

Implementing California Flood Legislation into Local Land Use Planning:

A Handbook for Local Communities



California Department of Water Resources

February 25, 2010

Presentation to Floodplain Management Association

Presentation Outline

- History
- Handbook Purpose
- Geographical Regions
- Affected “Planning Tools”
- Interagency Coordination
- Early Feedback
- Next Steps

History of Handbook

- 2007 Flood Legislation
 - Links local and regional planning and flood management
 - New focus: 200-year level
 - Different geographical regions and various deadlines
- Guidance requests by local communities
 - Clarification, Data Availability, Compliance

Purpose and Function

- **Identifies** and interprets the provisions of the applicable laws by geographical regions
- **Highlights** pertinent triggers and schedules for compliance
- **Informs** jurisdictions how to obtain information and assistance
- **Notes** additional factors and actions that DWR recommends local jurisdictions consider

State Mandates and Assistance Needed

- 25 modifications to Water Code and Government Code
- Responsibility of Local Jurisdictions and Timeline Summary Handout (from Executive Summary)
- Effective January 1, 2008 – Annual Review of Land Use Element
- Effective January 1, 2009 – Housing Element, which triggers Safety Element and Conservation Element
- Primary Users

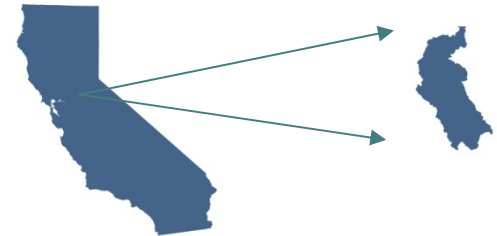
Handbook Geography

- Legislation Applies:

- Statewide

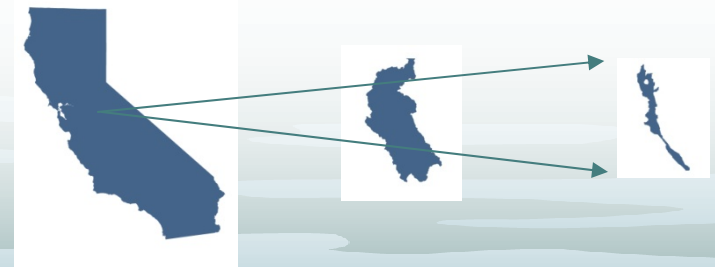


- Sacramento-San Joaquin Valley



- Sacramento-San Joaquin Drainage District

- Additive in Nature



Affected General Plan “Planning Tools” Statewide

- **Land Use Element** (annual review)
 - Identify areas subject to flooding via floodplain mapping
- **Conservation Element** (next housing element revision, after Jan. 1, 2009)
 - Identify areas that may accommodate floodwater for groundwater recharge and stormwater management
- **Safety Element** (next housing element revision, after January 1, 2009)
 - Identify and revise per new flood hazard information
- **Housing Element/RHNA** (January 1, 2008)
 - Consider and may exclude land that is not adequately protected to avoid the risk of flooding

Affected “Planning Tools”

Sacramento- San Joaquin Valley

- **General Plan** (within 24 months of CVFPP adoption)
- **Zoning Ordinance** (within 36 months of CVFPP adoption)
- **Development Agreements, Permits, or Parcel Maps** (post CVFPP adoption and amendments to the general plan and zoning ordinance)
 - Cannot approve within a flood hazard zone unless the adequacy of flood protection specific to the area has been demonstrated

Affected “Planning Tools” Sacramento-San Joaquin Drainage District

- **General Plan** (January 1, 2008)
 - Prior to adoption or amendment may submit to the Central Valley Flood Protection Board for review and comment
- General Plan **Safety Element** (January 1, 2008)
 - Prior to preparation or revision must consult with the Central Valley Flood Protection Board
 - Prior to adoption or amendment must submit to Central Valley Flood Protection Board for review and comment

Input/Interagency Coordination

- Central Valley Flood Protection Board staff
- California Emergency Management Agency
- Federal Emergency Management Agency
- Governor's Office of Planning and Research
- California Department of Housing and Community Development
- California Geological Survey

Early Feedback

(From State Agencies/Locals/FloodSAFE Outreach Efforts)

- High interest on how to comply
- Penalties for non-compliance?
- “Non-funded mandate”
- Impact on growth
- Who defines “adequate progress”?
- Flood liability with local planning decisions
- 200-year flood protection for urban and urbanizing areas
- Who is creating the 200-year maps?

Schedule

- Complete Draft Handbook – February 2010
- Review by interagency groups
- “Test Run” with selected local jurisdictions
- FMA Luncheon Presentation – February 2010
- Complete Final Draft of Handbook – April 2010
- 30-day Public Review through Web – April 2010
- Announce availability to the public – May 2010
- www.water.ca.gov/LocalLandUsePlanning
(under development)

Questions?

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