Working Group Meeting Summary – 2024 Critical Areas Ordinance (CAO) Update

Topic: Frequently Flooded Areas (2nd meeting)
Date: November 6, 2023
Time: 1pm-4pm
Location: Online via Zoom

Meeting Purpose: *A follow up discussion of the Frequently Flooded Areas (FFAs) Working Group meeting held on July 27, 2023. The goal of this meeting is to engage in a comprehensive discussion of Frequently Flooded Areas (KCC 19.500). Working Group members will review and discuss the required and recommended code changes based on the Best Available Science Summary, recommendations contained in the Consistency and Gap Analysis, and discretionary requests made by staff.*

Working Group Members Present	Working Group Members Not Present
WA Dept. of Ecology	Point No Point Treaty Council
Suquamish Tribe	Squaxin Island Tribe
Port Gamble S'Klallam Tribe	Puyallup Tribe
Kitsap Environmental Coalition	Skokomish Tribe
Kitsap Builders Association	Watershed Consulting Firm
Futurewise	Jamestown
Kitsap Public Health District	Kitsap Alliance of Property Owners
DCD Staff	

Meeting Materials: Agenda, Meeting #1 Written Summary, and Technical Memorandum.

*This is a summarization of the working group discussion, not a transcript and does not indicate formal County recommendations or updates.

Background:

The first meeting of the Frequently Flooded Areas Working Group was held on July 26, 2023, to discuss and review the Best Available Science Summary and Gap Analysis Report provided to the county by The DCG Watershed Company. A summary of that meeting can be found HERE or by visiting the project webpage at kcowa.us/cao. The second meeting provided draft code language based on the outcome of the first meeting, county staff requests, and recommendations made by the consultants. The working group members reviewed and discussed the following topics and proposed draft code amendments. The proposed code amendments were intended for discussion use only and do not reflect county staff recommendations at this time.

> **Recommendation #1 –** Consider expanding the designation and/or protection of frequently flooded areas. *(Gap Analysis, pg. 24)*
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> _____
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> **Related Code Sections:** KCC 19.500, 15.13.010
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> Technical Memorandum Document

Recommendation #1 Discussion Summary: Staff presented one example of a GIS map that uses Riverscapes Valley Bottom floodplain digital elevation model, which indicates "inactive" and "active" floodplain. Staff also highlighted that the map is only meant to illustrate a possible alternative to FEMA maps, one of several methodologies that could be used, and is primarily a tool to get the conversation started. Concerns were raised about whether this map has been verified on the ground, to which Staff noted that is has not, and reminded the group that the consultant recommendation was to add more mapping sources to see if a site visit is required. The tool isn't to say this IS or ISNT, but to identify potential hazard areas outside FEMA mapping. Member noted that the map seems to address the recommendation in the GAP analysis, and that there isn't really any way to verify this specific parameter. It is likely we will see hundred-year events that will be within the areas identified by this map, and while a flood may not fill in *all* mapped areas, the flood will likely be within the mapped layer.

Member questioned whether this map has been compared to the stormwater critical drainage area map, as there would likely be some overlap in which case the area would already require a critical drainage area review. Staff responded that it has not been compared and highlighted that the recommendation was to utilize more mapping to identify potential flood areas or identify existing maps/data if it already exists. This map is just an example of one existing tool.

Concerns were raised about costs for the County to implement this mapping tool, and that it may add costs to already expensive development projects. Staff acknowledged that the amount of time/resources needed to follow through with this mapping tool are currently unknown. Another member highlighted that when we know there are deficiencies in our current maps, without further tools we are likely to lose a certain portion of critical areas to development. Development has led to a diminishing amount of water resources and habitat function in Kitsap already. Any information we can get regarding these fragile environments is important especially as we have to build in the "harder areas"; there are downstream costs to destroying habitat that the whole society bears. How do we know we aren't *under*estimating the areas at risk?

Staff notes that LIDAR data is more reliable than FEMA data, the latter of which is geared toward protecting structures, not land. Question about the development standards that projects in these areas will be held to; it seems like the areas are already covered by stormwater code via critical drainage areas. Hesitant to say we need to declare these as critical areas. Member notes their understanding is that any Kitsap critical area is subject to floodplain development standards.

Member noted that a lot of flood plains were created by human development; are we protecting resources that wouldn't have needed protection prior to that development? Are we requiring expensive studies just because a map says so? Considerations of man-made flooding caused by poor culverts; those culverts will be replaced by WSDOT and then will there be flooding in that area? Will it be further downstream? Very expensive to analyze an entire flood basin for a project.

Member stated that they are not sure we can require FEMA standards in non-FEMA mapped areas.

Member notes that FEMA mapping is dated or incorrect in areas. Flooding will get worse and that having the most accurate mapping is crucial. Peirce County was brought up, and the idea that LIDAR is not new technology.

Concern raised that there needs to be a better way to look at all these different maps and better processes for how we apply these rules. Member responded that this is what the recommendation is getting at; current maps are not doing what they need to in order to raise awareness of risk in the permit process. The question is what does that look like?

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