

DPC July 21, 2022 meeting – Agenda Item 10 (Federal Emergency Management Agency (FEMA) flood zone reclassification)

**Delta Protection Commission Meeting**  
**July 21, 2022**

**AGENDA ITEM 10: Receive report on Federal Emergency Management Agency (FEMA) flood zone reclassification and consider Commission letter to FEMA requesting Delta region Flood Insurance Rate Map (FIRM) reclassification and establishment of a Delta region local levee task force**

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Requested Action: **Receive report and consider Commission letter to FEMA**

Type of Action: Action

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**Background:** The U.S. Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP) and issues Flood Insurance Rate Maps (FIRMs) for communities. FEMA requires communities to adopt the FIRMs and use them to restrict development in designated high flood risk areas. NFIP provides insurance policies (at a cost) to all property owners within certain flood zones. Any structure financed by a federally-backed loan is required to have flood insurance when in these zones, with the NFIP being the primary policy available to most property owners.

FIRMs have several different flood zone designations, including Zone A (high risk special flood hazard area) and Zone X (moderate to low flood risk). Zone A properties financed by federally-backed loans require flood insurance. FIRMs can also have an additional, albeit less common, Zone D (flooding is possible but undetermined).

Almost all rural areas of the Delta primary and secondary zones that are at or below sea level are classified as Zone A. Although a FEMA Zone A designation prevents urban development and is thus consistent with the intention of the Commission's Land Use and Resource Management Plan (LURMP), it also frustrates the ability of landowners to construct facilities that support Delta agricultural production, including agritourism facilities such as farm stands and wine tasting rooms. Elevating structures and floodproofing agricultural structures can be costly and burdensome. Reclassifying rural areas of the Delta as Zone D would be consistent with the results of the California Department of Water Resources (DWR)-funded Agricultural Floodplain Ordinance Task Force, which recommended in 2016 that FEMA remap select Zone A areas to Zone D with the intent that activities within the newly designated Zone D that are consistent

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with floodplain management could follow different flood mitigation standards (i.e. deviate from FEMA’s Zone A building standards).

In the past, NFIP policy premiums charged to Zone D policyholders were the highest possible rates. As of April 2022, FEMA has implemented a new NFIP policy pricing system (Risk Rating 2.0) that no longer relies upon FIRMs to price premiums, but instead uses an ensemble of catastrophe models. FIRMs are now only used to determine who is required to purchase flood insurance and where building restrictions are required. Reclassifying the rural Delta from Zone A to Zone D could eliminate the requirement to obtain a NFIP policy as well as make FEMA’s building standards optional. Property owners could still purchase alternative policies that offer less coverage, but also cost significantly less. Given that flooding is a rare occurrence throughout the Delta, this is a risk that many agricultural landowners are willing to accept for their agricultural structures.

The FEMA’s Physical Map Revision (PMR) process can be used to request that FIRMs be changed. The process would follow FEMA analysis and mapping procedures for non-accredited levees (most of the Delta levees are non-accredited), and the process begins with levee data collection and the participation of key stakeholders, including state and community officials, participating tribal representatives, and levee owners. The stakeholder process is intended to improve understanding of the levee analysis and mapping process, and helps the FEMA project team obtain a comprehensive understanding of the affected levee systems.

The process for changing FIRMs requires FEMA regional office staff to be responsible for planning (and budgeting) for stakeholder coordination, data collection, and the establishment of a Local Levee Partnership Team (LLPT). The Commission could assist FEMA and DWR in facilitating the participation of key stakeholders.

**Recommendation:** Approve proposed letter to FEMA requesting reclassification of FIRMs for the Sacramento-San Joaquin Delta region.

**Relationship to Vision 2030 (Commission strategic plan):**

**Delta Agriculture (Strategic Theme)**

***A.1 Protect and enhance long-term viability of commercial agriculture.***

***1.3 Support diversified approaches to agritourism for the benefit of Delta growers.***