

Sheppard Mullin and Pajaro Regional Flood Management Agency Celebrate Legislative Victory

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Pajaro Regional Flood Management Agency (PRFMA) with assistance from Sheppard Mullin land use attorney, Brooke Miller, succeeded in changing state law by obtaining a rare, legislative exemption to California's environmental disclosure law called the California Environmental Quality Act. Attorney Miller and the PRFMA team helped draft California Assembly Bill 876 to accelerate flood control upgrades along the Pajaro River levee, which was signed into law by Governor Gavin Newsom on October 13. The bill was drafted to expedite the construction of the levee in response to flooding through the City of Watsonville in January 2023 and a subsequent breach of the levee following heavy rainfall in March 2023, the latter of which resulted in the flooding of the community of Pajaro and farms throughout the Monterey County floodplain of the Pajaro River. The levee, which was built by the U.S. Army Corps of Engineers in 1949, had been known to provide inadequate flood protection for decades, and flooding and loss of life previously occurred at least twice before the federal government approved the levee project for construction in early 2023, shortly before the latest flood events. The bill expedites the timeline for construction of the new levee which will provide 100-year flood protection to the low-income families and agricultural workers who call the Pajaro River home while maintaining the ecological integrity of valley waterways.

Attorneys

Brooke Miller

Practice Areas

Public Lands

Real Estate, Energy, Land Use & Environmental