



Post-Flood Requirements and Recommendations

This handout has been developed by the Pima County Regional Flood Control District (District) to provide individuals who have been affected by flooding or erosion with useful information and guidance on what to do to recover from a flooding event and protect your property from future damage.

How or why did this happen? And what happened?

Floods are naturally occurring responses to unusually heavy storm events. In Pima County, the regulatory floodplain is the area that is inundated by a flood that has a 1% chance of happening in any given year, when the peak discharge is 100 cubic feet per second (cfs) or greater, or in areas subject to sheet flooding. This is called the base flood (also inappropriately called the 100-year flood). One percent chance floods may occur many decades apart, in consecutive years, or even more than once in the same week. While floods and flood-related damages can be magnified by activities within the floodplain, most flood related damages occur due to the sheer magnitude of the flood event rather than the effect of man-made changes to the watershed. However, if you feel that a specific neighbor has done something to increase the flood hazard on your property, please contact the District and provide us with information regarding the activity so we can investigate the concern. More information about Drainage Complaints can be found at:

http://webcms.pima.gov/government/flood_control/services/drainage_complaints/

It is possible that you have been flooded, and you didn't even know that you were in a floodplain. There are a few key points to bear in mind:

- 1) Property sale disclosure laws require only that federal (FEMA) floodplains be disclosed, but not to locally recognized floodplains.
- 2) Not all regulatory floodprone areas are mapped.
- 3) Not all floodprone areas are regulatory floodplains. The District is aware of many instances in which homes have been seriously damaged by flooding from watercourses that fall below the 100 cfs threshold in the Ordinance.
- 4) Though you may have seen flood events occur in the past, you may not have witnessed the base flood, or the most recent event may have exceeded the base flood. While the District regulates the 1% chance flood magnitude, larger and more damaging storms may, and have, occurred.

Flood water and its associated erosion has the potential to significantly damage structures and/or alter the location and condition of natural washes. It is understandable that property owners are interested in returning their property to a pre-storm condition. **However, no work should be performed on the property in or around any washes that has the potential to divert, obstruct, or retard the flow of floodwaters without first consulting the District and obtaining all necessary permits.** Altering the natural flow of water in a regulatory floodplain is not only a violation of Pima County Ordinance, if it adversely impacts a neighboring property, you could be held civilly liable for damages.

More information about flooding can be found on our Public Outreach page at:

http://webcms.pima.gov/government/flood_control/outreach/

The wash on my property has been damaged, what can I do about it?

The flood water itself is only one hazard associated with flooding. Another major component is erosion. With respect to the erosion or lateral migration of natural washes, or deposition of sediment within natural washes, each is considered a natural aspect of washes and is expected to occur. For this reason, the Ordinance requires structures to be set back specified distances from regulatory washes in order to allow the wash to behave naturally without endangering structures.

The District recommends that washes be allowed to remain in this natural state because altering this state can have unintended consequences. If a structural improvement is threatened by erosion, the preferred alternative for protecting it from erosion damage is to construct erosion protection immediately adjacent to the structure rather than trying to keep the wash from migrating. This allows the wash to behave naturally while being protective of the structure. Consult with the District regarding design considerations and requirements prior to constructing any erosion protection; the District has observed many attempts at providing erosion protection that didn't work due to the failure to consider all aspects of a flood event.

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What assistance will the District and/or Pima County provide for me?

The District and/or Pima County can only focus their money and resources on public infrastructure and may only expend public funds on private property after certain, specific disaster declarations. It is the responsibility of property owners to perform any necessary work on their own private property, which may include a non-county maintained roadway or access easement.

There are some relief programs for low income residents that may be of assistance to certain individuals. The Pima County Community and Economic Development department has additional resources that may be able to provide assistance as well. More information can be found at:

<http://webcms.pima.gov/cms/One.aspx?portalId=169&pageId=18643>

There are also federal low-interest loan programs available for small businesses. Most of these services are available only in the event of a disaster declaration.

What activities do I need a permit for?

The following work is subject to the Floodplain and Erosion Hazard Management Ordinance (Ordinance) and requires a Floodplain Use Permit (FPUP):

- 1) If a structure on your property was damaged, a permit may be required to repair the damaged structure. Consult with the District prior to beginning any repairs.
- 2) The excavation of material from a wash for any reason, including the removal of sediment deposited during a flood event.
- 3) The reconstruction of eroded channel banks, or the placement or construction of erosion protection along existing channel banks.
- 4) The construction of berms, ditches or other alterations that have the potential to divert, obstruct or retard flow.
- 5) Other work within the regulatory floodplain that may divert, obstruct or retard flow.

In addition to an FPUP, work within a wash may require approval from the US Army Corps of Engineers regarding compliance with Section 404 of the Clean Water Act.

What activities can I do without a permit?

Minor activities, such as clean-up of deposited vegetative debris or flood debris, clean-up of fine sediment in the wash overbank, reconstruction of at-grade driveways, or minor modifications to deposited sediment may occur without permits, although consultation with the District is recommended.

Please remember that unauthorized work not only has the potential to adversely impact your neighbors and create a liability to you, but may also increase the hazard to you and your own property if done improperly.

What do I need to apply for a permit?

At minimum, the District will require a completed FPUP application, which can be completed at our office, and a site plan drawn to a standard engineering scale (1"=10', 1"=20', 1"=30', 1"=40', 1"=50', 1"=60', 1"=100') that shows all existing and proposed improvements, including existing structures, walls, fences, driveways, grading, earthwork, etc. Likely, covenants will need to be signed by any and all property owners listed on the deed, so please provide a copy of the latest recorded deed when applying for an FPUP.

Depending on the nature of the proposed activity, it may also be necessary to initiate an Activity Permit with Pima County Development Services Department and provide the Zoning approved Activity Permit and site plan to the District.

If the proposed activity involves altering a regulatory wash or floodplain, it is likely that the District will require you to provide the District with a report from an Arizona registered civil engineer demonstrating that the proposed improvement does not adversely affect adjacent properties and that the proposed improvement will perform the designed task. This requirement is designed to provide some assurance that the improvement doesn't inadvertently increase flood hazards for yourself or others, and that the improvement will actually provide the protection you desire for your property. Improperly designed and/or constructed flood and erosion improvements have been known to increase flood and erosion risks, so while the engineering analysis will add to your costs, it is of great benefit to you. The Floodplain Use Permit itself is free.

For more information about FPUPs, please visit our permits page at:

http://webcms.pima.gov/government/flood_control/permitting/