Flood Mitigation Post-Disaster

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Introduce Yourself

- Name
- Community
- What do you hope to come away with at the end of this course?
- Have you been through a disaster?
Ground Rules

- Participate
- One person speaks at a time
- All input is honored—no one is trashed
- This is a safe room—what’s said here stays here
- Tell us right away about problems we can fix
Module Objectives

- Describe elements of pre-disaster planning
- Identify contents of a post-disaster SOP
- Outline post-disaster actions
- Describe compliance methods
- List funding sources for post-disaster assistance
Module Topics

- Introduction to Pre- and Post-Disaster Planning
- Planning for Post-Disaster Operations
- Post-Disaster Operations
- Funding Sources
Importance of Planning

Why are pre- and post-disaster planning important?
Disaster Command System

- Locations
  - Local Emergency Operations Center (EOC)
  - State EOC
- If Presidentially declared disaster, Joint Field Office (JFO)
Potential Post-Disaster Duties

- Critical needs duties
  - Life/safety and urgent needs
  - Serving as a resource to other divisions

- Floodplain management duties
  - Substantial damage/repetitive loss
  - Coordinate collection of high water marks
  - Permit repair/reconstruction
  - Provide flood insurance/ICC information
  - Promote higher standards
NFIP Quid Pro Quo

- Prior to the NFIP, few private insurance companies offered flood insurance coverage.
- NFIP offers coverage that would otherwise be unavailable and unaffordable to communities that adopt flood risk reduction measures.
- NFIP participating communities have local flood damage prevention ordinances to reduce future risks in designated flood hazard areas to:
  - New construction
  - Substantially improved and substantially damaged existing structures
Calculating Repair Costs

- * Job Aid 1, Estimating Repair/Improvement Cost
- Note detailed information on estimating repair costs and determining market value
Lowering the Threshold for Substantial Improvement/Substantial Damage

- Change ordinance to go beyond NFIP minimum:
  - 33% cumulative loss (not 50%)
  - Two events with total of 25% damage = substantial damage (not 50%)
- Proactive approach brings building into compliance sooner
- Higher standards = CRS credit
- ICC will be available if there is a repetitive flood loss provision
Adopting Higher Regulatory Standards - Convincing the Community

- There may be resistance
- Be prepared with clear and convincing messages
- Scale substantial damage strategies to the disaster
- Pre-disaster planning is critical for success
Identify Key Players

Who are the key players in planning post-disaster operations?
Staffing Needs for Building Damage Assessment

- Qualified building officials
- Personnel with construction expertise
- Other possible staffing sources
  - GAFM
  - Local professional engineer chapters
  - Local professional land surveyor chapters
  - Building officials from non-impacted areas
Identify Pre- and Post-FIRM Structures

Focus and prioritize resources by:

- Utilizing technology (GIS, GPS, Permit System, network database, public web site)
- Complementing risk assessment development/update for the Mitigation plan to help prioritize mitigation strategies
Pays for direct flood damage to insured property

Provides ICC coverage to mitigate flood substantial damage

- Up to $30,000
- Use to floodproof non-residential structures, relocate, elevate or demolish
- Must be located in SFHA
- Must bring building into compliance with local flood ordinance
Repetitive Flood Loss Program

The community will have to deal with damage from:

- A significant flood event that produces substantial damage, or
- A lesser flood event that damages repetitive loss structures
Repetitive Flood Loss Structure

- Building has suffered two or more flood losses in a specified time period
- Different repetitive flood loss definitions for different programs
- Identify repetitive flood loss structures
- Identify structures that have had one loss and that will be repetitive flood loss structures after the next flood
Increased Cost of Compliance

**If:** Floodplain ordinance requires elevation or retrofit if substantially damaged

**Then:** ICC coverage under SFIP will pay for:

- Up to $30,000 to cover cost of compliance with community flood ordinance
Post-Disaster Standard Operating Procedure (SOP)

- Develop a post-disaster SOP
- Priority 1 Inspection Teams under the Post-Disaster
- This SOP is a tool for assessment teams to use following a disaster
- Team purpose: Triage heavily damaged areas
SOP Activation: Examples

May be triggered by:

- NOAA alerts (tropical storm warnings, etc.)
- River stages
- EOC notification
- Decision by the CEO
SOP Provisions

- Upon activation, begin team preparations such as:
  - Changing batteries
  - Fueling cars
- Describe an “All-Clear” signal allowing staff to go into the field
Inspection Team Safety is a Priority

- Priority 1 Inspection Teams under the Post-Disaster
- Review the personal safety guidelines
- Review the instructions on using Personal Protective Equipment
Building Codes and Substantial Damage

- “NFIP Through the IBC/IRC”
- Substantial damage in the building code has a different enabling authority

Process:
- Building official makes a “finding” of substantial damage
- Property owner who objects can appeal “finding” via established appeals board process
Post-Disaster Operations

- Deploy into the local EOC
- Implement the SOP: Conduct initial sweeps
- Disseminate information
- Conduct detailed Substantial Damage Inspection
- Issue Substantial Damage Declarations
Post-Disaster Operations (Continued)

- Post red/yellow/green tags on structures
- Conduct permitting and documentation activities
- Ensure compliance/resolve cases
- Activate any mutual aid agreements
Initial Damage Assessment and Building Safety Survey

- When should initial sweeps be done?
- What information should be collected?
- How will the information be used?
- What safety precautions should workers follow in the affected areas?
Disseminating Information

- Media news release
- Letters to homeowners: floodplain development permits needed
- “How To Hire a Contractor” flyers, Contractors Association, and Better Business Bureau information
- Warnings regarding unscrupulous and unlicensed contractors
Sample Media Release

- Develop draft media release template
- Insert specific community information into the template
- Identify local media outlets who would receive the media release
- Post on community website

NEWS RELEASE
FOR IMMEDIATE RELEASE – July 18, 2005

Homeowners beware: Monsoons breed home repair scams

FEMA urges Arizonans to do their homework before hiring a contractor.
“How To Hire a Contractor”

- State and local communities develop flyers on “How to Hire a Contractor”
- Insert specific State and community information into this template
- Distribute and post on community website
Using the RSDE/SDE

- The RSDE/SDE provides a step-by-step guide to assess damage to a structure
- Use RSDE/SDE for structures in the “gray area,” not for minor damage or obvious destruction
- RSDE/SDE training available
- Assistance for RSDE/SDE data collection often is available after a disaster
Your Experiences With RSDE

- Have you taken RSDE training?
- Have you used RSDE in your community?
- How would you describe RSDE based on your experience?
Insurance Claim Loss Reports

- Flood loss information can facilitate the Substantial Damage evaluation
- Information may include replacement costs, dimensions, quantities, materials, and unit costs
- The NFIP policyholder must provide the claim loss report voluntarily
Substantial Damage Declarations

- What are alternate methods of delivering substantial damage notices to property owners?

- Provide outreach and assistance materials.
  - “Answers to Questions About Substantial Damage”
  - “Repairing Your Flooded Home”
  - Essential contact information
Include in Contact Information

- FEMA registration information
- American Red Cross contact information
- Contact information for community officials
- Location of Disaster Recovery Centers
- Community Relations cards/handouts
Property Owner Appeals/Protests

- How many times will you go back and forth on the substantial damage determination with the property owner?
- Do you have procedures to deal with property owner appeals/protests?
- Do you have an appeals process?
Color-Coded Posting System

- Adopt a color-coded posting system
- Note that signs are available from the International Code Council (ICC).
- Green = safe for occupancy/repair permits required
- Yellow = may be occupied after repairs/repair permits required
- Red = unsafe to occupy/repair permits required
Tracking Damaged Structures

- If your ordinance has a cumulative substantial damage clause, tracking damage is required.
- All substantially damaged structures need to be tracked for compliance with the flood ordinance.
- Keep digital files and backup data, because an event could damage your records.
Community Documentation

- Keep a paper trail on each damaged structure
- Keep the property owner informed
- Maintain records
  - Substantial damage calculations
  - Permits to repair damage
  - Elevation Certificate showing compliant lowest floor elevation
  - Building plans showing elevation, demolition, and rebuilds
Failure To Resolve: Community Options

- Make a declaration of “unsafe”
- Withhold Certificate of Occupancy or Certificate of Compliance
- Work with utilities to block power restoration
- Put a hold on construction plans
Property Owner Financial Issues

- The property owner may be willing to comply, but is financially unable
- The property owner may be forced to abandon the building
Property Owner Refusal To Comply

- Refer the matter to community attorney for legal action
- Implement penalty clause in flood ordinance
- Request a Section 1316 Declaration
Section 1316 of the National Flood Insurance Act of 1968

"No new flood insurance coverage shall be provided under this title for any property which the Administrator finds has been declared by a duly constituted body, to be in violation of State or local laws, regulations, or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas."
Section 1316 Declaration

Includes:

- Name and address of property owner
- Description of property
- Cited declaration of violation
- Statement of authority
- Notice of violation
- Evidence of adherence to Section 1316
Sample Section 1316 Declaration

As authorized by (the specific enforcement provisions) of (the local floodplain management regulations title), as (community official's title) of (community name), I hereby declare the structure(s) listed below to be in violation of the (local floodplain management regulations title) which is intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

The (community name), therefore, requests that FEMA deny the availability of flood insurance coverage to the following structure(s) pursuant to the provisions of Section 1316 of the National Flood Insurance Act of 1968, as amended:

<table>
<thead>
<tr>
<th>Owner/Property Address</th>
<th>Type of Structure</th>
<th>Violation Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Name)</td>
<td>(Structure type; e.g.,</td>
<td>(Clear description of</td>
</tr>
<tr>
<td>(Complete Address)</td>
<td>residence in Zone A-12)</td>
<td>the violation in</td>
</tr>
<tr>
<td>(Community and State name)</td>
<td>(Zip Code)</td>
<td>relation to the specific</td>
</tr>
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<td></td>
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<td>enforcement provisions</td>
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<td></td>
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<td>of the local floodplain</td>
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<tr>
<td></td>
<td></td>
<td>management regulations).</td>
</tr>
</tbody>
</table>

(date) (Signed) (Community Official's Title)

cc: (Property Owner)
Effects of Section 1316 Declaration

- Non-availability of flood insurance for structure through the NFIP
- Possible reduction of market value
- Risk of damage with no compensation
- Possible mortgage foreclosure
- Denial of disaster assistance for repair of structural damage
Grant Funding

- Some grants require the local government to apply for and disburse funds to property owners.

- The local or State hazard mitigation planning group must review and approve all projects seeking Federal grants.

- A benefit/cost analysis is key for obtaining mitigation project funding.
Funding Related to Substantial Damage

- Hazard Mitigation Grant Program (HMGP)
- Flood Mitigation Assistance Program (FMA)
- Pre-Disaster Mitigation Program (PDM)
- Increased Cost of Compliance (ICC)
- Public Assistance (PA)
- Individual Assistance (IA)
- Small Business Administration (SBA) loans
Hazard Mitigation Grant Program (HMGP)

- Federal grant following Presidential disaster declaration (amount = % of disaster costs)
- Cost share = 75% Federal, 25% local (local can be State and local share)
- Eligibility: Political entities, certain nonprofits
- Can be used to:
  - Elevate, retrofit, or demolish/rebuild residential/nonresidential structures
  - Floodproof nonresidential structures
Flood Mitigation Assistance (FMA)

- Insured or insurable properties
- Annual grant program administered by the State
- For flood mitigation projects, including retrofit, elevation, demolition/rebuild
- Cost share = 75% Federal, 25% local (local can allow resident to pay the match for planning grants)
Pre-Disaster Mitigation (PDM)

- Competitive annual Federal grant program
- Cost share = 75% Federal, 25% local (local can be State and local share)
- Eligibility: Political entities, certain nonprofits
- Can be used to elevate, retrofit, or demolish/rebuild buildings
Increased Cost of Compliance (ICC)

- NFIP policy coverage to offset the increased cost of complying with substantial damage requirements of the flood ordinance
- Insured structure must be declared substantially damaged by flooding
- Limit up to $30,000
- Use as non-federal match
- 4 years to complete the project
FEMA’s Public Assistance Program

- Federal grant following Presidential disaster declaration
- Amount determined by documented damage to infrastructure, public buildings
- Extra funding available to mitigate future disasters by improving infrastructure
- Cost share = 75% Federal, 25% non-Federal (non-Federal can be State and other non-Federal share)
FEMA’s Individual Assistance Program

- Federal grants to individuals following Presidential disaster declaration.
- Includes housing damage inspections and occasionally includes minor funding to repair damaged homes.
- Program priority: Issue checks quickly.
- FPM: Prepare to identify and stop non-permitted repairs in the SFHA.
SBA Loans

- Become available after federally declared disasters
- Low-interest loans to businesses and residents
- Provides funding for repairs, including compliance with applicable codes
- If flood damaged, flood insurance required regardless of flood zone
Other Funding Sources

- The Catalog of Federal Domestic Assistance (CFDA) contains descriptions of all Federal grant programs
- State funding sources
Other Important Information

FEMA website – www.fema.gov

Flood Insurance information – www.floodsmart.gov

FEMA publications – 1-800-480-2520

FEMA Map Assistance Center – 1-877-FEMA-MAP (1-877-336-2627)
Questions?
Contact

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