



Natural Hazard Mitigation Association

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NHMA Comments RE: Intent to Prepare an Environmental Impact Statement

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The Natural Hazard Mitigation Association (NHMA), and its membership, would like to offer the following comments regarding the Notice of Intent to Prepare an Environmental Impact Statement (EIS). These comments provide a brief overview only, and we would like to request an additional 45 days in which to expand upon the comments below. We make this request based upon the recent passage of the NFIP Reauthorization Bill as well as the fact that the NHMA Annual Practitioners Workshop is taking place at this time.

1. Take credit for success!

The EIS should very much note the tremendous success of the NFIP in reducing damages, protecting the environment and encouraging the development of zoning, building codes, and a whole new profession which can serve as a base for lessening the risks from flood and other hazards too. Studies have shown the extent to which the program has provided a cost savings to the American taxpayer.

2. We support this effort and offer our assistance

We very much support FEMA's initiative in conducting this review of the NFIP. In the time since the last comprehensive EIS on the NFIP there have been many changes in the art and science of floodplain H&H, in the accessibility and desirability of the especially hazardous areas of floodplains [e.g. roads, more sewer systems making areas prone to development; clean water act successes making areas near water more desirable, etc.]

NHMA stands ready to help in a variety of ways. NHMA has a broad membership which includes practitioners at the grassroots, and which stands ready to provide feedback at any time. We also offer to host discussion sessions or serve in an advisory role to the EIS.

The Natural Hazard Mitigation Association (NHMA) promotes hazard mitigation and the reduction of risk. This is accomplished through the following goals: creation of a forum for professional to share their ideas and experiences, establishing hazard mitigation as a profession in its own right, functioning as a professional and unified voice for hazard mitigation managers in the public marketplace for ideas and the political arena, achieving greater awareness of the social component of hazard mitigation decisions, developing more effective mitigation programs which benefit the community as a whole and ingrain mitigation as part of societies culture. Membership is open to anyone interested in supporting the goal of reducing disaster losses including mitigation managers, experts, professionals, students, government officials, community activists, academics, and others who are working in the field of hazard mitigation.

3. Existing challenges, proposed solutions and alternatives

The alternatives selected to the NFIP should be greatly expanded to include possible improvements which will solve the existing problems and challenges, and support the fundamental principles guiding the FEMA process of considering reform of the NFIP:

"The NFIP Reform Guiding Principles:

- Protect lives, property, and environmental and cultural assets
- Motivate people to voluntarily participate in reducing society's risk
- Make the best use of public resources
- Ensure selection of an adoptable and sustainable policy
- Consider notions of equity with regard to risk and socioeconomic status
- Recognize and consider the governance and responsibility of states, communities and tribes as a means to achieve sustainability and resiliency"

A. Fill:

Consideration should be given to not permitting anyone to fill their way out of the SFHA. This should include not permitting any fill in floodplains unless there is compensatory mitigation. This will help with ESA issues too.

B. Floodways:

The entire concept of a 'floodway' should be reconsidered, as it is well documented that fill outside the SFHA, fill in the SFHA and changes in the watershed due to improper development techniques which treat water as garbage can increase flood heights vastly more than 1 foot. No Adverse Impact is an excellent model which can be used to further this objective.

C. Higher Standards:

Due to uncertainty due to H&H modeling limitations, climate variability, and changes in watersheds consideration should be given to requiring that all buildings be built with freeboard. In particular, consideration should be given to having all critical facilities constructed to a minimum of a 500 year flood level.

Safe and proper construction is critical to reducing the annual flood damages in the United States, along with the accompanying economic impacts and human misery. Consider a study to more accurately measure the payback for safe and proper construction from the beginning. This should include not just the losses averted in terms of structural damages, but also the savings in terms of a reduced need for assistance from first responders, reduced business interruption, etc.

Consider further study into the impact of applying residual risk requirements landward of levees.

D. Mapping:

Considering the uncertainty described above, we would support the integration of future conditions and residual risk in floodplain management and mapping. Mapping should also account for historical and predicted channel and shoreline movement and erosion.

The actual impact of RiskMAP implementation should be studied. In particular, how has RiskMAP impacted the local understanding of risk and reduced the externalization of the risks of improper development.

A question which needs to be considered is “What is the optimal level of funding for mapping, RiskMAP, and other related efforts?”

Consider allow further gradation of risk on the maps, with concurrent modification to rates and standards based upon the level of risk.

E. Natural and Beneficial Functions:

The actual level of protection afforded by natural systems has not been adequately studied.

Consider the inclusion of impacts to endangered and threatened species when accounting for the impacts of floodplain development on natural and beneficial functions.

F. Hazard Mitigation:

Encourage a broader range of mitigation and retrofitting measures. A homeowner subject of shallow flooding appears to have only the options of a buyout or elevation, other measures are feasible and more economical.

Continue to support mitigation grant programs, such as FMA, SRL and RFC which provide a funding mechanism for mitigation at the local level.

The insurance industry is in a position to support and encourage hazard mitigation, as well as the purchase of flood insurance. Mandate a larger mitigation role for the insurance industry, in particular adjusters.

G. Mandatory Purchase of Flood insurance:

Due to the awful misery endured by individuals who should have been required to purchase flood insurance and were not, FEMA should consider an alternative of conducting post disaster audits of mandatory purchase requirements. Such audits were conducted following selected disasters in the 1980's and 1990's and were very effective in encouraging lender compliance. It was documented that in the aftermath of Hurricane Bob on the New England coast the most costly forms of Stafford Act Individual Assistance were not required. Such encouragement helps fulfill the FEMA principles of NFIP reform. In addition FEMA should, in the alternatives section of the EIS, consider regulatory of legislative initiation of a private right of action by the afflicted borrower against lenders who do not comply with the mandatory purchase provisions of the NFIP. Additional mechanisms to support flood insurance mandatory purchase could also be included in alternatives to be considered including making flood insurance deductible from federal and state income taxes.

H. Risk Communication:

FEMA Flood Insurance Rate Maps are widely used for purposes well beyond insurance rating. The maps are a form of risk communication: one side "floodplain," one side "safe" from flooding. The EIS should look at this phenomenon and at ways FEMA can do a better job of communicating residual risk, uncertainty due to modeling limitations, upstream development, wildfires, levee failure/overtopping, climate variability and sea level rise.

Special consideration in the EIS should be given to methods FEMA can use to communicate residual risk for levees, dams and other facilities whose failure can result in devastating losses, many times to areas outside SFHAs.

Special consideration in the EIS should also be given to methods FEMA can use to communicate residual risk for watersheds where the nature of the true flood risk has changed due to situations such as wildfires or droughts such that devastating losses may take place both within the SFHA and in areas outside SFHAs.

I. Repetitive Loss:

Consider the completion of a National Repetitive Flood Loss Strategy to include consideration of the following:

- Challenges with data management related to the RL list.
- SRL properties which cannot pass a BC for mitigation purposes

J. External Linkages

Consider the linkage between the NFIP and other hazard reduction efforts, both federal and other, as well as other water resource initiatives including efforts at Integrated Water Management, and Storm Water Master Planning.

The EIS should lay out ways in which the NFIP can better support wetland protection, the Clean Water Act, wildfire protection, reduction of levee dam, earthquake and other natural hazard risk reduction measures.

k. Voluntary efforts to reduce flood loss as well as Substantial damage and substantial improvement.

Consideration should be given to promoting the entire Patchwork Quilt of programs available to support building owner efforts to reduce flood risk. This effort will require considerable training and development of materials to reach out to communities homeowners and all building owners.

4. Conclusion

NHMA appreciates the opportunity to provide these comments and we hope to be able to provide assistance as FEMA moves forward with the EIS process. Please contact NHMA President, Ed Thomas or NHMA Executive Director, Alessandra Jerolleman at nathazma@gmail.com or 504-914-6648.

Regards,



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