Flood Control Zone District
Frequently Asked Questions

GENERAL .................................................................................................................. 2
What is a Flood Control Zone District (FCZD)? .................................................. 2
Why does Kittitas County want to form a Flood Control Zone District? .............. 2
How often has Kittitas County experienced flooding disasters? ......................... 2
Where are the floodplains located in Kittitas County? ...................................... 2
How does flooding affect me? ................................................................. 3
Why now? Why not wait? ........................................................................... 3
Will the FCZD have jurisdiction over my private property, and will it increase regulation? ..... 3
Why are we only voting on the funding and not the formation of the district? .......... 3
Why is the County involved with flood insurance, and why should I pay to help lower flood insurance rates? ........................................ 4

FUNDING ............................................................................................................. 4
If there is a fee, why isn’t it charged only to people who live in floodplains? ........... 4
Why don’t we form smaller districts so those property owners that will benefit from the projects carry the burden? ......................................................... 4
Can the County’s Road Fund be used to fund this budget? ................................. 4
Are there other sources of funding for these types of projects? ......................... 5
The County already has a flood control budget. Why can’t it continue to be funded to pay for these projects? ................................................................. 5
Will the FCZD affect the level of taxes collected by junior taxing districts? .......... 5
How would FCZD projects and programs be funded? .................................... 6
What happens if we don’t fund the FCZD? .................................................... 6

PROJECTS ............................................................................................................ 6
What projects and programs will the FCZD fund? ............................................. 6
What are typical FCZD projects? .................................................................... 7
How would the FCZD develop and implement programs and projects? ............... 7
Why should I pay to help those who decided to live within the floodplain? ......... 8

ADMINISTRATION ............................................................................................... 8
Who is in charge of a FCZD? ........................................................................ 8
Will new staff be hired? ............................................................................. 8
For more information: ............................................................................. 8
GENERAL

**What is a Flood Control Zone District (FCZD)?**

A Kittitas County Flood Control Zone District (FCZD) would be a special-purpose government fund authorized under RCW 86.15 to fund flood-reduction projects and programs in Kittitas County. The funds collected by the FCZD are protected by state law and can only be used to fund flood control related projects. The funds cannot be used for any other government purpose.

**Why does Kittitas County want to form a Flood Control Zone District?**

Floods and flood-related damage is common in Kittitas County, but there is no dedicated funding source for repairing damage when it occurs nor are there funds to implement projects to prevent or reduce damage during future floods. The county is forced to take money from other important projects to repair flood damaged roads and infrastructure. Because there is no funding for planning or construction of improvements to prevent damage, the county must return to the same sites repeatedly to make repairs.

Many of the flood protection facilities in Kittitas County were built in the early 1920’s or before and desperately need maintenance and repair. In addition, many of our levees do not meet federal standards for flood protection. More than $10 million in priority repairs are needed to upgrade flood levee and bank stabilization facilities countywide. Floods pose significant risk to public safety and health, regionally important economic centers, and transportation corridors. Kittitas County’s flood protection infrastructure must be strengthened to protect lives, homes, and businesses.

**How often has Kittitas County experienced flooding disasters?**

Since 1975, Kittitas County has experienced a federally declared flood disaster eight times and the public and private costs have exceeded $50,000,000. Additional local events that caused significant damage but were not federally declared flood disasters occurred in 1998, 2006, and May 2011. Future floods are expected to exceed the protective abilities of our existing flood facilities.

**Where are the floodplains located in Kittitas County?**

Kittitas County has significant major floodplains along the Yakima, Cle Elum, and Teanaway rivers, as well as along Manastash, Naneum, Taneum, Big, Little, Dry and Reece Creeks. There are other minor regulated floodplains located throughout the county. The floodplains range from urban type settings around the Cities of Ellensburg and Cle Elum to the rural areas along
the Teanaway and smaller streams. Many of the levees along these rivers and streams were built more than 80 years ago without regard to future development conditions. Now, these aging levees protect major population and business centers, residences, and critical public facilities such as roads, bridges, and utility treatment plants.

**How does flooding affect me?**

It has been estimated that a major flood in Kittitas County could generate flood-related losses in excess of $200 million. In an effort to improve flooding response and recovery, Kittitas County has taken the lead in identifying options and alternatives to address regional flooding risks.

All citizens within the boundaries share the cost burdens associated with flood response and recovery, even those that live on high ground. For example, many planned projects have been postponed or cancelled in order to pay the county costs associated with flooding.

**Why now? Why not wait?**

Data suggests that flood frequency and intensity is increasing. Storms hitting the region in the last five years have been severe. The 2009 and 2011 floods in Kittitas County caused millions of dollars in public and private property damage. Flooding also causes significant economic and personal loss by disrupting jobs, shopping, health care, schools, recreational activities and emergency response throughout the region. Based upon these recent experiences and the potential for increased flood frequency, a dedicated funding source is urgently needed to implement programs and projects to reduce flood risk.

**Will the FCZD have jurisdiction over my private property, and will it increase regulation?**

The county and cities already have jurisdiction on private property though flood prevention ordinances and the National Flood Insurance Program (NFIP). While there are no plans to increase regulations, the funding will allow the FCZD to better enforce the current regulations and to assist private property owners with flood issues occurring outside of the rights of way.

**Why are we only voting on the funding and not the formation of the district?**

Per RCW 86.15.020, the district may be formed in two ways: 1) A resolution by the BOCC; or 2) A petition by the citizens. The RCW does not allow the BOCC to call for a vote.

When the BOCC signed resolution 2012-081, the district was formed but not funded. The BOCC chose to allow the citizens to authorize funding.
**Why is the County involved with flood insurance, and why should I pay to help lower flood insurance rates?**

In 1981, the county and cities agreed to join the National Flood Insurance Program (NFIP). By joining the program, flood insurance is available to landowners within the county. In exchange for this, the county and cities agreed to enforce the regulations of the NFIP which include the issuance of a floodplain development permit for all activities within the floodplain.

The NFIP offers a program called the Community Rating System (CRS). By performing activities in the CRS, the county and cities can earn reductions in flood insurance rates. These activities have been shown to reduce or prevent damage from flooding which reduces the money spent by the county, cities, state and federal government on flood response and repair.

**FUNDING**

**If there is a fee, why isn’t it charged only to people who live in floodplains?**

Because major floods affect the entire region, the proposed flood control zone district incorporates the entire county, including cities. People who have homes or businesses in the floodplain are at more immediate risk, but flooding affects the entire regional economy. When public infrastructure such as roads and levees are damaged, the cost of repair is borne by all county residents. Additionally, the cost of emergency response is also spread county wide.

**Why don’t we form smaller districts so those property owners that will benefit from the projects carry the burden?**

The most recent flooding events have caused damage well outside the normal boundaries of the regulated floodplains and in areas not normally impacted by flooding. After each flood, new problem areas appear that have never experienced flooding before. Additionally, the county currently does not have enough information to accurately identify the boundaries of smaller areas. One of the first projects planned for the FCZD is updating the Comprehensive Flood Hazard Management Plan. This plan will identify projects and the areas that will benefit from them which may in the future allow us to form smaller districts. However, most, if not all projects that are identified will be to protect public infrastructure, of which all county resident equally share the burden for the cost of repair.

**Can the County’s Road Fund be used to fund this budget?**

By state law, the Road Fund can only be used within the County’s rights-of-way. Generally, this is 30’ on either side of the center line of a county road. Drainage and flooding problems are not
limited to within the right of way, and without the ability to work outside of the right-of-way these problems will never get fixed.

**Are there other sources of funding for these types of projects?**

There are limited other sources of funding for flood control projects, but all require matching funds from the jurisdiction and are awarded through competitive grant processes. Currently, the County struggles to come up with the matching funds which limits the ability of the County to use those other sources of funding. If funded, the money within the FCZD budget can be used as a match and will greatly increase our ability to apply for and receive these other sources of funding. The Yakima County FCZD leverages their funds at a 30:1 rate, meaning for every one dollar they spend out of the FCZD budget, they receive 30 dollars in funding from other sources.

**The County already has a flood control budget. Why can’t it continue to be funded to pay for these projects?**

The County has historically funded the flood control budget with $25,000 for the repair and maintenance of County-owned levees. The 2012 budget is significantly higher, with $452,120 budgeted for flood related expenses. However, of this amount, $412,021 is budgeted to repair the Gladmar embankment which was damaged during the January 2009 flood. The County will be reimbursed by FEMA for $360,518 and the general fund is responsible for the remainder. The County’s Road Fund cannot pay for these repairs because the project is outside of the county right of way.

The remaining funding is for the maintenance and repair of levees, administration of the National Flood Insurance Program including Floodplain Development Permits, and expenses related to the formation of a FCZD. There are no funds available for mitigation or emergency response.

**Will the FCZD affect the level of taxes collected by junior taxing districts?**

The FCZD is a junior taxing district along with city, county and road funds and fire, hospital, cemetery, and parks & recreation districts. The aggregate amount of most junior taxing districts levies cannot exceed $5.90 per $1000 of assessed value. When this rate is exceeded, the rates must be pro-rationed among the districts, meaning some districts will receive less money. State law regulates the order of the pro-rationing. A parks and rec district is the first to lose funding, although currently the parks & recreation district does not assess a levy. A FCZD is the second to lose funding. In other words, a FCZD in Kittitas County will not cause currently funded districts to lose funding.
For the 2012 tax year, the aggregate levy rates for junior taxing districts range from $1.93 to $4.68, with most levies between $2.50 and $3.50 per $1000 of assessed value. Because levy rates are based on the assessed value of property within the county, levy rates change year to year. If Kittitas County’s real estate market continues to decline, levy rates may increase. However, the rate proposed by the FCZD (an estimated $0.07 per $1000 of assessed value) is not expected to cause the aggregate rate to exceed $5.90 for 2013 tax collection.

For more information on junior taxing districts and pro-rationing order, see the Department of Revenue Property Tax Levies Manual, Section 4.9, available at http://dor.wa.gov/docs/pubs/prop_tax/levymanual.doc.

**How would FCZD projects and programs be funded?**

State law authorizes a District to collect a property tax or fee. The same State Law requires that any funds collected by the district only be spent on specific planned flood-related activities and actions. It cannot be used for any other government purpose.

The proposal under consideration includes a tax of approximately 0.07 per $1000 of assessed value. This amount was calculated to meet the documented annual flood losses and provide for the necessary cash reserves to fund floodplain management operations in Kittitas County.

**What happens if we don’t fund the FCZD?**

Without funding the FCZD, the flooding and the resulting funding problems we currently experience associated with emergency response and recovery will continue without relief. Additionally, no funding exists to adequately address repetitive loss areas through mitigation programs. Current predictions are that flooding will become more frequent and more severe over the next decades.

**PROJECTS**

**What projects and programs will the FCZD fund?**

If formed, the FCZD must adopt by resolution a budget indicating flood control or storm water control improvements and maintenance activities that it will fund. Identified capital improvement projects must be part of a comprehensive plan for flood control for that stream or watercourse. Kittitas County already has a Comprehensive Flood Hazard Management Plan that has been approved by the Department of Ecology. The FCZD can adopt this plan and use it to begin to implement projects and maintenance activities. The FCZD will work to develop an updated comprehensive plan that will provide a more thorough list of flood reduction programs and projects that can be implemented in the future.
The County also has an approved Hazard Mitigation Plan that identifies mitigation projects that will reduce or prevent damages from flood events. With an approved Hazard Mitigation Plan, the county and cities can apply for grant funding from FEMA to perform mitigation projects and leverage the funding within the FCZD.

**What are typical FCZD projects?**

The projects range in scope from upgrading and maintaining existing levees, to developing flood reduction plans for specific floodplain reaches, to constructing new flood reduction structures and facilities. Projects can also include non-structural solutions such as buying flood-prone properties or drafting model land use regulations that keep people and structures out of high flood hazard danger areas.

Specific projects and efforts identified in the Hazard Mitigation Plan include:

- Bridge and culvert replacement, such as Dry Creek bridges, Manastash bridges, Reecer Creek culvert under University Way.
- Flood warning system.
- Upgrade or increase the number of stream gauges with real-time internet updates.
- Hansen Pit levee setback.
- Roslyn stormwater system upgrades.
- West Ellensburg flood mitigation project.
- Wilson Creek flood control project.
- Flood repairs and emergency response.
- Participation in the Community Rating System which can lower flood insurance rates.
- Provide staff resources to apply for FEMA and other mitigation grant funding.

**How would the FCZD develop and implement programs and projects?**

The Board of County Commissioners would function as the primary governing body for the District but will be assisted by several key committees and project partners. An advisory committee could be set up to determine which projects get funded. One of the first decisions will be to determine the make-up of this advisory committee, for it will be important to involve local jurisdictions, the Yakama Tribe, and key stakeholders as advisors to the district’s program and future capital projects. The FCZD may also choose to leverage its funds by partnering with a wide range of external entities – from state and federal agencies such as the U.S. Army Corps of Engineers and the Federal Emergency Management Agency (FEMA) to local governments, watershed groups and tribal governments.

While the District would be an independent county fund, the Board of County Commissioners and Public Works Department are committed to establishing an efficient, project-oriented
organization. Existing organizations and resources will be used wherever possible. The FCZD will not duplicate existing government services. To maximize the number of programs and projects that can be implemented with the available funds, the Public Works Department would carry out many of the approved flood protection projects and programs under contract with the FCZD.

**Why should I pay to help those who decided to live within the floodplain?**

This money is not going to be handed out to private property owners. It will go primarily towards projects that reduce or prevent flooding and damage to public infrastructure. All projects will have a public benefit. Technical assistance will be provided to private property owners who are trying to fix their own problems. FEMA offers grants to those who have a documented history of loss to provide financial assistance in elevating, moving or buying out flood prone property. The county or cities must apply for these grants for the property owners, but all project costs are paid by FEMA and the property owner.

**ADMINISTRATION**

**Who is in charge of a FCZD?**

State law identifies the county commissioners as the governing Board of Supervisors of the district. The Board of Supervisors provides policy direction of the District activities and selects flood projects to be funded through a normal budget process. Through interlocal agreements, the Public Works Department could design and build the approved projects. State law identifies the County Engineer as the administrator of the district. In Kittitas County, the County Engineer reports to the Director of Public Works.

**Will new staff be hired?**

To maximize the number of projects and programs that can be completed with district revenue and to minimize administration costs, existing county staff will do as much of the work as possible. For specific projects that require expertise beyond the current staff, consultants and professional will be hired.

**For more information:**

Visit the website at [www.co.kittitas.wa.us/publicworks/flood/](http://www.co.kittitas.wa.us/publicworks/flood/) or contact Kirk Holmes, Director of Public Works or Christina Wollman, County Floodplain Manager at (509) 962-7523.