

November 23, 2015

The Honorable Edmund G. Brown  
Governor, State of California  
State Capitol, Suite 1173  
Sacramento, CA 95814

Dear Governor Brown:

Meteorologists and oceanographers have documented strong El Niño conditions in the equatorial Pacific Ocean and warn of the increasing likelihood of unusually heavy rain events, especially in Southern California. Much of the State and local flood control infrastructure, including drains, channels, and levees are in desperate need of maintenance and repair. These conditions present immediate concerns for government agencies. Unfortunately, State and Federal regulations have substantially impaired the ability to maintain flood control channels and other storm water management infrastructure.

It normally takes more than one year to obtain the permits needed to maintain drainage channels. Emergency exemptions to State environmental analysis and permitting requirements that could speed this process force public entities to wait until disaster is imminent, or in progress, making it too late to mobilize effective actions to fully safeguard life and property.

With these limitations in mind, and in order to reduce (or minimize) the widespread flooding, loss of property, and loss of life that are likely upon arrival of the predicted heavy rains, we strongly urge you to declare a state of emergency related to the impending impacts of El Niño, enabling State and local entities to take the actions necessary to maintain and repair essential flood control infrastructure.

Specifically, we request that you suspend any section of Division 13 of the Public Resources Code, Division 7 of the Water Code, or Division 2 through 6 of the Fish and Game Code that could prevent, hinder, or delay State and local entities' ability to maintain and repair essential flood control infrastructure. It is important to note that Federal, State, or local regulations may require mitigation and will limit the amount of work to only that which is necessary.

We request that the Office of Emergency Services provide local government assistance as appropriate under the authority of the California Disaster Act, since the conditions brought on by El Niño are or are likely to be beyond the control of the services, personnel, equipment, and

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facilities of any single city or county, and they will require the combined forces of a mutual aid region or regions to combat.

We are aware that strict application of Sections 404 and 401 of the Federal Clean Water Act impair State and local entities' ability to prepare for El Niño and urge you to formally request Federal action suspending those laws as applied to essential flood control maintenance and repair. This will allow for the undersigned agencies to initiate proactive procedures which will greatly reduce the threat to life and property before the increased precipitation arrives.

Sincerely,

*Mayor Kevin L. Faulconer*  
Mayor Kevin L. Faulconer  
City of San Diego

*Supervisor Bill Horn*  
Supervisor Bill Horn, Board Chair  
County of San Diego

*Mayor Matt Hall*  
Mayor Matt Hall  
City of Carlsbad

*Mayor Mary Salas*  
Mayor Mary Salas  
City of Chula Vista

*Mayor Casey Tanaka*  
Mayor Casey Tanaka  
City of Coronado

*Mayor Al Corti*  
Mayor Al Corti  
City of Del Mar

*Bill Wells*  
Mayor Bill Wells  
City of El Cajon

*Mayor Kristin Gaspar*  
Mayor Kristin Gaspar  
City of Encinitas

*Mayor Sam Abed*  
Mayor Sam Abed  
City of Escondido

*Mayor Serge Dedina*  
Mayor Serge Dedina  
City of Imperial Beach

*Mayor Mark Arapostathis*  
Mayor Mark Arapostathis  
City of La Mesa

*Mayor Mary Teresa Sessom*  
Mayor Mary Teresa Sessom  
City of Lemon Grove

*Mayor Ronald Morrison*  
Mayor Ronald Morrison  
City of National City

*Mayor Jim Wood*  
Mayor Jim Wood  
City of Oceanside

*Mayor Steve Vaus*  
Mayor Steve Vaus  
City of Poway

*Mayor Jim Desmond*  
Mayor Jim Desmond  
City of San Marcos

*Mayor Randy Voepel*  
Mayor Randy Voepel  
City of Santee

*Mayor Lesa Heebner*  
Mayor Lesa Heebner  
City of Solana Beach

*Judy Ritter*  
Mayor Judy Ritter  
City of Vista