



Item #07-5-2
Action

Flood Management Committee

April 30, 2007

Update of SACOG's Floodplain Management Strategy and Policy Position

Issue: Last year, the Board endorsed SAFCA's white paper and adopted recommended revisions to AB 1899 (Wolk), forming the basis for SACOG's floodplain management strategy and policy position. The state's current flood bills and flood control initiative highlight issues SACOG has not yet addressed and should consider in an update of the floodplain management strategy. Staff has revised the strategy per committee requests at its last meeting.

Recommendation: That the Flood Management Committee consider issues to be added to SACOG's floodplain management strategy (*italicized in Attachment A and Attachment B; changes requested by the committee are in red*) and recommend that the Board adopt an updated floodplain management strategy and policy position.

Discussion: The Flood Management Committee was created to form regional consensus around a floodplain management strategy used to advocate SACOG's position on relevant state flood bills. The strategy was also part of Blueprint implementation. SAFCA's white paper formed a basis for SACOG's strategy, which soon required more detail in order to respond to legislation that would have restricted development in the floodplain.

At its meeting in March, the committee directed staff to propose concepts for its consideration to add detail to SACOG's floodplain management strategy and policy position. At its April meeting, the committee responded to those concepts and requested changes. Attachment A includes strategy components adopted last year and ideas for additional components (*italicized*) and the committee's changes (*in red*) that would expand SACOG's strategy to address issues that have been highlighted in flood control bills and DWR's flood control initiative. It includes development requirements that must be met at various stages of flood protection and levee improvement, as well as ongoing requirements given any level of protection or development.

Approved by:

Mike McKeever
Executive Director

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Attachments

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Floodplain Management Strategy

Draft – April 30, 2007 (Updated based on comments received at the April 9 Flood Management Committee meeting.)

(Italics indicate possible new components in addition to those adopted last year by the SACOG Board)

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1. Prior to levee evaluations and improvement plans:

- *Create a land use strategy for the region addressing development in the floodplain based on the Blueprint and the floodplain management strategy components listed below in items 1-4. Some have called this the “Dryprint.”*
- Inspect levees and report conditions regularly;
- Notify property owners and occupants of flood risk via real estate transaction disclosures and regular notices by local flood management districts cooperating with affected local jurisdictions;
- Require flood insurance through a plan enforced by Department of Water Resources;
- Require a plan for emergency preparation, response, and recovery;
- Ensure new development does not increase stormwater discharge above peak flow;

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2. While making improvements to achieve 100-year level of protection, apply all of the above and include:

- Use FEMA’s development conditions while achieving certified 100-year level of protection.
- Use FEMA’s definition of infill;
- Support a public policy goal of achieving an urban level of flood protection (approximately 200 years) and require local land use agencies to indicate, as part of their adopted risk management plan, how urban standard flood protection will be achieved over time. Assuming the process for developing the engineering, environmental, and financial elements of the plan and its expected implementation timeline are reasonable and feasible, local agencies would be permitted to proceed with development based on meeting applicable National Flood Insurance Program requirements during the time period when the local jurisdiction is working to achieve urban standard flood protection (SAFCA White Paper, March 2006);
- *Development in flood-prone areas will be allowed only where flood mitigation, directly tied to the development, is part of a local plan of flood protection. Examples*

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Deleted: (where, risk = probability of flooding X value of property and assets behind a levee)

of such mitigation include levee improvements, floodway land acquisition, channel improvement, and reservoir operational improvements.

- Apply a lower flood protection standard to small communities and rural areas;
- Establish small community development conditions (*see Attachment B*);
- *Identify undeveloped areas where urban areas can purchase flood easements. Where possible, focus on lands that are, or will be, part of a Habitat Conservation Plan or Natural Communities Conservation Plan;*
- *Include flood management priorities established in Integrated Regional Water Management Plans;*

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Deleted: <#>Identify open space resources within the floodplain that may require special consideration when mitigating risk; ¶

3. Once 100-year protection is achieved, apply all of the above and include:

- Set a minimum 200-year level of protection design standards for urban levees; use a lower standard for levees protecting small communities and rural areas.
- Do not impose a strict timeline to achieve an urban level of flood protection, *but require that flood mitigation for new development is part of a local plan to achieve urban standard flood protection.*

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4. Regarding State involvement in local flood protection efforts:

- Focus on lands protected by State project levees, *but include non-project levees where necessary and appropriate to support efforts to improve the State project levee system (i.e., a system-wide approach to improving flood protection in the Central Valley);*
- *Focus Proposition 1E and 84 bond proceeds on areas with the highest level of risk as calculated above and appropriate a portion of the proceeds to small communities based on their percentage of total development in the floodplain;*
- Preclude Reclamation Board review of tentative map applications for individual development projects;
- Establish what, if any, local oversight of floodplain management plans should be required and who would be responsible for that oversight.

Small Community Conditions

Below are conditions included as part of the Yolo County Board of Supervisors approval of the Old Sugar Mill Project in Clarksburg. The conditions have been amended somewhat for use by the Flood Management Committee. These conditions would apply to small communities in the floodplain that are less than 3,500 people including: Courtland, Hood, Isleton, Clarksburg, Yolo, Knights Landing, Nicholas, and Robbins.

- 1. Habitable areas must be elevated one-foot above the 100-year base flood elevation (BFE) or one foot above the 100-year highest expected flood elevation, whichever is greater at the time a residential building permit is issued.*
- 2. All property owners must have flood insurance until geotechnical evaluation of the levee is conducted that either demonstrates that minimum 100-year flood protection exists, or until improvements to the levees (or other measures) are completed that will achieve minimum 100-year flood protection.*
- 3. All lots must contain a deed disclosure regarding flood risk and the status of the levees. Annual notice of flood risk and the flood insurance requirement will also be provided.*
- 4. There must be a permanent 50-foot setback from the levee within which no development may occur.*
- 5. In order to preserve an area to implement levee improvements in the event of a levee failure, an interim restriction on development within 300 feet of the levee is required. This may be reduced to the permanent 50-foot setback following completion of the geotechnical evaluation of the levee along the project site and implementation of feasible improvements.*
- 6. Preclude residential uses anywhere in the project until such time as the Flood Protection Plan is completed and all feasible improvements implemented by the developer.*
- 7. Annual notice of flood risk to all property owners is required, including notice of the owner's requirement to carry flood insurance if or when 100-year certification is no longer available.*
- 8. Require permanent land use restrictions and design requirements applicable in the area within 500 feet of the toe of the levee. These include: 1) no permanent unlined excavations; 2) basements or swimming pools must be engineered to withstand uplift forces of shallow groundwater; 3) no below grade leach systems; 4) specifications for buried utility conduits and wiring; 5) no new water wells; 6) specifications for levee penetrations; and 7) requirements for landscape root barriers within 50 feet of the toe.*
- 9. Should the levee adjoining the project be decertified by FEMA or if the geotechnical evaluation determines that improvements are needed in order to achieve or re-certify 100-year flood protection, require that a Flood Protection Plan be prepared by the developer, including identification of improvements necessary to achieve 200-year flood protection and a financing plan including an estimate of costs and identification of local, state, and federal financial participation.*

10. Require the developer to participate in any special district created to implement flood control improvements.

Yolo County staff also proposed the following concepts for inclusion in SACOG's development strategy for small communities in the floodplain. The ideas are focused on State support for small communities:

11. Allow limited development in small communities located in the floodplain to fund basic infrastructure needs;

12. Provide state subsidies for flood insurance for small or disadvantaged communities;

13. Provide state subsidies for infrastructure needs for small communities to reduce the incentive to approve development.