AGENDA STAFF REPORT

AGENDA DATE: June 27, 2012

ACTION REQUESTED: Approval of Resolution to form a Countywide Flood Control Zone District per RCW 86.15.

BACKGROUND: The multiple flood events of recent years brought forth leadership from various communities, governments, and neighborhoods in the county with the common purpose to mitigate the devastating financial effects of flooding. In response, the Kittitas County Board of Commissioners authorized a Citizens Advisory Committee (CAC) in February of 2011 to study and analyze the feasibility of a Flood Control Zone District (FCZD). This committee has recommended that a FCZD be formed with all the powers, authorities, and duties provided in RCW 86.15, et seq., and any and all amendments, changes or alterations thereto or laws pertaining to such, and including all provisions as herein provided. The CAC also determined a FCZD will best meet the needs of the citizens and businesses of Kittitas County and insulate the general governmental duties of the County from the disastrous financial effects of flood damages.

INTERACTION: Public Works, Prosecutors Office

RECOMMENDATION: Approve

HANDLING: Route to Public Works

ATTACHMENTS: Resolution

LEAD STAFF: Kirk Holmes
RESOLUTION

NO.  2012-____

TO ESTABLISH A COUNTY-WIDE FLOOD CONTROL ZONE DISTRICT FOR KITTITAS COUNTY IN ACCORDANCE WITH THE TERMS, CONDITIONS, AND REQUIREMENTS OF CHAPTER 86.15 RCW

WHEREAS:  on the 18th day of January, 2012, in a regular session, the Board of County Commissioners (the “Board”) unanimously passed Resolution No. 2012-001 initiating the creation of a proposed county-wide Flood Control Zone District in accordance with RCW 86.15.010, et seq., and amendments, changes and alterations and additions thereto; and

WHEREAS:  notice of public hearing of the intent of the Board of County Commissioners to establish a Kittitas County Flood Control Zone District was given, made and published as provided by law and such hearings on the establishment of said Flood Control Zone District were held on June 20, 2012 in Ellensburg, and on July 27, 2012 in Cle Elum; and

WHEREAS:  the Board of County Commissioners finds that there is a public necessity for the establishment of the Kittitas County Flood Control Zone District and that it is in the best interest of the County and for the general public health, safety, benefit, welfare and economic development and use.

NOW, THEREFORE IT BE RESOLVED that the Board of County Commissioners establishes a county-wide flood control zone district which shall be designated Kittitas County Flood Control Zone District, which shall have all the powers, authorities, and duties provided in RCW 86.15, et seq., and any and all amendments, changes or alterations thereto or laws pertaining to such, and including provisions as herein provided.

BE IT FURTHER RESOLVED that the boundaries of said district are hereby established and declared to be as described in RCW 36.04.190, to wit:

- Commencing at a point where the main channel of the Columbia river crosses the township line between township fourteen and fifteen north, range twenty-three east of the Willamette Meridian, and running thence west on said township line to the range line between ranges eighteen and nineteen east; thence north on said range line six miles, or to the township line between the townships fifteen and sixteen north; thence west on said township line to the range line between ranges seventeen and eighteen east; thence north to the township line between townships sixteen and seventeen north; thence west along said township line and a line prolonged due west to the Naches river; and thence northerly along the main channel of the Naches river to the summit of the Cascade mountains, or to the eastern boundary of King county; thence north along the eastern boundary of King county to the point where such boundary intersects the summit of the main divide between the waters flowing northerly and easterly into the Wenatchee and Columbia rivers and the water flowing southerly and westerly into the Yakima river; thence in a general
southeasterly direction along the summit of such main divide between the waters flowing northerly and easterly into the Wenatchee and Columbia rivers and the waters flowing southerly and westerly into the Yakima river, following the course of the center of the summit of the watershed dividing such respective waters, to the fifth standard parallel north; thence east along the fifth standard parallel north to the middle of the main channel of the Columbia river; thence down the main channel of the Columbia to the place of beginning.

**BE IT FURTHER RESOLVED** that the area described herein as such zone boundaries incorporate any and all watersheds located in said described boundaries:

**BE IT FURTHER RESOLVED** that an annual assessment totaling $500,000 be established for the administration and operation of the district until the year 2019 and shall not be reestablished for the year 2020 without a public hearing and majority vote by the Board of County Commissioners.

**BE IT FURTHER RESOLVED** that the governing body shall be the Board of County Commissioners as Kittitas County Flood Control Zone District Supervisors and the administration of affairs of the zone district shall be under the Department of Public Works and the office of the Kittitas County Engineer. They shall have all the powers granted by law.

**DATED** this ___ day of __________, 2012, at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON

Clerk of the Board  
Alan Crankovich, Chair

Obie O’Brien, Vice-Chair

Paul Jewell, Commissioner
MEMORANDUM

To: BOCC
From: Kirk Holmes and Christina Wollman, DPW
Cc: Citizens Advisory Committee – FCZD
Date: June 12, 2012
Subject: Public Outreach Overview – Flood Control Zone District Formation

This memo summarizes the public outreach program as prescribed under Resolution 2012-001. Between February and June 2012, county staff held 5 public open houses in Ellensburg, Cle Elum, Teanaway, Easton, and Kittitas. These open houses consisted of a staff presentation followed by a general question and answer session between the audience and staff. The information presented was consistent with the recommendations to the BOCC by the Citizens Advisory Committee formed to study the feasibility of the formation of a county-wide Flood Control Zone District. Primarily, county staff in attendance and presenting was Kirk Holmes and Christina Wollman.

Comments received by Public Works on the proposed FCZD have come in various forms. Email, hard copy, and verbal comments have all been documented and are provided for your review in the attached matrix.

The tone of the comments received varied widely, as expected, but generally the audience at each of the meetings seemed understand the following items:

- Flooding is a public safety concern in Kittitas County.
- The frequency and scale of flooding seems to be having a greater impact.
- Active floodplain management by Kittitas County should be a function of county government and in fact is required under 44 CFR and KCC 14.08.
- A Flood Control Zone District established in Kittitas County could lower both direct and indirect flood risks, county-wide.
- Planning for water resource management is beneficial to the county.

Additionally, the subjects of most concern included:

- The annual per parcel assessment recommended by the Citizens Advisory Committee did not seem fair.
Most attendees seemed to prefer an assessment based on taxable value.
Proper planning, prioritization, and execution of capital projects.
Annual project and operations reporting should be a function of the district.

To meet the annual request of $500,000 the types of available assessments under RCW 86.15 are as follows:

- **Per parcel annual fee** – (CAC Recommendation)
  - This is the standing recommendation from the Citizens Advisory Committee. The annual per parcel fee would be $16.11.
- **Per owner annual fee** –
  - Very similar in nature to the per parcel fee in application, but is based on a “unique owner ID.” There are 20,255 UOI’s in Kittitas County. The annual UOI fee would be $24.68.
- **Annual Taxable Value assessment** –
  - The annual assessment is expected to be $0.07 to $0.08 per thousand dollars of taxable value.

Additionally, review of the formation of the FCZD and the recommended assessment by the CAC was conducted by the Prosecutors Office. That memo is attached.
MEMO

To: Kirk Holmes, Flood Control Zone District Citizen Advisory Comm.
From: Neil A. Caulkins, Deputy Prosecutor
Re: Formation of Flood Control Zone District
Date: April 25, 2012

The steps taken so far toward formation of a Flood Control Zone District under Ch. 86.15 RCW appear appropriate regarding the formation of a citizen advisory committee, recommendation that the district be county-wide, and that such a district be formed with the BOCC as the supervisors. There are two issues that run afoul of the statutory scheme that need to be pointed out. Both appear in the proposed resolution.

Legal Issue #1
Can the BOCC, as district supervisors, direct that the district be administered by someone other than the County Engineer.

Short Answer
No.

Legal Analysis
RCW 86.15.050(1) and (2) provide that the BOCC are the ex officio, by virtue of their office, supervisors of the district unless either they decide to call for election of supervisors or the citizens propose such election. RCW 86.15.060(1) states that, except as provided in (2), the county engineer administers the affairs of the district. Subsection (2) provides that if there are elected pursuant to .050, then those supervisors can designate someone other than the county engineer to administer the district. So if the BOCC are the supervisors, they are not elected pursuant to .050, but rather supervisors by virtue of their office, (and were regardless not elected as flood district supervisors) and so cannot designate anyone to administrate the affairs of the district. If the BOCC are the supervisors, they are stuck with the county engineer administering the district. Hence, the provision in the resolution that the district will be administered by both Public Works and the county engineer is unlawful. It can only be administered by the county engineer.

Legal Issue #2
Can this resolution creating a flood control zone district also set forth a per parcel fee for the administration of the district.

Short Answer
No.

Legal Analysis
RCW section 86.15.100, .110, and .120 describe flood control or storm water control improvements and how those are authorized, initiated, noticed, and heard, and what are the requirements in a resolution authorizing the creation of such. RCW 86.15.140 describes how a district creates its budget-at the same time as the county budget process,
it submits its overhead (staff and supplies), M&O, construction (read storm water control improvements), and bond retirement for such improvements. Once the price tag is established, then the district can raise those funds through various means as outlined in RCW 86.15.160. In the absence of a budget under RCW 86.15.140 and without any flood control or storm water control improvements having been approved, no taxes, assessments, or charges can be levied.

Subsection (1), (2), and (3) are all millage as opposed to the per-parcel charge contemplated in the resolution. Subsection (1) requires the vote of the public and subsection (2) requires a flood control improvement (which doesn’t exist currently) so neither of these can be imposed. Subsection (3) contemplates an ad valorem tax, which is not what is contemplated in the resolution, and cannot be justified or imposed prior to establishing a district budget anyway. Subsection (4) is a charge, like what is contemplated in the resolution, but it requires a storm water control facility (which currently does not exist) and can only go for funding that, not any other expenses of the district, none of which can be done prior to establishing a budget.

Simply speaking, the statute contemplates (1) identifying a problem, (2) identifying a solution and its price tag, and then (3) raising the money to execute the solution and hence fix the problem. What this resolution does is, without identifying the problem, without identifying a solution or its cost, just demand from the public a bunch of money that the district can do whatever with and just get back to the public as to where the money went later. This is not what is contemplated or allowed under the statute.

The district can be formed, the BOCC can be the supervisors, and the county engineer would administer the district. The district will then need to establish its budget and projects and then raise the necessary funds depending upon the amounts needed and what exactly they are raising money for as the statute allows.
LEGAL CONSIDERATIONS OF FCZD FORMATION AND OPERATION

Flood Control Zone District – RCW 86.15

Creation: 86.15.020
BOCC may initiate by resolution OR by petition of 25% of electors in last general election.

Subzones authorized: 86.15.025
BOCC may form countywide zone incorporating all watersheds not already in a flood zone. Subzones authorized.

Governing Body: 86.15.050
Board of County Commissioners.

Administered by: 86.15.060
County Engineer

Advisory Committee: 86.15.070
Board may appoint advisory committee up to 15 members.

Quasi Municipal Corporation: 86.15.095
A flood control zone district is a quasi-municipal corporation, an independent taxing “authority” and a “taxing district” within the meaning of the state constitution. Can hire employees, staff, and services, enter into contracts and sue and be sued.

Public Hearings: 86.15.120
Before undertaking any flood control improvement or storm water control improvement a public hearing must be held.

Budget: 86.15.140
Must set budgets for overhead and administration; maintenance and operation; construction and improvements; bond retirement and interest. Budget and any supplemental budget shall only be approved after a public hearing.

Powers: 86.15.080
Exercise all powers vested in county for flood and storm water control;

Plan, construct, acquire, repair, maintain and operate all necessary equipment, facilities, improvements, and works to control, conserve, and remove flood and storm waters;

Control, conserve, retain, reclaim, and remove flood waters and storm waters including waters of lakes and ponds within district;
Acquire necessary property, property rights, facilities, and equipment necessary to the purposes of the zone by purchase, gift or condemnation provided property of municipal corporations cannot be acquired without consent of such municipal corporations;

Sue and be sued in name of zone.

Acquire or reclaim lands when incidental to purposes of the zone and dispose of such lands as surplus;

Cooperate with or join with State, United States, any agency, corporation or individual for purposes of this chapter;

Accept funds or property by loan, grant, gift, or otherwise from the United States, State of Washington, or any other public or private source;

Remove debris, logs or other material which may impede the orderly flow of waters in streams or water courses.

**General Obligation Bonds: 86.15.170**

BOCC may authorize issuance of general obligation bonds to finance any flood control improvements only when the voters of the flood control zone district approve a ballot proposition authorizing both the bond issuance and imposition of the excess bond retirement levies pursuant to the Washington Constitution.

**Excess Levies, assessments, regular levies and charges – Local improvement districts:**

**86.15.160**

BOCC may authorize:

Annual excess ad valorem tax levy within any zone with approval of voters.

Assessment upon property special benefited by flood control or storm water improvements.

A charge for furnishing of service to those receiving or will receive benefits from storm water control facilities and who are contributing to an increase in surface water runoff.

Create “LID’s” and “ULID’s”.

**Service Charges Authorized: 86.15.176**

BOCC can fix rates and charges for the furnishing or service to those served or receiving benefits from a flood control improvement. Service charge shall be uniform for the same class of benefits or service. BOCC at its discretion consider the character and use of land and its water runoff characteristics and any other matters that present a reasonable difference as a ground for distinction.
<table>
<thead>
<tr>
<th>Public Meeting Comments Summary</th>
</tr>
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<tbody>
<tr>
<td>Objection to per parcel assessment. Many landowners have more than one parcel. The per parcel fee is not fair if I have a small lot but my neighbor has a large lot and we are paying the same amount. Some farmers have many parcels and don’t deserve to be taxed on multiple parcels.</td>
</tr>
<tr>
<td>What agencies have jurisdiction over floodplains, and will the FCZD change who has the jurisdiction? There is too much regulation in streams already, and we don’t need additional regulation.</td>
</tr>
<tr>
<td>Question on drainage system maintenance. Throughout the county, the major drainage system is the streams, so why can’t landowners clean out debris and gravel near bridges? It’s almost impossible to remove debris from the streams due to the permitting process and regulations.</td>
</tr>
<tr>
<td>We need to stop depending on others to fix our problems when we should be fixing them. The County government is just asking for more money when this should already be paid for with property taxes. The County already does most of this with the taxes they currently receive.</td>
</tr>
<tr>
<td>Has State Parks been involved? The John Wayne Trail is a natural barrier with problems that could be improved if there was some maintenance.</td>
</tr>
<tr>
<td>Work with NOAA for better flood warning; correct FEMA maps; alter 100-year flood regulations to include under floor appliances, funances, insulation, wiring, etc.; if area has 500-year flood, then have a building code for 500-year flood; can funding help fire districts who respond to calls during floods; can funding help HOAs to repair roads; ensure money is only for the good of the taxpayer and for the good of many and not for developer or property owners.</td>
</tr>
<tr>
<td>To gain public support, create a list of the top 10 areas that are a continuing problem for flooding and provide the mitigation process or steps that could be used to control or prevent future flooding. People need to know how the money is to be used.</td>
</tr>
<tr>
<td>The County can’t have the mindset of the CORPS that you can control water. Most of the County has no flooding so those people do not deserve to be taxed.</td>
</tr>
<tr>
<td>Hopes that this project does not die on the vine. Concerns with the way money is spent. Must ensure that the money is not shuffled around the County and that it is not spent on private property owners who put themselves into their situation.</td>
</tr>
<tr>
<td>All committee members were people from Ellensburg, not upper county. There should have been better representation.</td>
</tr>
<tr>
<td>People are living paycheck to paycheck and can’t afford this right now. FCZD Should coordinate with BOR, because a lot of flooding could be mitigated by better control of the dams.</td>
</tr>
<tr>
<td>The burden of the cost should be put on those who chose to live in the floodplain. We should not be having to support infrastructure to continually assist these folks. If their property floods and the roads get washed out we should force them to rebuild elsewhere or pay for the improvements themselves. Those who live in flood areas should pay more. Don’t go buy a steak when all you need is a hotdog. Do what needs to be done now and don’t worry about the future. The economy is too rough to be imposing more taxes.</td>
</tr>
<tr>
<td>Not fair to charge money for each parcel when you have multiple parcels. Need bigger culverts and to clean them out. Not fair to not need to take this to a vote; everyone is sneaky. There are already too many enviornmentalists and too much government control.</td>
</tr>
</tbody>
</table>
Christina Wollman

From: Barbara Ansley-Vensas <b_ansley@eburg.com>
Sent: Thursday, March 01, 2012 6:09 PM
To: Christina Wollman
Subject: Comment on Proposed Flood District

Dear County Commissioners:

We apologize for not being able to appear in person, but would appreciate your hearing our thoughts on this matter.

1) We oppose any plan that does not put the burden of the cost on the businesses and individuals for building in a flood zone.
   a. We should not be having to support infrastructure to continually assist these folks. If their property floods and the roads get washed out we should force them to rebuild elsewhere or pay for the improvements themselves.
2) We are all struggling to hang on financially, this really is not a good time to set in place long term plans/projects that add costs to anyone’s budget. If something has to be done, use a bandaid at this time. And, if you do have to spread out the burden put it solely on those individuals and businesses who KNOWINGLY and WILLINGLY chose to locate in the flood plain.
3) Note: implementing this plan will not reduce our insurance rates one bit, we are not required to carry any.

Thank you,

Barbara Ansley-Vensas
David Vensas
TO:  Kirk Holmes, Director of Public Works  
Christina Wollman, County Floodplain Manager  

FROM: William D. Schmidt, 310 Mission View Drive, Ellensburg, WA 98926.  
Telephone: 899-0040.  Email: sigmarr@elltel.net  

SUBJECT: Proposed per parcel fee charge to finance Flood Control Zone District  

DATE: March 12, 2012  

I attended the public meeting held in Ellensburg several weeks ago dealing with flood control. At the meeting, I objected to the plan of charging a per parcel fee of $16.11 to finance the proposed program.  

As justification for this objection, I would like to present this rationale:  

Over the past 4-7 years, some county planning employees as well as others, urged landowners to get 3-acre lots approved as subdivision plats because the option to do that could go away. We were told to “get vested”. We were told once a subdivision application cleared the planning office counter, its 3-acre zoning was guaranteed—it was “vested”.  

As a result of that advice, at great expense, others and I went through the process to get our zoned lands platted. I ended up carving up my pasture into four plats. I spent over $30,000 to do this with a significant amount going to Kittitas County as fees. The plats are as follows:  

Aztec Estates, 7 lot parcels. Approved by the county.  
Eagles Landing, 4 lot parcels. Approved by the county.  
Tiger Estates, 7 lot parcels. Submitted and in process.  
Wildcat Estates, 8 lot parcels. Submitted and in process.  

This totals 26 tax parcels. However, these are all part of a working ranch and the land in question is all contiguous and used to pasture livestock. There are no homes on any of that land except for 3 acres on which I have built my home. Please see the photo that is reproduced below.  

If the per parcel fee for the Flood Control Zone District is applied to my land, it would cost me annually $418.86 (26 tax parcels x $16.11). I would gladly pay $16.11 per year for the 3-acre parcel upon which I live, but taxing pastureland is totally unjustified, especially considering the large amount of money I have already expended.  

Instead of assessing every tax parcel $16.11, I believe it should only be assessed on parcels that contain a residence. Even if excessive run-off occurred in my area, it does
not affect pastureland negatively. I have installed at my expense underground piping to control any excessive run-off due to rapid snow melt or rain. If and when this pasture land’s 3-acre parcels have residences built on them, then and only then should they pay the per parcel fee.

Finally, it is probably justifiable to assess all parcels to support the weed districts because all parcels have weeds. On the other hand, not all parcels are prone to flooding.

Please make this letter available to the Citizen’s Advisory Committee and the Board of Supervisors.
For additional information, please visit

For additional information, please visit

(please print)

Phone: 509-307-6108
Email: marionc@inlandc.org
City/State/Zip: Colville WA 99114
Address: 5201 NW 15th Ave.

Name: Red Marion
Date: 3-15-2012

Kittitas County Flood Control Zone District

(please print)

Phone: 509-644-7721
Email: kittitas@inlandc.org
City/State/Zip: Cle Elum WA 98922
Address: 605 NW 5th Ave.

Name: Kachina School
Date: 3-14-12

Kittitas County Flood Control Zone District

We cannot work with you better flood info so we have

Flood Damage

East side blocks to the river.

Building code to meet 50 year flood

Garages - insulation, framing, etc.

Buildings to include under floor appliances

After a flood - know flood events!

Correct FEMA Flood Maps to Actual

Comment Card

Comment Card
RESOLUTION

NO. 2012-201

TO DECLARE A RESOLUTION OF INTENT TO ESTABLISH A COUNTY WIDE FLOOD CONTROL ZONE DISTRICT FOR KITTITAS COUNTY IN ACCORDANCE WITH THE TERMS, CONDITIONS AND THE REQUIREMENTS OF CHAPTER 86.15 OF THE REVISED CODE OF WASHINGTON

WHEREAS: since 1970 Kittitas County has been declared a federal disaster area seven times because of flooding, four of those events occurring since November 26, 1990; and

WHEREAS: the total damages to public and private property from these disasters is in excess of $25,000,000; and

WHEREAS: the flood events of January 2009 and May 2011 brought forth leadership from various communities, governments, and neighborhoods in the county indicating a strong desire that the county accept leadership for mitigating the devastating effects of flooding; and

WHEREAS: the Kittitas County Board of Commissioners authorized a Citizens Advisory Committee in February of 2011 to study and analyze the feasibility of a County Wide Flood Control Zone District to best meet the needs of the citizens and businesses of Kittitas County and to insulate the general governmental duties of the county from the disastrous effects of flood damages.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners hereby states its intent to form a County Wide Flood Control Zone District within Kittitas County subject to the following terms and conditions:

- The boundaries of the proposed Flood Control Zone District shall be the same as the boundaries of Kittitas County and shall incorporate all drainage basins in the county.

- The purpose of the Flood Control Zone District shall be to address flood management needs within the county. The activities of the district may include, but are not limited to, flood warning and emergency response, flood proofing and elevation of structures, property acquisition, implementation of consistent development regulations that address the impacts of flooding, basin wide corridor planning, and the identification, engineering, and construction of capital projects to mitigate and/or address flooding problems.

- Due to limited resources available during the first few years of district operation, the county will initially direct its efforts toward planning and managing activities that will protect public property, the coordinating and developing of county wide
comprehensive flood hazard management plans, and implementing demonstration projects to correct emergent flood related problems.

- Flood management initiatives regarding specific public and/or private property issues shall be addressed through consistent application of the requirements of the National Flood Insurance Program and Chapter 14.08 of the Kittitas County Code.

- RCW 84.090.030 requires taxing district's boundaries be established by August 1 of the year the district wishes to levy property. Establishing the proposed boundaries by August 1, 2012, the BOCC must adopt a budget by November 30, 2012 for fiscal year 2013.

- Between February 1, 2012 and July 1, 2012, county staff shall hold five public meetings and workshops in the various watersheds and basins to inform the public of the Board of County Commissioners intent to form a Flood Control Zone District.

BE IT FURTHER RESOLVED that the Board of County Commissioners shall hold a public hearing on the proposed establishment of a County Wide Flood Control Zone District on June 20, 2012 at 6:00pm in the Commissioners Auditorium and on June 27, 2012 at 6:00pm at the Upper District Courthouse in Cle Elum to allow all interested parties to be heard with regard to the proposed creation of the district. The Clerk of the Board shall cause notice of the public hearing to be published as required by the law.

BE IT FURTHER RESOLVED that the Board of County Commissioners reserves the right to, after receiving public comment and considering other evidence, withdraw this resolution, modify the boundaries of the proposed Flood Control Zone District, and/or make such other corrections or additions to this resolution as the Board of County Commissioners deems necessary to accomplish the terms and conditions of Chapter 86.15 Revised Code of Washington.

DATED this 18th day January, 2012, at Ellensburg, Washington

BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON

Alan Crankovich, Chair
ABSENT

Obie O'Brien, Vice-Chair

Paul Jewell, Commissioner
January 18, 2012
Recommendations to the
Kittitas County Board of County Commissioners
Relating to the Formation of a
County-Wide Flood Control Zone District

Summary of Recommendations:
The Citizens Advisory Committee and the Technical Advisory Group (members listed below) voted unanimously (with one abstention) to recommend to the Board of County Commissioners that a **Flood Control Zone District** be formed and established immediately for Kittitas County. This memo and the attached back-up documentation, sets the basis for this recommendation for action by the Board of County Commissioners of Kittitas County.

Purpose of Flood Control Zone District:
The Flood Control Zone District (FCZD) will be formed pursuant to 86.15 RCW and will address flood management needs within Kittitas County. The activities of the district will include, but are not limited to, flood warning and emergency response, flood proofing and elevation of structures, property acquisition, implementation of consistent development regulations that recognize the impacts of flooding, basin-wide flood planning, and the identification, engineering, and construction of capital projects to mitigate and/or address flooding problems.

Public Benefits of Flood Control Zone District:
1. Reduction in use of general fund for flood fighting and recovery
2. Reduction in individual flood insurance rates
3. Lower the flood risk to public and private infrastructure
4. Local funds to deal with local flood impacts
5. Capital improvement funding
6. Match and leverage federal and state funds
7. Coordinated responses between local, state and federal agencies
8. On-the-ground flood-fighting authority
9. Proactive flood management activities
10. Accurate flood mapping and flood frequency information
11. Provide necessary resources to existing staff for floodplain management
12. Ability to hire professional services for specific planning as needed
13. Advisory Committees (Technical and Policy) remain engaged in the process
14. Active participation in the Community Rating System required activities
15. Partner with, and leverage, existing flood control efforts
16. 7-year sunset and renewal period

Tangible Early Projects for Flood Control Zone District:
1. Update the 1998 Comprehensive Flood Hazard Management Plan (CFHMP)
2. Create a Flood Warning system
3. Potential Future Priorities upon completion of CFHMP:
   a. Manastash Creek Corridor Management Plan
   b. Elk Meadows Flood Hazard Report
Recommendations from Citizens Committee
(Unanimous vote, with one abstention)

1. Assessment Type
   - A flat fee assessment based on a per parcel ownership valuation

2. Assessment Rate
   - Flat rate amount $16.11 per parcel
     (flat fee results in ~$500,000 per year to the FCZD)

3. Method to Establish the Flood Control Zone District
   - By resolution of the Board of County Commissioners

Kittitas County Flood Control Zone District Citizens Advisory Committee Members:
Nancy Lillquist, Jason Smith, Mitch Williams, Kathleen Satnik, Rob Acheson, Steve Willard,
Tracy Rooney, Phil Rigdon

Flood Task Force Technical Advisory Committee Members:
Anna Lael, Brent Renfrow, Charlie Acheson, Jason Smith, John Akers, John Marvin, Kirk
Holmes, Marty Kaatz, Rich Elliott, Jill Arango
Meeting Summary: The meeting began at 6:00 with a welcome from Kirk Holmes. At 6:10 Kirk Holmes began his presentation, which lasted approximately 30 minutes. After the presentation there was a question and answer session. Terry Keenhan, Yakima County FCZD Surface Water Manager was in attendance and assisted in answering some of the questions. After the Q&A session, the attendees were able to talk to staff and look at displays. The last attendees left around 7:30.

Comment Summary: No written comments were received.

Q&A Summary:

- Objection to per parcel assessment. In the past, the County encouraged large landowners to subdivide their property and now they have many small parcels instead of one large parcel. Would be fairer to have an assessment per owner or per residence.
- Question on drainage system maintenance. Throughout the county, the major drainage system is the streams, so why can’t landowners clean out debris and gravel near bridges?
- What agencies have jurisdiction over floodplains, and will the FCZD change who has the jurisdiction?
- Has State Parks been involved? The John Wayne Trail is a natural barrier with problems that could be improved if there was some maintenance.
- Why are property owners not allowed to remove debris from creeks that cause flooding without a permit?
- The per parcel fee is not fair if I have a small lot but my neighbor has a large lot and we are paying the same amount.
Flood Control Zone District
Cle Elum Public Meeting Summary

Date:   March 14, 2012
Location:   Cle Elum Centennial Center
Staff Present:   Kirk Holmes, Jan Ollivier, Christina Wollman, Maria Fisher
Attendance:   35

Meeting Summary: The meeting began at 6:00 with a welcome from Kirk Holmes. At 6:15 Kirk Holmes began his presentation, which lasted approximately 40 minutes. After the presentation there was a question and answer session, which lasted for approximately 40 minutes. Joel Freudenthal, Yakima County FCZD, was in attendance and assisted in answering some of the questions. After the Q&A session, the attendees were able to talk to staff and look at displays. The last attendees left around 7:45.

Comment Summary: Two written comments were receive.
- Work with NOAA for better flood warning; correct FEMA maps; alter 100-year flood regulations to include under flood appliances, funances, insulation, wiring, etc.; if area has 500-yr flood, then have a building code for 500 year flood; can funding help fire districts who respond to calls during floods; can funding help HOAs to repair roads; ensure money is only for the good of the taxpayer and for the good of many and not for developer or property owners.
- To gain public support, create a list of the top 10 areas that are a continuing problem for flooding and provide the mitigation process or steps that could be used to control or prevent future flooding. People need to know how they money is to be used.

Q&A Summary:
- Is money only for flood use?
- How many parcels are there in the county?
- Will FEMA flood maps be updated so actual flood areas are shown, to prevent homes from being built in the areas that flood that are not on the map?
- How long before the public will see the benefits considering that you want to build a reserve?
- Will HOAs benefit from these funds, because FEMA won’t help when roads need repairing?
- What could it do to lessen the severity of the floods?
- The County can’t have the mindset of the CORPS that you can control water.
• Will taxpayers be paying to replace private infrastructure (ie, the Elk Meadows bridge)?
• How will the FCZD prioritize projects after it is formed?
• Will the FCZD be able to make people clean their ditches if the ditches are causing flooding?
• What kinds of structures will be elevated and will we be paying to elevate people’s houses?
• Will there be an assessment of benefits?
• If the FCZD is going to be removing logs, will the FCZD allow them (WDFW, Yakama, etc) to continue putting them back in?
• Hopes that this project does not die on the vine.
• We need to stop depending on others to fix our problems when we should be fixing them.
• How do we know you’ll spend the money the way we want you to?
• The County shuffles money around constantly, how do we make sure this money stays in this fund and isn’t shuffled around?
• Will this be brought up to a vote?
• Most of the County has no flooding so those people do not deserve to be taxed. Some famers have many parcels and don’t deserve to be taxed on multiple parcels.
• The County government is just asking for more money when this should already be paid for with property taxes.
• Do septic systems pollute the water during a flood?
• All committee members were people from Ellensburg.
• People are living paycheck to paycheck and can’t afford it.
• Does the tax sunset, and does it stay the same?
• What happens to people who live outside of the floodplain?
• Will the FCZD be able to get federal funds?
Date: April 25, 2012
Location: Teanaway Grange
Staff Present: Kirk Holmes, Jan Ollivier, Christina Wollman, Maria Fisher, Kelly Bacon
Attendance: 19

Meeting Summary: The meeting began at 6:00 with a welcome from Kirk Holmes. At 6:15 Kirk Holmes began his presentation, which lasted approximately 30 minutes. After the presentation there was a question and answer session, which lasted for approximately 30 minutes. Joel Freudenthal, Yakima County FCZD, was in attendance. After the Q&A session, the attendees were able to talk to staff and look at displays. The last attendees left around 7:15.

Comment Summary: No written comments were received.

Q&A Summary: The Q&A session consisted primarily of comments related to regulation of work within the streams. Participants asked if there would be more regulation, if the FCZD would need to follow the same WDFW and ECY rules as everyone else, and if the FCZD could help to lessen the rules.
Meeting Summary: The meeting began at 6:00 with a welcome from Kirk Holmes. At 6:15 Kirk Holmes began his presentation. Due to the low attendance, the presentation turned into a discussion between Kirk and the attendees who had many questions about the budget, assessment type and potential projects. The last attendees left around 8:15.

Comment Summary: No written comments were received.

Q&A Summary:
- How long had the CAC members been residents of the County. Were any of them new members.
- Does the district fall within the prevue of the Public Works Department? Doesn’t the Public Works Department already do some of this?
- Is the FCZD a separate administration within the County?
- It is misleading to the public to tell than it’s an assessment of $16.11 if it’s going to change.
- How did we come up with the budget numbers?
- What will they do with the extra money in the general fund if we form this district?
- How does the reimbursement by FEMA work? Where does the money go?
- Would the FCZD have any input with the Bureau of Reclamation? A lot of flooding could be mitigated by better control of the dams.
- Why don’t the agencies work together?
Kittitas Public Meeting Summary

Date:       June 6, 2012
Location:   Kittitas City Hall
Staff Present:   Kirk Holmes, Christina Wollman
Attendance:   17

Meeting Summary: At 6:15 Kirk Holmes began his presentation. After the presentation there was a questions and answer session. The last attendees left around 8:15.

Comment Summary: No written comments were received.

Q&A Summary:

- How is the per parcel assessment equitable for owners with multiple parcels?
- How is this fair if you live far away from a creek to help those who live right in it?
- If we don’t flood for many years, would the reserve build up?
- Are there other sources of funding for these mitigation projects?
- How do you get things done if you can’t go into the creek and clean it out anymore?
- Will there be more regulations in areas that are not regulated floodplains?
- Who will spend the money?
- How can you out guess mother nature?
- How do you prioritize projects?
- We don’t want to create another fund to pay for work that is already being paid for.
- What is the assessment for the Yakima County FCZD?
- Does the district encompass the entire county?
- Would it be easier to get through the agency permitting process?
A Flood Task Force was formed after the January 2009 floods to address flood management needs within the county.

The Flood Task Force recommended a Citizens Advisory Committee be formed to study and analyze the feasibility of a Flood Control Zone District (FCZD).

The Citizens Advisory Committee was formed in 2011 and was comprised of representatives from:
- Citizen Representative (2)
- CWHBA
- Business Owner
- Ag Representative
- Flood Task Force Member
- County Water Purveyor
- Upper & Lower City Representative
- City of Ellensburg
- Yakama Nation
- Teanaway Basin Area
- Upper & Lower Yakima River Area

In January 2012 the Citizens Advisory Committee made a recommendation to the Board of County Commissioners (BOCC) to form a FCZD.

Resolution No. 2012-001 based on the recommendations of the appointed Citizens Advisory Committee.

Resolution No. 2012-001 declares the intent of the BOCC to establish a county-wide Flood Control Zone District in accordance with RCW 86.15.

District boundaries shall be Kittitas County including all incorporated areas.

Initial efforts will be towards updating plans and managing activities according to the National Flood Insurance Program in 44 CFR and KCC 14.08 Flood Hazard Reduction.

Limited resources are expected to be available during the first few years of operations of an established FCZD.

County staff shall hold five public workshops in the various watersheds and basins to inform the public of the BOCC intent to form a FCZD.

The BOCC will hold two public hearings in June to formally discuss the formation of the FCZD.
To address flood management needs within Kittitas County.

Resources
- The FCZD will operate with limited resources and cash reserves during the first few years of operation.
- The Citizen’s Advisory Committee voted to recommend a yearly per-parcel assessment to fund the district.
- The per-parcel assessment will result in approximately $500,000 per year.

Assessment
- Type: A flat fee assessment.
- Rate: Flat rate amount of $16.11 per parcel.
- Frequency: Per year, per parcel.
- Area: County-wide, including cities.

Activities of the FCZD
- Update the 1996 Comprehensive Flood Hazard Management Plan (CFHMP).
- The plan is used to determine which projects the FCZD will fund.
- The BOCC must adopt a budget that includes specific projects that are identified in the CFHMP.

Activities of the FCZD
- Assist homeowners to flood proof and elevate structures.
- Property acquisition.
Activities of the FCZD

* Identification, engineering and construction of capital projects to mitigate and/or address flooding problems.
* Public outreach and education.

Clarke Road Bridge 1950

Kittitas County Flood Control Zone District

6/12/2012

Activities of the FCZD

* Management Plans for tributaries identified in the CFHMP.
* Flood hazard reports for Frequently Flooded Areas.

Clarke Road Bridge 2009

Kittitas County Flood Control Zone District

6/12/2012

Activities of the FCZD

* Early flood warning systems.

Kittitas County Flood Control Zone District

6/12/2012

Public Benefits

* Lower the flood risk to private and public infrastructure.
* Local funds to deal with local flood impacts.
* Coordinated responses between local, state and federal agencies.
* Reduction in use of general fund for flood fighting activities.
* On-the-ground flood-fighting authority.

Kittitas County Flood Control Zone District

6/12/2012

Public Benefits

* Match and leverage federal and state funding from various sources.
* Yakima County FCZD leverages:
  * Construction projects: 30:1
  * Mapping, planning and studies: 4:1
* At 30:1, $100,000 = $3 Million

Kittitas County Flood Control Zone District

6/12/2012

Public Benefits

* Participation in the Community Rating System (CRS) and reduction in flood insurance rates.
* Potential of 5% to 45% reduction in flood insurance rates, depending on activities in which the jurisdiction participates.
* Each jurisdiction within the County participates separately.
* Prescribed activities in the CRS program include:
  * Preserve open space in the floodplain.
  * Enforce higher standards for safer new development.
  * Maintain drainage systems.
  * Inform people about flood hazards, flood insurance and how to reduce flood damage.

Kittitas County Flood Control Zone District

6/12/2012
**Public Benefits**

- Proactive flood management activities.
- Provide necessary resources to existing staff for floodplain management.
- Capital improvement funding.

**Next Step**

Public Meetings

- February 23
  - Ellensburg
  - City Hall

- March 14
  - Cle Elum
  - Centennial Center

- April 25
  - Teanaway
  - Teanaway Grange

- May 16
  - Easton
  - High School Library

- June 6
  - Kittitas
  - City Hall

* All meetings begin at 6:00 pm.

**How to Comment**

- Email your comments to: publicworks@co.kittitas.wa.us

- Mail your comments to:
  
  Kittitas County Department of Public Works
  
  411 N Ruby St, Suite 1
  
  Ellensburg, WA 98926

- For more information, visit our Flood Information Website: http://www.co.kittitas.wa.us/publicworks/flood/

**Next Step**

BOCC Public Hearings

- June 20, 6:00 pm
  
  Ellensburg
  
  Commissioner’s Auditorium

- June 27, 6:00 pm
  
  Cle Elum
  
  Upper District Court
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.

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.

Emergency response is compromised because vital transportation routes are at risk which can prevent access to citizens in need and it can put our emergency personnel in dangerous situations. There is no funding for planning or construction of improvements to better protect our citizens, emergency personnel, and infrastructure during major floods.

Floods cause millions of dollars of economic loss in Kittitas County because vital transportation infrastructure is frequently damaged. Kittitas County maintains 564 miles of roadway and 268 bridges and structures all of which are at risk of closure from flooding. In addition, Interstate 90 and Highways 97, 970, 10, and 821 are at risk of closure from flooding. Damaged infrastructure affects everything from grocery distribution, to the running of Central Washington University, to the exporting of timothy hay products, and the overall quality of life for Kittitas County residents.

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.
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.

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.

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.

How often has Kittitas County experienced flooding disasters?

Since 1975, Kittitas County has experienced a federally declared flood disaster eight times and the cost has exceeded $10,000,000. 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 Reecer 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.

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.

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 might include:

- Major flood hazard reduction projects that provide significant regional benefits
- Local flood hazard reduction projects that provide relief for a specific problem
- Regional flood warning systems and emergency response plans
- Public outreach and education
- Flood hazard mapping and technical studies
- Mechanisms for citizen inquiry and public response
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.

How would FCZD projects and programs be funded?

State law authorizes a District to collect a property tax or a parcel 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 flat fee assessment of $16.11 per parcel which is expected to raise approximately $500,000 annually for the FCZD. 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.

Because major floods affect the entire region, the proposed flood control zone district includes the entire county – both unincorporated areas and the cities within the county. The Board of Supervisors could vote annually on a revenue proposal for flood risk reduction projects and programs. They have the authority to eliminate or adjust the amount of the fees as circumstances change.

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

Although people who have homes or businesses in the floodplain are at more immediate risk, flooding affects the entire regional economy and the cost of emergency
response and repair of flood-damaged infrastructure is borne by all county residents. Approximately 18% of Kittitas County residents live in the floodplain area of our rivers and streams, and another 10% work within it. On average, 50,000 vehicles a day travel transportation corridors that are at risk of flooding in Kittitas County. Water and Wastewater treatment for over 5,000 residents occurs in the affected floodplains.

Further, the most recent flooding caused damage well outside the normal boundaries of the regulated floodplains and in areas not normally impacted by flooding. Areas of inundation and erosion occurred well outside what is considered normal for Kittitas County.

**What happens if we don’t create a FCZD?**

Without a 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.

**When will these decisions be made?**

Kittitas County is reaching out to local jurisdictions, communities and neighborhoods in early 2012 to discuss the possible District formation and respond to questions and concerns. Kittitas County is also conducting a State Environmental Policy Act (SEPA) review of taking this action.

Tentative plans are to introduce a Flood Control Zone District Formation ordinance in June of 2012, including a public hearing process. The Board of County Commissioners will then have the opportunity to review the proposal. Once all reviews have been completed, the County Commissioners can formally act to form the District and the District could begin planning functions as expected.

**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.
Flood History and Hazards

Floodplains are vital to the health of our rivers and streams. When floodplains are preserved in their natural state, they provide benefits to our river and stream systems, providing natural flood control by providing storage areas for floodwaters, filter nutrients and impurities from runoff and recharge aquifers by promoting infiltration. The sediments deposited within them create a rich agricultural environment. Floodplains also provide habitat for waterfowl, fish and wildlife and also provide scenic and recreational opportunities.

During winter in Kittitas County, the combination of excessive precipitation and higher than normal temperatures can cause rapid snowmelt. This causes tributaries of the Yakima River to rise, producing damage as water flows downstream, flooding structures and agricultural land in lower elevations. Ice jams in tributaries and in the Yakima River can cause the flooding to be even more severe.

In 2011, Kittitas County experienced two major flood events, with one declared a presidential disaster. Since 1975, floods have caused over $10 million in damage within the County.

Letter From Public Works Director Kirk Holmes

On February 28, 2011 in response to the devastating impacts of county-wide flooding in 2009 and 2011, the Kittitas County Board of Commissioners authorized a Citizens Advisory Committee to study the impacts of flooding in Kittitas County. On January 6, 2012 the Citizens Advisory Committee forwarded recommendations to the Board of County Commissioners that a Flood Control Zone District be formed and established immediately for Kittitas County. The Flood Control Zone District (FCZD) would be formed pursuant to 66.15 RCW and will address flood management needs within Kittitas County.

The purpose of the district will include, but are not limited to, flood warning and emergency response, floodproofing and elevation of structures, property acquisition, implementation of consistent development regulations that recognize the impacts of flooding, basin-wide flood planning, and the identification, engineering, and construction of capital projects that address flooding problems.

The Citizens Advisory Committee identified significant public benefits of an active FCZD that includes:

- Reduction in use of general fund for flood fighting and recovery,
- Reduction in individual flood insurance rates,
- Lower the flood risk to public and private infrastructure,
- Local funds to deal with local flood impacts,
- Capital improvement funding,
- Match and leverage federal and state funds,
- Coordinated responses between local, state and federal agencies,
- On-the-ground flood-fighting authority,
- Proactive flood management activities,
- Accurate flood mapping and flood frequency information,
- Provide necessary resources to existing staff for floodplain management,
- Ability to hire professional services for specific planning as needed,
- Advisory Committees (Technical and Policy) remain engaged in the process,
- Active participation in the Community Rating System required activities,
- Partner with, and leverage, existing flood control efforts,
- 7-year sunset and renewal period.

The Board of County Commissioners invites the public to participate through scheduled open houses planned throughout the county over the next five months. You can also provide comments or ask questions by signing up for our email list serve. We look forward to hearing from you on this important legislation.
Flood Protection & Preparation

Buying flood insurance is the most important step to take in protecting your home from flood-related losses.

Potential Flood Control Zone District Activities

- Create a flood warning system.
- Emergency response.
- Floodproofing and elevating structures.
- Property acquisition.
- Implementation of consistent development regulations that recognize the impacts of flooding.
- Basin-wide flood planning.
- Identification, engineering, and construction of capital projects to mitigate and/or address flooding problems.
- Update the 1996 Comprehensive Flood Hazard Management Plan.

Floods occur frequently in Kittitas County. In 2011, two major floods occurred with one qualifying as a presidential disaster. Flooding typically occurs during the winter and spring months in Kittitas County when excessive precipitation results in rapid snow melt. Ice jams in creeks and irrigation ditches can exacerbate the problem. Flooding is a threat to all people and properties in Kittitas County, and property owners need to take steps to protect themselves and their property before a flood occurs.

Some steps property owners and renters can take to prepare for flooding include:

Check your insurance coverage. Standard homeowners and renters insurance does not cover flooding. Consider purchasing a flood insurance policy. It is available for all properties, not just those within a defined risk area. If your property is located outside of the defined risk area, you may qualify for a reduced rate Preferred Risk Policy. Contact your homeowner’s insurance agent for more information, but remember that flood insurance has a 30-day waiting period so you should purchase it sooner rather than later.

Know your risk. To determine if your property is in a known risk area, visit www.floodsmart.gov, call your local jurisdiction or the County’s Floodplain Manager at 509-862-7523, or view the County’s online mapping service at gis.co.kittitas.wa.us. Floodwater doesn’t stay within defined risk areas, so be aware of streams and ditches that could potentially flood your property.

Homeowner’s Insurance does not cover flood-related losses.

Prepare your property. Do not build or store items within the floodplain unless they are properly elevated and anchored. Some items around your house, such as fuel tanks, are very buoyant and must be anchored using an approved method. HVAC systems, hot water heaters and electrical panels should be elevated above flood levels. Install a backflow valve in your septic system to prevent sewage backing up into your home.

Minimize flood damage. Store valuables and electronics higher. Keep an inventory of household belongings.

(Continued on page 4)
Floodplain Development Regulations & Permits

PERMITS REQUIRED. All landowners are required to apply for a Floodplain Development Permit prior to performing any development within the 100-year floodplain. Development includes any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. This permit can be applied for from the Kittitas County Public Works Department.

BUILDING REGULATIONS. To prevent damage to new buildings, the National Flood Insurance Program and KCC 14.08 have construction guidelines. In Kittitas County, structures in the 100-year floodplain must be elevated 1-foot above the base flood elevation (BFE). The BFE is identified on the Flood Insurance Rate Maps (FIRM) and is the level of the water during a 100-year flood. For example, if the elevation of your land is 1500 feet, and the BFE is 1502 feet, there will be two feet of water on the ground during the 100-year flood. Because structures must be constructed 1-foot above BFE, your structure’s lowest floor will need to be constructed 3-feet above the ground.

Basements are not allowed within the 100-year floodplain and crawl space depth is limited. Because solid walls can collapse from the pressure of rising flood waters, openings that allow the flood waters to flow through are required if the crawl space is enclosed. Utilities, such as HVAC systems, electric systems and hot water heaters must be installed above the BFE regardless of whether they are inside or outside of your home. Propane and other fuel tanks must be elevated above the BFE and/or anchored to prevent them from floating away. Structures must be properly anchored to their foundation to prevent shifting during a flood.

A Floodplain Development Permit is required before beginning any development within the 100-year floodplain.

SUBSTANTIAL IMPROVEMENTS Many structures within the floodplain were constructed prior to 1971 and are not properly elevated. These structures are known as pre-FIRM. To prevent these structures from continued damage the National Flood Insurance Program has a substantial improvement rule. Substantial improvement is any reconstruction, rehabilitation, addition, remodel or other improvement to a structure that has a total cost which equals or exceeds 50% of the market value of the structure before the start.

(Continued on page 4)

e-Newsletter & Flood Information Website

Sign up for a monthly e-Newsletter with flood information and updates on activities and the flood control zone district by visiting the flood information website at:

http://www.co.kittitas.wa.us/publicworks/flood

To find out if property you own or plan to purchase is located in a mapped floodplain or floodway, contact the Kittitas County Public Works Department.
Flood History and Hazards
(Continued from Page 1)

Repairs are still underway for the damage from the May 15, 2011 flood. Temporary repairs have been made to Manastash Road while the County awaits federal funding for permanent repairs. Hanson Road remains closed also awaiting federal funds. Cooke Canyon Road has been repaired and is open to the public.

In 1981 Kittitas County began regulating the floodplains as part of the National Flood Insurance Program (NFIP). With the County's participation in the NFIP, landowners are able to purchase flood insurance. Without flood insurance, it is almost impossible to get a mortgage property within the floodplain.

Floodplain boundaries are illustrated on Flood Insurance Rate Maps (FIRM). The FIRMs in Kittitas County were drawn by the Federal Emergency Management Agency (FEMA) and adopted by Kittitas County in 1981. Even though the landscape has dramatically changed since 1981, if you own property within the floodplain there are requirements that must be followed. The NFIP regulates all development within the regulatory floodplain and the County enforces these regulations through KCC 14.08. FEMA is currently in the process of re-drawing the county's FIRMs.

Flood Preparation & Protection
(Continued from Page 2)

items for insurance purposes. Store copies of irreplaceable financial and family documents in a safe place including titles, tax records, deeds, wills, birth and marriage certificates, stock and bond certificates, trust agreements, passports and insurance policies.

Keep drainage systems clean. Do not dump or throw anything in ditches or streams. During a flood, these items can be washed away and plug culverts and channels.

Put together a disaster kit and disaster plan. Keep water, food, batteries, flashlight, battery powered radio, first aid kit, and any other essential items on hand, such as pet food and diapers. For the disaster plan, designate an out-of-town contact. Be sure every member of your family has the contact's phone number to call in case of an emergency. Figure out the best routes to take in case of evacuation. For more information, visit www.ready.gov.

Floodplain Development Regulations & Permitting
(Continued from page 3)

of construction. For example, if you own a pre-FIRM home with a market value of $100,000 and you plan a remodel with a total cost of $75,000, your remodel qualifies as a substantial improvement. You will be required to bring your home up to current NFIP standards, which will include elevating your home above the BFE. Substantial improvement also includes repairs from floods, fire, earthquakes or any other disaster.

FLOODWAY. The floodway is also a part of the floodplain and is illustrated on the FIRMs. The floodway is the channel of a river or stream that must remain open and unobstructed to allow floodwaters to pass without increasing the BFE. The floodway is the portion of a river or stream with the greatest danger during a flood because of the high velocity of water that flows through. All development, including any manmade change to improved or unimproved real estate, such as buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials is prohibited within the floodway unless a no-rise certification is provided. A no-rise certification is a hydrological analysis performed by a licensed engineer that proves that the project within the floodway will not cause any rise in flood levels.

By state law, residences are not allowed within the floodway. Residences that are pre-FIRM and located within the floodway are not allowed to increase their building footprint, perform substantial improvements, and if they sustain damage that is more than 50% of the market value of the residence, they are not allowed to repair or rebuild.

Did You Know...

- There is a 1% chance of a 100-year flood occurring every year.

- There is a 26% chance of experiencing a flood during the life of a 30-year mortgage within the 100-year floodplain.

- Homeowner's Insurance does not cover flood related losses.

- It takes 30 days after the purchase of a flood insurance policy for it to take effect.

- Just two feet of water can cause your car to float away.

- The average annual US flood losses in the past 10-years (2001-2010) were more than $2.7 billion.
## Presidential Disaster Declarations: The Cost of Flooding

<table>
<thead>
<tr>
<th>YEAR</th>
<th>INCIDENT DATE</th>
<th>INCIDENT DESCRIPTION</th>
<th>FEDERAL DISASTER NUMBER</th>
<th>COUNTYWIDE COST</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>January 16</td>
<td>Severe Winter Storm, Flooding, Landslides, and Mudslides</td>
<td>1963</td>
<td>$ 6,500,000</td>
<td>Emergency Management Office (estimate)</td>
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<tr>
<td>2009</td>
<td>January 9</td>
<td>Severe Winter Storm, Landslides, Mudslides, and Flooding</td>
<td>1817</td>
<td>$ 15,906,470</td>
<td>Emergency Management Office</td>
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<tr>
<td>1997</td>
<td>January 8</td>
<td>Severe Winter Storms, Flooding</td>
<td>1159</td>
<td>$ 251,796</td>
<td>Emergency Management Office (public costs only)</td>
</tr>
<tr>
<td>1996</td>
<td>February 6</td>
<td>Severe Storms, Flooding</td>
<td>1100</td>
<td>$ 15,000,000</td>
<td>Daily Record Estimate 2/13/1996</td>
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<tr>
<td>1995</td>
<td>November 29</td>
<td>Storms, High Winds, Floods</td>
<td>1079</td>
<td>$ 12,000,000</td>
<td>Daily Record Estimate 2/13/1996</td>
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<tr>
<td>1990</td>
<td>November 23</td>
<td>Flooding, Severe Storm</td>
<td>883</td>
<td>$ 500,000</td>
<td>Daily Record Estimate 11/28/1990</td>
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<tr>
<td>1977</td>
<td>December 1</td>
<td>Severe Storms, Mudslides, Flooding</td>
<td>545</td>
<td>$ 1,040,000</td>
<td>Daily Record Estimate 12/5/1977</td>
</tr>
<tr>
<td>1975</td>
<td>December 2</td>
<td>Severe Storms, Flooding</td>
<td>492</td>
<td>$ 320,000</td>
<td>Daily Record Estimate 12/9/1975</td>
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</tbody>
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**TOTAL COST** $ 51,518,266