an additional demand on city resources. So, in addition to the funding sources listed, a countywide special assessment should also be considered at a future date.

The Grand Jury recommends that SLR be addressed in local land use planning:

Rec 6. *The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.*

The City of Pacifica agrees with this recommendation and is in the process of adopting a comprehensive update to the General Plan. The Safety Element included in the draft General Plan document contains discussion of SLR vulnerability and policies applicable to areas threatened by SLR. The Flood Hazard map in the draft General Plan currently includes data from a 2009 Pacific Institute report which maps projected SLR by 2100 (funded by a consortium of California state agencies).

Pacifica's Annex to the County's Multi-Jurisdictional Hazard Mitigation Plan will address the issue of SLR. SLR will be a topic in the three different venues used by Pacifica Hazard Mitigation planners in seeking community input on the topic. Feedback obtained from the public will be included in Pacifica's Annex which, once approved by Cal OES, FEMA, and the Pacifica City Council, will be incorporated into the Safety Element of Pacifica's updated General Plan.

As part of the development process of updating the Hazard Mitigation Plan, Pacifica planners have gained access to GIS maps which have map layers showing area's susceptibility to flooding by 1 foot increments. These maps can be used not only for Hazard Mitigation planning purposes, but may also be incorporated in the updated General Plan.

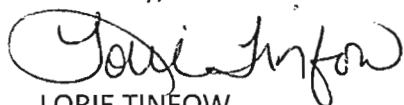
The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

Rec 7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

The City of Pacifica agrees with this recommendation.

On behalf of the City of Pacifica, we appreciate the opportunity to provide responses to the Grand Jury's findings and recommendations. I want to assure the Grand Jury that we are following SLR planning activities throughout the county including the recent California Coastal Commission report. Feel free to contact me at 650-738-7409 should you have any questions or need further explanations.

Sincerely,



LORIE TINFOW
City Manager

CC: City Council
City Attorney
City Clerk
Assistant City Manager
Department Directors



TOWN of PORTOLA VALLEY

Town Hall: 765 Portola Road, Portola Valley, CA 94028 - Tel: (650) 851-1700 Fax: (650) 851-4677

August 13, 2015

Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd floor
Redwood City, CA 94063-1655

**RE: Response to 2014-15 Grand Jury Report
“Flooding Ahead: Planning for Sea Level Rise”**

Dear Judge Etezadi:

The Town Council for the Town of Portola Valley (“Town”) has reviewed the findings and the recommendations in the above-referenced Grand Jury Report and the Town Council approved the following responses at the public meeting on August 12, 2015:

FINDINGS

1. – *SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century*

Response – Based on the information provided, the Town agrees with the finding.

2. – *SLR is a threat countywide, including upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the areas threatened by SLR.*

Response – Based on the information provided, the Town agrees with the finding.

3. – *Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR’s potential impacts on the county.*

Response – Based on the information provided, the Town agrees with the finding.

4. – *Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).*

Response – Based on the information provided, the Town agrees with the finding.

5. – *Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.*

Response – Based on the information provided, the Town agrees with the finding.

6. – *Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.*

Response – Based on the information provided, the Town agrees with the finding.

7. – *To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.*

Response – Based on the information provided, the Town agrees with the finding.

8. – *There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.*

Response – Based on the information provided, the Town agrees with the finding.

9. – *Several city managers and other interviewed did not support having a new countywide organization assume direct control of levee projects at this time.*

Response – Based on the information provided, the Town agrees with the finding.

10. – *The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.*

Response – Based on the information provided, the Town agrees with the finding.

11. – *Many actions to address SLR are within the authority of regional, State, and federal agencies.*

Response – Based on the information provided, the Town agrees with the finding.

12. – *By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.*

Response – Based on the information provided, the Town agrees with the finding.

RECOMMENDATIONS

R1. – The County, each city in the County and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Response – This recommendation has **not** yet been implemented, but a public education effort will be considered as part of the 2016-17 Town budget cycle.

R2. – The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- *The organization is countywide in scope*
- *The organization is able to focus on SLR*
- *Both the county and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making*
- *The organization is sustainably funded.*

Response – This recommendation has **not** yet been implemented; however, the Town will participate in the future where appropriate in identifying such an organization.

R3. – The organization's responsibilities should include:

- *Adopt consistent SLR projections for use in levee planning countywide*
- *Conduct and/or evaluate vulnerability assessments*
- *Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR*
- *Undertake grant applications for SLR-related planning and projects*
- *Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction*
- *Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies*
- *Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain*
- *Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues*
- *Assist the County and cities in public awareness efforts, as described in R1*

Response – This recommendation is **focused** on the organization's responsibilities; therefore, the Town is not in a position to **implement** this recommendation. If the Town

is involved with the organization in the future, it will cooperate as necessary to implement this recommendation.

R4. – The County, cities, and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Response –The Town is not in a position to implement this recommendation as the organization has not yet been identified. If the Town is involved with the organization in the future, it will cooperate as necessary to implement this recommendation.

R5. – The organization- its administration, staffing, and program expenses – should be funded on a sustainable basis by:

- *Member contributions*
- *Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants*
- *Grants solicited from available potential sources such as the California Climate Resilience Account*
- *Reducing administrative costs by contracting for services with the County or another agency*

Response – The Town is not in a position to implement this recommendation as the organization has not yet been identified. If the Town is involved with the organization in the future, it will cooperate as necessary to implement this recommendation.

R6. – The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

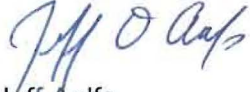
Response – This recommendation will not be implemented because the Town of Portola Valley is not vulnerable to sea level rise given its geographic location.

R7. – The County, cities, and relevant local special agencies, through their representative on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR- related issues with government bodies outside SMC.

Response – This recommendation has not yet been implemented, but will be implemented in the future as opportunities arise.

The Town thanks the Grand Jury for its investigation into this complex issue and for bringing this matter to our attention in an informative and thorough manner. Please let me know if you require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Jeff Aalfs". The signature is written in a cursive style.

Jeff Aalfs
Mayor

cc: Town Council
Town Manager
Town Attorney

Mayor Jeffrey Gee
Vice Mayor Rosanne S. Foust
Council Members
Alicia C. Aguirre
Ian Bain
Diane Howard
Barbara Pierce
John D. Seybert



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1017 Middlefield Road
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Voice: (650) 780-7220
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mail@redwoodcity.org
www.redwoodcity.org

August 25, 2015

Honorable Susan I. Etezadi, Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655
(sent via email)

RE: Grand Jury Report “Flooding Ahead: Planning for Sea Level Rise”

Dear Judge Etezadi:

On behalf of the City Council of the City of Redwood City, I would like to thank you for the opportunity to respond to the Grand Jury Report dated June 4, 2015, regarding the impacts of sea level rise on the County and the local jurisdictions and special agencies within the County. The following response to the Grand Jury Report was reviewed and approved by the City Council at its meeting on August 24, 2015.

Analysis of the Report's Findings and Recommendations

Findings:

The City has reviewed the twelve (12) findings in the Report and agrees with findings F2, F3, F6, F8, F10, F11 and F12. The City disagrees partially with findings F1, F4, F5, F7 and F9.

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

Partially Disagree: The City agrees that significant risk due to sea level rise does exist. However, the data quoted by the Grand Jury has not been independently studied or verified by the City.

F2. SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

Agree

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

Agree

F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

Partially disagree: The City agrees that local jurisdictions are often left to pay for and maintain flood protection systems within their boundaries, including levee improvement projects. This funding largely comes out a city's general fund or capital improvement fund, without the help of other jurisdictions which may be affected by the projects. However, there are numerous flood protection measures, such as privately owned levees and wetlands, which are under the control of private landowners.

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

Partially disagree: The City agrees that flood risk is not based on political boundaries. However, topography is one of several factors. Other factors that determine flood risk include, but are not limited to, surface runoff, flow diversion, and land type. Furthermore, the safety of properties in one jurisdiction can depend on levee projects undertaken by another jurisdictions and private flood control systems (natural and artificial).

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects.

Agree

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

Partially Disagree: The City agrees that it has not adopted any SLR projections or maps for specific local land use planning purposes. However, the City has is not aware of every effort of other agencies in this area.

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

Agree

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

Partially Disagree: The City acknowledges that the Grand Jury interviews took place as noted in the Report. However, the City has no knowledge of the results of those interviews and can neither agree nor disagree with the finding.

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

Agree

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

Agree

F12. By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

Agree

Recommendations:

The City has reviewed the seven (7) recommendations in the Report and plans the following actions:

R1. The County, each city in the county and relevant local agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Will be Implemented: While the City agrees that public education on sea level rise is absolutely necessary and beneficial, the City believes that a coordinated countywide public outreach effort would be the most effective approach. A coordinated effort would allow the message to be consistent, uniform and relevant. The City will support this effort and provide links on the City's website to the latest reports and findings on sea level rise. As this is a regional effort, the City cannot provide a timeframe for implementation.

R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded San Mateo County Flood Control District, to undertake countywide sea level rise planning.

This recommendation requires further analysis: The City agrees that a regional approach is the appropriate means to address sea level rise in the County. However, a regional-level discussion and analysis involving policymakers from all agencies is necessary prior to forming such an agency. Since this is a countywide issue which requires coordination with other agencies, the City has no timeframe for implementation.

R3. The organization's responsibilities should include:

- *Adopt consistent SLR projections for use in levee planning countywide*
- *Conduct and/or evaluate vulnerability assessments*
- *Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR*
- *Undertake grant applications for SLR-related planning and projects*
- *Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through agencies with direct responsibility for project construction*

This recommendation requires further analysis: The City agrees with the scope of responsibilities identified for the organization undertaking sea level rise planning. The City also supports enhancing the regional agency's scope to study storm surge impacts and further research into how current building codes could be enhanced at a regional level to support sea level rise solutions. The City has no timeframe for implementation as this refers to the role of a future regional organization which will require further discussion and analysis by policy makers in all agencies.

R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond sea level rise to include planning and coordination of efforts to address existing flooding problems along the Bay, coast and creeks that are subject to tidal action. The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the NPDES, currently managed by C/CAG and the new (2014) State requirements for local sustainable groundwater planning.

This recommendation requires further analysis: The focus of the Grand Jury Report is on sea level rise. While the City supports a regional approach on sea level issue, further discussion and analysis involving policy makers from all agencies is required prior to adding other functions, such as stormwater management and groundwater planning. The discussion and analysis can help determine whether these duties may encroach on the authority and/or duplicate the responsibilities of existing agencies.

R5. The organization – its administration, staffing, and program expenses – should be funded on a sustainable basis by Member Contributions, Contributions solicited from parties threatened by sea level rise, grants, and contracts for services with the County.

This recommendation requires further analysis: The City supports sustainable funding and is willing to work within a countywide process to identify appropriate funding sources. Since this is a countywide issue, requiring discussion and analysis involving policy makers from all agencies, the City has no timeframe for implementation.

R6. The County and each city should amend its General Plan, as needed, to address the risk for sea level rise. The Safety Element should include a map of any areas vulnerable to sea level rise, as determined by measurements in the countywide vulnerability assessment. Further, it should identify policies that apply to areas threatened by sea level rise.

This recommendation requires further analysis: The City has several policies already outlined in the Public Safety Element of its current General Plan that specifically address sea level rise. Policy PS-5.4 requires the City to incorporate consideration of, and measures to mitigate risks of, sea level rise into the planning process. Policy PS-5.5 requires supporting research that examines the effects of climate change on Redwood City, including the effects on levees. However, specific recommendations such as including maps of areas vulnerable to sea level rise will require a General Plan amendment. General Plan amendments legally require public noticing, input and discussion. The City is generally supportive of considering a General Plan amendment as information becomes available, and the proper public process is followed. The City supports the development (by the proposed regional agency) of dynamic mapping that maps the impacts on land use at various levels of sea level rise as opposed to a static map.

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists and elected State and federal legislators should pursue sea level rise related issues with government bodies outside of San Mateo County.

Will be Implemented: The City is fully supportive of pursuing sea level rise related issues with government bodies outside of San Mateo and will do so as part of a regional approach in conjunction with other agencies in the County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Gee', with a stylized, cursive flourish at the end.

Jeffrey Gee, Mayor
City of Redwood City

C: City Council, Redwood City
Aaron Aknin, Interim City Manager
Ramana Chinnakotla, Public Works Director



September 3, 2015

Hon. Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Etezadi:

We are in receipt of the Grand Jury's final report entitled "Flooding Ahead: Planning for Sea Level Rise" dated June 4, 2015. The City Council was requested to submit comments in regards to the findings and recommendations within 90 days and no later than September 3, 2015.

For the "findings", Council was to indicate one of the following:

1. Council agrees with the finding.
2. Council disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefore.

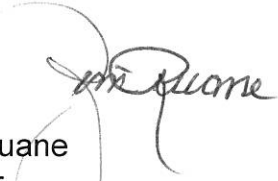
Additionally, for the Grand Jury "recommendations," Council was requested to report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. The first time frame shall not exceed six months from the date of publication of the Grand Jury report.
4. The recommendation will not be implemented because it is not warranted or reasonable, with an explanation therefore.

The San Bruno City Council held a public meeting on August 25, 2015, and approved the attached responses to the findings and recommendations.

On behalf of the San Bruno City Council, I would like to thank the Grand Jury for their work on this report.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Ruane", written over a circular stamp or seal.

Jim Ruane
Mayor

cc- San Bruno City Council

Responses to Grand Jury Findings:

F1. SMC is at severe risk of flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic Sea Level Rise (SLR) of nearly 15 feet is a possibility this century.

Response: The City partially agrees that SMC is at severe risk of flooding as there is no sufficient data to accurately predict the exact level of SLR. The City does not possess independent expertise regarding SLR to necessarily agree with the data presented in the findings.

F2. SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

Response: The City partially agrees with the findings that although wastewater treatment plants are affected from SLR other major public infrastructure such as the airports, transportation facilities, and hospitals should be considered as being impacted as well.

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impact on this county.

Response: The City partially agrees. While many of the local officials are starting to become familiar and concerned about the SLR, the City is not familiar with the general level of public understanding and awareness of SLR issues and the inadequate SLR potential impact on this county. The City agrees with the need for public awareness.

F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

Response: The City agrees with the finding.

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

Response: The City agrees with the finding.

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects:

Response: The City agrees that there is currently no countywide agency with responsibility for planning, coordination and securing funding for SLR projects.

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR project has been adopted countywide by the County and cities.

Response: As of the current time, the City has not adopted SLR projections or maps.

F8. There is a recognized need for the countywide approach to SLR planning and coordination among jurisdictions.

Response: The City agrees with the finding.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

Response: The City does not have independent knowledge of the results of the Grand Jury interviews, and therefore cannot agree or disagree with the finding. Instead, the City acknowledges that these interviews took place as noted in the Grand Jury report.

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

Response: The City partially agrees with the finding. The cities can address SLR in their General Plans and Climate Action Plans and can adopt relevant policies. Since flood risk is based on topography, SLR policies should be performed on a regional basis in coordination with adjacent municipalities in order to realize the greatest benefit from the policies and plans.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

Response: The City agrees with the findings.

F12. By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

Response: The City agrees with the findings.

Responses to Grand Jury Recommendations:

The Grand Jury recommends increased public education about SLR:

R1. The County, each city in the county and relevant local special agencies⁴³ should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

Response: The recommendation has not yet been implemented, but will be implemented in the future after the Countywide SLR Vulnerability Assessment Study is completed. The City of San Bruno supports public education efforts to increase awareness of SLR and impacts to neighborhood. City agencies can perform public outreach; however, there should be a regional public education effort conducted by the County to educate the community that is consistent and providing any relevant information. The City recommends the San Mateo County's Sea Level Rise Vulnerability Assessment be completed and results shared with the community in regards to the vulnerable areas, impacts and recommended adaptation measures.

The Grand Jury recommends identifying a single organization to undertake SLR planning:

R2. The County, each city in the county and relevant local special agencies⁴⁴ should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to *focus* on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making⁴⁵
- The organization is sustainably funded

Response: The City has not yet implemented the above recommendation, and cannot do so without the cooperation of the County and other cities. The City supports the concept of a single organization to undertake Countywide SLR planning; however, further analysis shall be explored to determine the advantages and disadvantages of each options. As noted in the grand jury report, although the expanded role of the County Flood Control District may offer advantages, the concern in regards to the focus and attention for SLR will need to be evaluated given other County's responsibilities. The City advocates consideration of all available viable alternatives for establishment of an organization to undertake SLR planning including the City/County Association of Governments (C/CAG) or another similar organization. Staff knowledgeable about SLR will need to be acquired and communication between the County and Cities need to be streamlined so Cities can participate in the decision-making process. The City cannot unilaterally dictate the timing of implementation of this recommendation as this effort requires regional cooperation.

R3. The organization's responsibilities should include:

- Adopt consistent SLR projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments⁴⁶
- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1

Response: The City has not yet implemented the above recommendation, and cannot do so without the cooperation of the County and other cities. The City of San Bruno supports the organization responsibilities by the Grand Jury. The City cannot unilaterally dictate the timing of implementation of this recommendation as this effort requires regional cooperation.

R4. The County, cities and two relevant local special agencies⁴⁷ should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address *existing* flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Response: The City has not yet implemented the above recommendation, and cannot do so without the cooperation of the County and other cities. However, the City supports the idea of expanding the role of the organization beyond SLR to include the planning and coordination of efforts to address the existing flood issues is warranted since the mitigation improvements for SLR may also address flooding. An assessment for staffing and administration of all the programs shall be evaluated to determine whether the organization is capable of providing the focus and support it needs for existing County responsibilities. The City cannot unilaterally dictate the timing of implementation of this recommendation as this effort requires regional cooperation.

The expansion of the role to include other functions such as National Pollution Discharge Elimination System (NPDES) and local sustainable groundwater planning will likely to be very difficult. State and Federal laws already designate responsibility for these other functional areas. The City of San Bruno does not support combining these functions into the organization. As identified in the City's response to recommendation #2, the City supports review of available alternatives for establishment of a countywide organization to manage SLR planning.

R5. The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

Response: While City of San Bruno supports the concept of a regional agency, the funding required to support the organization needs shall be further evaluated and discussed with Cities. The City has not yet implemented the above recommendation, and cannot do so without the cooperation of the County and other cities. The City cannot unilaterally dictate the timing of implementation of this recommendation as this effort requires regional cooperation.

The Grand Jury recommends that SLR be addressed in local land use planning:

R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element⁴⁸ should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

Response: The recommendation has not yet been implemented, but will be implemented in the future. Due to the required noticing, public meetings, comment period and environmental review requirements, the City cannot commit to a timeframe of six months or less.

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

Response: The City of San Bruno supports the discussion of sea level rise related issues with government bodies outside of San Mateo County. The recommendation has not yet been implemented, but will be implemented in the future.

CITY OF SAN CARLOS

CITY COUNCIL

RON COLLINS, MAYOR
CAMERON JOHNSON, VICE MAYOR
BOB GRASSILLI
MATT GROCOTT
MARK OLBERT



CITY COUNCIL
600 ELM STREET
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July 28, 2015

Honorable Susan I. Etezadi, Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: Grand Jury Report "Flooding Ahead: Planning for Sea Level Rise" Response

Dear Judge Etezadi:

In response to your request for comments on the above referenced report and a summary of actions taken on the recommendations, the City of San Carlos hereby submits this letter, which was authorized by the City Council at the July 27, 2015 Council meeting. The numbers provided below correspond with the numbers in the Grand Jury report.

Findings.

The City of San Carlos reviewed all 12 of the Findings in the Grand Jury report. With two exceptions, the City agrees with the Findings.

1. The City does not possess expertise regarding Sea Level Rise ("SLR") to necessarily agree with the numbers presented in this Finding. However, we acknowledge that these projections have been made and presented in various reports.
9. We do not have independent knowledge of the results of the Grand Jury's interviews, and therefore cannot necessarily agree with this Finding, instead, we acknowledge that these interviews took place as noted in the Grand jury report.

Recommendations.

The City of San Carlos reviewed all seven of the Recommendations in the Grand Jury report. Our planned actions and time frame for implementation are below.

1. The City will commence implementation of outreach concerning SLR via our outlets, including social media, television, newsletter and our City website upon Council direction.
2. The City agrees that a single organization should take on the planning for SLR and that either establishing a JPA or expanding the role of the County Flood Control District is an acceptable option. However, the City of San Carlos wants the ability to control its costs and to

ensure that the local agencies are treated equitably when projects are being prioritized. We are ready to work with the other impacted agencies to select the organization upon Council direction.

3. The City agrees with the stated responsibilities of the established organization. This will not be the responsibility of the City, so we will not be taking action on this item.

4. The City agrees with expanding the role of the selected organization to handle these other areas, depending upon the cost. We are ready to work with other impacted agencies to identify the tasks and costs upon Council direction.

5. The City agrees that sustainable funding is needed and looking at various options is wise. We are willing to work with the organization to identify funding sources as soon as possible upon Council direction. However, the City is concerned that costs must be controlled and that alternative and new revenue sources must be considered before requesting funding from the local agencies.

6. The City of San Carlos' Climate Action Plan ("Plan") adopted in 2009 addresses Climate Change, Adaptation and SLR (pages 89-93). The Plan indicates: 1) that climate change requires a regional approach; 2) that partnerships need to be established with impacted local agencies; 3) that actions taken are consistent with state policies; and 4) that the City will work with other agencies to establish a uniform approach to addressing climate change. Therefore, the City is ready to do what is necessary to support these Council-approved efforts.

7. The City agrees that our representatives should pursue SLR-related issues with government bodies outside of the county and will begin the outreach process upon Council direction.

The City of San Carlos appreciates the opportunity to comment on the Grand Jury report. We look forward to working collaboratively with other local agencies on SLR and other climate change initiatives.

Very truly yours,

A handwritten signature in black ink that reads "Ron Collins". The signature is written in a cursive, flowing style.

Ron Collins, Mayor

cc: City Council
City Manager
Assistant to City Manager
Public Works Director



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

SFCJPA.ORG

September 3, 2015

The Honorable Susan Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Etezadi:

The Board of Directors of the San Francisquito Creek Joint Powers Authority (SFCJPA) voted at its public meeting on July 23, 2015 to authorize me to send to you the following response to the San Mateo County Civil Grand Jury Report "Flooding Ahead: Planning for Sea Level Rise" released on June 4, 2015. The SFCJPA is listed as a "relevant local special agency" within the Report. As requested by the Grand Jury, this response indicates whether the SFCJPA agrees with or disagrees with (in whole or in part, with explanation) each of the twelve Findings within the June 4 Report. Furthermore, as requested in the June 4 Report, the letter responds to the Report's Recommendations R1, R2, R3, R4, R5, and R7.

SFCJPA Responses to each Finding

- F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.
- SFCJPA: The SFCJPA agrees that properties within San Mateo County are at severe risk due to the continued rise in sea level, though we recognize that estimates of sea level rise (SLR) over the next century vary greatly. Agencies ranging from the State of California to the federal government to the United Nations have produced estimates of SLR in the coming decades. Projects planned and designed by the SFCJPA protect against SLR that is anticipated to occur over 50 years concurrent with an extreme (100-year) tide and include additional freeboard required by FEMA to remove properties from the National Flood Insurance Program. For example, for our SAFER Bay project protecting East Palo Alto and Menlo Park, our design objective is the new FEMA 100-year tide (11 feet NAVD 88) plus 24 inches of freeboard plus 36 inches of SLR. This would protect properties from a sea level that is about 8.5 feet above the average of the highest of the current daily high tides (known as Mean Higher High Water).
- F2. SLR is a threat *countywide*, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.
- SFCJPA: While the work of the SFCJPA is focused on the cities of East Palo Alto and Menlo Park, we agree that, if nothing is done, SLR will adversely impact upland areas.
- F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.
- SFCJPA: We agree with this statement, and frequently discuss SLR and its impacts on the communities of East Palo Alto and Menlo Park during our public meetings.
- F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

SFCJPA: The SFCJPA is only familiar with the responsibilities associated with levees in Menlo Park and East Palo Alto. We agree with F4 in the context of these two cities.

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

SFCJPA: We agree with this statement, which summarizes why multi-jurisdictional flood protection projects – and the regional government agencies that plan and implement them – are important to addressing regional challenges. This does not mean that a regional project should be forced upon a jurisdiction that does not see its value – in such a case the neighboring jurisdictions that desire the project should find a way to proceed independently. Importantly, jurisdictions within San Mateo and Santa Clara Counties work together through the SFCJPA to both reduce flood risk and coordinate emergency response.

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for *existing* flood control projects. The same is true for future SLR-related projects.

SFCJPA: The San Mateo County Flood Control District (a founding member agency of the SFCJPA) is a countywide agency, though at this time, it is funded to work only in a few specific zones within the county. Thus we agree with this Finding.

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

SFCJPA: The SFCJPA is not aware that the County or cities within it have adopted a consistent SLR projection to plan their projects. As mentioned in the response above to F1, the SFCJPA has adopted 36 inches of SLR concurrent with a 100-year tide and FEMA freeboard for its SAFER Bay project.

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

SFCJPA: The SFCJPA agrees that a regional approach to SLR, which may be countywide, is needed. Cities within Santa Clara County have benefitted from another SFCJPA member agency, the countywide Santa Clara Valley Water District, which has long provided substantial funding to and assumed responsibility for flooding and other water related concerns.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

SFCJPA: The SFCJPA has seen the value of collaboration and shared responsibility among neighboring communities desiring to protect life and property and reduce requirements for flood insurance. While we believe that coordination among neighboring jurisdictions and the implementation of a life-safety project does not have to be interpreted as a challenge to any jurisdiction's sovereignty, we take no position on decisions made by cities outside our area of concern.

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

SFCJPA: The SFCJPA agrees that these actions would be helpful to begin to address the issue.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

SFCJPA: We partially agree with this statement, as regional, State and federal agencies can influence actions that require regulatory permits or land easements, but we are not aware of any additional authority over such actions. In our experience, work to provide SLR protection is made difficult by laws, and the implementation of those laws by state and federal regulatory permitting agencies, that focus solely on preserving today's species at the expense of establishing ecosystems that enable species to thrive in the context of a changing climate.

F12. By acting *now*, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

SFCJPA: The SFCJPA agrees with this statement.

SFCJPA Responses to Recommendations R1, R2, R3, R4, R5, and R7

R1. The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

SFCJPA: The SFCJPA is specifically listed as one of the two "local special agencies" in a footnote to this recommendation (the other is the San Mateo County Flood Control District). The SFCJPA has implemented and will continue to implement this recommendation over the next few years of our creek and SAFER Bay projects by discussing historical and predicted SLR, and its impacts on East Palo Alto and Menlo Park, during our public meetings.

R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to *focus* on SLR
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making
- The organization is sustainably funded

SFCJPA: This recommendation cannot be formally implemented by the SFCJPA because it is beyond our legal authority to create a countywide agency. We can share our experience that a JPA or the SMC Flood Control District can provide the necessary coordination to flood protection, however it takes years for a JPA to develop the relationships and agreements among its member agencies necessary to plan, design, and implement major capital projects. If an expanded SMC Flood Control District is the preferred option to address SLR and other flooding concerns, it is important that jurisdictions that "opt in" to receive the benefits of its projects have a role in – and invest in – joint project planning. The four objectives for such an organization listed in R2 are important, though it need not *solely* focus on SLR to succeed at addressing that issue.

- R3. The organization's responsibilities should include:
- Adopt consistent SLR projections for use in levee planning countywide
 - Conduct and/or evaluate vulnerability assessments
 - Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
 - Undertake grant applications for SLR-related planning and projects
 - Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
 - Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
 - Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
 - Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
 - Assist the County and cities in public awareness efforts, as described in R1

SFCJPA: This recommendation cannot be formally implemented by the SFCJPA because it is beyond our legal authority to create a countywide agency. The SFCJPA believes these responsibilities are warranted and reasonable, and we recommend adding a responsibility to represent the County with regional entities related to flooding and SLR. We also recommend that the words "and elected officials" be added to the second-to-last bullet after the word "agencies."

- R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address *existing* flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs. The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

SFCJPA: This recommendation cannot be formally implemented by the SFCJPA because it is beyond our legal authority to create a countywide agency. The SFCJPA believes this recommendation is warranted and reasonable because flooding from fluvial (freshwater) sources such as creeks and storm drains are closely linked to tides and SLR, and because tides *currently* contribute to flooding problems. While the SFCJPA believes it is logical and cost-effective for one agency to address the inter-related challenges and opportunities involving flooding, storm water and groundwater as is done successfully in other counties, we would not want other issues to delay the creation or expansion of an entity focused on flood protection.

- R5. The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:
- Member contributions
 - Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants
 - Grants solicited from available potential sources such as the California Climate Resilience Account
 - Reducing administrative costs by contracting for services with the County or another agency

SFCJPA: This recommendation cannot be formally implemented by the SFCJPA because it is beyond our legal authority to create a countywide agency. All of the sources listed above are potential funding sources for this effort and the SFCJPA has benefitted from each. Other potential revenue sources include ballot measures and assessment districts. Regarding the second bullet above, it is important to reiterate that all communities benefit from wastewater treatment plants and other public facilities, not just the entities that operate these facilities.

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

SFCJPA: The SFCJPA has implemented and will continue to implement this recommendation through our work on regional organizations and our work with State and federal agencies and elected officials.

On behalf of the SFCJPA Board, thank you for taking on the complex and urgent long-term task of addressing SLR and other flood risks in San Mateo County. Please let me know if we can be of further assistance.

Sincerely,



Len Materman
Executive Director

cc: SFCJPA Board of Directors



August 18, 2015

Hon. Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Subject: "Flooding Ahead: Planning for Sea Level Rise"

Dear Judge Etezadi:

Thank you for the opportunity to review and comment on the above referenced Grand Jury Report filed on June 4, 2015. After reviewing the Grand Jury Report and all available data pertaining to our community, below is San Mateo's response to the findings and recommendations of the report.

Response to Grand Jury Findings:

- F1. *SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century. Respondent disagrees partially with the finding as 65 inches may be on the high end of SLR by 2100, evidence has not been presented to suggest that 15 feet is a possibility.*
- F2. *SLR is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR. Respondent agrees with the finding.*
- F3. *Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county. Respondent agrees with the finding.*

- F4. *Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas). Respondent agrees with the finding.*
- F5. *Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction. Respondent agrees with the finding.*
- F6. *Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future SLR-related projects. Respondent agrees with the finding.*
- F7. *To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities. Respondent agrees with the finding.*
- F8. *There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions. Respondent agrees with the finding.*
- F9. *Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time. Respondent disagrees partially with the finding as San Mateo's city manager is in favor of an evaluation of the various governance options including the possibility of a countywide organization. The County was to perform this evaluation.*
- F10. *The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies. Respondent disagrees partially with the finding as indicated in F5 flood risk is based on topography and not political boundaries, therefor addressing SLR policies should be performed on a countywide basis in coordination with the cities.*
- F11. *Many actions to address SLR are within the authority of regional, State, and federal agencies. Respondent disagrees partially with the findings as there has not been a concerted effort by regional, state, or federal agencies to take the lead on SLR. This continues to put the burden on local agencies to address SLR.*
- F12. *By acting now, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR. Respondent agrees with the finding.*

The findings are based on the research presented in the Grand Jury's Report; the City's responses should not be interpreted as unconditional agreement on the accuracy of the report, but rather specific only to the information contained in the Grand Jury's report and their stated research.

Response to Grand Jury Recommendations:

R1. *The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county. The recommendation will not be implemented at this time. Respondent will continue to monitor and take part in studies, and upon a countywide plan being adopted, will work with that organization to increase public education of SLR.*

R2. *The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:*

- *The organization is countywide in scope*
- *The organization is able to focus on SLR*
- *Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making*
- *The organization is sustainably funded*

Respondent has not yet implemented the recommendation and cannot implement without the cooperation of the County and other cities. Respondent is supportive of the County performing an evaluation of the various governance options to address SLR, but does not control the timing of when the study would be complete. The structure listed here for whatever governance option is chosen seems reasonable.

R3. *The organization's responsibilities should include:*

- *Adopt consistent SLR projections for use in levee planning countywide*
- *Conduct and/or evaluate vulnerability assessments*
- *Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR*
- *Undertake grant applications for SLR-related planning and projects*
- *Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction*

- *Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies*
- *Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain*
- *Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues*
- *Assist the County and cities in public awareness efforts, as described in R1*

Respondent has not yet implemented the recommendation and cannot implement without the cooperation of the County and other cities. Respondent is supportive of the County performing an evaluation of the various governance options to address SLR, but does not control the timing of when the study would be complete. The responsibilities listed here for whatever governance option is chosen seems reasonable.

- R4. *The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.*

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Respondent has not yet implemented the recommendation and cannot implement without the cooperation of the County and other cities. Respondent is supportive of the County performing an evaluation of the various governance options to address SLR and other roles such as existing flooding and National Pollution Discharge Elimination System, but does not control the timing of when the study would be complete.

- R5. *The organization-its administration, staffing, and program expenses-should be funded on a sustainable basis by:*
- *Member contributions*
 - *Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants*
 - *Grants solicited from available potential sources such as the California Climate*

Resilience Account

- *Reducing administrative costs by contracting for services with the County or another agency*

Respondent has not yet implemented the recommendation and cannot implement without the cooperation of the County and other cities. Respondent is supportive of the County performing an evaluation of the various governance options to address SLR and within that evaluation addressing sustainable funding, but does not control the timing of when the study would be complete.

- R6. *The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR. Respondent has not yet implemented the recommendation and cannot implement without the cooperation of the County and other cities. Flood risk is based on topography and not political boundaries, therefore addressing SLR policies should be performed on a countywide basis in coordination with the cities. Respondent is supportive of the County performing an evaluation of the various governance options to address SLR and within that governance addressing SLR policies, but does not control the timing of when the study would be complete.*
- R7. *The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC. Respondent has implemented the recommendation as the City Manager and Public Works Director have been involved with the current efforts of the area elected officials and others. The Public Works Director will continue to remain engaged in the SLR issue.*

This response to the Grand Jury was approved at a public meeting on August 17, 2015.

We continue to remain engaged in SLR issues and fully support the County performing an evaluation of potential governance options for this issue and others.

Sincerely,



Maureen Freschet
Mayor

June 4, 2015

A typographical error was discovered following the distribution of advance copies of the report entitled "Flooding Ahead: Planning for Sea Level Rise."

The first bullet point at the top of Page 6 should reference 6 wastewater treatment plants, not 5. Those six wastewater treatment plants are listed with greater detail on Page 7.



CITY COUNCIL 2015

RICHARD A. GARBARINO, MAYOR
MARK ADDIEGO, VICE MAYOR
PRADEEP GUPTA, PH.D., COUNCILMEMBER
KARYL MATSUMOTO, COUNCILMEMBER
LIZA NORMANDY, COUNCILMEMBER

MIKE FUTRELL, CITY MANAGER

OFFICE OF THE MAYOR

August 27, 2015

Hon. Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Subject: "Flooding Ahead: Planning for Sea Level Rise"

Dear Judge Etezadi:

The City of South San Francisco (City) has reviewed the above referenced Grand Jury Report filed on June 4, 2015. The following is the City's response to the findings and recommendations of the report. Submission of this response was authorized by the City Council at the August 26, 2015 meeting.

Response to Grand Jury findings:

F1. SMC is at severe risk for flooding due to the gradual rise in sea level, projected at up to 65 inches (167 centimeters) by the year 2100. Catastrophic SLR of nearly 15 feet is a possibility this century.

The City agrees that areas of San Mateo County are at severe risk for flooding due to gradual rise in sea level. The City partially disagrees with this finding. The City acknowledges that there have been numerous studies on projected sea level rise. The reports vary in projections but consistently indicate future sea level rise, so the City cannot confirm the specific figures cited.

F2. SLR is a threat *countywide*, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by SLR.

The City agrees with this finding. In addition to the public infrastructure and property tax base, the affected areas also generate a large number of jobs and economic activity that benefit the entire county.

F3. Although many local officials are now familiar with and concerned about the threat of SLR, there is inadequate public awareness of SLR's potential impacts on this county.

The City agrees with this finding.

F4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

The City agrees with this finding. The City does not currently have any levees. Under the current jurisdictional responsibilities, any future levee construction would be the responsibility of the City or the Colma Creek Flood Control District.

F5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

The City agrees with this finding.

F6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for *existing* flood control projects. The same is true for future SLR-related projects.

The City agrees with this finding.

F7. To the Grand Jury's knowledge, no local jurisdiction has adopted SLR projections or maps for specific local land use planning purposes. No consistent SLR projection has been adopted countywide by the County and cities.

The City agrees with this finding with regards to South San Francisco.

F8. There is a recognized need for a countywide approach to SLR planning and coordination among jurisdictions.

The City agrees with this finding.

F9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

The City was not a party to those discussions, so it cannot comment on them.

F10. The County and cities can address SLR in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

The City partially disagrees with this finding. As indicated in finding number 5, the problem of sea level rise crosses political boundaries. While the City agrees that it makes sense to address SLR in its General Plan, policies will need to be coordinated with neighboring agencies to be relevant and effective.

F11. Many actions to address SLR are within the authority of regional, State, and federal agencies.

The City agrees with this finding.

F12. By acting *now*, SMC may be able to reduce future costs by integrating SLR-related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to SLR.

The City agrees with this finding.

Response to Grand Jury Recommendations:

The Grand Jury recommends increased public education about SLR:

R1. The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of SLR and its potential effects on this county.

The recommendation has not yet been implemented by the City. The City agrees that more public education is needed. There has to be a consistent message about sea level rise or education efforts will be dismissed by a significant number of the community members. Education efforts should be coordinated on a county or regional level and are contingent upon R2 and R3.

The Grand Jury recommends identifying a single organization to undertake SLR planning:

R2. The County, each city in the county and relevant local special agencies should identify a single organization, such as a new joint powers authority or an expanded SMC Flood Control District, to undertake countywide SLR planning. It should be structured to ensure that:

- **The organization is countywide in scope**
- **The organization is able to *focus* on SLR**
- **Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making**
- **The organization is sustainably funded**

The recommendation has not yet been implemented and cannot be implemented by the City without the cooperation of other agencies. The City is supportive of an evaluation of the various governance options to address sea level rise, but does not control the timing of when the study would be complete. Besides the options that the Grand Jury mentions above, another possibility is the City/County Association of Governments (C/CAG).

R3. The organization's responsibilities should include:

- **Adopt consistent SLR projections for use in levee planning countywide**
- **Conduct and/or evaluate vulnerability assessments**

- Provide a forum for inter-jurisdictional coordination and exchange of information related to SLR
- Undertake grant applications for SLR-related planning and projects
- Facilitate raising funds on a countywide basis for SLR-related projects, to be passed through to agencies with direct responsibility for project construction
- Monitor actual SLR over time and any changes in SLR projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the SLR floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding SLR issues
- Assist the County and cities in public awareness efforts, as described in R1

The recommendation has not yet been implemented and cannot be implemented by the City without the cooperation of other agencies. The City is supportive of an evaluation of the various governance options to address sea level rise, but does not control the timing of when the study would be complete.

R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond SLR to include planning and coordination of efforts to address *existing* flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate SLR protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

The recommendation has not yet been implemented and cannot be implemented by the City without the cooperation of other agencies. The City is supportive of an evaluation of the various governance options to address sea level rise, but does not control the timing of when the study would be complete. The City agrees that these responsibilities should be considered in a countywide entity's scope.

R5. The organization—its administration, staffing, and program expenses—should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by SLR, including corporations and agencies that operate public facilities such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

The recommendation has not yet been implemented and cannot be implemented by the City without the cooperation of other agencies. The City is supportive of an evaluation of the various governance options to address sea level rise, but does not control the timing of when the study would be complete. Funding sources should not be limited to those identified. Alternative and new funding sources should be an addition to the list of funding sources. The City agrees that a sustainable source of funding and staffing is critical to its success.

The Grand Jury recommends that SLR be addressed in local land use planning:

R6. The County and each city should amend its General Plan, as needed, to address the risk for SLR. The Safety Element should include a map of any areas vulnerable to SLR, as determined by measurements in the countywide Vulnerability Assessment [R3]. Further, it should identify policies that apply to areas threatened by SLR.

The City agrees with this concept, but does not believe it can be implemented within the timeframe allowed by the Grand Jury. Many of the studies to map vulnerable areas and draw a nexus for mitigation fees will take considerable time. The studies should be conducted on a regional basis and are tied to R2, R3, R4, and R5. The City is supportive of an evaluation of the various governance options to address sea level rise, but does not control the timing of when the study would be complete.

The Grand Jury recommends that local governments champion SLR issues before regional, State, and federal governments and agencies:

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue SLR-related issues with government bodies outside SMC.

The City has implemented the recommendation through involvement on the Bay Conservation and Development Commission Board of Directors as well as involvement of staff on previous sea level rise studies. The City will continue in these efforts.

The City of South San Francisco appreciates the opportunity to respond to the Grand Jury report. The City will continue in the regional effort to address the effects of sea level rise.

Sincerely,



Richard A. Garbarino
Mayor

Cc: Grand Jury website
City Council
City Clerk
City Manager
Director of Public Works



August 28, 2015

The Honorable Susan I. Etezadi
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: 2014-15 GRAND JURY REPORT - *Flooding Ahead: Planning for Sea Level Rise*

Dear Judge Etezadi:

The Town Council of the Town of Woodside wishes to thank the 2014-15 Grand Jury for its service. The Town Council has reviewed the report entitled *Flooding Ahead: Planning for Sea Level Rise* and reviewed the findings, conclusions and recommendations of the Grand Jury at its public meeting on July 28, 2015.

The Town would like to preface its response by stating that it does not support the creation of a new county agency or joint powers authority to address sea level rise, at least until more is known about the issue and its potential effects. The Town already participates in the City/County Association of Governments (C/CAG) which deals effectively with countywide issues, such as administering the NPDES permit and transportation planning, by including all of the cities and County as part of its governance.

P.O. Box 620005
2955 Woodside Road
Woodside CA 94062

FINDINGS

1. San Mateo County is at severe risk for flooding due to the gradual rise in sea level, projected up to 65 inches (167 centimeters) by the year 2100. Catastrophic sea level rise of nearly 15 feet is a possibility this century.

Response: The Town does not have the expertise to agree or disagree with this finding. There is great disparity between 65 inches and 15 feet cited in the finding. However, the Town agrees that there could be severe long-term risk of flooding due to the gradual rise in sea level.

2. Sea level rise is a threat countywide, including the upland areas. All residents depend on public infrastructure, especially wastewater treatment plants. Also, a significant portion of the countywide property tax base is within the area threatened by sea level rise.

Response: The Town agrees that sea level rise could be a countywide threat, and notes that in addition to wastewater treatment plants, vital infrastructure including airports (San Francisco International, San Carlos, and Half Moon Bay), highways, and hospitals could be threatened.

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townhall@woodsidetown.org

3. Although many local officials are now familiar with and concerned about the threat of sea level rise, there is inadequate public awareness of sea level rise's potential impacts on this county.

Response: The Town does not possess information or have knowledge which would allow it to agree or disagree with this finding.

4. Levees, including their financing, are currently the responsibility of each individual city or special agency with jurisdiction along streams, bay, and coast (the County is responsible for unincorporated areas).

Response: The Town agrees with this finding.

5. Flood risk is based on topography, not political boundaries. The safety of properties in one jurisdiction often depends on levee projects undertaken by another jurisdiction.

Response: The Town agrees that flood risk does not recognize political boundaries. Topography is one of many factors that contribute to flood risk.

6. Currently, no countywide agency exists to provide planning, facilitate coordination among jurisdictions, or to assist with securing funding for existing flood control projects. The same is true for future sea level rise related projects.

Response: The Town agrees with this finding.

7. To the Grand Jury's knowledge, no local jurisdiction has adopted sea level rise projections or maps for specific local land use planning purposes. No consistent sea level rise projection has been adopted countywide by the County and cities.

Response: The Town does not possess information or have knowledge which would allow it to agree or disagree with this finding.

8. There is a recognized need for a countywide approach to sea level rise planning and coordination among jurisdictions.

Response: The Town does not possess information or have knowledge which would allow it to agree or disagree with this finding.

9. Several city managers and others interviewed did not support having a new countywide organization assume direct control of levee projects at this time.

Response: The Town shares the concern about additional costs being assumed at the countywide level for a regional issue.

10. The County and cities can address sea level rise in their General Plans and Climate Action Plans, can map the threat, and can adopt relevant policies.

Response: The Town agrees with this finding. However, these actions would be dependent on activities in adjacent municipalities.

11. Many actions to address sea level rise are within the authority of regional, State, and federal agencies.

Response: The Town agrees with this finding.

12. By acting now, San Mateo County may be able to reduce future costs by integrating sea level rise related projects with other programmed levee projects, and by using land use planning measures to mitigate future exposure to sea level rise.

Response: The Town agrees with this finding.

RECOMMENDATIONS

- R1. The County, each city in the county and relevant local special agencies should conduct a public education effort to increase awareness of sea level rise and its potential effects on this county.

Response: The Town agrees that public education about sea level rise is important. The Town further believes that using an existing model to address regional issues, such as pooled efforts to respond to the requirements of the National Pollutant Discharge Elimination System (NPDES) through C/CAG, would be appropriate.

- R2. The County, each city in the county and relevant special agencies should identify a single organization, such as a new joint powers authority or an expanded San Mateo County Flood Control District, to undertake countywide sea level rise planning. It should be structured to ensure that:

- The organization is countywide in scope
- The organization is able to focus on sea level rise
- Both the County and cities (and possibly relevant local agencies) are able to participate in the organization's decision-making
- The organization is substantially funded

Response: The Town does not possess enough information to agree with this recommendation. First, the effect of sea level rise is a regional issue, as effects will also not respect county boundaries. Therefore, a regional agency may be more appropriate. Second, the options presented, a new joint powers authority or an expanded San Mateo County Flood Control District, seem to be limited unnecessarily. As stated in the introduction, the Town already participates in C/CAG and is unaware of any reason it should not be considered as an agency that could address the issue.

R3. The organization's responsibilities should include:

- Adopt consistent sea level rise projections for use in levee planning countywide
- Conduct and/or evaluate vulnerability assessments
- Provide a forum for inter-jurisdictional coordination and exchange of information related to sea level rise
- Undertake grant applications for sea level rise related planning and projects
- Facilitate raising funds on a countywide basis for sea level rise related projects, to be passed through to agencies with direct responsibility for project construction
- Monitor actual sea level rise over time and any changes in sea level rise projections, based upon the latest federal, State, or regional government reports and scientific studies
- Through the CEQA environmental review process, comment on major new developments proposed in the sea level rise floodplain
- Advocate on behalf of the member jurisdictions with federal, State, and regional agencies regarding sea level rise issues
- Assist the County and cities in public awareness efforts, as described in R1

Response: This recommendation presupposes that the Town agrees with R2. See the response to R2.

R4. The County, cities and two relevant local special agencies should consider expanding the role of the organization beyond sea level rise to include planning and coordination of efforts to address existing flooding problems along the Bay, coast, and creeks that are subject to tidal action. It may be cost-effective to integrate sea level rise protection with other levee-improvement programs.

The County and cities may also consider expanding the role of the new organization to include potentially compatible functions such as the National Pollution Discharge Elimination System (NPDES), currently managed by C/CAG, and the new (2014) State requirements for local sustainable groundwater planning.

Response: The Grand Jury Report focuses on sea level rise, and recommends, in R2, that the organization be "able to focus on sea level rise." This recommendation seems to be contradictory to R2.

R5. The organization - its administration, staffing, and program expenses - should be funded on a sustainable basis by:

- Member contributions
- Contributions solicited from parties threatened by sea level rise, including corporations and agencies that operate public facilities such as wastewater treatment plants
- Grants solicited from available potential sources such as the California Climate Resilience Account
- Reducing administrative costs by contracting for services with the County or another agency

Response: The Town agrees that these may be appropriate funding strategies for an organization addressing sea level rise. The Town also notes that this model is consistent with the C/CAG model.

R6. The County and each city should amend its General Plan, as needed, to address the risk for sea level rise. The Safety Element should include a map of any areas vulnerable to sea level rise, as determined by measurements in the countywide Vulnerability Assessment. Further, it should identify policies that apply to areas threatened by sea level rise.

Response: The Town is not on either the Bay or the coast. Inclusion of sea level rise may be appropriate in the General Plan, but would not include mapped areas vulnerable to sea level rise. It is more likely that public facilities that the Town depends on would be included.

R7. The County, cities, and relevant local special agencies, through their representatives on regional agencies, membership in state associations, lobbyists, and elected State and federal legislators, should pursue sea level rise related issues with government bodies outside of San Mateo County.

Response: The Town agrees with this recommendation.

On behalf of the Town Council, I would like to extend our thanks for the opportunity to review and respond to the work of the 2014-15 Grand Jury.

Please do not hesitate to call Kevin Bryant, at (650) 851-6790, should you require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Shanahan". The signature is fluid and cursive, with a large initial "T" and a long, sweeping underline.

Thomas P. Shanahan
Mayor