



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

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Fifth District

DATE: July 17, 2024

02

TO: Board of Supervisors
Flood Control District Board of Directors

SUBJECT

ADOPT RESOLUTIONS DESIGNATING OFFICIAL SIGNATORIES FOR FEDERAL EMERGENCY MANAGEMENT AGENCY FLOODPLAIN MANAGEMENT AND GRANT PROGRAMS AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)

OVERVIEW

San Diego County's unincorporated region has recently experienced significant flooding that has damaged infrastructure, residences, and businesses. The Federal Emergency Management Agency (FEMA) assists states and local communities with programs, technical support, and grants to help protect residents and businesses against flooding. FEMA's hazard mitigation assistance grant programs provide funding for eligible mitigation activities that reduce disaster losses and protect life and property from future natural disasters. Local funds can be used to leverage FEMA grants to construct drainage improvements that protect residents and businesses, especially those in underserved areas.

In California, many of these programs are administered by the Governor's Office of Emergency Services (CalOES) on behalf of FEMA. Grant funds are available for projects to rebuild communities after a major disaster in a way that reduces future disaster losses, help communities reduce risks from future disasters and natural hazards, and reducing the risk of flood damage to NFIP-insured buildings. FEMA currently offers the following hazard mitigation programs to eligible municipalities, agencies, and organizations:

- Hazard Mitigation Grant Program (HMGP)
- Flood Mitigation Assistance (FMA) Program
- Building Resilient Infrastructure & Communities (BRIC)

These FEMA programs can provide funding to support County of San Diego (County) flood protection and drainage improvement projects, such as culvert replacements and channel improvements that are identified in the Department of Public Works' Five-Year Capital Improvement Program (CIP), as well as emergency projects or multi-jurisdictional projects that will benefit unincorporated county residents. Plans that are not on the 5-Year CIP Plan are not excluded and can still be considered for submittal however the majority of FEMA granted funded

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programs are competitive and projects that are on the 5-Year CIP Plan will potentially score better than those not identified on an existing plan. Because grants frequently require the recipient to provide matching funds, matching funds could be from the San Diego County Flood Control District, County Road Fund, partnering jurisdictions, other eligible matching grants, or previously allocated/approved County General Fund.

In addition, FEMA's Community Rating System (CRS) program enables residents and businesses to receive discounts on flood insurance premiums when their local jurisdictions undertake floodplain management activities that go above and beyond the minimum National Flood Insurance Program requirements. The County participates in this program and is currently rated as a "Class 6" Community, which equates to 20% reduction in flood insurance premiums for eligible property owners within the unincorporated county.

FEMA requires Board of Supervisors (Board) approval for the submission of grant applications, grant and CRS reports, and to accept FEMA grant funds. Alternatively, jurisdictions may designate agents to sign and submit these reports and documents, and to accept FEMA grant funds for up to a 3-year period. Without this designation of authority for signature, the Board will be required to sign documents required to process a FEMA grant. This removes the burden on staff and the Board to process day to day grant management and administration documents with FEMA. The Board last adopted the resolutions on July 14, 2021 (05). Those resolutions were approved for a three-year period and now need to be adopted again.

Today's request is to adopt two resolutions authorizing the Director of Public Works, Assistant Director of Public Works, Deputy Director of Public Works, and Flood Control District Manager, as official agents of the County and Flood Control District, to implement and submit documents, including but not limited to applications, agreements, and grant acceptance letters for FEMA programs to the County of San Diego and/or the San Diego County Flood Control District through July 17, 2027.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

Acting as the Board of Supervisors:

1. Find that adoption of the proposed resolutions is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because there is no possibility for the activity to cause a significant effect on the environment.
2. Adopt a resolution entitled: JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS; AND ACCEPT FUNDS FROM AWARDED GRANTS TO AND FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR EMERGENCY FLOOD MITIGATION

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PROGRAMS, INCLUDING WITHOUT LIMITATION THE HAZARD MITIGATION GRANT PROGRAM, FLOOD MITIGATION ASSISTANCE PROGRAM, AND BUILDING RESILIENT INFRASTRUCTURE & COMMUNITIES.

3. Adopt a resolution entitled: JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS; AND ACCEPT FUNDS FROM AWARDED GRANTS TO AND FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR THE COMMUNITY RATING SYSTEM.

Acting as the Flood Control District Board of Directors:

1. Adopt a resolution entitled: JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS; AND ACCEPT FUNDS FROM AWARDED GRANTS TO AND FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR EMERGENCY FLOOD MITIGATION PROGRAMS, INCLUDING WITHOUT LIMITATION THE HAZARD MITIGATION GRANT PROGRAM, FLOOD MITIGATION ASSISTANCE PROGRAM, AND BUILDING RESILIENT INFRASTRUCTURE & COMMUNITIES.
2. Adopt a resolution entitled: JOINT RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS AUTHORIZING COUNTY AGENTS TO EXECUTE AND SUBMIT APPLICATIONS AND OTHER DOCUMENTS; AND ACCEPT FUNDS FROM AWARDED GRANTS TO AND FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR THE COMMUNITY RATING SYSTEM.

EQUITY IMPACT STATEMENT

The San Diego County Flood Control District strives to implement programs and projects that preserve, enhance, and promote quality of life, health and safety, sustainability, equity, and environmental resources while simultaneously complying with mandatory federal, state, and local regulations. Designating official signatories for Federal Emergency Management Agency (FEMA) floodplain management and grant funding programs streamlines the application process and could result in more grant funding opportunities for County of San Diego (County) and San Diego County Flood Control District (District). This would result in projects that improve public safety and mitigation of impacts from natural hazards which will benefit unincorporated communities by reducing or eliminating long term risk of flood damage.

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SUSTAINABILITY IMPACT STATEMENT

The proposed action to authorize the Director of Public Works to implement and submit documents to FEMA for flood control projects has health and well-being and economic sustainability benefits. This action will contribute to the County sustainability goal of protecting the health and well-being of everyone in the region by reducing flood risk and reducing costs for flood insurance.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There may be future fiscal impacts for which staff would return back for consideration and approval by the Board. Upon return by staff funding for future costs will need to be identified by the department and will proceed once identified. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The San Diego region has a semi-arid climate prone to both droughts and floods. Rain is seasonable and generally occurs during December through March, but also can occur during the summer months as monsoons. Rain events can be intense and can lead to flooding that causes damages to infrastructure, residences, and businesses. The unincorporated region has experienced repeated flooding over the last 15 years, including the extreme weather event that occurred January 22, 2024. These flooding events reinforce the importance of mitigating risks to reduce risk of loss of life and property

The Federal Emergency Management Agency (FEMA) assists states and local communities with programs, technical support, and grants to help protect residents and businesses against flooding. FEMA's hazard mitigation assistance grant programs provide funding for eligible mitigation activities that reduce disaster losses and protect life and property from future natural disasters. Local funds can be used to leverage FEMA grants to construct drainage improvements that protect residents and businesses, especially those in underserved areas.

In California, many of these programs are administered by the Governor's Office of Emergency Services (CalOES) on behalf of FEMA. Grant funds are available for projects to rebuild communities after a major disaster in a way that reduces future disaster losses, help communities reduce risks from future disasters and natural hazards, and reducing the risk of flood damage to NFIP-insured buildings. FEMA currently offers the following hazard mitigation assistance programs to eligible municipalities, agencies, and organizations:

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- **Hazard Mitigation Grant Program (HMGP)**

The County can use FEMA's HMGP program funds after a presidentially declared disaster to rebuild our communities in a way that will reduce or prevent future disaster losses. FEMA provides up to 75 percent of the total amount of funds needed for mitigation projects, and the County would provide the remaining 25 percent. The purpose of the HMGP program is to protect lives and property due to natural disasters. FEMA requires communities to have an adopted Hazard Mitigation Plan to participate in HMGP programs. The County prepared a Multi-Jurisdictional Hazard Mitigation plan in 2004, with updates in 2010, 2018, and 2023, that identifies risks such as flooding, fire, and earthquake and ways to minimize damage by natural and humanmade disasters. The plan can be viewed by the public at the County Office of Emergency Services webpage (sandiegocounty.gov/oes) under the Emergency Management Resources tab.

- **Flood Mitigation Assistance (FMA) Program**

FEMA's Flood Mitigation Assistance (FMA) Program is a competitive grant program to reduce or eliminate the risk of flood damage to buildings that are insured annually under the National Flood Insurance Program (NFIP). Similar to the HMGP program, FEMA requires communities to have an adopted Hazard Mitigation Plan to participate in FEMA programs. Unlike the HMGP program, a federal disaster declaration is not required to receive funding under this program.

- **Building Resilient Infrastructure & Communities (BRIC) Program**

Building Resilient Infrastructure & Communities (BRIC) is a new FEMA program that provides grants for communities to prepare before a disaster occurs. The goal of this program is to shift focus away from projects that re-build a community after a disaster has occurred to protecting communities and making them more resilient to withstand disasters before they hit. Additionally, BRIC encourages communities to focus on infrastructure projects that protect community lifelines, including regional road and communication networks.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 provides the statutory authority for most federal disaster response activities and established the Presidential disaster declaration process. The Disaster Recovery Reform Act of 2018 brought about reforms that acknowledge the shared responsibility between federal, State, and local agencies for disaster response and recovery, aim to reduce FEMA's complexity, and build the nation's resilience in preparation for the next catastrophic event. The above acts have established the special rules for each of FEMA's hazard mitigation assistance programs. CalOES requires a resolution that designates the official County of San Diego (County) agents authorized to sign and submit grant applications and associated documents. FEMA requires jurisdictions to pass resolutions designating agents to:

- Submit grant applications and other supporting documents to FEMA;
- To receive grant awards; and

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- To participate in various floodplain management programs.

Specifically, two resolutions are required:

- One to participate in the hazard mitigation assistance programs; and
- One to participate in the Community Rating System (CRS) program.

The two resolutions will allow the County to apply for funding for multiple projects that fall under these grant programs for a period of three years after adoption. The Board last adopted these resolutions on July 14, 2021 (05). Those resolutions were approved for a three-year period and now need to be adopted again.

Attachment A is the Resolution required to participate in the HMGP, FMA, and BRIC Programs.

The County has previously used FEMA funding and grants to reduce or eliminate the long-term risk of flood damage. In the last 20 years, the Flood Control District received approximately \$8.9 million in grant funds through FEMA's flood mitigation programs toward construction of Woodside Avenue drainage improvements (Lakeside, District 2), Wing Avenue drainage improvements (unincorporated El Cajon, District 2), and Central Avenue drainage improvements (Bonita, District 1). Most recently, the Flood Control District was awarded Advance Assistance funding through FEMA's Hazard Mitigation Grant Program (HMGP) to evaluate the feasibility of using a suite of nature-based solutions in the unincorporated areas of the County to mitigate multiple natural hazards, including flooding, wildfire, and extreme weather. The project will lead to the development of a County Risk Reduction Strategy, project designs, and HMGP / BRIC applications to request additional grant funding to construct the projects. These projects improve public safety by providing protection to the communities from flooding up to the "100 year" flood event (i.e., an event that has a 1% chance of occurring in any given year).

Community Rating System (CRS):

The National Flood Insurance Program (NFIP) defines a minimum set of actions that a community must take so that its residents can purchase flood insurance. FEMA created the CRS program to encourage communities to undertake extra flood risk reduction activities beyond the minimum NFIP requirements to make communities more resilient. In exchange, FEMA reduces flood insurance premiums for policy holders in the communities enrolled in the CRS program. These activities range from simple tasks with minimal credits, such as providing flood maps and information to the public, to more complicated tasks with much higher credits, such as creating and enforcing ordinances to regulate development in floodplains.

The County participates in the CRS program and has taken actions to improve the County's CRS rating, reflecting greater benefit to the community. There are 10 CRS classes. Class 1 requires the most credit points and gives the greatest premium reduction or discount for flood insurance. A community that does not apply for the CRS or does not obtain the minimum number of credit points is a Class 10 community and receives no discount on premiums for flood insurance.

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The qualifying community's total points range from zero to over 4,500 for classes 10 through 1, respectively, in 500-point increments as shown in the table below.

Credit Points	Class	Premium Reduction
4,500+	1	45%
4,000 - 4,499	2	40%
3,500 - 3,999	3	35%
3,000 - 3,499	4	30%
2,500 - 2,999	5	25%
2,000 - 2,499	6	20%
1,500 - 1,999	7	15%
1,000 - 1,499	8	10%
500 - 999	9	5%
0 - 499	10	0%

The flood insurance premium discounts range from zero to 45% for classes 10 through 1, respectively, in 5% increments. The County is currently rated as a Class 6 Community, which equates to 20% reduction in flood insurance premiums for eligible residents and businesses. This program requires the County to submit an annual certification that minimum standards have been met.

Attachment B is the Resolution required to participate in CRS; below is a summary of this program:

This request is to authorize two resolutions that designate County agents to apply for and receive grant funding so the County will be in the most proactive position to participate in FEMA Hazard Mitigation Assistance and Community Rating System programs for three years. The attached resolutions authorize the Director of Public Works, Assistant Director of Public Works, Deputy Director of Public Works, and Flood Control District Manager as agents of the County. Upon approval, the County agents will be authorized to sign and submit grant applications, associated supporting documents, and accept grant funds awarded by the FEMA grant programs. Associated grants would be for drainage improvement projects such as culvert replacements and channel improvements that are identified in the Department of Public Works' Five-Year Capital Improvement Program, emergency projects or multi-jurisdictional; projects that will benefit unincorporated county residents. County matching funds could be from the Flood Control District, Road Fund, partnering jurisdictions or other appropriate matching grants, unless previously allocated from General Fund.

ENVIRONMENTAL STATEMENT

Section 15061(b)(3) of the CEQA Guidelines exempts from CEQA review those projects where "...it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment..." The proposed activity is the adoption of resolutions to authorize County staff to apply for and accept grant funding for flood control and flood-related

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disaster response. The approval of the resolutions does not commit the County or Flood Control District to a particular project or guarantee that any funding for such a project will be sought or obtained. The proposed activity will not, accordingly, have any significant effect on the environment and is exempt from CEQA review by Section 15061(b)(3) of the CEQA Guidelines.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action to adopt resolutions designating official signatories for FEMA grant program participation supports the County of San Diego's 2024-29 Strategic Plan by supporting community safety, including preparedness and regional readiness to respond to a disaster.

Respectfully submitted,



AMY HARBERT
Interim Deputy Chief Administrative Officer

ATTACHMENT(S)

- A. Joint Resolution of the County of San Diego Board of Supervisors and San Diego County Flood Control District Board of Directors Authorizing County Agents to Execute and Submit Applications and Other Documents; and Accept Funds from Awarded Grants to and from the Federal Emergency Management Agency or California Governor's Office of Emergency Services for Emergency Flood Mitigation Programs, Including Without Limitation the Hazard Mitigation Grant Program, Flood Mitigation Assistance Program, and Building Resilient Infrastructure & Communities
- B. Joint Resolution of the County of San Diego Board of Supervisors and San Diego County Flood Control District Board of Directors Authorizing County Agents to Execute and Submit Applications and Other Documents and Accept Funds from Awarded Grants to and from the Federal Emergency Management Agency or California Governor's Office of Emergency Services for the Community Rating System