GREENBELT ALLIANCE

Contra Costa County Climate Leaders

SIERRA CLUB

THE DELTA DEMS
A democratic club

September 20th 2021

Oakley City Hall
Attn: Oakley City Council
3231 Main Street
Oakley, CA 94561

RE: Comments on City's General Plan Public Review Draft – September 2021

Dear Mayor Higgins, Fellow Members of the Council, Kenneth Strelo, and Joshua McMurray:

Thank you for the opportunity to participate in providing feedback to the General Plan Draft Elements. The undersigned organizations and individuals write to offer guidance on how Oakley can become a more equitable, sustainable and resilient community through the General Plan process.

This is a once in a two+ decade moment for Oakley to make pivotal progress on climate change by modernizing local policies to harness the power of nature to protect shorelines and take advantage of the numerous climate benefits of open space to sequester carbon, protect biodiversity and drive development into existing communities. It is clear from the Draft General Plan that Oakley is concerned about these issues, however we believe that there are a number of areas that could be strengthened.

EIR: The addition of Environmental Justice and Climate Change and requirements and associated policies, plans and programs; plus the cumulative impact to water, sewer, stormwater, etc. needs to be taken into account via an Environmental Impact Report (EIR) rather than the proposed negative declaration. **A negative declaration is not sufficient for the substantial changes being made.** Performing the EIR will allow the City to lead by example with robust and interactive participation by the public and local special district's and governmental agencies. Furthermore, with a RHNA allocation of 1,058, this new growth will likely require a rezoning program in order for HCD to certify it which would likely require another update to the General Plan and EIR.

Engagement and Timing: The draft General Plan states that "Oakley General Plan was developed with extensive community input and reflects the community's vision for Oakley." It appears that your definition of extensive includes 2 workshops and a survey. This is an unacceptable level of engagement even during a global pandemic. There needs to be more outreach to the community about the General Plan and there should be more time allowed to review the General Plan and EIR. This issue is further illuminated by our engagement letter to the city council in September 2021.

Accuracy of Data: The population and demographic data presently reflects Department of Finance estimates and should be revised to reflect recently released 2020 census data.

Strengthening community and natural environment resiliency through climate adaptation and emergency planning efforts: On a big picture level, climate change and environmental justice appear to be mentioned as an afterthought at the end of the document. In order to **prioritize climate change**, we recommend bringing the sea level rise and climate impacts sections up highway and fully integrating them into other elements. Furthermore, carbon sequestration does not appear to be mentioned and can be a critical ghg reduction tool and blue carbon sequestration in particular could be an effective way to utilize shorelines and marshes.

- There should be discussion of plans to analyze and mitigate developments impacts to groundwater quality.
- The General Plan mentions the 100- and 500-year floodplain but does not account for sea level rise plus floods and groundwater flooding. More details are required here on mitigation programs.

Public Protection and Disaster Planning: The General Plan states that disaster planning is conducted on a countywide scale (8-16). That is not a reasonable disaster plan. Oakley needs to have a more substantial disaster plan and identify resilience hubs that can be deployed in the event of a smoke, wildfire, flood or earthquake event.

Design healthy resilient neighborhoods that have the tools to protect communities from a multitude of climate hazards: Ensure you are using consistent sea level rise numbers and build beyond the FEMA minimum. This is a long term visioning document and sea level rise numbers will only increase. We urge you to build to a higher standard now in order to protect your community and your financial assets in the future. Protect and restore marshlands that can act as buffers for sea level rise and future flooding events.

Community Vision: Climate change and environmental justice need to be front and center in this document. They should be stated in the community vision statement (page 1-5) and be a principle foundation (1-6).

Require implementation of a Climate Action and Resiliency Plan: this must include a baseline greenhouse gas (GHG) emissions inventory for both community wide and city operations, that is reviewed and adjusted on an annual basis to ensure GHG reduction goals are met or exceeded.

Connect open space to protect wildlife and ecosystem: There needs to be more focused policies on protecting valuable open space from sprawl, creating buffers for wildfire and open space protection from climate impacts. Given the impacts of climate change and loss of biodiversity, we need to create more wildlife corridors and opportunities for carbon sequestration and preservation of valuable natural and working lands.

Ensure accountability to the goals and priorities laid out in the General Plan: Add a section to all staff reports that reviews impact on sustainability, resiliency, and equity; as well as fiscal impact. Mandate annual reporting on general plan progress be posted on the front page of the city website with a clear dashboard that indicates progress on implementation plans. And clear visuals of how the city is meeting its greenhouse gas reduction goals. Provide for systematic reviews of General Plan progress and associated metrics that are transparent, engage the community, and demonstrate measurable equitable outcomes consistent with the Plan's intent.

> **Set goals: Example, 2.10.7. By X year** Require the planting of street trees throughout the City to define and enhance the character of the street and the adjacent development. OR **Plant X number of street trees (~25% increase) in the sidewalk tree wells to complete the street tree network by 2040**

Please see **Attachment A** for a more detailed description of specific policy changes and suggestions. We look forward to continuing to work with you to make Oakley more sustainable and resilient and hope that the upcoming Housing Element offers more opportunities for engagement than the General Plan update did.

Regards,

Zoe Siegel
Greenbelt Alliance

Elsa Santiago
Oakley Residents United

Lynda Deschambault
Contra Costa Climate Leaders

Liz Elias
Delta Democrats of Contra Costa, Oakley Residents United

Paul Seger
Sierra Club, Delta Democrats of Contra Costa

Gaynell Caston-Braxton
Delta Democrats of Contra Costa

Shelly Fitzgerald
Oakley Residents United

Leslie McKinnon
Lifetime Oakley Resident

Rob and Julie Fierros
Oakley Residents

Randi Adler
Oakley Residents United

Conan Moats
Oakley Residents United

Wietske Medeme
Sierra Club and Bay Area Green New Deal Alliance

Jaime Zesati
Delta Democrats of Contra Costa

Lu Kovalick
Sierra Club and Delta Democrats of Contra Costa

Appendix A: Oakley Specific Policy Comments

In order for Oakley city to adapt and thrive in the face of the climate crisis, the General Plan needs to set goals that are not just incremental, but ambitious and transformative. In addition to the original 2020 letter from 15+ Contra Costa Environmental advocacy organizations below are specific policy recommendations from this draft.

Red = additions to existing policies
Green = new suggested policies and actions

Section 2.1 General Land Use

2.1.1. Maintain an adequate supply of **flood and liquefaction safe** land to support projected housing, employment, service, retail, recreational, educational, and institutional needs for the community.

Policy recommendations

Implementing Action: Integrate urban greening into planned and future city infrastructure projects, including road improvements, parks, and private development.

Goal 2.2 Residential

2.2.10. Locate residences away from areas of excessive noise, **flood risk** smoke, dust, odor, and lighting, and ensure that adequate provisions, including buffers or transitional uses, are made to ensure the health and well-being of existing and future residents.

Policy: Prepare current and future developments for climate impacts.

Suggested implementing Actions:

- Development Standards. Review development standards to ensure that new developments and substantial remodels in at-risk areas incorporate low-impact, resilient, infrastructure and are protected from potential impacts of flooding from sea level rise and significant storm events.
- Real estate disclosure Require sellers of real estate to disclose permit conditions related to coastal hazards, or property defects or vulnerabilities, including information about known current and potential future vulnerabilities to sea level rise, to prospective buyers prior to closing escrow.
- Require and incentivize green infrastructure in future developments and when possible, use green infrastructure as a preferred alternative
- Implement improvements to move or protect critical public assets threatened by sea-level rise or rising groundwater.

Goal 2.4 Industrial
2.4.2. Ensure there is adequate land available to accommodate desired industrial development. This includes light industrial and utility energy uses in appropriate locations, and excludes heavy industrial uses.
Implementation Program: Ensure the desired industrial development does not put adjacent communities at greater health risk.

Goal 2.6 Open Space and Recreation
2.6.9. Prohibit development on lands designated by FEMA as flood-prone until a risk assessment and other technical studies have been prepared and have shown that the risk is acceptable. **Please explain how risk will be determined acceptable.**

GOAL 2.9 Project Design/Design Excellence

Suggested Implementation Action:

- By X year, City departments should develop their own policies and procedures for capital projects to assess carbon sequestration opportunities, prioritize biodiversity and green infrastructure, and maximize local native plants.
- Adopt a comprehensive and multi-departmental strategy to integrate greening into new city project planning and development.
- Support the implementation of forest management practices that protect existing carbon stocks by reducing the risk of catastrophic wildfire, while sequestering more carbon by growing large, mature trees and moving surplus biomass to the soil carbon pool via mulching in place, prescribed fire, conservation burns and off site uses, including compost and mulch production.

GOAL 2.10 Corridors Pathways Streetscapes Edges
Suggested policy:
Develop policies and procedures to assess carbon sequestration opportunities, prioritize biodiversity and green infrastructure, and maximize local native plants.

Suggested Implementing Actions

- Support the implementation of forest management practices that protect existing carbon stocks by reducing the risk of catastrophic wildfire, while sequestering

more carbon by growing large, mature trees and moving surplus biomass to the soil carbon pool via mulching in place, prescribed fire, conservation burns and off site uses, including compost and mulch production.

- By X year, pilot appropriate carbon sequestration techniques as part of ongoing ecological restoration of degraded habitats
- Require new development to manage stormwater runoff through implementation and maintenance of green infrastructure

Goal 3.6: Regional Coordination

3.6.2. Work with other agencies to address multi-jurisdictional issues affecting Oakley, **including sea level rise planning and regional habitat connectivity.**

Goal 4.1 Growth Control

Policy: Reduce or prohibit development in the most hazardous areas. Hazards and climate impacts to consider are earthquake liquefaction, flooding (riverine and sea level rise), groundwater infiltration, landslide, and wildfire. This strategy can also expand to create beneficial uses, such as open space, flood mitigation and recreation, for non-developable high hazard lands.

Suggested Implementing Actions:

- Require new development to plan for and protect against 42 inch 100-year storm events plus an additional 36 inches of sea-level rise. Ensure that the design of future developments incorporate flood protection measures to protect improvements from a 100-year storm event and anticipated sea level rise.
- Restrict or limit construction of new development in zones or overlay areas that have been identified or designated as hazardous areas to avoid or minimize impacts to coastal resources and property from sea level rise impacts.

Goal 4.3 Community Building

Suggestion: Incorporate resilience hubs into community facilities to prepare communities for impending climate disruption.

Goal 4.4 Fire Protection and Emergency services

Suggested Implementing Actions

Design new development to minimize fire hazards. Densities, land uses, and site plans should reflect the level of wildfire risk and evacuation capacity at a given location.

Suggested policy Prioritize increasing greenbelts as strategic locations for wildfire defense through policy and planning

Suggested Implementing Actions

- Identify existing greenbelts and the best locations for new greenbelts for wildfire defense and risk reduction. Incorporate these locations into comprehensive wildfire planning at regional, county, city, and community levels and in all Municipal Service Reviews.
- Establish Best Management Practices for natural and working lands by habitat types to return beneficial wildfire regimes, managing natural and working lands in ways that are sensitive to native habitats while increasing urban greening and carbon sequestration to the greatest extent feasible.

Goal 4.10 Drainage Facilities

4.10.3. Recognize the unique flooding constraints of the areas north and east of the Contra Costa Canal. **Question**: How will you recognize this? What does recognize mean?

Suggested Policy:

Proactively pursue nature-based and science-based planning and implementation adaptation and mitigation strategies for sea level rise, groundwater rise, and land subsidence.

Suggested Implementing Actions

- Encourage innovative green (nature-based) shoreline protection measures where most practical and feasible, such as wave attenuation projects, natural reef development areas, and ecologically friendly measures to combat sea level rise.
- Consider and prepare for the impacts of rising groundwater levels on private and public property. Develop a model of groundwater levels across the city, either by expanding and adopting regional groundwater models or creating a new model with more locally specific data. Model the impact of sea level rise and drought on groundwater and project groundwater elevations and salinity at mid- and end of-century levels.

6.6 Open Space Resources

Suggested Implementing Actions

- Require sustainable landscaping practices and a rating system (such as the Bay-Friendly Rated Landscape Program from ReScape California) for new landscapes built within the jurisdiction.
- Reduce barriers to encourage Williamson Act use in high hazard areas. Streamline provisions within the community's zoning ordinance, including

fees and internal routing for application approvals, to reduce barriers to use of the Williamson Act for preservation of agricultural lands and/or open space. This can aid in carbon sequestration, protection of food supply, inland floodplain protection, or sensitive habitats to offset costs and provide additional land to mitigate climate change impacts.
- The Williamson Act encourages the preservation of land for open space, forestry and agricultural operations through an easement and reassessment of the property.

8.2 Flood Hazards

Suggested Implementing Actions

- Require new development to plan for and protect against 42 inch 100-year storm events plus an additional 36 inches of sea-level rise. Ensure that the design of future developments incorporate flood protection measures to protect improvements from a 100-year storm event and anticipated sea level rise.Encourage innovative green (nature-based) shoreline protection measures where most practical and feasible, such as wave attenuation projects, natural reef development areas, and ecologically friendly measures to combat sea level rise.
- Wetlands Reversion - Develop an inventory of the city's drainage system and assess for potential wetlands reversion to adapt to sea level rise.
- Develop a program to work with public and private landowners to decrease the risk of flooding by advancing watershed management projects that reduce and/or store runoff during rainfall events, including the installation of green infrastructure and Low Impact Development (LID) practices, and improve the condition in the floodplain, for example through floodplain restoration or improvement.
- Establish a City ordinance requiring that project proponents explore the potential for nature-based adaptation measures before considering hardened structures, which can direct wave energy onto adjacent shorelines and exacerbate erosion.a Require incorporation of ecologically friendly features along seawalls and hardened shorelines (when possible) and where shoreline hardening exists or is planned, including public access for people walking or bicycling on seawalls or levees.

Policy: Support ongoing studies and monitoring of groundwater rise and subsidence.There is a strong need for additional data and monitor of groundwater rise, subsidence and water tables.

Implementing Actions:
Complete a geologic and/or hydrographic study that describes how the unique ground subsidence and liquefaction issues will interact with sea level rise. The study should include recommendations and implementation measures. Obtain subsidence data that will be used to inform a subsidence mitigation and adaptation study.

Goal: Advance jurisdiction wide collaboration to continually refine nature-based climate solutions that sequester carbon, restore ecosystems, mitigate flooding and conserve biodiversity.

Policy: Develop policies and procedures to assess carbon sequestration opportunities, prioritize biodiversity and green infrastructure, and maximize local native plants.
Implementing Actions:

- By X year, City departments should develop their own policies and procedures for capital projects to assess carbon sequestration opportunities, prioritize biodiversity and green infrastructure, and maximize local native plants.
- By X year, develop best practices guidelines for improving or maintaining carbon sequestration and retention, while preserving biodiversity and ecosystem services, in the soil, plants, and natural habitats.
- By X year, complete a watershed carbon case study and quantify the value of carbon storage provided by protecting this natural area.