

Assembly Bill No. 2141

CHAPTER 878

An act to add and repeal Part 10 (commencing with Section 12997) of Division 6 of the Water Code, relating to water.

[Approved by Governor September 29, 2004. Filed with Secretary of State September 29, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2141, Longville. Floodplain management: Alluvial Fan Task Force.

Existing law authorizes the state to participate in flood control planning and provides for state cooperation with the federal government in the construction of flood control projects.

This bill would require the Director of Water Resources, on or before June 30, 2005, to establish the Alluvial Fan Task Force, with prescribed membership determined by the director, to review the state of knowledge regarding alluvial fan floodplains and to prepare recommendations relating to alluvial fan floodplain management. The bill would authorize the director to enter into an interagency agreement with an appropriate agency to oversee the task force. The bill would require the task force to develop a model ordinance on alluvial fan flooding. The bill would require the task force to prepare and submit a report to the Legislature not later than June 30, 2006. The bill would require these described duties to be carried out only to the extent funding is made available for those purposes from the federal government or private sources. The bill would prohibit the expenditure of state funds to carry out the bill's provisions. The bill would make related findings and declarations.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

- (a) The impacts of alluvial fan flooding can be reduced by a better understanding of the public safety risks in alluvial fan floodplains.
- (b) Alluvial fans present unique challenges to floodplain management.
- (c) Alluvial fan flooding is unpredictable, given its geologic and geomorphic nature.
- (d) The principal hazards associated with alluvial fan flooding are the high velocity and uncertainty of the quantity of debris-laden flows and the uncertainty of the flow paths in alluvial fan floodplains.



(e) Many of the alluvial fan floodplains in southern California have experienced development and are projected for additional development.

(f) As a result of the extensive fires in southern California in October 2003, the risk of debris flows from alluvial fan flooding in burned hillsides has increased dramatically.

(g) Alluvial fan flooding contributed to mudflows that took the lives of 16 people on Christmas Day in 2003.

(h) In recognition of the risk to people and property posed by the Christmas Day mudflows and potential future mudflows, the federal disaster declaration for the southern California fires was amended to provide assistance to individuals, businesses, and public entities impacted by fire-related mudslides.

(i) Alluvial fan floodplains exist in the Counties of San Bernardino, Riverside, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Kern, Orange, Imperial, and San Diego.

(j) To prevent future loss of life and damage to property, it is important that alluvial fans throughout the state be accurately identified, and that landforms be evaluated to identify fan surfaces subject to flooding.

(k) The California Floodplain Management Task Force has recommended that the state establish an alluvial fan task force to review the state of knowledge regarding alluvial fan floodplains, determine future research needs, and, if appropriate, develop recommendations relating to alluvial fan floodplain management.

SEC. 2. Part 10 (commencing with Section 12997) is added to Division 6 of the Water Code, to read:

PART 10. ALLUVIAL FAN TASK FORCE

12997. (a) Not later than June 30, 2005, the director shall establish the Alluvial Fan Task Force with broad membership, to the maximum extent possible, from local, state, and federal government and other stakeholders to review the state of knowledge regarding alluvial fan floodplains, determine future research needs, and prepare recommendations relating to alluvial fan floodplain management, with an emphasis on alluvial fan floodplains that are being considered for development in accordance with local general plans. The director, in consultation with representatives of the Counties of San Bernardino, Riverside, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Kern, Orange, Imperial, and San Diego, may enter into an interagency agreement with the California State University, the University of California, or other appropriate agency to oversee the task force.



(b) The director shall determine the composition of the task force. The task force may include, but need not be limited to, representatives from all of the following entities or groups, subject to the consent of those entities or groups:

(1) City and county governments in the Counties of San Bernardino, Riverside, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Kern, Orange, Imperial, and San Diego.

(2) The department.

(3) Other local, state, and federal government agencies and stakeholders that represent relevant environmental, agricultural, and construction interests.

(c) The Alluvial Fan Task Force shall develop a model ordinance on alluvial fan flooding to be made available to communities subject to alluvial fan flooding.

(d) The Alluvial Fan Task Force shall prepare and submit a report, with findings and recommendations, to the Legislature not later than June 30, 2006.

12997.5. This part shall be carried out only to the extent funding is made available from the federal government or private sources to carry out this part. No state funds may be expended to carry out this part.

12998. This part shall remain in effect only until January 1, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.

