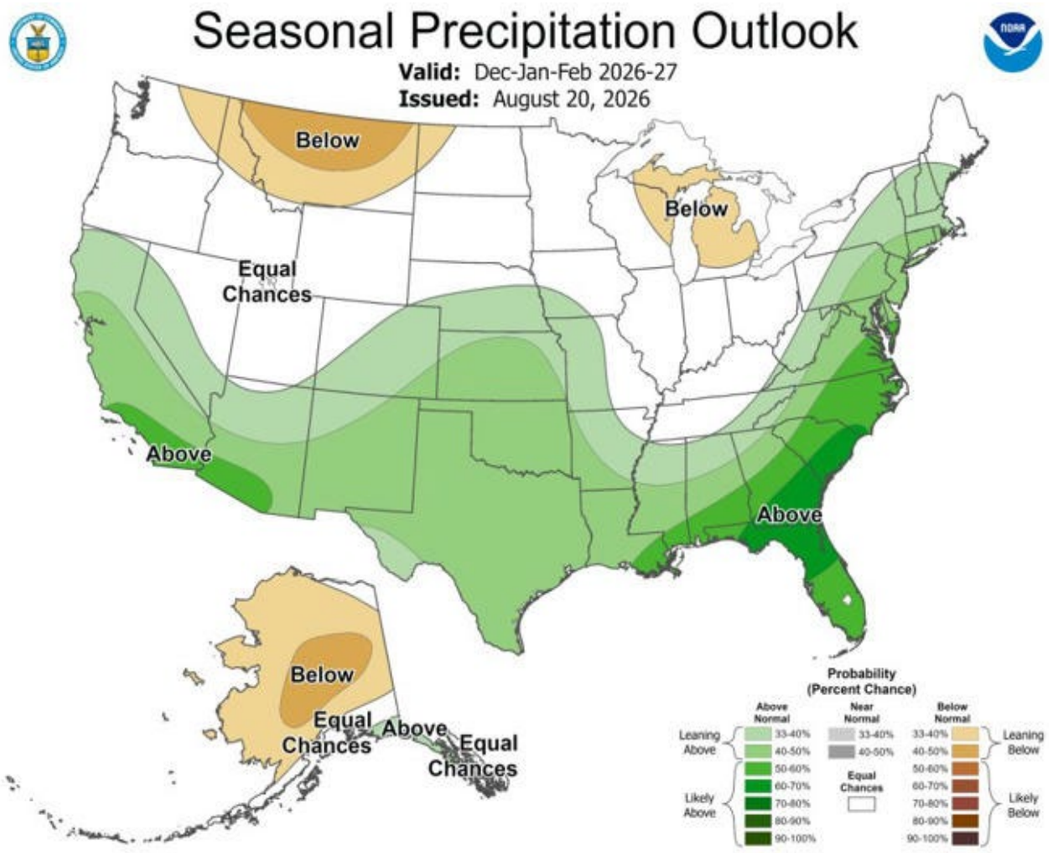
# 2026 Southern California Winter Weather Forecast

## Very Strong 2026/2027 El Nino Predicted

- NOAA estimates the possibility of a very strong El Nino at greater than 90% (September 10, 2026)
- 75% chance of a “historic” October to December 2026 event.

## What is a “historic” El Nino event?

- NOAA defines the “historic” threshold as a 3-month RONI of at least 2.5C, exceeding previous events in its record back to 1950.
- There is a very strong ocean signal behind the forecast with anomalies exceeding +3C in portions of the Pacific.
- Individual storm events and seasonal rainfall totals remain uncertain but pre-planning is recommended.




Source: NOAA Climate Prediction Center – September 2026 ENSO Outlook

# Statewide Emergency Proclamation

## Governor Newsom adopted a Statewide Emergency – September 21, 2026

- Mobilizes state resources for anticipated El Nino impacts with orders to stage flood equipment in advance,
- Caltrans is directed to pre-position equipment for traffic control, road closures and snow removal.
- Speeds up environmental permitting.  State agencies are directed to fast-track permits for projects intended to address flooding, landslides, and debris flow hazards.
- Opens Cal OES funding under the California Disaster Assistance Act with up to 75% state reimbursement of eligible disaster costs.
- A future federal disaster declaration could open additional FEMA funding streams through the Hazard Mitigation Grant Program.



# Emergency Maintenance Approvals

**Protection of public health and safety is always the first priority**

California laws, regulations and agencies include emergency work provisions:

- California Environmental Quality Act
  - CEQA Emergency Exemption (adopted by each relevant lead agency)
    - Some lead agencies are filing CEQA exemptions for specific facilities ahead of the 2026/2027 El Nino
- Other Regulatory Agencies
  - California Coastal Commission (CCC) for work in coastal regions
  - Local entities (depending on location)
    - Cities and Counties
    - Caltrans
    - U.S. Forest Service

# Emergency Maintenance Approvals

**Protection of public health and safety is always the first priority**

Primary Resource Agencies for work in streambeds, drainages, wetlands, native vegetation and special status species habitat.

- U.S. Army Corps of Engineers (USACE)
- Regional Water Quality Control Board (RWQCB)
- California Department of Fish and Wildlife (CDFW)

Other consulting agencies include:

- U.S. Fish and Wildlife Service (USFWS)
- National Marine Fisheries (NMFS)
- Environmental Protection Agency (EPA)
- State Historic Preservation Office (SHPO)
- Tribal Authorities

Each agency has notification and documentation requirements that can save time and money if followed prior to and immediately after emergency activities.

# U.S. Army Corps of Engineers (USACE) Emergency Authorizations

## Regional General Permit 63

- Updated Emergency Processing Procedures issued on August 19, 2026.
- Authorizes emergency activities to address “clear, sudden, unexpected and imminent threat to life or property requiring immediate action”.
- Typically expects work to mobilize within three days of identifying need to qualify.
- Work authorized under RGP 63 must be the “minimum necessary to alleviate the immediate emergency”



# U.S. Army Corps of Engineers (USACE) Emergency Authorizations

## CWA Section 404 4(f)(1)(B) Maintenance

- States that maintenance, including emergency reconstruction of recently damaged portions of currently serviceable structures may be exempt from 404 permitting.
- We recommend documenting the condition of structures prior to the winter storm season so that this exemption can be used/justified.
- Its important to note that this exemption cannot be used if:

  1. The activity brings an area of waters into a use that it was not previously subject; and
  2. Impairs flow/circulation or reduces the reach of those waters.



# U.S. Fish and Wildlife Service (USFWS) Consultation

**Don’t delay the emergency response.**

USFWS guidance specifically emphasizes protecting life and property

- USACE will initiate consultation with USFWS when federal listed threatened or endangered species occur in an emergency action.
- Expedited informal consultation may be completed through USFWS concurrence under USACE emergency procedures.
- Formal consultation does not need to be completed before the emergency response occurs.



# U.S. Fish and Wildlife Service (USFWS) Consultation

**Section 7 (p) Exemption**

Section 7(p) of the Endangered Species Act (ESA) provides an exemption in Presidentially declared disaster areas.

- *"In any area which has been declared by the President to be a major disaster area under the Disaster Relief and Emergency Assistance Act [42 U.S.C.A. s 5121 et seq.], the President is authorized to make the determinations required by subsections (g) and (h) of this section for any project for the repair or replacement of a public facility substantially as it existed prior to the disaster under section 405 or 406 of the Disaster Relief and Emergency Assistance Act [42 U.S.C.A. ss 5171 or 5172], and which the President determines (1) is necessary to prevent the recurrence of such a natural disaster and to reduce the potential loss of human life, and (2) to involve an emergency situation which does not allow the ordinary procedures of this section to be followed."*
- Emergency response actions within these areas are exempt from the prohibition of Section 9 of the ESA and Consultation under Section 7 is not required.



# Regional Water Quality Control Board (RWQCB)

- A 401 Water Quality Certification is a condition of the USACE 404 Authorization. Whenever RGP 63 is used for emergency work, an emergency permit is required from the RWQCB.
- Emergency projects that do not qualify for coverage under RGP 63 will require the issuance of an individual Certification from the Water Board.
- Notification involves submittal of the Notice of Intent to the RWQCB via email, preferably **48 hours ahead of the activity, but no later than one business day after the activities are initiated.**

Please note that requests from the RWQCB for pre-application meetings on emergency projects have been received – we can help you with this request!

# California Department of Fish and Wildlife

- Emergency is defined in Public Resources Code Section 21060.3 and means “a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. “Emergency” includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.”
- Notify CDFW **within 14 days of beginning the emergency work** using the EPIMS Permitting Portal. There is **no fee** for emergency notifications.
- We strongly recommend setting up your EPIMS account and adding any staff supporting you during the 2026/2027 El Nino Storm Season ahead of time.

# What if the Resource Agencies Aren't Notified

- Emergency work within state or federal waters without notification to the USACE, CDFW, and RWQCB could result in a Notice of Violation, cease and desist order, cleanup/restoration requirements, and potentially monetary penalties.
- The resource agencies may not agree that part or all of the work was an emergency and deem the work a violation.  It's easiest to negotiate the types of activities early.
- Once the project is in violation status, the opportunity to negotiate a reduced mitigation ratio (or even no mitigation) is gone and could be as much as 5:1.
- **Your project may have state or federal emergency funds denied or delayed if there is no documentation of resource agency coordination/notification.**

Notifying as early as possible saves your organization time and money!



# Best Practices for Maintenance Crews

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# Preparing for the 2026/2027 El Nino Fall/Winter Season

## Desktop review

- Identify at risk facilities within the vicinity of recent fires, burn scars, previous mudflows, debris flows or known undersized culverts.
- All critical access roads to infrastructure, especially unpaved access roads, should be identified for monitoring.

## Collecting Documentation

- Collect any as-built plans, historic photographs, technical reports and maintenance logs on each “at risk” facility, access road or crossing.
- Ask maintenance teams to take “pre-El Nino” photographs of each “at risk” facility to establish pre-storm conditions.

# Preparing for the 2026/2027 El Nino Fall/Winter Season

## Storm Tracking and Preparation

- Locate sources of rock, sandbags, and other necessary equipment, along with access routes to at-risk facilities.
- Consider stockpiling materials (outside of any streambeds or native vegetation) near at-risk facilities.  We are here to help you site and document locations.
- Identify an internal weather and storm tracking team with weekly or daily updates using NOAA or other established sources.

## Regulatory Preparation

- Consider preparing and filing a CEQA emergency exemption for El Nino related activities within a specific area or facility.
- Identify an emergency contact or consultant for resource agency coordination who can be available evenings and weekends to help facilitate resource agency coordination.
- Set up your organizations CDFW EPIMS account and add any staff supporting you during the 2026/2027 El Nino Storm Season ahead of time.

# Documenting the Emergency Work

- Ask maintenance crews to take photographs of each site (if possible) to document the extent of the damage and need for the proposed activities.
- Create a written field diagram documenting the placement of materials to stabilize the site.
- Collect photographs of the project area once the area is stabilized and make a list of the type of approximate quantities of materials used.
- The CEQA and resource agency emergency regulations only address the activities necessary to address the immediate health and safety threat. Proposed improvements or long-term repairs that exceed the as-builts may require additional CEQA analysis and resource agency permits.
- Keep good records for any state and/or federal emergency funding opportunites.