

California State Association of Counties (CSAC)

FLOOD PROTECTION PRINCIPLES AND POLICY GUIDELINES

(As Approved by the CSAC Board of Directors 3/30/06)

The California State Association of Counties (CSAC) believes that the State flood control system must be viewed as a complete functioning system and funded accordingly. Intermittent and piecemeal efforts at mapping, maintaining, and repairing the system has proved to be inefficient, costly and generally ineffective. CSAC also recognizes the critical need for new projects and repairs within the existing flood control infrastructure and the necessity of ensuring the ongoing maintenance of all components, from upper watershed to end-users. As such, CSAC has developed the following flood protection principles and policy guidelines that CSAC can use as a base for lobbying efforts on behalf of counties.

Funding

CSAC supports a statewide, multi-level funding approach to funding new flood protection projects, mapping, improvements to the system, and the maintenance and operation of all flood mitigation efforts, including upper watershed flood-positive mapping and watershed rehabilitation, coastal watershed mitigations and flood protections plans, and other identified projects in each of the state's 10 flood control zones. CSAC also recognizes that appropriations or bond funds earmarked for flood protection must be equally available to all areas of the state.

- CSAC would consider the use of financial incentives to encourage local governments to adopt flood related planning activities if such incentives applied equally to all jurisdictions affected by the statewide flood control system and were based on a uniform standard, such as the community rating system used by FEMA.
- CSAC supports full funding for the State's Flood Control Subvention Program within the Department of Water Resources to ensure appropriate staffing and reimbursements for delinquent and future claims.
- CSAC supports funding mechanisms originating within all levels of government, including local, state and federal, but not relying solely on ratepayer shares.
- CSAC encourages state and federal funding that is stable, predictable and sufficient for planning, capitol projects, and ongoing operation and maintenance costs.

- CSAC supports prioritizing funding for improvements to areas deemed to be at the most risk in the statewide flood control system.
- CSAC supports a variety of funding sources which may include but are not limited to: statewide bond measures, statewide and local assessments, developer fees, wheeling charges, beneficiary pays and the creation of a maintenance endowment fund.
- CSAC supports identifying specific dollar amounts for flood protection within any bond measure, and supports the minimization or elimination of local matching requirements.
- CSAC supports funding being made available for both capital costs and operation and maintenance of the system.
- All state flood protection funding shall be protected under Proposition 1A.
- CSAC will continue to support ACA 13 (Harman), which would exempt flood control and storm water fees from the voter approval requirements of Proposition 218.

Flood Protection and Levee Integrity

CSAC supports the assessment of the integrity of the statewide flood control system provided it is not to the exclusion of investing in actual and critical project improvements.

- In assessing the integrity of the flood control system, CSAC believes that project levees shall be distinguished from non-project levees; and levees that protect agriculture, urban areas or critical infrastructure shall be distinguished from each other.
- CSAC supports the assessment and inclusion of non-project levees into the statewide project levee system, as they are integral to the overall water management system.
- CSAC supports the use of formal, uniform and reliable federal standards relating to levee integrity and the flood management system upon which all flood control agencies and jurisdictions can rely.
- CSAC supports the targeted and expedited assessment of levees in problem areas, and recognizes that those at the local level are willing to provide their expertise to agencies tasked with assessing the integrity of California's flood protection system.

- While CSAC recognizes the need for detailed studies of the flood protection system, we support a reasonable ratio of time and funds for this purpose to be balanced by the urgent need for actual flood protection to protect threatened areas.
- CSAC supports the use of forecast-based management of the statewide flood protection system.
- CSAC supports the rehabilitation of the upper watershed areas for partial mitigation of flood events affecting downstream reservoirs and control systems.
- CSAC supports recognition of the Sacramento-San Joaquin Delta as a critical region of statewide importance encompassing vital water, transportation, energy, agricultural and economic interests. As such, funding to assure the adequacy of its flood protection systems is of statewide importance.

Mapping of the System

CSAC supports the creation of updated detailed FEMA and Statewide Awareness Maps and acknowledges the need for such maps to be created as soon as possible.

- The updated maps should be based on general plan build out of the watershed or a reasonable build out scenario.
- If FEMA must maintain a floodplain map based on existing development, then it should include a second floodplain zone based on a reasonable watershed build out.
- CSAC opposes changing federal standards from the current 100-year flood designation to a 200-year standard without a clear demonstration of the benefits and the attendant amount of funding that would enable local governments to achieve the new standard.

Development in Flood Prone Areas

CSAC opposes any state preemption of local land use authority and reiterates that land use decisions must remain at the local level. CSAC supports the strengthening of flood protection policies in State General Plan law while recognizing the value of agricultural uses, existing natural resources and housing needs of each region in the state.

- CSAC recognizes the existing role of state agencies to review and comment on development proposals.
- CSAC supports updated building standards to reflect appropriate flood prevention standards.
- CSAC supports efforts to ensure that every local entity creates an emergency flood response management plan that would include such items as emergency response protocols, integrated regional communications and emergency evacuation plans.
- CSAC believes that new development should pay its fair share, up to the full cost of project related impacts including mitigation, to achieve a designated level of flood protection. Furthermore new development should be a part of the funding solution relative to the maintenance and operation costs of project related flood protection.
- CSAC supports the update of the CEQA Guidelines Checklist to ensure that projects are evaluated for flooding impacts.

Regulatory Streamlining

CSAC supports improvements to the regulatory process for flood protection projects, especially those deemed to be imminent threats.

- CSAC supports an expedited permit process for flood protection projects, including maintenance and operation work.
- CSAC supports better coordination between state and federal regulatory agencies and clear direction on flood control requirements and responsibilities.
- CSAC supports programmatic Environmental Impact Reports (EIRs) and standardized mitigation measures for the flood management system, levee maintenance and capital projects that fall under certain thresholds.
- CSAC opposes repeated mitigation requirements in connection with any ongoing maintenance of the flood management system, projects and facilities.

Insurance

CSAC supports outreach and notification efforts by all levels of government to people at risk in identified flood prone areas.

- CSAC supports the establishment of an outreach or notification program administered by the state to educate the public regarding the level of risk they face in identified flood prone areas. Such efforts by the state shall be developed with input from, and coordinated with, local government.
- CSAC is concerned about the possible effects of any new state-imposed flood insurance program and would oppose any mandates requiring local governments to administer such a program.
- CSAC supports efforts to encourage property owners to secure and maintain flood insurance.

Liability

CSAC opposes the transfer of primary liability for the statewide flood control system to local jurisdictions.

- CSAC supports a defined standard of liability for flood control infrastructure
- CSAC supports a proportional and equitable distribution of liability between all levels of government associated with the statewide flood control system.
- CSAC supports the enactment of a State Hazard Mitigation Plan law to provide funds for targeted relocation efforts in high-risk areas.