

# COUNTY OF SAN MATEO

## INTER-DEPARTMENTAL CORRESPONDENCE

DATE December 14, 1982

TO: Victor V. James, Jr., Administrative Officer, East Palo Alto Municipal Council

FROM: Mark C. Nelson, Director, Housing and Community Development *MCN*

SUBJECT: SCHEDULING OF PUBLIC HEARING ON FLOOD HAZARD AREAS IN EAST PALO ALTO

This memorandum is to request that the earliest legal date possible be scheduled in January of 1983, preferably January 3, for the Municipal Council to hold a public hearing on the flood hazard areas in East Palo Alto.

As explained in the attached report to the Municipal Council, East Palo Alto has been identified by an Environmental Review Record completed by San Mateo County as being within the 100 year flood hazard area. The Water Resources Council Guidelines require that an eight step review process be completed on projects located within a 100 year flood hazard area. As a part of this process, the Municipal Council (as the local public information body) is required to hold a local public hearing to obtain community input on the effect of the flood hazard areas on the proposed community-wide housing rehabilitation projects in East Palo Alto.

The San Francisco Area Office of HUD, Environmental Review Section, has instructed the County to complete the eight step review process in an expeditious manner. Therefore, due to the Christmas season being upon us, we request that the Municipal Council schedule its public hearing for early January, 1983.

We look forward to hearing from the Municipal Council soon regarding confirmation of this request.

MCN:br

Attachment

**DATE RECEIVED**

DEC 15 1982


**East Palo Alto Municipal Council**

# COUNTY OF SAN MATEO

## INTER-DEPARTMENTAL CORRESPONDENCE

DATE December 14, 1982

TO: East Palo Alto Municipal Council

FROM: Mark C. Nelson, Director, Housing and Community Development 

SUBJECT: UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REQUIREMENT FOR EIGHT STEP ENVIRONMENTAL REVIEW PROCESS FOR PROJECTS LOCATED WITHIN FLOOD HAZARD AREAS

### RECOMMENDATION

To hold a public hearing and accept public input to determine if the flood hazard areas in East Palo Alto (EPA) may affect the proposed community-wide housing rehabilitation projects.

### BACKGROUND

An Environmental Review Record completed by San Mateo County for the annual Housing and Community Development Program identified the East Palo Alto Neighborhood Strategy Area as being within the 100 year flood hazard area. The Water Resources Council Guidelines require that an eight step review procedure be completed, as outlined in 24 CFR, Section 58.23 and Executive Order 11988, for projects located within the 100 year flood hazard area (see attached). The County of San Mateo is currently involved in this review process. At this time, the County has concluded that according to the flood hazard maps, the 8 step procedure must be carried out. As outlined in Step 2 of the eight step review process, a public hearing is required to assess how the flood hazard areas in EPA may affect the housing rehabilitation projects. The input received at the public hearing will be considered in the decision-making process. In accordance with current county policy, the EPA Municipal Council is the public information body responsible for holding the community public hearing on the referenced subject.

The other seven steps of the review process will be carried out by San Mateo County, Department of Housing and Community Development staff, and do not require public input.

### SUMMARY

#### The Eight Step Environmental Review Process

The Water Resources Council Guidelines require that an environmental review procedure be completed for projects located within the 100 year flood hazard area. This procedure will be completed for the East Palo Alto Neighborhood Strategy Area, which is located within the 100 year flood hazard area. An explanation of the required eight step procedure follows:

Step 1 - This step requires a determination of whether or not a proposed action is located in the base flood plain. It is required that the determination be made using a Department of Housing and Urban Development (HUD) flood plain map, or using a more detailed map if one is available.

Step 2 - This step requires early public review, to involve the public in the decision making process at an early enough stage so the public may affect the decision outcome.

The following elements must be included in public involvement procedures:

- A. Description of the overall audience: East Palo Alto Neighborhood Strategy Area.
- B. Description of the public information mechanism which will be used to inform the target audience: East Palo Alto Municipal Council.
- C. Description of the purpose of the different public notice actions: Notice of the Municipal Council hearing was published in the Peninsula Times Tribune, San Mateo Advocate News and the Menlo. A Notice of Finding to continue operating a Housing Rehabilitation Program in the Flood Plain will be published after the hearing.
- D. A statement which explains the timing of public notice actions. The Notice of Finding to continue operating a Housing Rehabilitation Program in the Flood Plain published after the hearing provides a 15 day public comment period.

Step 3 - This step requires the identification and evaluation of practicable alternatives to locating a proposed action in the base flood plain. The following alternatives must be evaluated:

- A. Implementation of the proposed action at a site outside the base flood plain.
- B. Implementation of other actions, which accomplish the same purpose as the proposed action.
- C. No action.

Step 4 - If it has been determined that location of the proposed action in the base flood plain is the most practicable alternative, then the impacts of this action must be determined in this step.

The three types of impacts which must be considered are a) positive and negative, b) concentrated and dispersed, and c) short and long term.

Step 5 - This step requires minimization, restoration, and preservation to occur if a proposed action results in harm to or within the flood plain.



Minimization requires the agency to reduce harm to the smallest possible degree of harm. Restoration involves reestablishing a setting or environment in which the natural and beneficial flood plain values can again operate. Preservation is the prevention of modification to the natural flood plain environment, or the maintenance of the flood plain as closely as possible to its natural site.

Step 6 - Step 6 requires a reevaluation of the proposed action, taking the findings of Steps 4 and 5 into consideration. Reevaluation should consider whether the proposed action is still considered feasible at the proposed site.

Step 7 - This step requires a statement of findings and public explanation for the proposed action, if after reevaluation, it has been determined there is no practicable alternative to locating in or impacting the flood plain. A notice will be published to accept comment on the findings (see attached). A 15 day comment period will be provided after the initial public hearing.

Step 8 - This step requires that the county describe its compliance with Executive Order 11988 (the Eight Step Process) to HUD before implementing the Rehabilitation Program.

#### Attachments

Map of affected area  
Water Resources Council Guidelines  
Sample Newspaper Notice

NOTICE OF FINDING TO CONTINUE OPERATING

A HOUSING REHABILITATION PROGRAM IN THE FLOOD PLAIN

Date of Publication:

Lead Agency: San Mateo County, Department of Housing and Community Development

Address: County Government Center, 590 Hamilton Street, Redwood City, CA

Telephone Number: 363-4451

Project Title: East Palo Alto Neighborhood Strategy, area housing rehabilitation.

Purpose or Nature of Project: To revitalize the East Palo Alto community through housing rehabilitation.

Project Location: East Palo Alto Neighborhood Strategy Area

Findings and Public Explanation:

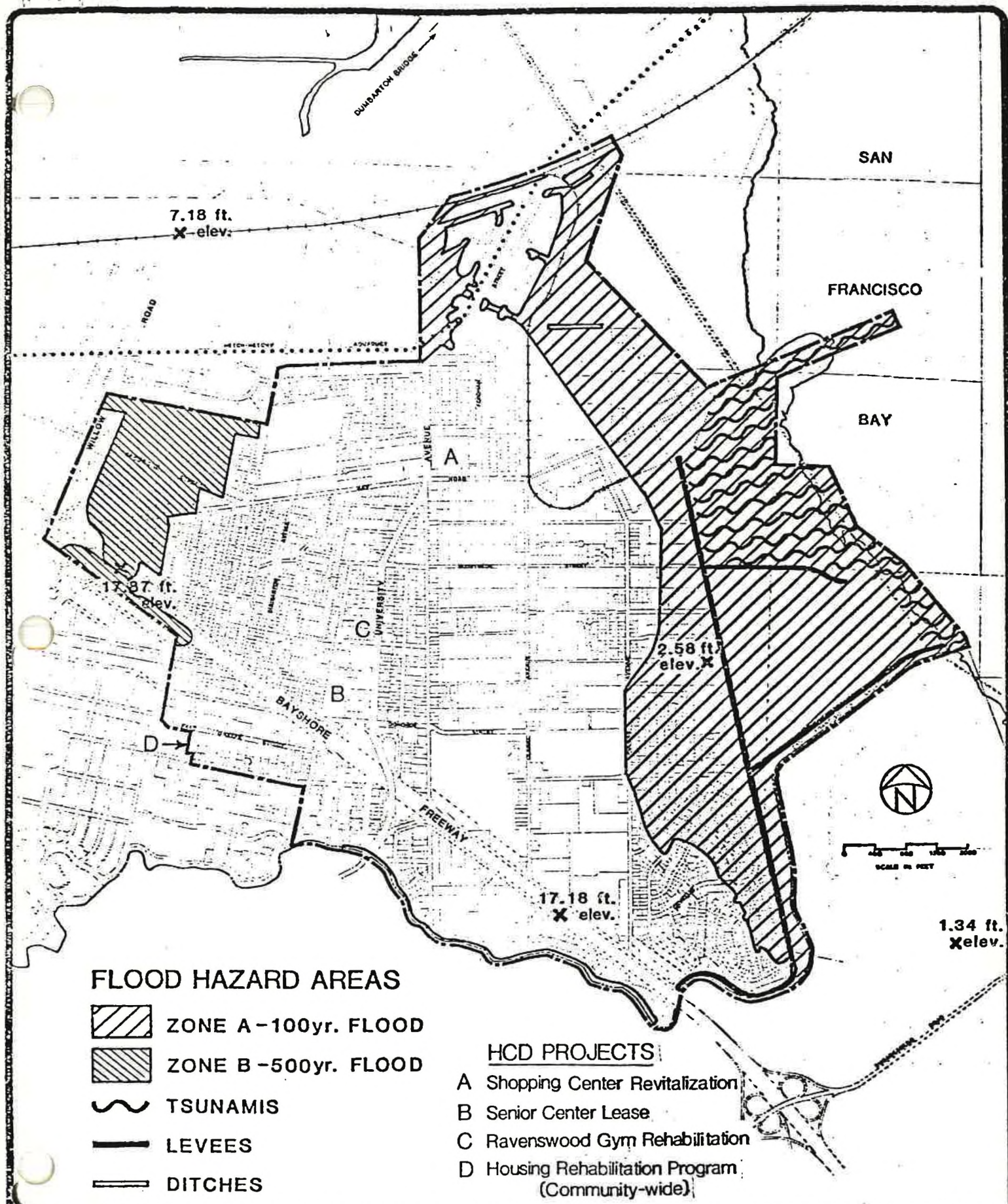
1. Because the houses in need of rehabilitation are located in the flood plain, the proposed action must occur in the flood plain.
2. Because of the need for housing rehabilitation within the Neighborhood Strategy Area and the fact that portions of the strategy area are located in the flood plain, alternative sites and actions would not fulfill the need for rehabilitation in the strategy area.
3. County flood plain ordinance standards have not been developed yet. Once they are developed, they will be applied to actions within flood hazard areas in the county.
4. According to the Flood Plain Management Guidelines of the United States Water Resources Council, the standards and criteria of the National Flood Insurance Program (NFIP) are directed towards the protection of structures and facilities from flood hazards and the protection of existing development from the effects of new development. The NFIP requires that residential structures be required to be elevated to or above the base flood level.

NFIP criteria are inappropriate for the EPA housing rehabilitation program for the following reasons:

- a. (Section 3a and 3b of Executive Order 11988) - requiring elevation of the housing foundation to or above the base flood level at the time of housing rehabilitation is not feasible due to the cost involved.
- b. (Section 3c of Executive Order 11988) - Delineation of past and probable flood heights is not required because the proposed action involves individual residences, not areas used by the general public. However, the EPA flood hazard areas have been mapped, so this criterion has been met.

- c. (Section 3d of Executive Order 11988) - The only restriction involved with the use of land in the EPA flood hazard area is the requirement that foundations be elevated to or above the base flood level.
5. Provision has been made for publication of the findings through this notice.
  6. All interested agencies, groups, and persons wishing to comment on this matter may submit written comments to Housing and Community Development at the above address. Such written comments should be received on or before \_\_\_\_\_. (15 days from the date of this notice.)
  7. Since the action involves existing houses, there will be no activities to minimize harm to or within the flood plain. Requiring elevation of housing foundations is not feasible due to the cost involved.
  8. The proposed action does not affect natural or beneficial flood plain values because it involves rehabilitation of existing houses. Without implementation of the proposed rehabilitation, the houses would remain in their existing condition. The flood plain would not be returned to its natural state.
  9. Involved agencies and individuals:
    - a. United States Department of Housing and Urban Development
    - b. County of San Mateo, Department of Housing and Community Development
    - c. The community of East Palo Alto





# **EAST PALO ALTO NEIGHBORHOOD STRATEGY AREA** HOUSING & COMMUNITY DEVELOPMENT · DEPARTMENT OF ENVIRONMENTAL MANAGEMENT · COUNTY OF SAN MATEO · CALIFORNIA

Source: TUDOR ENGINEERING CO.