

From: [Mark Berry](#)
To: [PER. climateactionplan](#)
Subject: Public Comment to Final Climate Action Plan due September 27, 2022
Date: Wednesday, September 7, 2022 12:25:04 AM
Attachments: [County CAP comment September 6.docx](#)

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Dear Office of Planning and Environmental Review,

Please find attached my public comment regarding the Final draft for the Climate Action Plan. I appreciate the work you are undertaking. I believe it is important the plan adequately considers the uncertain impacts of potential mega-storms and the essential protections the designated floodway capacity provides for our region and residents.

Thank you.

Best regards

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September 6, 2022

Attention: Mr. Ken Casparis
Sacramento County Public Information Office
Office of Planning and Environmental Review
Climate Action Committee
Sacramento, CA

Subject: Final Draft of the Sacramento County Climate Action Plan - Final Draft
Re: Public Comment due on September 27, 2022

Dear Office of Planning and Environmental Review:

I am grateful for your efforts to protect the people and economy of our region. Anticipated climate change as reported will increase temperatures due and increase potential flood losses as more lives and properties are placed in harms' way. Recent articles in the Sacramento Bee and other publications warn of mega-storms and atmospheric rivers due to the impacts of global warming. Among the actions to take are ways to improve flood control reliability through nonstructural methods (e.g. building restrictions and building requirements) and structural methods (e.g. levee strengthening and dam construction).

The scale of levee modernization needed to avoid damaging floodsparticularly as the climate changes is said to be vast and cities like Sacramento will need levee upgrades involving hundreds of millions of dollars. Taxpayers fund these projects because we are threatened by natural flooding. Many would believe it is unfair to ask taxpayers to spend dearly on flood control if private projects are allowed to establish precedent to encroach in the floodplain and floodway with no public benefit. Especially if the property contains hundreds of established trees in riparian environment beneficial to offset the impacts of global warming.

An example one such property is the old Kassis property located at 9851 Folsom Boulevard in Sacramento. Approximately 20 acres of which is located within the American River FEMA National Flood Insurance Program Special Flood Hazard Area Zone AE 100-Year Floodplain and the CVFPB American River Designated Floodway Adopted Plan of FloodControl.

The land topography on which the CVFPB Designated Floodway boundary was based should not be altered by any proposed future development which would diminish essential flood protection. The high bank land that bisects the development area and contains the flood waters with sufficient freeboard should not be downgraded (cut) for fill in areas lying below the floodway elevation and only expanding the area of low-lying land with hardly any freeboard.

To raise this area above the floodplain would have to construct retaining walls and a 10+ foot high structural pad atop alluvial gravel and sand deposits in the floodway. This only increases erosion and the number of un-leveed structures subject to potential flood hazard.

The Climate Action Plan to accomplish its goals to protect from the impacts of global warming should be consistent with Title 23 California Code of Regulations (CCR) Waters, Division 1, Section 113(b), which prohibits the construction of year-round dwellings within an Adopted Plan of Flood Control. Board's regulation Section 113(b) also prohibits the construction of structures for year-round dwellings within Adopted Plans of Flood Control which includes the American River Designated Floodway Adopted Plan of Flood Control where the old Kassis property is located.

Specifically, the FEMA NIFP Flood Insurance Rate Map (2012) indicates a 100-year water surface elevation of 61.5 and 62 feet. The ground elevation of the 20 acres portion of the Kassis property, adjacent to the river, varies from 47.3 feet to approximately 58.5 feet plus or minus. Approximately half of the Kassis Property lies within the FEMA 100-Year floodplain Zone AE and the CVFPB American River Designated Floodway Adopted Plan of Flood Control.

Section 107 of the Board's Regulations prohibits the construction of residential structures within Designated Floodways. Section 107, subsection (g) states, "Structures that are designed to have a minimum effect upon the flow of water and are firmly anchored to prevent the structure from flotation, provided that normally no structures for human habitation will be permitted".

I request the climate action plan be drafted to preclude future in the floodway even those between two existing development areas along a riverbank edge.

Due to the uncertainty of the impact of climate change future development applicants grading plan may not be able to adequately delineate the limits of the floodway along project boundary for any flood water approaching. This is especially true in areas that do not have the protection of levees as this portion of the American River which is located upriver of the Corps of Engineers levee system and downstream of Folsom dam. The only flood protection in this area is regulation.

The Designated Floodway across the lower basin of the Kassis property and others situated like it, was established to prevent further development subject to potential future flood hazards.

What benefit does the general public or County gain from a reduction in the floodway and allowing for-profit residential development within an historic flood basin when it is uncertain the impact mega-storms and atmospheric rivers may bring?

The current flood risk and liability for property damage and loss of life within an undeveloped designated floodway boundary is zero percent chance. Allowing for-profit development to realign floodway boundary to build structures within a floodplain may be the cheapest method but it is unnecessarily risky from a public safety standpoint, inconsistent course of action from a taxpayer perspective and contrary to accepted floodplain management policy advocated by FEMA, the USACE, and the Department of Water Resources.

I urge the Sacramento County Climate Action Plan include provisions that would deny variances to regulations for proposed urban development in the American River Designated Floodway Adopted Plan of Flood Control. To grant variances will set a precedence for other desired urban development projects adjacent to rivers and streams.

Such project seeks variances with no public benefit. The fillingin of the floodway to build houses is contrary to good floodplain management, the original purpose of the designated floodways, and the overall mission of the Climate Action Plan and

Thank you for the opportunity to comment.

Best regards,

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