

Appendix 8B

Subcommittee 4 June 16, 2022, Meeting #2 Presentation Slides

Region 14 – Upper Rio Grande Regional Flood Plan

Task 8: Legislative and Regulatory Recommendations

June 16, 2022

Virtual Workshop 2 (for areas outside of El Paso County)

Meeting 2 Discussion Items

- Review TWDB Guidance for Task 8
- Discuss legislative recommendations concerning counties outside of EPC
- Discuss regulatory or administrative recommendations concerning counties outside of EPC
- Discussion of any other recommendations concerning counties outside of EPC
- Discuss recommendations for potential new revenue-raising opportunities outside of EPC
- Vote on Potential Subcommittee Recommendations to RFPG regarding counties outside of 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 of your city/county that might be **addressed by changes to State Legislation**? Here's feedback received from similar size entities:

- Counties have difficulty funding drainage and stormwater infrastructure in unincorporated areas.
- Privately-owned dams originally constructed in rural areas are now surrounded by increased development; these owners lack the resources to maintain, repair and upgrade the dam structures.
- Providing technical assistance and/or funding to update drainage criteria and development standards.
- Counties need the authority to regulate land use, especially in unincorporated and flood prone areas located downstream of dams.
- 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 of your city/county that might be **addressed by changes to State Legislation**? Here's feedback received from similar size entities:

- Several entities have outdated regulatory floodplain maps or no mapping at all (funding needed).
- Many communities do not have updated drainage master plans that reflect the growth of the area or uses updated rainfall data (funding needed).

Legislative Recommendations: Implementation of Mitigation Measures

What areas of concern or issues related to **implementation of mitigation measures** are a priority of your city/county that might be **addressed by changes to State Legislation**? Here's feedback received from similar size entities:

- Strategies needed to increase opportunities for communities to apply for federal funding (i.e. FEMA BRIC Grant requires statewide building codes to improve application score).
- Allow Counties the opportunity to establish and collect stormwater/drainage utility fees in unincorporated areas.

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 of your city/county that might be **addressed by regulatory or administrative changes**? Here's feedback received from similar size entities:

- 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.
- Entities should be allowed to regulate development in a responsible manner that reduces flood risk without being in fear of legal action by property owners.

Regulatory or Administrative Recommendations: Flood Mitigation Planning and/or Implementation

What areas of concern or issues related to **flood mitigation planning and/or implementation** are a priority of your city/county that might be **addressed by regulatory or administrative changes**? Here's feedback received:

- 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.
- Provide financial or technical assistance to smaller/rural jurisdictions since the Office of Rural Affairs/Texas Department of Rural Affairs was disbanded.
- Some communities decide to not pursue funding due to the management and reporting requirements.

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 feedback received from similar size entities:

- 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 FMXs.
- Providing information about the functionality and deficiency of an entity's infrastructure requires extensive field work since most entities do not have this 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 counties outside of EPC (if needed)

Future Subcommittee 4 Meetings

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

