

Plan to Minimize Impacts on Adjacent Landowners Santa Clara River Flood Protection Project

Program Background

The Flood Corridor Program (FCP) was created by the “Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Act of 2000” (Proposition 13). Current funding comes from voter approved Proposition 1E, the “Disaster Preparedness and Flood Prevention Bond Act of 2006” (Public Resources Code Section 5096.800 et seq, Division 5, Chapter 1.699, Article 4, specifically Public Resources Code 5096.825). The Program is authorized to fund projects providing non-structural approaches to flood management, including the acquisition and restoration of wildlife habitat and agricultural land preservation. Program guidelines require the applicant, in conjunction with the Department of Water Resources (DWR); develop a plan to minimize the impacts on adjacent landowners prior to acquiring any interest in land.

Water Code Section 79041 states: “Prior to acquiring an easement or other interest in land pursuant to this article, the project shall include a plan to minimize the impacts on adjacent landowners. The plan shall include but not be limited to, an evaluation of the impact on floodwaters, the structural integrity of affected levees, diversion facilities, customary agricultural husbandry practices and timber extraction operations, and an evaluation with regard to the maintenance required for any facilities that are proposed to be constructed or altered.”

Project Overview

The Flood Corridor Program has awarded The Nature Conservancy (TNC) \$5,000,000 to contribute towards the acquisition of the full fee title of the Totlcom II, Teyton/Circle and Contreras properties (Properties) located within the 100-year floodplain of the lower Santa Clara River. Other contributing partners include the California State Coastal Conservancy (SCC) and the California State Wildlife Conservation Board (WCB).

The Properties will be held and managed by TNC as part of a river-wide restoration effort to restore the historic extent of the floodplain. The Properties would be consolidated with neighboring TNC-properties to create a 377-acre project site where existing agricultural berms and levees will be removed for habitat restoration and public access. This project will advance the goals of the FPCP by reducing flood damage by providing nonstructural flood control through acquisition and restoration of the floodplain Properties as well as enhancing wildlife habitat both in the riparian floodplain and within the river channel.

The Nature Conservancy, and partners such as SCC, have worked together since 1999 on protecting and restoring the Santa Clara River.

To date, TNC’s Los Angeles-Ventura Project has:

- Acquired ecologically significant and strategic lands, totaling more than 3,000 acres of floodplain, over 13-miles of the Santa Clara River, 500-acres of coastal wetlands;
- Created the Coastal Resilience Ventura project, aimed at advancing nature-based solutions to climate change through science, decision-support tools, and public policy;
- Established a floodplain easement program to maintain natural floodplains to provide habitat and flood protection benefits while promoting agriculture;
- Initiated large-scale floodplain restoration to increase the quality and quantity of habitat for endangered species;
- Formed a county-wide policy (Conservation Subdivision Program), that makes it easier to subdivide land for conservation purposes; and,

- Cultivated diverse partnerships with local, State and Federal agencies, as well as farmers, developers and local organizations.

Evaluation of Impact of Acquisition on Floodwaters

The Properties lie along the lower Santa Clara River within the 100-year floodplain and are part of a five-parcel reach of the river TNC has acquired or is in the process of acquiring. These five parcels are protected to the east by Victoria Avenue bridge and road, to the south by an engineered levee and to the north by a natural 100 foot river embankment (the Santa Clara River borders the Properties to the south). Because TNC either owns or will own all five parcels within this project area, no adjoining properties are at risk for future flood events. The goal of this project is to provide nonstructural flood control on these five parcels, which will preclude levee construction and development. Construction of the levee cost estimates vary from \$30M to \$90M. Together with two adjacent TNC-owned properties, the acquired properties will enable approximately 377 acres of protected 100-year floodplain to be inundated by floodwater, providing flood relief to adjoining farmers. Overall risk will be reduced significantly at the Harbor Blvd Bridge; therefore, minimizing the overall flood risk to the sewer treatment plant and other facilities downstream. Finalizing acquisition of the three properties sets the stage for the overall project: levee removal, floodplain expansion and associated habitat restoration that is expected, by modeling results, to decrease flow velocity and reduce floodwaters by 4 feet in a reach of the river that is among the most constricted, despite the fact that it drains the entire watershed.

Evaluation of Impacts on Structural Integrity of Affected Levees

The removal of berms and levees on the Properties will not cause impacts to adjacent properties nor will the project impact levees owned by third parties.

Evaluation of Impacts on Diversion Facilities

There are no diversion facilities within the vicinity of this project; therefore, no impacts are expected.

Evaluation of Impacts on Customary Agricultural Husbandry Practices

It is the intention of TNC to maintain agricultural husbandry practices in their existing form on the Properties until acquisition is complete and restoration can commence. Until that time, it is not anticipated that the cropping regime on the Properties will change in any significant way.

Evaluation of Impacts on Timber Extraction Operations

At this time, there are no timber extraction operations within the project area, and it is unlikely that there would be any at any time in the future, given the nature of the landscape.

Evaluation of Impacts on Maintenance of Any Facilities Proposed to be Altered or Constructed

There are no facilities or proposed facilities within the project area.

Conclusion

In summary, the project and its subsequent maintenance will not have significant adverse impacts on existing adjoining property owners, land use practices, or flood control facilities. In addition to conserving agricultural land, the proposed project removes future development pressure from property that cannot feasibly be made safe from flooding.

Attachment: Map of Proposed Acquisition

Map 4: Project Context of Conservation Lands

