

**CEAC Flood Control Policy Committee  
Meeting Minutes  
Riverside  
November 17, 2010**

1. The Committee recognized the great work and leadership that Nadeem provided to the Flood Control Policy Committee and appreciated his service as Vice-Chair.
2. Integrated Regional Water Management Planning

General discussion of the IRWMP's around the state. In Los Angeles the IRWMP effort has resulted in closer planning and coordination between flood control and water supply. In fact, Los Angeles County has restructured their organization to have flood control and water in the same branch. Los Angeles has received some funding for flood control through their IRWMP Prop 50 grant (\$5.1 million) for a project that also helps water conservation and water supply. Politics can be difficult though; DWR allowed several cities in the middle of their hydrologic region to secede from their IRWMP and form their own IRWMP. DWR needs to show more leadership to prevent this type of thing from happening.

Santa Barbara spends a lot of staff time to support the IRWMP effort. They received \$1.6 million in funding for flood control projects.

San Joaquin County formed a JPA around ground water banking. They also have a groundwater related tax that generates \$500,000 per year for program support. Santa Clara and Santa Cruz work together on a JPA in Pajaro River watershed. The Pajaro River IRWMP is working well because it is a small group of interested parties. Santa Cruz has received \$10 million in funding.

We will continue the IRWMP discussion at the next meeting.

3. Fish and Game Endowment

Orange County has been leading the effort to get DFG to agree to an alternative to requiring an endowment to guarantee maintenance of mitigation areas. OC and DFG agreed to a one-time solution for a road project where OC agreed to place a pledge of revenue into an escrow account (instead of endowment). DFG is now looking for other counties to try something similar as a pilot program, but the county has to have a NCCP and only four currently do. OC is proposing to have one escrow account for all projects. Land Trusts are opposed to loosening up the endowment requirement. Santa Clara has just been hit with same endowment requirement and will be assisting OC. See attached status report from OC.

#### 4. Corps Vegetation Policy

There was a press conference in the Bay Area on October 11, 2010, which was very successful. The Corps has postponed releasing their guidelines for at least 6 months. Still working on getting a letter from the California congressional delegation to the Corps. Congressman Garamendi has agreed to take the lead to get the letter signed. Everyone is urged to contact their congressional representatives and inform them of the issues in their county and to sign the letter. Mitch will send an update out next week. It was also agreed to follow up with a conference call to coordinate with DWR and determine the best process to move forward with the Corps.

#### 5. Los Angeles County Fee Authority

AB 2554 was passed which changed the LA County Flood Control District Act to allow them to adopt a local fee to support water quality work. Each city can adopt a separate fee ordinance. The process still needs to comply with Proposition 218. LAFCD collects the fee/assessment, which is collected on the property tax bill, and sends 90% back to the city and regional watershed group. LAFCD keeps 10% for administrative and program planning costs. Passage of the bill was the culmination of 10 years of effort by the county. See attached Fact Sheet.

#### 6. Unfunded Mandate Claims

Los Angeles filed a test claim with the State Commission on Mandates for trash receptacles and industrial inspection. The Commission would not hear the claim so LA sued the Commission. The Commission heard the claim and decided industrial inspection would not qualify, as the County could charge a fee to cover the cost of inspection. The Commission did decide that trash receptacles would qualify for reimbursement. The State Water Board did not agree and sued the Commission to overturn their decision. That suit is still pending. The SWRCB believes they can legally justify permit requirements due to the "Maximum Extent Practicable" doctrine. San Diego followed LA with a more extensive claim on items they could not adopt a fee to pay for. In March 2010, the Commission agreed with seven of San Diego's submitted items, which is an estimated claim amount of \$18 million. In July the State Department of Finance filed a petition to overturn the Commission's decision. That petition is pending. San Diego is now working on the required follow-up paperwork to perfect the claim on the approved seven items.