

Dear Supervisors,

Please consider these concerns regarding the County management of FEMA's National Flood Insurance Program (Agenda Item 6.3 on your December 17, 2024 agenda):

1. Earlier this year, responsibility for "floodplain mapping" was transferred to the Community Development Department, as part of CDD's responsibility for ordinance-driven Land Use and Zoning maps congruent with the requirement to meet the Flood Insurance Program's federal mapping mandates.

2. Under Chapter 25 of the Lake County Municipal Code (FLOODPLAIN MANAGEMENT), "[T]he Director of the Lake County Flood Control and Water Conservation District is hereby appointed to administer this chapter by reviewing development permits and their conditions, if any, in accord with its provisions." (Subsection 4.2)

Subsection 4.3 then delineates the "Duties and Responsibilities of the Floodplain Administrator, including permit review." Subsection 4.4, Duties and Responsibilities of all Permitting Agencies:

"All county agencies which issue development permits shall require review of the permit by the Floodplain Administrator prior to issuing a development permit, and enforce the requirements of this chapter."

The Department of Water Resources is the internal permit application review agency for development permits in locations subject to identified floodplain map boundaries, consulted by permit application planners during the Initial Study analysis of proposed project environmental impacts.

3. Chapter 25 is so far out of date that it does not incorporate the state's 2004 legislation changing the name and the responsibilities of the former Flood Protection and Water Conservation District (then under the organizational hierarchy of the Department of Public Works) to the Watershed Protection District (Senate Bill 1136) without codification of District staffing and program budgeting responsibilities.

4. The Board of Supervisors sits as the *ex officio* Board of Directors for the Watershed Protection District, in accordance with Chapter 25, Subsection 25-2, Subsection 2.26 definition of the "governing body."

5. In order to properly conduct the National Flood Insurance Program in the County of Lake, Chapter 25 must be revised to designate the roles, responsibilities, and authorities of the Floodplain Administrator under the Watershed Protection District — which may in turn be delegated or assigned to staff in the Community Development Department if the Board so desires.

6. In the meantime, responsibility for flood protection programs and projects, greatly needed in Upper Lake, Scotts Valley, and Kelseyville, lies with the Department of Public Works and the Department of Water Resources, for which no staff is designated as the Floodplain Administrator. Impacts of development projects relying on finite groundwater basins, themselves dependent on proper floodplain management (to maximize capacities of basin recharge areas), must be evaluated by qualified hydrologists using scientific standards for preventing the further degradation of groundwater basins that rely on appropriate flood damage prevention facilities (levees, dams, and drainage systems) and possible technical engineering beyond the capacity of the Community Development Department to provide (as stated by CDD Director Turner during a Major Use Permit application appeal earlier this year).

7. New state requirements for countywide Drought Management and Water Conservation compliance also call for the designation of proper authorities, roles, and responsibilities within the Department of Water Resources staff assigned to deliver the services required from the Watershed Protection District under SB1136. Concomitant with the National Floodplain Insurance Program responsibilities delegated to the Community Development Department, your Board must recognize the greater responsibility for protection of all private and public properties at risk for flood damage losses, and ensure that all Floodplain Administration responsibilities are appropriately staffed.

Respectfully yours,

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