

Appendix 8A

Subcommittee 4 June 16, 2022, Meeting #1 Presentation Slides

Region 14 – Upper Rio Grande Regional Flood Plan

Task 8: Legislative and Regulatory Recommendations

June 16, 2022

Virtual Workshop (for areas in City of El Paso and El Paso County)

Meeting 1 Discussion Items

- Review TWDB Guidance for Task 8
- Discuss legislative recommendations concerning City of El Paso (COEP) and El Paso County (EPC)
- Discuss regulatory or administrative recommendations concerning COEP and EPC
- Discussion of any other recommendations concerning COEP and EPC
- Discuss recommendations for potential new revenue-raising opportunities in COEP and EPC
- Vote on Potential Subcommittee Recommendations to RFPG regarding COEP and EPC
- Discuss if there is a need to set another potential Subcommittee 4 meeting date

Review TWDB Guidance for Task 8

This task includes developing in accordance with TWDB rules and guidance for floodplain management and flood mitigation planning/implementation:

1. Legislative recommendations.
2. Other regulatory or administrative recommendations.
3. Any other recommendations that the RFPG believes are needed and desirable to achieve its regional flood mitigation and floodplain management goals.
4. Recommendations regarding potential, new revenue-raising opportunities.

Recommendations are to facilitate the following areas: (1) floodplain management, (2) flood mitigation planning, and (3) implementation of planning.

TWDB Definitions

1. **Floodplain management** – federal flood insurance program, development permitting
2. **Flood mitigation planning:**
 - identify and define risks;
 - identify, define, and evaluate alternatives; and
 - prioritize alternatives.
3. **Implementation of mitigation measures** – fund and implement

Legislative Recommendations

- ❖ Floodplain Management
- ❖ Flood Mitigation Planning
- ❖ Implementation of Mitigation Measures

Legislative Recommendations: Floodplain Management

What areas of concern or issues related to **floodplain management** are a priority that might be **addressed by changes to State Legislation**? Here's some topics that might be discussed

- Counties have difficulty funding drainage and stormwater infrastructure in unincorporated areas.
- The Harris County Road Law
- Interactions with FEMA, USIBWC
- Interactions with TDEM, TCEQ, TPWD, TXDOT
- Establishing a levee safety program similar to dams.

Legislative Recommendations: Flood Mitigation Planning

What areas of concern or issues related to **flood mitigation planning** are a priority that might be **addressed by changes to State Legislation**? Here's some topics that might be discussed

a. identify and define risks

- Statewide support on early warning?
- Statewide support on post-flood high water marks? damage assessments?

b. identify, define, and evaluate alternatives

- Addressing risks with multi-agency components

c. prioritize alternatives

- Formalizing communication on priority projects to state agencies

Legislative Recommendations: Implementation of Mitigation Measures

What areas of concern or issues related to **implementation of mitigation measures** are a priority that might be **addressed by changes to State Legislation**? Here's some topics that might be discussed:

Issues with administration of state funds

- Timing of state funds

State agency permitting needs

- TCEQ dam safety
- Historic preservation office
- Threatened species
- State rules restricting implementation?

Regulatory or Administrative Recommendations

- ❖ Floodplain Management
- ❖ Flood Mitigation Planning
- ❖ Implementation of Mitigation Measures

Regulatory or Administrative Recommendations: Floodplain Management

What areas of concern or issues related to **floodplain management** are a priority that might be **addressed by regulatory or administrative changes**? Here's some topics that might be discussed:

- State entities need to comply with local regulations, especially those that are more stringent than the State minimum criteria.
- Local and regional officials are often unaware of their authority to establish and enforce stormwater regulations.

Regulatory or Administrative Recommendations: Floodplain Management

What areas of concern or issues related to **floodplain management** are a priority that might be **addressed by regulatory or administrative changes**? Here's some topics that might be discussed:

		Existing?		Preferred		Not needed
		design manual	regs	design manual	regs	
Development drainage req'ts						
	Timing of drainage study (state in note)					
	req'ts for H&H - rational method					
	req'ts for H&H - HEC-HMS					
	req'ts for H&H - HEC-RAS 1D					
	req'ts for H&H - HEC-RAS 2D					
	no rise in WSE at property boundary					
	no rise in WSE downstream of property boundary					
	detention requirements (summarize)					

Regulatory or Administrative Recommendations: Floodplain Management

What areas of concern or issues related to **floodplain management** are a priority that might be **addressed by regulatory or administrative changes**? Here's some topics that might be discussed:

Issues experienced post-development	Describe impacts/ issues
	downstream impacts flooding
	downstream impacts erosion
	infrastructure maintenance issues
	ponds
	storm drains
	natural channels
	engineered channels
	dams

Regulatory or Administrative Recommendations: Flood Mitigation Planning

What areas of concern or issues related to **flood mitigation planning** are a priority that might be **addressed by regulatory or administrative changes**? Here's some topics that might be discussed:

- Encourage entities to work together towards regional flood mitigation solutions; drainage does not recognize jurisdictional boundaries.
- Create a State/Federal government agency collaboration similar to TWICC (Texas Water Infrastructure Coordination Committee) for one-stop shop information on funding eligibility or technical assistance for entities facing drainage and flooding issues.
- A state-wide database/tracking system should be developed to document flood-related fatalities and injuries.

Regulatory or Administrative Recommendations: Flood Mitigation Planning

What areas of concern or issues related to **flood mitigation planning** are a priority that might be **addressed by regulatory or administrative changes**? Here's some topics that might be discussed:

Existing planning	
	Documenting of historic events
	Availability of current floodplain maps?
	Early warning system?
Understanding of available funding sources (need training)	
Expertise to prepare grants (need training)	
Data requirements of grants (need data)	

Regulatory or Administrative Recommendations: Implementation of Mitigation Measures

What areas of concern or issues related to **implementation of mitigation measures** are a priority that might be **addressed by regulatory or administrative changes**?
Here's some topics that might be discussed:

Expertise in grant administrative requirements

Regulatory programs with respect to (wrt) project implementation

- Federal (USACE, FEMA, USFWS)
- State (TWDB, TPWD, TCEQ, Water Districts [e.g. EPWID1], TSSWCB)
- Local (City of El Paso, El Paso County, Other incorporated [Vinton, Socorro, San Elizario, etc])

State entities need to comply with local regulations, especially those that are more stringent than the State minimum criteria.

Local and regional officials are often unaware of their authority to establish and enforce stormwater regulations.

Regulatory or Administrative Recommendations: Implementation of Mitigation Measures

What areas of concern or issues related to **implementation of mitigation measures** are a priority that might be **addressed by regulatory or administrative changes**?
Here's some topics that might be discussed:

State entities need to comply with local regulations, especially those that are more stringent than the State minimum criteria.

Local and regional officials are often unaware of their authority to establish and enforce stormwater regulations.

Any Other Flood Planning Recommendations

- ❖ **Floodplain Management**
- ❖ **Flood Mitigation Planning**
- ❖ **Implementation of Mitigation Measures**

Any Other Flood Planning Recommendations

Please share any feedback or recommendations for TWDB to consider to help improve the regional flood planning process during future planning cycles. Here's some topics that might be discussed:

- Request for additional outreach and publicity of the State Flood Plan and Regional Flood Planning efforts.
- Concern that amending the State/Regional Flood Plan will be an expensive and lengthy process for an entity to add new FMPs.
- Providing information about the functionality and deficiency of an entity's infrastructure requires extensive field work since most entities do not have these data readily available.

Funding Opportunity Recommendations

➤ Federal funds

- FEMA Hazard Mitigation Funds
- HUD Small Business Administration Planning

➤ State Planning Funds

- Texas Water Development Board (TWDB)
- Texas General Land Office (GLO)
- Texas State Soil and Water Conservation Board (TSSWCB)

➤ Development Fees

➤ Utility Fees

RFPG Action to Vote

- Vote on Potential Subcommittee Recommendations to RFPG regarding COEP and EPC (if needed)

Future Subcommittee 4 Meetings

- Discuss if there is a need to set another potential Subcommittee 4 meeting date

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