



Item #06-6-22  
Receive/File

## SACOG Board of Directors

June 8, 2006

### Update on AB 1899 (Wolk) – Floodplain Land Use Regulation

**Issue:** The State Assembly recently passed AB 1899, which would restrict development in floodplains until 100-year levels of flood protection are met and 200-year levels of flood protection are in process of being achieved.

**Recommendation:** None, this item is for receive and file.

**Discussion:** Assembly Bill 1899 (Wolk) would regulate development in Sacramento and San Joaquin 100-year floodplains that are subject to a flood depth of three feet or more. The bill limits development to “infill” (defined as “any residential, commercial, or industrial development proposed for a site that is within an urbanized area and has been previously developed for urban uses, or where virtually all of the immediate contiguous properties surrounding the development site are, or previously have been, developed for urban uses”) if a city or county does not have a 100-year level of protection or better as determined by the Department of Water Resources. A reasonable plan to get to a 200-year level of protection within 10 years of tentative map approval, as determined by the State Reclamation Board, must also be in place in order to proceed with any residential project within a floodplain consisting of 25 units or more.

AB 1899 is stricter than the current FEMA regulations and the SAFCA Legislative Framework for floodplain development as follows:

1. FEMA allows greenfield development if a reasonable and feasible plan and funding are in place and improvements underway to achieve a 100-year level of protection. AB 1899 allows no greenfield development until a 100-year level of protection is achieved and a plan to get to 200-year level or protection is in place.
2. FEMA’s definition of “infill” is broader: 25% of a project area, where 75% is built or underway. AB 1899 defines infill as noted above.
3. The bill also goes beyond the floodplains of the Sacramento River Flood Control Project (SRFCP) to include all lands within the Sacramento and San Joaquin watersheds that are subject to three feet of flooding. The Legislative Framework is focused on the SRFCP.

Approved by:

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