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February 15, 2023

Re: Emergency Flood Recovery Needs in Planada, CA

Dear Governor Newsom, Senator Caballero, Assemblymember Soria, Supervisor Espinoza, and County Executive Officer Mendez,

Our organization and the undersigned Planada residents are writing to uplift urgent needs following the flooding of the community of Planada in January 2023. There are significant service gaps left by the County of Merced, FEMA and CalOES in the community that are threatening to leave folks either houseless or forced to live in unhealthy, damaged, moldy homes that are putting public health at risk. FEMA, CalOES, and Merced County have unfortunately not addressed the emergency needs for residents-- especially those who are undocumented-- and urgent action at the state and local level is needed to help the community recover.

I. Existing Service Gaps

Despite Merced County, FEMA, CalOES, and local non-profit organizations’ current presence in the community, the following service gaps and deficiencies remain:

A. Substandard Home Inspections: Several residents have reported that FEMA and Red Cross home inspectors have, on numerous occasions, issued determinations that homes were not damaged by flooding without having ever entered the home to assess damage, without looking for mold, and without considering residents’ testimony and photographic evidence demonstrating that the home was inundated with water during the disaster.

According to a local FEMA contact’s presentation at the Merced County Board of Supervisors on February 7, 2023, FEMA expects residents to appeal these determinations and wait up to six months for a response without receiving aid. This is unacceptable.
Residents raised their concerns regarding subpar FEMA inspections at the Town Hall on February 2, 2023 held by Merced County. Following the Town Hall, similar issues arose with the Red Cross after they arrived on February 6th, 2023, which residents flagged to our organization. Residents also communicated their outrage that the Red Cross arrived this late after the disaster to Planada and feel that the Red Cross should have been deployed sooner.

B. Lack of Services for Undocumented Residents: FEMA is unable to assist residents without social security numbers. FEMA claims that a single social security number can be utilized for an entire household’s application, however in practice, residents report that FEMA has been essentially denying all aid to undocumented residents, and failing to inform residents that they can apply for aid with a child’s, or other household member’s, social security number. The result is a general lack of services for undocumented residents.

C. Failure to Prioritize Those Most Impacted by Flood Damage: Residents residing on the streets most impacted by flooding report that food and financial aid distributions have not prioritized them. Other residents in need from other areas of the community and from outside of Planada have utilized the limited resources, many of which have since expired. Residents would like to see more financial aid resources and food distribution targeted at residents on the most impacted streets (such as Gage St, Stanford Ave, Sante Fe Ave, Terry St, and Broadway Ave) be offered, particularly during the evenings, since working residents cannot attend distribution events during the workday.

D. Lack of Emergency Housing During Home Repairs: Residents who cannot reside in their homes due to flood damage are currently being housed at the Felix Torres Migrant Farmworker Housing, but have been told they must exit the premises on February 28th. This is not enough time for their homes to undergo necessary repairs and become habitable again; therefore, additional time is needed at this emergency housing site. We have made numerous attempts to contact the Housing Authority to no avail, and request direct confirmation in writing that the emergency arrangements at Felix Torres will be extended be communicated to evacuees currently occupying the migrant farmworker housing at the site.

II. Planada Residents’ Requests for Support

A. Extension of Emergency Housing Arrangements at Felix Torres Migrant Farmworker Housing: We are seeking information from the local Housing Authority, who own and operate the housing site, surrounding the capacity to continue housing evacuees at Felix Torres after anticipated migrant farmworkers arrive for the season, but have been unable to reach anyone locally who will give us an answer, so we request direction from the state and local level to the Housing Authority calling for an extension on these temporary arrangements, and a confirmation that there will be sufficient capacity at Felix Torres for evacuees and migrant farmworkers this season. The Housing Authority and any other relevant agencies (such as HCD, FEMA, and Cal OES) must meet directly with evacuees currently occupying the units and solicit their feedback about the needed duration of the extension of emergency housing arrangements.
B. **Homeowner Repair Program for Households Impacted by Flooding That Are Not Being Assisted by FEMA:** Given the amount of service gaps and deficiencies with FEMA, a homeowner repair program is needed for homeowners whose properties have faced damage from the flood. Possible funding sources for such a program include the County of Merced General Fund, CDBG dollars, unspent ARPA dollars, Cal OES, and any other state or federal emergency funding that can be quickly deployed. We urge immediate support to direct emergency funding to Planada to fill in these service gaps.

C. **Financial Assistance for Residents whose Insurance and FEMA Determinations do not Cover Automobile Damage:** Impacted residents have shared that their car insurance plans do not cover flood-related automobile damage. Since Planada is a rural community, flood damage has left hundreds without any means of transportation to get connected with essential goods and services. Additional aid is required to help folks repair or replace their cars is an urgent need.

D. **Financial Support for Rental Payments, Utility Payments, and Protection from Evictions for Flood Victims Who Cannot Safely Reside in their Homes:** Several tenants who cannot safely reside in their homes and who are living somewhere else as a result are still being charged rent for homes they cannot live in. Tenants who evacuated their homes under the mandatory evacuation were still charged their full month’s rent, in violation of the law as well. Similarly, homeowners and tenants alike are being charged utility payments while they cannot live in their homes. We urge direction to the State Water Resources Control Board, Department of Water Resources, or state emergency water funding to the Planada Community Services District (CSD) in order to allow the CSD to waive monthly water and sewer rate payments from residents who cannot occupy their homes for the duration that they are evacuated from their homes. Lastly, we are calling on Merced County to pass an emergency eviction moratorium and rent cap in order to prevent landlords from evicting tenants and hiking up rent prices after the necessary renovations have been made to currently uninhabitable, damaged properties. We have received several reports from tenants who say they’ve received eviction notices and been told that they cannot return to their homes even after repairs are completed. An eviction moratorium is thus necessary to avoid mass displacement in the community.

E. **Specialized Healthcare Services, Including Mental Healthcare, for Flood Victims:** Natural disasters are traumatizing events, and residents have uplifted the need for specialized trauma-related mental healthcare for community members. Planada is a Disadvantaged Unincorporated Community in need of many resources, including improved public health infrastructure and behavioral health care. Additionally, because many residents are now forced to live in mold-infested homes, respiratory problems and other illnesses relating to the toxic, post-disaster environment are on the rise. An emergency medical clinic with behavioral health resources is urgently needed in the community.

F. **Direction to FEMA and RedCross that Adequate Interior and Exterior Home Inspections be Conducted:** We have received numerous complaints from Planada residents, all with similar stories. Residents have shared that, upon applying for FEMA and Red Cross aid, they have been denied assistance and told that their homes did not incur property damage from the flooding, all
while they are living in homes with severe flood damage that are now growing mold. In these cases, determinations were issued from the Red Cross and FEMA without the interior of the home ever being inspected. Planada residents call on state and local leaders to immediately address these issues by requiring thorough inspections of the interior and exterior of residents’ homes, and to revisit homes where determinations were made to deny assistance based on subpar inspections.

G. **Interim Mail Service to Planada Residents:** USPS is currently not delivering mail to Planada residents and the post office is still closed. As a result, residents must go to Merced and wait in long lines to collect their mail. Given post office hours and residents’ work schedules, this is severely limiting residents’ access to important information, documents, and resources, and adding an additional barrier for emergency resource applications that require up-to-date utility bills, for instance, as a proof of eligibility. A temporary post office should be opened in Planada while the permanent one undergoes repairs, and at-home mail delivery should resume as soon as possible.

H. **Financial Assistance and Direct Aid for which Planada’s Most Impacted Households are Prioritized:** Due to the vast flood recovery and overall need in Merced County, residents from across the community and County at large came to distribution events in Planada to accept aid during food, cash, and other resources in the wake of the flood. The result of the need being larger than the amount of resources, however, was that many of the most impacted households from the flooding were unable to access food and financial aid. A program must be put in place as soon as possible to prioritize households on the most impacted streets in the community and to fill in gaps, as outlined above, that FEMA and CalOES are not filling. As mentioned above, this includes food distribution, financial aid, and relocation/rehousing assistance directly to residents of areas such as Gage St, Stanford Ave, Sante Fe Ave, Terry St, and Broadway Ave, many of whom are currently staying at the Felix Torres Migrant Farmworker Housing.

I. **Redirection of County ARPA and Transportation Dollars to Repair Unsafe Streets Damaged by Flooding:** Severe damage to local roads must also be addressed in the wake of the flooding. The County allocated several million dollars in American Rescue Plan Act COVID recovery funding toward a list of street repair projects, and should consider reallocating a portion of that funding to Planada in order to repair the large potholes and damaged roads caused by the disaster. The street repair needs in Planada may also require a significant allocation of local Measure V funding and matches from state transportation programs in order to meet the community’s flood recovery needs.

Measure V, Merced County’s local transportation sales tax measure, has generated an average of roughly $20 million annually since it passed in 2016\(^1\), of which Merced County receives around $5 to $6 million annually\(^2\) to be spent on local transportation projects. These funds can be leveraged to address the flood damage to streets in Planada, and the Merced County Board of

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\(^1\) Measure V 2021 Implementation Plan Update, Pg. 4

Supervisors has discretionary power to decide how to spend these local Measure V allocations, as long as they meet the basic criteria for local projects as outlined in the Expenditure Plan³.

J. **Immediate Waste Disposal Action:** Trash and debris are still piled up in the streets of Planada, which is creating a general public nuisance, strong, foul odors, and public health concerns. The County of Merced must immediately deploy waste management services to Planada to clean up this debris and haul it away from the community so that Planada can start recovering from the flooding.

K. **SB 244 Compliance:** SB 244 requires jurisdictions to analyze the infrastructural needs and service deficiencies of disadvantaged unincorporated communities in the General Plan, in order that cities and counties begin to address inequitable service deficiencies. Merced County’s SB 244 analysis (adopted in July 2016) in the Merced County General Plan states that “there are no known localized flooding issues” in Planada⁴. The County’s SB 244 analysis was thus deficient and did not prepare the County to anticipate or plan for the possibility that the entire community could become inundated. **Merced County must update their SB 244 analysis immediately to better reflect the infrastructural and service needs of Disadvantaged Unincorporated Communities in order to prevent another disaster.**

L. **County-Wide Emergency Response Plan and SB 379 Compliance:** Merced County also failed to comply with SB 379 when the County updated the Local Hazards Mitigation Plan in 2021 without incorporating Climate Adaptation Planning. SB 379 requires jurisdictions to “address climate adaptation and resilience strategies,” “identify the risks that climate change poses to the local jurisdiction, and geographic areas at risk from climate change impacts,” and create “goals, policies, and objectives based on a vulnerability assessment” for helping the community adapt to and be prepared for the impacts of climate change upon updating the Local Hazards Mitigation Plan after January 2017 or updating the Safety element by January 2022⁵.

Upon updating the Local Hazards Mitigation Plan (LHMP) in January 2021, the County of Merced failed to acknowledge SB 379 in the Regulatory Framework or incorporate any SB 379 Climate Adaptation Planning requirements into the LHMP. As a result, the County failed to comply with SB 379 and, most importantly, failed to prepare for the flooding emergency of January 2023.

**The County of Merced must immediately update their Local Hazards Mitigation Plan or Safety Element and conduct Climate Adaptation Planning in order to come into compliance with SB 379 requirements.**

Please do not hesitate to reach out to us with any questions about these service gaps and policy demands. Residents that we are in communication with at our community meetings, through our door-to-door

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³ Measure V Expenditure Plan. Section 2, Local Projects (pg. 7).  
https://www.mcagov.org/DocumentCenter/View/3364/Measure-V-Expenditure-Plan-Amendment-3?bidId=

⁴ Merced County General Plan, pg. LU-58.  

⁵ California Government Code § 65302(g)(4)
outreach, and via telephone, have nearly unanimously expressed disappointment and outrage at the lack of attention and response that their community has received from Federal, State, and Local government, and have asked us to uplift these needs to you for your immediate attention. On behalf of impacted flood victims, we ask the Senator, Assembly Member, Governor, and local County government for urgent action to address these needs.

Respectfully,

The Undersigned Planada Residents:
Maria Nava
Miguel Nava
Maria Flores
Fritzi Quinteno
Rufino Dominquez
Esmeralda Patino
Adrian Aguayo
Aurelia Gonzalez
Maria Nunoz
Maria Villa Gomez
Rafael Andrade
Blanca Santa Cruz
Luis Trujillo
Luis Granados
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Madeline Harris
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Jovana Morales-Tilgren
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