

Criteria for Demonstrating Urban Level of Flood Protection

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PUBLIC SAFETY

ENVIRONMENTAL STEWARDSHIP

ECONOMIC STABILITY

Definition

Urban level of flood protection

*means the level of protection that is necessary to withstand flooding that has a 1-in-200 chance of occurring in any given year using **criteria** consistent with, or developed by, the Department of Water Resources*

(California Government Code Section 65007(I))

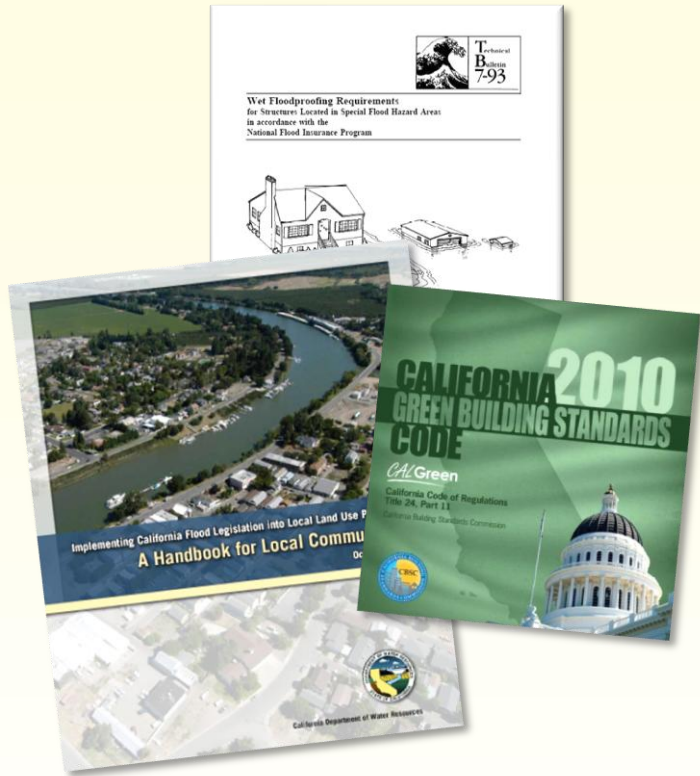
Affected Land Use Decisions

All cities and counties within the Sacramento-San Joaquin Valley will be required to make findings related to an **urban level of flood protection** before:

1. Entering into a development agreement for a property
2. Approving a discretionary permit or entitlement for any property development or use, or approving a ministerial permit that would result in construction of a new residence
3. Or approving a tentative map/parcel map for a subdivision

(California Government Code Sections 65865.5, 65962, and 66474.5)

Principles Used to Develop Criteria



- Incorporated or modeled after existing criteria where applicable
- Criteria will be developed collaboratively

Relationship with Other Activities

- **Urban Levee Design Criteria**
 - Incorporated by reference into the ULOP Criteria
- **Central Valley Flood Protection Plan (CVFPP)**
 - Adoption of CVFPP by Central Valley Flood Protection Board triggers these new requirements
 - Includes the State's strategy to help achieve ULOP for urban areas protected by State Plan of Flood Control

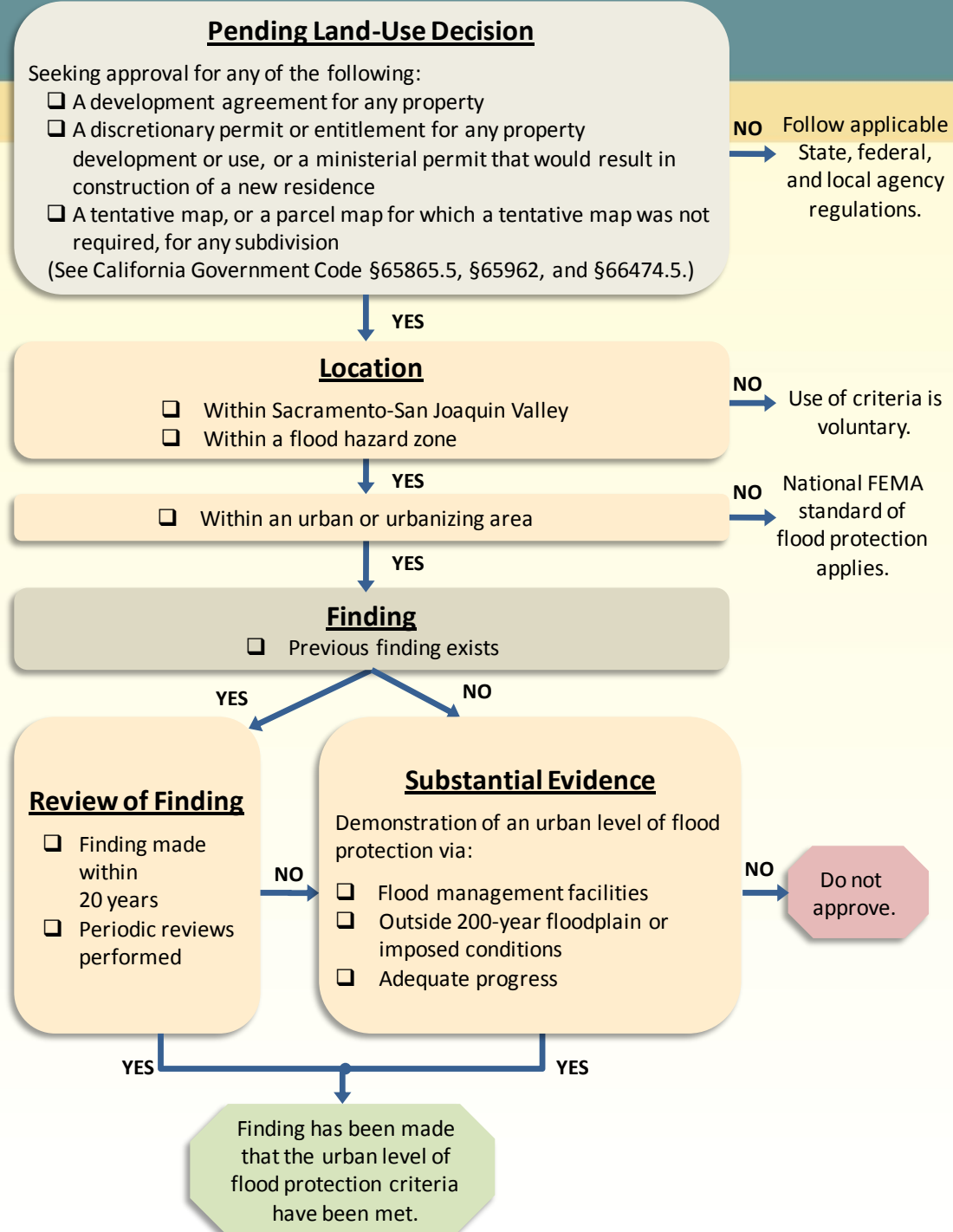


Criteria Overview

Detailed Criteria

Sequential and conditional criteria

Guidance for cities and counties making land use decisions



Pending Land Use- Decision

Pending Land-Use Decision

Seeking approval for any of the following:

- A development agreement for any property
- A discretionary permit or entitlement for any property development or use, or a ministerial permit that would result in construction of a new residence
- A tentative map, or a parcel map for which a tentative map was not required, for any subdivision

(See California Government Code §65865.5, §65962, and §66474.5.)

NO → Follow applicable State, federal, and local agency regulations.

↓
YES

Location



Location

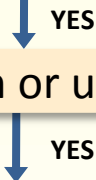
Within Sacramento-San Joaquin Valley

Within a flood hazard zone

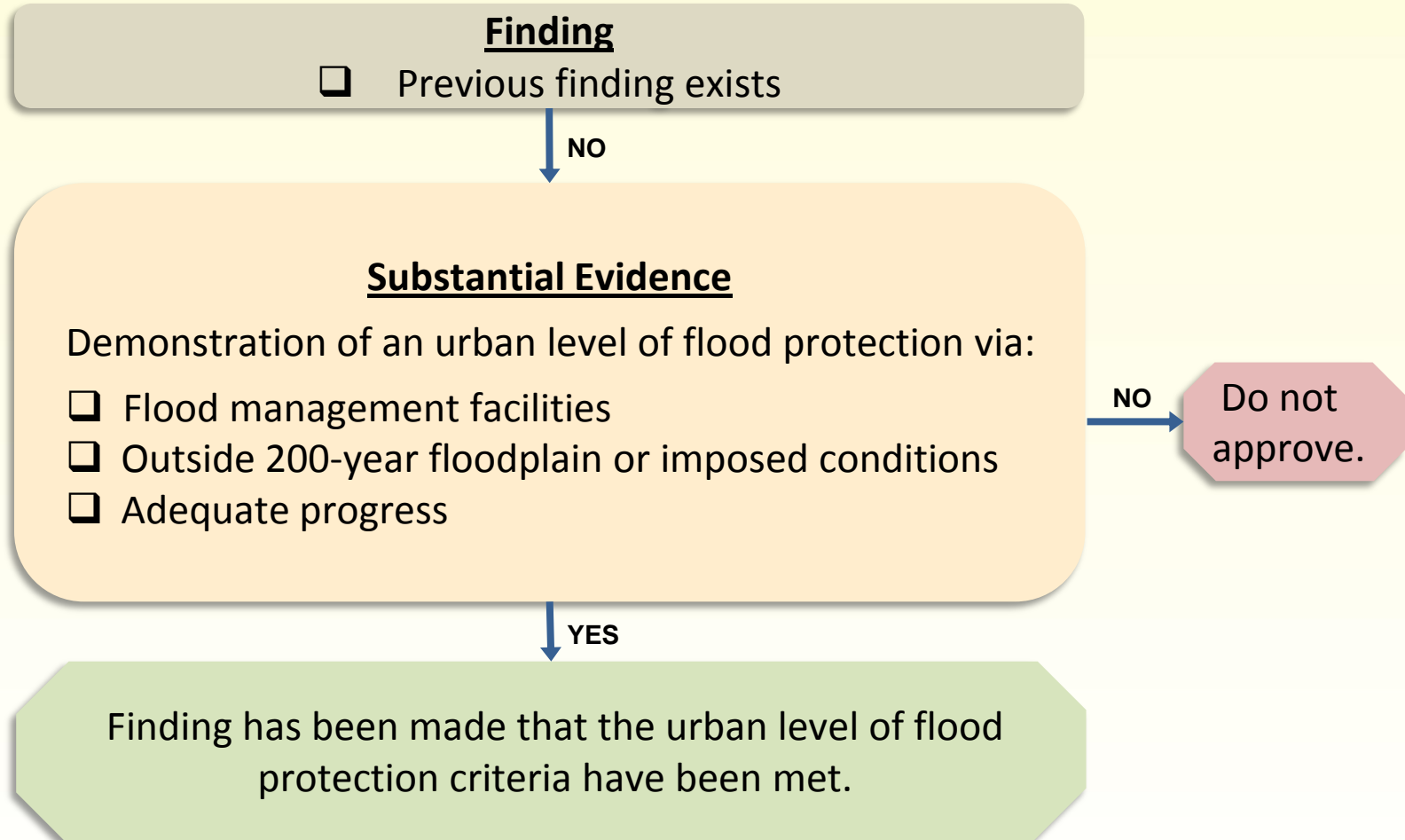
NO → Use of criteria is voluntary.

Within an urban or urbanizing area

NO → National FEMA standard of flood protection applies.



Substantial Evidence



Substantial Evidence

Is there substantial evidence for any of the following:

- **EVD-1.** Do flood management facilities provide an urban level of flood protection for the property, project, or subdivision?
- Initial Civil Engineer Report
- Peer Review Report
- Final Civil Engineer Report

Substantial Evidence

Is there substantial evidence for any of the following:

- **EVD-2.** Is the property, project, or subdivision outside the 200-year floodplain, or have conditions been imposed that will demonstrate an urban level of flood protection for the property, project, or subdivision?

Substantial Evidence

Is there substantial evidence for any of the following:

- **EVD-3.** Has adequate progress been made toward providing an urban level of flood protection and is either (1) the date on or before December 31, 2025, or (2) the property, project, or subdivision is not protected by project levees?
- Annual progress report
- Civil Engineer report

Review of Finding

Finding
 Previous finding exists

YES ↓

Review of Finding
 Finding made within 20 years
 Periodic reviews performed

NO →

Substantial Evidence

YES ↓

Finding has been made that the urban level of flood protection criteria have been met.



Top Issues

- Discretionary Permits
- Geographic Scope
- Mapping
- Schedule for Compliance

Next Steps

- Continued discussion on improvement and clarifications
- Amend SB 5?
- Schedule (TBD)



Questions?