Resolution on Post Flood Mitigation Opportunities

Whereas, after a flood there is a well recognized window of opportunity to initiate activities to mitigate against future losses from the next disaster that will hit a community. This is a unique time because of the following factors:

a. A disaster can bring experts from various federal, state, and regional agencies and fields together to focus their attention on the community and its flood problems.

b. The residents and elected officials will be more willing to spend time on the community’s flood problems and try some new solutions.

c. Incorporating some mitigation measures is easier and more effective during repairs and reconstruction.

d. It may be relatively easy to acquire and clear heavily damaged structures and redevelop the vacated hazard-prone area as a community asset.

e. If a federal disaster declaration is made, several programs will make more money available to implement mitigation measures.

Whereas, it can be difficult to take advantage of this window of opportunity for the following reasons:

a. People want to get back to normal as quickly as possible. “Normal” to most people means just the way they were before the disaster, i.e., exposed to a repeat of the problem.

b. Property owners are not familiar with the possible mitigation opportunities or that they can and should take steps to protect themselves from the next disaster.

c. Once people are back to “normal” they resist changes to their properties that mitigation activities such as acquisition and retro-fitting require.

d. The cost of some mitigation measures is much higher after buildings are repaired: plus there is an added concern of and the administrative nightmare of the duplication of benefits.

e. Often local officials may not be familiar with the possible mitigation opportunities or even with the basic regulations that govern reconstruction of flood damaged building; or their ordinance may not meet the current NFIP requirements related to substantial damage or improvement.
f. In a misguided effort to help those people affected by a disaster, elected officials at all levels of government often encourage only those activities resulting in reconstruction to pre-flood conditions, leaving citizens at risk to future flooding.

Whereas, while the Federal Emergency Management Agency (FEMA) and the states are now better prepared and better funded to implement mitigation programs before and after a disaster, there are still certain post-disaster practices that run counter to needed post-flood mitigation activities, including:

a. There are often too few FEMA and state floodplain and emergency management staff available to implement an effective post-disaster mitigation program. Emergency Management staff often have extra duties during a disaster and floodplain management offices are already understaffed. A trained reserve, mutual aid arrangement, and other augmentation measures (emergency management compact) are needed.

b. Local officials responsible for regulation reconstruction are not fully trained in their responsibilities and are not provided with all of the available information that would help them fulfill their responsibilities. Specifically, data on building damages collected by insurance adjusters and disaster assistance staff are not provided to the local officials in a timely manner.

c. Some disaster assistance programs encourage the return to “normal” without regard to the need to follow reconstruction requirements or consider mitigation alternatives. The Limited Home Repair and Individual and Family Grant programs and flood insurance claims system are all administered with the aim of providing reconstruction funds as quickly as possible. The money is often provided with little or no regard for the substantial damage regulations or information about local permit requirements and mitigation measures that should be considered.

d. There is a tendency to promote acquisition and the Hazard Mitigation Grant Program (HMGP) as the major (if not the only) mitigation effort. While acquisition is a permanent approach to flood hazard mitigation, this effort can result in:

i. Diminishing FEMA and state mitigation staff resources from the vital job of requiring and assisting local reconstruction regulations;

ii. Focusing only on the worst hit areas, omitting attention from mitigation measures that could help the rest of the flooded areas. Often the amount of funds can only help a small part of the worst hit areas, resulting in no mitigation activities to help a number of the flooded properties, and,

iii. Other mitigation options, many which many be more appropriate, may not be considered.

Whereas, the best post-disaster mitigation measures are those that are (a) appropriate for the situation, (b) complementary and mutually supportive, rather than single solution approaches, (c) supported by the community and residents, and (d) affordable. To identify such measures and gain the needed support and funding for them requires a locally led planning process. While some
FEMA programs support such planning (e.g., the Community Rating System and Flood Mitigation Assistance), post-disaster activities seldom do. For example:

a. Some disaster assistance programs provide some funds so quickly, there is not time or encouragement to plan for the proper reuse of damaged areas or consideration of mitigation alternatives.

b. The focus on acquisition and the current HMGP funding requirements do not encourage comprehensive mitigation planning, as envisioned by FEMA’s “Project Impact” program. The federal guidance has been seen as “buy now, plan later.” Many of the resulting plans have therefore been paperwork exercises completed to fulfill someone else’s funding requirement. They have not been seen by local officials as useful tools to better protect themselves form the next disaster or to solve multiple community hazard concern or other community problems.

c. While FEMA’s leaders support mitigation programs and planning, they and other federal officials could place more emphasis on the subject during a disaster. While public statements generally focus on promises of complete and hurried federal help, encouragement must also be provided to think and plan before letting everything go back to “normal.”

Whereas, this Association recognized that FEMA has made great strides in mitigation programs over the last ten years, there is still much that can be done in order to reduce the cost of floods and the next disaster. Just as effective mitigation is a cooperative effort, resolving these concerns requires a concerted and cooperative effort by FEMA, the state, and other agencies.

Now therefore, be it resolved by this Association that;

2. It is the ASFPM Position that:

a. The single most important flood hazard mitigation activity is compliance and effective enforcement of floodplain management regulations. Monitoring and assisting communities in such work should be a prime effort before and after a disaster. After a disaster this must be done as quickly as possible, before at-risk construction or violations are allowed to occur.

b. There are many ways to mitigate against future flood losses. No person or community should focus on only one approach. They should be encouraged to look at the full range of strategies and measures and select all of those that will help reduce current and future flood losses along with other community hazards in order to produce disaster resistant communities.

c. The best mitigation program is one that is supported by local officials, the private sector and the public, that utilizes all possible public and private resources, and that protects the natural and beneficial functions of the floodplain. A locally led multi-objective management planning process is the best way to develop such a program.

d. Floodplain managers and mitigation staff need to seize every opportunity to promote and implement mitigation activities. After a disaster can be the most productive time to change attitudes, modify flood-prone properties, and start new effective disaster resistant
programs. It is vital that we do all we can to take advantage of the post-flood window of opportunity.

e. There are numerous flood hazard mitigation programs and many more federal, state, and private programs that can support or run counter to disaster resistant efforts. We owe it to the nation’s taxpayers and floodplain residents to make the most of these programs and ensure that they are mutually supportive.

2. The Association supports all measures that can improve post-disaster operations and activities so that they better support local regulations and mitigation planning. Such measures should be implemented at both the state and federal level. We invite the Federal Emergency Management Agency, the National Emergency Management Association (NEMA), along with other agencies and organizations and the private sector, to join in a collaborative effort to implement the following:

   a. A review of current procedures to identify specific programs, regulations and procedures that support or impede post-disaster mitigation.

   b. A report that reviews new approaches, such as FEMA’s latest substantial damage determination software, case studies of successful operations, and relevant research.

   c. A mechanism for FEMA to provide immediate assistance to communities in developing a comprehensive community recovery and redevelopment plan to direct post-disaster funding and actions.

   d. Preparation of a list of regulatory and statutory changes that may be needed to improve post-disaster mitigation.

   e. Development of a memorandum of understanding on the conduct of post-disaster mitigation activities and the appropriate roles for FEMA, state floodplain managers and state emergency management agencies.

   f. Preparation of a post-disaster mitigation guide for federal, state, and local officials.

   g. Preparation of training modules on post-disaster regulations and mitigation planning that can be field deployed quickly during or after a disaster.

   h. Conducting one or more pilot projects to evaluate a rapid regulatory / mitigation assistance program based on the tenets espoused in this resolution.

3. The Association pledges to support these efforts. We will pursue them at appropriate meetings with FEMA, NEMA, and others. We will promote them among our members responsible for post-disaster operations and mitigation.

   Adopted by the Board of Directors this 16th Day of December, 1997