



FLOOD CONTROL ZONE DISTRICT

Frequently Asked Questions

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Flood Control Zone District FAQs
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GENERAL

What is a Flood Control Zone District (FCZD)?

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

Why does Chelan County want to form a FCZD?

Chelan County and the communities that surround the county are subject to a number of natural hazards including, but not limited to, flooding. Flooding is one of the most common natural hazards that the county has to deal with, and as history has shown, is a regular occurrence throughout the year. These flooding events cause Chelan County to sustain extensive damage to public and private property. Because of recent devastating flooding events throughout the county, flood control and hazard mitigation in flood prone areas need to be examined.

Floods have caused loss of life and damage to structures, crops, land, transportation infrastructure (roads and bridges), and utilities. Floods also cause erosion and landslides and can transport debris and toxic products that cause secondary damage. Flooding affects all citizens in the county by:

- Destroying and damaging homes and businesses,
- Disrupting government services,
- Damaging transportation routes and bridges,
- Stranding residents,
- Contaminating water supplies,
- Causing septic system failures, and
- Damaging infrastructure such as waste water treatment plants, power lines, ditches, culverts, and other utilities.

How often has Chelan County experienced flooding disasters?

Since 1972, Chelan County has experienced a federally declared flood disaster six times. Additional local events that caused significant damage but were not federally declared flood disasters occur on an annual basis. Future floods are expected and continue to exceed the protective abilities of Chelan County.

What type of flooding occurs in Chelan County?

Stage and flash flooding are two types of flooding common in Chelan County. Stage flooding occurs during periods of heavy rains, especially upon existing snow packs (“rain-on-snow” events) during early winter and late spring. Stage flooding can last several days after the storm. Flash floods are more likely to occur during the summer months during thunderstorm season and are usually associated with cloudburst-type rainstorms. Winter flash flooding events do occur and are typically caused by ice or debris dams.

Where are the floodplains located in Chelan County?

Chelan County has significant floodplains along Columbia, Wenatchee, White, Entiat, Chiwawa, and Stehekin Rivers, as well as along Nason, Chumstick, Icicle, Peshastin, Mission, and Squilchuck Creeks. Additionally, Number 1 and 2 Canyons and Dry Gulch located above the City of Wenatchee are considered floodplains. There are also other minor regulated floodplains located throughout the county. The floodplains range from urban

type settings around the Cities of Wenatchee, Cashmere and Leavenworth, to the rural areas along the White River and smaller streams.

How does flooding affect me?

Chelan County spends taxpayer money to recover from flood disasters. Outside of the Public Works Road Fund, the County does not have a fund to pay for flood recovery. The money taken from the Road Fund significantly affects the normal operating budget of the Public Works Department. To best meet the needs of the citizens and businesses of Chelan County and to ensure that the Public Works Department continues its duties of overseeing and maintaining the road system, a type of flood control district should be further considered to minimize the effects to the county from disastrous flood damages.

Why now? Why not wait?

Data suggests that flood frequency and intensity is increasing. Storms hitting the region over the last few years have been severe. The 2013 floods in Chelan County have caused over \$500,000 in public property damage. This cost does not take into account the costs of 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 needed to implement programs and projects to reduce the 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 through flood prevention ordinances and the National Flood Insurance Program. 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 is there not a public vote on the formation of the FCZD?

Per RCW 86.15.020, the district may only be formed in two ways: 1) A resolution by the Board of County Commissioners; or 2) A petition by the citizens. The RCW does not allow the Board of County Commissioners to call for a public vote on the FCZD formation.

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. 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 National Flood Insurance Program, which include the issuance of a development permits for all activities within the floodplain.

The National Flood Insurance Program offers a program called the Community Rating System. The Community Rating System allows cities and counties performing flood control activities 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.

Why should I pay to help those who chose to live within the floodplain? Shouldn't past developers be responsible?

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.

FUNDING

How would FCZD projects and programs be funded?

Revised Code of Washington 86.15 authorizes collection of a property tax for a FCZD. More specifically, a FCZD would be classified as a junior taxing district. The same state law requires that any funds collected by the district only be spent on specific planned flood-related activities and actions.

The Board of County Commissioners instructed staff to investigate the feasibility of establishing a countywide levy rate (including cities) of \$0.07 per \$1000 assessed value. At this rate, a homeowner with a \$250,000 home would be assessed approximately \$17 per year and the FCZD annual revenue would be approximately \$600,000.

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

The FCZD is a junior taxing district along with city and county road funds, fire, hospital, cemetery, and parks and recreation districts. The aggregate amount of most junior taxing district levies cannot exceed \$5.90 per \$1000 of assessed value. When this rate is exceeded, the rates must be pro-rated among the districts, meaning some districts will receive less money. State law regulates the order of the pro-rationing. A parks and recreation district is the first to lose funding (currently only Manson and Leavenworth have a parks and recreation district) and the FCZD is the second to lose funding. In other words, a FCZD in Chelan County will not cause the majority of currently funded districts to lose any 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. The rate proposed by the Board of County Commissioners is not expected to cause the aggregate rate to exceed \$5.90 for the 2014 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

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

Because major flooding events affect the entire region. Therefore, 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 as we have seen in the past, flooding impacts areas that are not defined as floodplains.

When flooding does occur, it affects the entire regional economy and when public infrastructure such as roads are damaged, the cost of repair is borne by all county residents.

Why doesn't the county form smaller FCZDs 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 problem areas. One of the first projects planned for the FCZD is a 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 residents equally share the burden for the cost of repair.

Can the County's Road Fund be used to fund this budget? Does the County currently have a flood control budget? Why can't one be created to pay for flood related maintenance and projects?

By state law, the Public Works Department Road Fund can only be used within the County's rights-of-way. Generally, this is 30 feet 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 county and are awarded through competitive grant processes. Currently, the county does not have the reserves to come up with the matching funds, which limits the ability of the County to use those other sources of funding. If the FCZD is funded, the money within the budget can be used as a match and will greatly increase the county's ability to apply for and receive these other sources of funding. As an example, the Yakima County FCZD leverages their funds at an approximate 30:1 rate, meaning for every one dollar spent out of the FCZD budget, they receive 30 dollars in funding from other sources.

I'm currently being assessed a Stormwater Utility Service Fee, will that be reduced or eliminated as a result of the FCZD?

No, the stormwater service fee will not be reduced or eliminated. This \$5.50 per month service fee is used for Department of Ecology stormwater permit compliance, public education and outreach, stormwater capital projects, stormwater system maintenance, and water quality improvements. Flood control does not fall into these categories.

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 decade.

PROJECTS

What projects and programs will the FCZD fund?

If formed, the FCZD must adopt by resolution a budget indicating flood control improvements and maintenance activities that it will fund. Capital improvement projects must be part of a comprehensive plan for flood control.

The FCZD will work to develop a 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 briefly identifies mitigation projects that could reduce damages from flood events.

The BOCC would function as the primary governing body for the District. 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, the Federal Emergency Management Agency (FEMA), and the U.S. Forest Service to other local governments and watershed groups. Existing organizations and resources will be used whenever possible, in attempts to 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.

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, public education/outreach, or developing an emergency/early alert system.

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.

ADMINISTRATION

Who is in charge of the FCZD?

State law identifies the county commissioners as the governing Board of Supervisors of the FCZD. The Board of supervisors provides policy direction of the FCZD 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 FCZD.

Will new staff be hired?

To maximize the number of projects and programs that can be completed with FCZD 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 may be hired to assist the county.

When will the FCZD formation decisions be made?

Chelan County is reaching out to local jurisdictions, community members, and other junior taxing district from November 2013 to June 2014 to discuss possible FCZD formation and respond to questions and concerns. During this time, Chelan County will conduct a State Environmental Policy Act (SEPA) review of taking this action.

Plans are to introduce a FCZD formation ordinance in June of 2014, which will include a formal public hearing process. After receiving public comment and considering other evidence, the Board of County Commissioners may choose to withdraw the intent to form the FCZD, modify the boundaries of the proposed FCZD, and/or make such other correction or additions to the FCZD as the Board of County Commissioners deems necessary to provide for flood control within Chelan County.

For more information on the Flood Control Zone District:

Visit the Public Works Department website at www.co.chelan.wa.us/pw/ or contact Jason Detamore or Lauren Loeb sack at (509) 667-6415.