

26 April Interagency TF Meeting to discuss recommendations

2 May Completion of First Draft of Report

2-6 May Circulation, for comment, on close-hold basis to selected agencies

10-17 May Circulation of Draft Report, for comment, to interested agencies, Members of Congress, and public groups

18-31 May Consideration of Comments; Preparation of Final Report

1 June Submission of Final Report

1- 21 June Wrap-up of Committee Activities: Transition of actions to Monitor Group (to be determined)

FLOODPLAIN MANAGEMENT

Goals for the Nation

Reduce the vulnerability of the nation to the dangers and damages that result from floods.

Appropriately protect urban areas, industry and agriculture, when such protection is justified and reasonable; relocate people out of the floodplain when protection is not appropriate. Strive to eliminate threats to the lives, property, mental health and well being of floodplain occupants. Ensure the viability of critical infrastructure and the regional economy.

Preserve and enhance the natural values of the floodplain.

Treat the floodplain as part of a unified system that includes the floodplain within the larger context of a watershed. Seek to identify and enhance the cultural, historic and aesthetic values of floodplains. Restore and enhance bottomland and related upland habitat and flood storage. Using programs already authorized, over time acquire environmental interest in these lands. Ensure the consideration of social and environmental factors in all actions relating to the floodplain.

Streamline the floodplain management process.

Through improvements in the National Flood Insurance Program, Federal-State-Tribal relationships in floodplain management, and in the conduct of mitigation and disaster planning and execution, implement consistent, equitable, flexible, cost-shared and efficient programs. Ensure the collaboration of Federal, State and Tribal activities in a shared planning and decision making process. Reduce the cost to the nation of flood damages.

Capitalize on technology to provide information required to manage the floodplain

Provide timely and accurate information to assist in identification of hazards, determination of impacts of proposed actions, and development of a temporal and spatial basis for determining long term action strategies. Leverage the strength of geographic information systems.

NOT FOR ATTRIBUTION, QUOTATION OR RELEASE

FLOODPLAIN MANAGEMENT

REPORT OUTLINE

TOPIC	GRAPHIC	ATTACHMENT
EXECUTIVE SUMMARY		
A. PREFACE/INTRODUCTION		
There are many good news stories		List of comtee
Flood control structures worked		members & activities
Recovery ops were demo of caring		
Quote-Gov Branstadt		
Why so many damages/		
Big flood		
Failures/overtopping		
In wrong place-inadeq protect (hwy/rr)		
Did not appreciate possibilities of flood		
B. THE FLOOD		
I. THE FLOOD OF 1993		
Background		Photos
The Mississippi Basin		Basin map
Topography		
History of development		
Agriculture-wetlands-swamps		
Flood control, navigation		
Antecedent conditions		
Rainfall		Rainfall map
River Flow		Flow map
Post-mortem: what was the '93 event		

TOPIC	GRAPHIC	ATTACHMENT
II. IMPACTS OF THE FLOOD		
Summary	County map	
Demographics of the region	Charts	
Recorded damages		
Recovery costs		
Agriculture	County maps	
Individual	County maps	
Public	County maps	
NGO expenditures (Red Cross etc.)		
Misc costs(tax loss; business loss, etc)		
Non-quantifiable costs (health, trauma, ecosystem, environmental, habitat-forest kill in UMR, potential productivity loss, sand, historic/arch (ND),etc)	Photo of sand, homes	
Beneficial effects -environmental flushing		
Future losses; disease?		
III IMPACTS OF HUMAN INTERVENTION		
The issue: better or worse?		
The history of upland and bottomland wetland loss		
19th Century; swamp lands acts, development	Map	Reuss?
20th Century incl development, flood control and navigation	Map	
SIDEBAR: Economic attractiveness of floodplain use (ag and urban)		
Habitat loss to erosion and sedimentation		
Impacts of wetland loss		
Relation of wetland storage to flood events	Graph;Q vs Area	SAST Paper
Impacts on 1993 event		
Role of upland treatment	Photo	Paper
Impact of levees and reservoirs on floods		
1993 conditions with and without levees (would they have made a crop anyway?)	Chart	SAST/Team Paper
Role of reservoirs		
Impacts of navigation	Paper	
Damages prevented by flood control works		
Impacts of NFIP induced land use controls	Graph pre-Firm losses v time	
SIDEBAR: Good example community w/ controls? (Austin MN)		

IV FUTURE FLOOD POTENTIAL

What is an event: 100yr flood etc

SIDEBAR: MARBLES (1/100; MAYBE 2 OR 3)

The potential for floods in the future

The hydrologic record -risk and uncertainty

The potential for damages in the future

SIDEBAR: Climate change

The residual risks for those in the floodplain and behind levees

C A VISION FOR THE MANAGEMENT OF THE FLOODPLAIN

Where we are

Flood damages increasing?

Habitat being lost

Disincentives in the system

Lack of Individual/corporate responsibility

External costs and opportunities

SIDEBAR: The Moral Hazard of Government Actions

Defining the vision

State and local input

The National Assessment

A vision for the floodplain

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D. SOLVING TODAY'S PROBLEMS AND MOVING TOWARDS THE VISION

I. INTRODUCTION AND GENERAL DISCUSSION

The overpowering Federal role

Disincentives

 If tightly regulate-no losses/no upgrade; if not -get help

 If buyout on own - others get more

 Why don't people share risk; no need - feds back-up

Unfunded mandates

Linking the present and the future

Organization of discussion

II. ORGANIZE THE FLOODPLAIN MANAGEMENT EFFORT FOR SUCCESS

Clearly define and structure Federal/State/Local responsibilities

R: Propose a Floodplain Management Act; Define Federal state relationships; states as FPM

SIDEBAR: Differences among states in management activity (Table)

Improve Federal coordination and Federal-state coordination

R: Establish a WRC for all water resources; add FEMA,EPA,FERC

Ensure state/local stake in activities

R: Retain cost sharing for mitigation and disaster recovery

R: Provide incentives for local insuring in private market

SIDEBAR: use of private insurance

R: Limit amount of public assistance given to non-NFIP communities

R: Use loans vs disaster pay for infra upgrades

Set a Federal example for actions in the floodplain

Federal compliance with EO 11988,11990

SIDEBAR: Lincoln NE

SIDEBAR: Real Estate Leases on the Mississippi

R: Reissue EO 11988/ support EO11990; establish WRC Oversight

R: Seek Congressional reversal; Direct USACE action on leases/ FEMA reconsider Insurance particp

Support State activities

R: Fund Fed provision of tech support

R: Require under EO11988(R) Federal compliance with state FPM

Limit disaster declarations

Facts: Disasters declared and costs

SIDEBAR: Impact of Disaster Declarations on the Federal Budget

R: Review:set thresholds

III. DEAL WITH THE MISSISSIPPI/MISSOURI BASINS ON AN INTEGRATED HYDROLOGIC SYSTEM, HYDRAULIC SYSTEMS AND ECOSYSTEM BASIS

Deal with the Mississippi Basin
system as a whole

- R: Establish a Fed-State UMRBC and MoRBC for macro planning
- R: Extend MRC or establish UMRC/B for operational activity
 - Develop a systematic flood control strategy for the UMR&T
 - Plan and execute flood control, navigation and environmental projects
 - Include Federal/State collaboration

SIDEBAR: Whose Levee Anyway?

IV. SUPPORT WATERSHED PLANNING AND DEVELOPMENT

Eliminate disincentives and create incentives to upland treatment

- R: Combine/coordinate multiple watershed programs under USDA lead
- R: Address lands coming out of CRP in Farm Bill

V. REDUCE THE RISK TO THOSE CURRENTLY IN THE FLOODPLAIN

General

If at risk, help pay costs of risk reduction

Redefine the standards for Federal protection

- R: Urban-project flood
 - Non-urban critical infrastructure - 500yr
 - Rural/Infrastructure/Ag - case by case
 - Ag only - 10-15yr

Protect critical infrastructure

SIDEBAR: Loss of Waste Treatment Plants; Railroads; Roads

- R: Define critical infrastructure
- R: Feds require protection for supported programs
- R: Provide/determine need for protection to new standards
- R: FEMA/States enforce protection/avoidance of haz/tox dangers

Ensure the integrity of Federally supported flood control systems; provide for appropriate level of protection, program of maintenance and rehabilitation with attendant environmental considerations

- R: Seek authority to group Federally-constructed and Federally supported levees in projects for maintenance, rehab and environmental enhancement; Require conformance with Corps standards and cost-share in rehabilitation and major maintenance. Review existing MS,MO,IL levees under USACE FPMA
- R: Set standards among agencies
- R: Restrict levee activity to COE

SIDEBAR: Navigation Levees

Maintain the viability of bottomland agriculture while enhancing flood storage and ecosystem development

SIDEBAR: The Economics of Floodplain Agriculture **Manale Report**

- R: Link non-federal levee repair to height control; storage easement

Establish Federal-state-local relationship in operation of flood control structures

- R: Require Federal government to deal with locals with or thru states

Better coordinate flood fighting activities

- R: Control flood fight thru advanced planning; tie to local agreements

VI. FOCUS ATTENTION ON COMPREHENSIVE EVALUATION OF THE IMPACTS OF FEDERAL WATER ACTIONS

Provide balanced focus in guidelines for environment and social impacts and structural vs non-structural approaches

- R: Propose new objective for P&G -publish ASAP; Revise thru TF effort
- R: Expand P&G to all Fed agencies
- R: Establish uniform cost sharing

Develop coordinated, multi-agency approach to ecosystem based planning

- R: Require major studies to be 'collaborative'; apply to USACE FPMA
- R: Conduct studies in ecosystem context
- R: Increase funding for USACE GI to support collaborative efforts

Develop basis for quantification and assessment of environmental and social impacts

- R: Establish a multi-agency research program (NAS research program) under CEQ leadership

Encourage use of programmatic NEPA documents in planning process

R: CEQ sponsor workshops on programmatic application of NEPA

Establish periodic reevaluation of Federal water projects

R: Establish procedure for periodic reevaluation of O&M and integrity

VII. LEVERAGE EXISTING FEDERAL PROGRAMS TO PROTECT AND ENHANCE THE ENVIRONMENT AND INCREASE NATURAL STORAGE

IG

Better coordinate Federal efforts in land acquisition

SIDEBAR: Multiple Agencies After the Same Land -MO

SIDEBAR: Use of NGOs

R: Establish single agency as land interest acquisition coordinator/clearer

R: Give management of lands to states/DOI

Provide better focus in acquisition

R: Focus on problem reaches of rivers (poor history/habitat value)

Improve flexibility in and use of existing authorities

R: Fund programmatic use of existing authorities

R: Seek legislative authority for flex (PL84-99 like authorities)

Increase environmental attention in Federal O&M, construction and restoration

SIDEBAR: Rec vs. Nav impacts (MN)

R: Require agencies to co-fund ecosystem management w/O&M

R: Provide report on hinge point under FPM study

R: Include environmental considerations in restoration activity
thru coordinated multi-agency effort

R: Early report in NAV study of env enhancement opportunities in Upper Miss

R: Acquire land for mitigation in parallel w/ const (no const w/o)

VIII. IMPROVE THE FEDERAL FLOOD AND CROP INSURANCE PROGRAM

How effective has the NFIP been?

the NFIP's role in reducing numbers at risk

problems in gaining effectiveness in the program

R: Affirm that insurance is preferred to disaster payments

- R: Require BFE access to all protected/floodproofed areas for participation in NFIP
- R: Provide better support to insured than uninsured
- R: Modify crop insurance to cover more of crop/losses in floodplain

Improve penetration of insurance

negative incentives

lender compliance

ID of those at risk

SIDEBAR: Lincoln NE

- R: Force state participation
- R: Penalize lack of lender compliance
- R: Escrow flood insurance payments
- R: Develop improved marketing techniques

Insure those behind levees

- R: Require actuarially-based insurance for all protected to less than project flood

Define a reasonable waiting period for insurance

- R: 15 day waiting period

SIDEBAR: Monarch Levee

Provide opportunity to replace/improve after damages

- R: Provide insurance rider for mitigation

Better define substantial/repetitive damage

- R: Decide on definition and stick to it)
- R: Add surcharge to policy following payment for flood damages

Improve accuracy and timeliness in NFIP mapping

- R: Fund mapping from Disaster Fund
- R: Use technology to get there
- R: Support use of structure-based GIS for local control
- R: Determine buildings at risk (GIS)

IX. STREAMLINE FEDERAL PRE-DISASTER, DISASTER, RECOVERY AND MITIGATION PROGRAMS**General****R: Support CRS****R: Provide for free flow of information among agencies in disaster (Privacy)****R: Increase support hazard warning and floodproofing****Increase pre-disaster planning****R: Fund state planning efforts****R: Combine hazard mitigation related efforts****Better coordinate and program buyout programs prior to and following floods****SIDEBAR: Beatrice NE, Austin MN****SIDEBAR: Multiple payments/conflicting payments****SIDEBAR: Leveraging buyouts to improve housing; Hannibal MO****SIDEBAR: Valmeyer IL****R: Establish 404 block grant for disasters; agencies assist FEMA****Gather more accurate data flood damages -****R: Establish method to track damages****Provide increased focus in recovery efforts****R: Give FEMA more authority****Provide insurance for groundwater and storm sewers related damages****R: Provide coverage for basements- not sewer-affected****Protect appropriate new development****R: Restrict new development behind levees****R: Enforce NFIP****Protect/avoid haz/toxic dangers****R; Enhance pre-disaster planning for response**

X. USE TECHNOLOGY TO GATHER AND DISSEMINATE CRITICAL WATER RESOURCES INFORMATION

Need for accessible common data base and information

Establish midwest general data base

R: Establish Federal clearinghouse IAW NPR; involve states

Establish basin-wide Hydrologic:/Flow analysis model

R: Task Corps to complete

Conduct basin ecosystem needs evaluation

R: Task DOI to complete in collaborative fashion

Increase public understanding of flood hazards

R: Develop long term public information initiative -state led/fed supported

Identify follow-on research needs

R: Define research needs; assign responsibilities

D. AN ACTION PLAN

E. THE COSTS OF THE NEW APPROACH

APPENDICES

Background of Committee

State Reports

MIDWEST FLOOD RESPONSE
10/6/93

NAMZ

ORGANIZATION

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MIDWEST FLOOD COMMUNITY
REDEVELOPMENT TASK FORCE

11/23/93

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Mike Schmidt	W#/DPC	456-7777	456-7028
Dick Krimm	FEMA	646-3692	646-4060
RAT AGRAWAL	OMB	395-4610	395-1307
Catherine Jovicich	ED	401-5931	401-2854
Del Luckow	FHWA	366-2034	-
SUSAN GASKINS	DOT/OST	366-8015	366-7951
David L. McThum	EDA	482-5265	482-0995
W. KENT LIM	SBA	482-6225	482-0995
Joseph Firschein	OMB	395-4610	395-1307
DICK KENNEDY	HUD/CPD	708-1322	
Chris Bertram	OWB	395-5707	395-4797
LITRUS HEISER	OMB	395-4610	395-1307
Margaret Shaw	OMB	395-3120	395-4639

THE HAZARD MITIGATION AND RELOCATION ASSISTANCE ACT OF 1993
(CRTEXT 11/20/93 p.S16714; 126 lines.)
Senate legislative action

[pS16714]

THE HAZARD MITIGATION AND RELOCATION
ASSISTANCE ACT OF 1993

The text of the bill (S1670) to improve hazard mitigation and relocation assistance in connection with flooding, and for other purposes, as passed by the Senate on November 19, 1993, is as follows:

S1670

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the "Hazard Mitigation and Relocation Assistance Act of 1993".

SEC. 2. HAZARD MITIGATION.

(a) FEDERAL SHARE AND TOTAL CONTRIBUTIONS.-Section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended-

(1) in the first sentence, by striking "50 percent" and inserting "75 percent"; and

(2) in the last sentence, by striking "10 percent" and all that follows through the end of the sentence and inserting "15 percent of the estimated aggregate amount of grants to be made (less any associated administrative costs) under this Act with respect to the major disaster.".

(b) APPLICABILITY.-The amendments made by this section shall apply to any major disaster declared by the President pursuant to The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after June 10, 1993.

SEC. 3. PROPERTY ACQUISITION AND RELOCATION ASSISTANCE.

Section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended-

(1) by inserting "(a) IN GENERAL.-" before "The President"; and

(2) by adding at the end the following new subsection:

"(b) PROPERTY ACQUISITION AND RELOCATION ASSISTANCE.-

"(1) GENERAL AUTHORITY.-In providing hazard mitigation assistance under this section in connection with flooding, the Director of the Federal Emergency Management Agency may provide property acquisition and relocation

assistance for projects that meet the requirements of paragraph (2).

"(2) TERMS AND CONDITIONS.-An acquisition or relocation project shall be eligible to receive assistance pursuant to paragraph (1) only if-

"(A) the applicant for the assistance is otherwise eligible to receive assistance under the hazard mitigation grant program established under subsection (a); and

"(B) on or after the date of enactment of this subsection, the applicant for the assistance enters into an agreement with the Director that provides assurances that-

"(i) any property acquired, accepted, or from which a structure will be removed pursuant to the project will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or wetlands management practices;

"(ii) no new structure will be erected on property acquired, accepted or from which a structure was removed under the acquisition or relocation program other than-

"(I) a public facility that is open on all sides and functionally related to a designated open space;

"(II) a rest room; or

"(III) a structure that the Director approves in writing before the commencement of the construction of the structure; and

"(iii) after receipt of the assistance, with respect to any property acquired, accepted or from which a structure was removed under the acquisition or relocation program-

"(I) no subsequent application for additional disaster assistance for any purpose will be made by the recipient to any Federal entity; and

"(II) no assistance referred to in subclause (I) will be provided to the applicant by any Federal source.

"(3) STATUTORY CONSTRUCTION.-Nothing in this subsection is intended to alter or otherwise affect an agreement for an acquisition or relocation project carried out pursuant to this section that was in effect on the day before the date of enactment of this subsection."

SEC. 4. TREATMENT OF REAL PROPERTY BUYOUT PROGRAMS.

(a) INAPPLICABILITY OF URA.-The purchase of any real property under a qualified buyout program shall not constitute the making of Federal financial assistance available to pay all or part of the cost of a program or project resulting in the acquisition of real property or in any owner of real property being a displaced person (within the meaning of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970).

(b) DEFINITION OF ``QUALIFIED BUYOUT PROGRAM''.-For purposes of this section, the term "qualified buyout program" means any program that-

(1) provides for the purchase of only property damaged by the major, widespread flooding in the Midwest during 1993;

(2) provides for such purchase solely as a result of such flooding;

(3) provides for such acquisition without the use of the power of eminent domain and notification to the seller that acquisition is without the use of such power;

(4) is carried out by or through a State or unit of general local government; and

(5) is being assisted with amounts made available for-

(A) disaster relief by the Federal Emergency Management Agency; or

(B) other Federal financial assistance programs.

[pS16715]

THE HAZARD MITIGATION AND RELOCATION ASSISTANCE ACT OF 1993
(CRTEXT 11/19/93 p.S16585; 128 lines.)
Senate legislative action

[pS16585]

THE HAZARD MITIGATION AND RELOCATION
ASSISTANCE ACT OF 1993

Mr. FORD. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of S1670, the Hazard Mitigation and Relocation Assistance Act of 1993; that the Senate then proceed to its immediate consideration; that the bill be deemed read three times, and passed; that the motion to reconsider be laid upon the table; and that any statements related to this measure appear in the RECORD at the appropriate place, as if given.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to considered the bill.

[pS16586]

THE HAZARD MITIGATION AND FLOOD DAMAGE REDUCTION ACT OF
1993

Mr. CHAFEE. Mr. President, I would like to ask the sponsor of the bill we are about to approve, S1670, a question about the provision entitled "Statutory Construction." This bill amends section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by, among other things, adding a new subsection (b). New paragraph (3) of subsection (b), entitled "Statutory Construction", says that new subsection (b) is not intended to alter or affect agreements entered into before enactment of this bill.

Under ordinary rules of statutory construction, the provisions of this bill would, with or without new paragraph (3), only apply to agreements entered into after enactment of this bill. Paragraph (3) appears to be superfluous and, for that reason, I am concerned that including it may have some unforeseen consequences. Could the sponsor of this bill, the Senator from Iowa, explain the need for this provision?

Mr. HARKIN. The language cited by the Senator from Rhode Island is included to make it clear that, with respect to agreements entered into prior to enactment of this bill, FEMA retains the flexibility that they now have to approve or to disapprove such agreements. Local and State entities maintain whatever rights they now have as well with respect to agreements entered into prior to enactment of this bill. With respect to agreements entered into after enactment, FEMA's discretion is limited. There are new conditions which must be applied to acquisition or relocation agreements that are entered into after enactment of this bill.

Mr. CHAFEE. So FEMA's authority under current law to reject, or to add conditions to, agreements that may have been entered into between States and local governments prior to enactment of this bill to ensure they are consistent with current Federal laws, regulations, and policy is not affected by this language?

Mr. HARKIN. That is correct. This language is designed to preserve FEMA's authority to approve such agreements, with or without conditions as allowed under current FEMA policies. For agreements entered into after enactment, FEMA will be required to impose certain conditions. The parties to the agreements maintain whatever rights they have. They gain no additional rights because of this subsection. And, FEMA loses none of its rights that it has under present law.

Mr. CHAFEE. I thank the Senator for his explanation.

THE HAZARD MITIGATION AND RELOCATION ASSISTANCE ACT

Mr. HARKIN. Madam President. I rise to thank my colleagues in the Senate for enabling the prompt passage of The Hazard Mitigation and Relocation Assistance Act, S1670 which I introduced along with Senators DANFORTH, MOSELEY-BRAUN, GRASSLEY, SIMON, and BOND. Similar legislation was proposed in the House under Congressman VOLKMER'S able leadership.

This legislation will provide additional resources to allow State and local governments with Federal support to help families whose homes are damaged in natural disasters acquire new homes that are not in flood prone areas. It will allow homeowners to receive preflood market value for their property thus allowing them to relocate.

This assistance would come through an increase in the amount of FEMA hazard mitigation funds provided to States after natural disasters like the devastating Midwest that hit last summer. The amount would be increased from 10 percent of the grants made for repair and replacement of publicly owned facilities by FEMA to 15 percent of the amount of FEMA provided grants for public and individual assistance in a State.

In addition, Mr. President, our legislation would reduce the burden to local communities by cutting the amount of the local match for the hazard mitigation funds from 50 to 25 percent. This has been included to address in the inability of hard hit States and local governments to make use of these funds.

Relocation projects approved under the legislation would only be acceptable if the local governments involved agreed that the land acquired under the program be used in perpetuity for uses appropriate for a flood plain such as a public park or a wetland. The only structures that could be built on the land acquired through the program created would be bathroom facilities, other buildings which are open on all sides or structures specifically approved by the Director of FEMA.

The legislation is not designed to impact projects which were under contract prior to this legislation.

Madam President, I am afraid without this legislation far too many families will rebuild, be flooded and then rebuild again. And, each time Federal funds will pay for some of those costs. It is far better in many circumstances to buy the housing and permanently use the land for parks or other useful public purposes.

This situation has been brought to my attention by many city officials and individual flood victims in Iowa. The need for these funds is very real. I believe that this measure will allow for a logical broadening of Federal disaster assistance. I thank my colleagues for supporting this important measure.

The bill (S1670) was deemed read the third time and passed as follows:

The text of the bill will be printed in a future edition of the RECORD.

HAZARD MITIGATION AND RELOCATION ASSISTANCE ACT OF 1993
(CRTEXT 11/20/93 p.H10329; 333 lines.)
House legislative action

Inserted text is preceded and followed by this symbol: #.

[pH10329]

HAZARD MITIGATION AND RELOCATION
ASSISTANCE ACT OF 1993

Mr. APPLEGATE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S1670) to improve hazard mitigation and relocation assistance in connection with flooding, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mr. BOEHLERT. Mr. Speaker, reserving the right to object, I will not object, but I would take advantage of this time so that our colleague, the chairman of the subcommittee, can give us an explanation of his request.

Mr. APPLEGATE. Mr. Speaker, will the gentleman yield?

Mr. BOEHLERT. I certainly will yield to the gentleman from Ohio.

Mr. APPLEGATE. Mr. Speaker, I thank the gentleman for yielding so that I may explain the bill.

Mr. Speaker, the Committee on Public Works and Transportation brings before the House important legislation to assist in the response to the Midwest floods of 1993. The bill provides immediate assistance to those people whose homes are in the floodplains and who are desirous of moving out of harm's way.

Mr. Speaker, S1670 is virtually identical to several sections of H.R. 3445 which passed the House on November 15, 1993, under suspension of the rules. Like H.R. 3445, S. 1670 increases the amount of funds available for hazard mitigation.

Also like HR3445, S. 1670 clarifies the applicability of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as it applies to relocations carried out as part of the postdisaster response.

The Senate deleted language in HR3445 that would have authorized two Corps of Engineers studies. However, pursuant to a resolution approved by the Committee on Public Works and Transportation, the studies of the Upper Mississippi and Lower Missouri River Basins, which are funded in fiscal year 1994, will be able to be initiated as soon as possible.

Mr. Speaker, this bill is desperately needed to provide timely assistance to the flood victims in the Midwest; it does not require any new appropriation of money; the House approved similar language just this week; and, the administration supports its enactment.

For these reasons, I urge adoption of this important and timely legislation.

Mr. Speaker, I would like to extend special thanks to our friend and colleague, the gentleman from Missouri [Mr. VOLKMER], for doggedly pursuing this and not letting it go until it got passed today.

Mr. BOEHLERT. Mr. Speaker, continuing my reservation of objection, I yield to the distinguished chairman of the full committee, the gentleman from California [Mr. MINETA].

(Mr. MINETA asked and was given permission to revise and extend his remarks.)

Mr. MINETA. Mr. Speaker, I stand in strong support of this legislation.

Mr. BOEHLERT. Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Missouri [Mr. VOLKMER].

Mr. MINETA. Mr. Speaker, I want to commend the gentleman from Ohio [Mr. APPLEGATE] for his fine explanation of the bill, and I want to commend him and the Subcommittee on Water Resources and Environment's ranking Republican, Mr. BOEHLERT, for their leadership on this important bill. I also want to pay special recognition to the following Members who have labored long and hard on behalf of their constituents and the Nation on this important issue:

Congressmen VOLKMER, DURBIN, GEPHARDT, EMERSON, COSTELLO, and SKELTON, and Congresswoman DANNER. #

In the past, the Federal Emergency Management Agency has helped people who wanted to move out of harm's way. But the scale was very small. Today, as towns try to look to the future, many see more floods. Over 200 communities, many of which have been victims of numerous Floods during the last 20 years, have approached the Federal Government about relocation out of the flood plains to higher ground. The legislation before the House today will increase the availability of Federal assistance for relocations.
#

Mr. Speaker, I again wish to thank the leadership of the subcommittee, the chairman as well as the ranking Republican, and my fine colleague, the gentleman from Pennsylvania [Mr. SHUSTER], the ranking Republican on our committee, and urge the adoption of this very important legislation.

Mr. VOLKMER. Mr. Speaker, I thank the gentleman for yielding, and I also wish to commend the gentleman from California [Mr. MINETA], the gentleman from Ohio [Mr. APPLEGATE], the gentleman from Pennsylvania [Mr. SHUSTER], and the gentleman from New York [Mr. BOEHLERT] on this side, and also Senators HARKIN, BAUCUS, and CHAFEE, for assisting us in getting this legislation

through, that is much needed by many people throughout the Midwest, and especially in my district, and even in my hometown. This will enable them to be able to accept buyouts and get out of the flood plain. They have been out of their homes since early July, and hopefully by Christmas they will be able to negotiate a buyout and be out of the flood plain and into new housing, and never have to worry about another flood.

Mr. Speaker, I want to thank everybody very, very much from the bottom of my heart.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, S1670 is a compromise based on H.R. 3445, the recent House-passed bill, addressing the Midwest flooding and improved floodplain management efforts. The compromise bill will help keep people and property out of harm's way. It makes sense to prevent future damages by encouraging floodplain protection and property relocations. Although less comprehensive than the earlier House bill, it is nonetheless, a greatly needed piece of legislation. It needs to get to the President's desk before the end of the year so that people can make more rational decisions about whether to relocate or rebuild flood damaged properties.

I congratulate the leadership of the House Public Works and Transportation Committee, Chairman MINETA, Mr. SHUSTER, and Chairman APPELEGATE, the primary sponsors of earlier House-passed legislation, Mr. VOLKMER and Mr. DURBIN, and key House and Senate Members from the region for their efforts in moving this consensus bill forward.

Mr. SHUSTER. Mr. Speaker, I rise in support of S1670, the Hazard Mitigation and Relocation Assistance Act of 1993. It provides a measured, helpful response to the Midwest flooding of 1993 as well as a way to reduce and prevent future flood damage and costly Government bailouts.

S. 1670 is a bipartisan, bicameral compromise, based on recent House-passed legislation. Senators HARKIN, DANFORTH, and others introduced the bill on November 18, 1993. It is a modified version of HR3445, reported by the House Public Works and Transportation Committee on November 15, 1993, and passed by the House on the same day.

Our committee approved an earlier version of the legislation on November 9, 1993, after combining components of HR3012, sponsored by Congressman HAROLD VOLKMER and others, and H.R. 2931, sponsored by Congressman RICHARD DURBIN and others, and adding a couple of amendments and various modifications.

Mr. Speaker, I would be remiss if I did not thank several key players in the two Chambers responsible for this legislation. First, let me commend the chairman of the Public Works and Transportation Committee, NORMAN MINETA, for his leadership and bipartisan cooperation. Chairman DOUGLAS APPELEGATE and ranking Republican SHERRY BOEHLERT of the Water Resources and Environment Subcommittee are also to be congratulated for their efforts.
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Special thanks also go to committee members from Missouri and Illinois whose districts have been directly impacted by the Midwest flooding. Congressmen BILL EMERSON, GEORGE SANGMEISTER, GLENN POSHARD, and Congresswoman PAT DANNER, among others, have played key roles in the Federal Government's response to the flooding to date and have been instrumental in crafting our legislation. Obviously, Congressman VOLKMER and Congressman DURBIN , among others, have also been instrumental in writing and passing this consensus bill.

Thanks should also go to the leadership of the Senate Environment and Public Works Committee and key cosponsors of S1670.

Mr. Speaker, while S1670 will help to improve the Federal Emergency Management Agency's hazard mitigation program, it is less comprehensive than the House-passed bill. For example, S. 1670 omits provisions directing the Corps of Engineers to conduct comprehensive studies-both national and regional along the Upper Mississippi and Lower Missouri Rivers-to improve flood damage reduction and flood plain management. However, our committee has taken action to authorize a comprehensive study of the region's flood control needs by committee resolution. The bill also omits a provision allowing the corps to use Public Law 99 funds, at the request of local sponsor, to implement nonstructural measures.

I know several colleagues, particularly from the flood-ravaged Midwest States, had hoped this vehicle could have addressed a wider array of issues and needs. Some of these requests, however, may need to be addressed in other vehicles. For example, I am sure our committee will be looking in greater depth at a lot of flooding and water resources-related issues next session as we consider comprehensive legislation on the Corps of Engineers-the Emergency Management Agency.

In the meantime, S1670 represents a reasonable start in improving hazard mitigation and relocation assistance. Perhaps it can lead to better flood plain management that helps to avoid future bailouts by the Federal Government.

Mr. Speaker, I urge my colleagues to support the bill, allowing it to move forward expeditiously to the President for enactment into law.

[pH10330]

Mr. BOEHLERT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate bill, as follows:

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

1 of 63 items
11/17/93

CQ's WASHINGTON ALERT

HAZARD MITIGATION AND FLOOD DAMAGE REDUCTION ACT OF 1993
(CRTEXT 11/15/93 p.H9588; 849 lines.)
House legislative action
Item Key: 29192 [pH9588]

HAZARD MITIGATION AND FLOOD DAMAGE
REDUCTION ACT OF 1993

Mr. APPLEGATE. Mr. Speaker, I move to suspend the rules and pass the bill (HR3445) to improve hazard mitigation and relocation assistance in connection with flooding, to provide for a comprehensive review and assessment of the adequacy of current flood control policies and measures, and for other purposes, as amended. The Clerk read as follows:

HR3445

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hazard Mitigation and Flood Damage Reduction Act of 1993".

SEC. 2. HAZARD MITIGATION.

(a) FEDERAL SHARE.--Section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by striking "50 percent" and inserting "75 percent".

(b) TOTAL CONTRIBUTIONS.--Section 404 of such Act is further amended by striking "10 percent" and all that follows through the period and inserting "15 percent of the estimated aggregate amounts of grants to be made under this Act (less administrative costs) with respect to such major disaster.".

(c) APPLICABILITY.--The amendments made by this section shall apply to any major disaster declared on or after June 10, 1993.

SEC. 3. PROPERTY ACQUISITION AND RELOCATION ASSISTANCE.

Section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is further amended--

- (1) by inserting "(a) IN GENERAL.--" before "The President"; and
- (2) by adding at the end the following:

"(b) PROPERTY ACQUISITION AND RELOCATION ASSISTANCE.-

"(1) GENERAL AUTHORITY.-In providing hazard mitigation assistance under this section in connection with flooding, the Director of the Federal Emergency Management Agency may provide property acquisition and relocation assistance for projects which meet the requirements of paragraph (2).

"(2) TERMS AND CONDITIONS.-An acquisition or relocation project shall be eligible for funding pursuant to paragraph (1) only if-

"(A) the recipient of such funding is an applicant otherwise eligible under the hazard mitigation grant program established under subsection (a);

"(B) the recipient of such funding enters into an agreement with the Director under which the recipient provides assurances that-

"(i) properties acquired, accepted, or from which structures will be removed under the project will be dedicated and maintained in perpetuity to uses which are compatible with open space, recreational, or wetlands management practices;

"(ii) new structures will not be erected in designated special flood hazard areas other than (I) public facilities which are open on all sides and functionally related to a designated open space, (II) rest rooms, and (III) structures which are approved in writing before the start of construction by the Director; and

"(iii) no future disaster assistance for damages relating to flooding will be sought from or provided by any Federal source for any property acquired or accepted under the acquisition or relocation project.".

SEC. 4. FLOOD CONTROL AND FLOODPLAIN MANAGEMENT POLICIES.

(a) STUDIES.-The Secretary of the Army shall conduct studies to assess national flood control and floodplain management policies.

(b) CONTENTS.-The studies conducted under this section shall-

(1) identify critical water, sewer, transportation, and other essential public facilities which currently face unacceptable flood risks;

(2) identify high priority industrial, petrochemical, hazardous waste, and other facilities which require additional flood protection due to the special health and safety risks caused by flooding;

(3) evaluate current Federal, State, and local floodplain management requirements for infrastructure improvements and other development in the floodplain and recommend changes to reduce the potential loss of life, property damage, economic losses, and

threats to health and safety caused by flooding;

(4) assess the adequacy and consistency of existing policies on nonstructural flood control and damage prevention measures and, where appropriate, identify incentives and opportunities for greater use of such nonstructural measures;

(5) identify incentives and opportunities for environmental restoration as a component of the Nation's flood control and floodplain management policies;

(6) examine the differences in Federal cost-sharing for construction and maintenance of flood control projects on the Upper and Lower Mississippi River systems and assess the effect of such differences on the level of flood protection on the Upper Mississippi River and its tributaries; and

(7) assess current Federal policies on pre-event repair and maintenance of both Federal and non-Federal levees and recommend Federal and non-Federal actions to help prevent the failure of these levees during flooding.

(c) CONSULTATION.-In conducting studies under this section, the Secretary of the Army shall consult the heads of appropriate Federal agencies, representatives of State and local governments, the agricultural community, the inland waterways transportation industry, environmental organizations, recreational interests, experts in river hydrology and floodplain management, other business and commercial interests, and other appropriate persons.

(d) REPORT.-Not later than June 30, 1995, the Secretary of the Army shall transmit to Congress a report on the results of the studies conducted under this section.

SEC. 5. FLOOD CONTROL MEASURES ON UPPER MISSISSIPPI AND LOWER MISSOURI RIVERS AND THEIR TRIBUTARIES.

(a) STUDIES.-The Secretary of the Army shall conduct studies of the Upper Mississippi River and Lower Missouri River and their tributaries to identify potential solutions to flooding problems in such areas and to recommend specific water resources projects that would result in economically and environmentally justified flood damage reduction measures in such areas.

(b) CONTENTS.-The studies conducted under this section shall-

(1) reflect public input;

(2) include establishment of baseline conditions to allow for a full assessment of economic and environmental costs and benefits associated with flood damage reduction projects and changes in land use patterns;

(3) identify options for development of comprehensive solutions for improved long-term flood plain management;

(4) identify feasibility studies of specific projects or programs that are likely to improve flood damage reduction capabilities;

(5) assess the impact of the current system of levees and flood control projects and current watershed management and land use practices on the flood levels experienced on the Upper Mississippi River and Lower Missouri River and their tributaries in 1993 and evaluate the cost-effectiveness of a full range of alternative flood damage reduction measures, including structural and nonstructural measures, such as the preservation and restoration of wetlands;

(6) recommend flood control improvements and other flood damage reduction measures to reduce economic losses, damage to public facilities, and the release of hazardous materials from industrial, petrochemical, hazardous waste, and other facilities caused by flooding of the Upper Mississippi River and Lower Missouri River and their tributaries; and

(7) assess the environmental impact of current flood control measures and the flood control improvements recommended under this section.

(c) CONSULTATION.-In conducting studies under this section, the Secretary of the Army shall consult the heads of other Federal agencies with water resources and floodplain management responsibilities.

(d) REPORT.-Not later than June 30, 1995, the Secretary of the Army shall transmit to Congress a report on the results of the studies conducted under this section.

SEC. 6. EMERGENCY RESPONSE.

Section 5(a)(1) of the Act entitled "An Act authorizing construction of certain public works on rivers and harbors for flood control, and for other purposes", approved August 18, 1941 (33 U.S.C. 701n(a)(1)), is amended by inserting before the first semicolon the following: ", or in implementation of nonstructural alternatives to the repair or restoration of such flood control work if requested by the non-Federal sponsor".

SEC. 7. TREATMENT OF REAL PROPERTY BUYOUT PROGRAMS.

(a) INAPPLICABILITY OF URA.-The purchase of any real property under a qualified buyout program shall not constitute the making of Federal financial assistance available to pay all or part of the cost of a program or project resulting in the acquisition of real property or in any owner of real property being a displaced person (within the meaning of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970).

(b) DEFINITION OF "QUALIFIED BUYOUT PROGRAM".-For purposes of this section, the term "qualified buyout program" means any program

that-

(1) provides for the purchase of only property damaged by the major, widespread flooding in the Midwest during 1993;

(2) provides for such purchase solely as a result of such flooding;

(3) provides for such acquisition without the use of the power of eminent domain and notification to the seller that acquisition is without the use of such power;

(4) is carried out by or through a State or a unit of general local government; and

(5) is being assisted with amounts made available for-

(A) disaster relief by the Federal Emergency Management Agency; or

(B) other Federal financial assistance programs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio [Mr. APPLEGATE] will be recognized for 20 minutes, and the gentleman from New York [Mr. BOEHLERT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. APPLEGATE].

Mr. APPLEGATE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Committee on Public Works and Transportation brings before the House important legislation to assist in the response to the Midwest floods of 1993-floods that devastated parts of 11 States. The bill provides immediate assistance to those people whose homes are in the floodplains and who are desirous of moving out of harm's way. And, no new appropriation of money is needed.

HR3445 also authorizes a comprehensive review and assessment of the adequacy of current flood control policies and measures nationwide and in particular for the upper Mississippi and lower Missouri River basins.

Mr. Speaker, flooding in the upper Mississippi and lower Missouri River basins in mid-June and July came after 6 months of heavy and persistent rainfall. During the first half of 1993, precipitation was 1-1/2- to 2 times normal levels throughout the affected area.

The levees and reservoir controls could not fully contain the increased flows on the Mississippi and Missouri Rivers or their tributaries. Over 17,000 square miles of farmlands, forest, homes and businesses were inundated.

In previous disasters, some communities have considered moving out of the floodplain. But this disaster has been historic in the fact that over 200 communities have approached the Federal Government about relocating out of the floodplain to higher ground. This amount of interest has overwhelmed the Federal Government's ability to assist in such relocations. Presently, more than 10 Federal agencies have certain authorities and available assistance for relocations but many requirements are contradictory and complicated. It has been very difficult for small-town mayors to piece together existing Federal programs into a workable relocation plan.

Under HR3445, the amount of funds available for hazard mitigation would increase from 10 percent of the funds for public facilities assistance to 15 percent of all disaster assistance funds for a particular disaster, exclusive of administrative costs. In the Midwest, this could mean a fourfold increase in funds available for mitigation efforts such as relocations. I wish to reemphasize that the increased funds available do not represent new money. These mitigation funds will be available from already appropriated disaster relief funds.

Under most disaster relief and emergency assistance act programs, the Federal Government provides 75 percent of the eligible costs. However, the act only provides for a 50-percent Federal share for hazard mitigation measures. H.R. 3445 would place hazard mitigation on an equal footing with repair and reconstruction by raising the Federal share for hazard mitigation to match the other programs at 75 percent.

HR3445 would also modify the Corps of Engineers existing levee repair program to make nonstructural alternatives an option. Under present law, even though it may be more cost effective or environmentally preferable to implement nonstructural alternatives, such as relocations, flood-proofing or elevation of structures, funds under the corps program cannot be used for that purpose. H.R. 3445 gives the Corps of Engineers the opportunity to fund nonstructural options, but only at the non-Federal sponsors' request.

Another provision that is important to the communities considering relocation is the clarification of the applicability of the Uniform Relocations Assistance and Real Property Acquisition Policies Act of 1970 in regards to relocations carried out as part of the post disaster response. The Uniform Relocation Act provides relocation expenses to people who are displaced by a Federal project or program. HR3445 lists the conditions that meet the test for a voluntary relocation which would be exempt from the Uniform Relocation Act.

This will allow for greater participation rates and at less cost to State and local government.

The scope of the flooding in the Midwest has reopened the discussion concerning the difficult policy issues of the role of the Federal Government in the area of floodplain management. These issues include the effectiveness of structural and nonstructural flood control efforts; incentives and disincentives of Federal programs relating to various flood control options; the extent to which Government policies and programs encourage development in floodplains; and to what extent structural flood control efforts may have exacerbated flood conditions.

HR3445 directs the Secretary of the Army to undertake a study to assess national flood control and floodplain management policies generally.

HR3445 also requires the Secretary to undertake flood management studies for the upper Mississippi and lower Missouri River basins. These studies are to consider, among other aspects of the river system, the impact of the current system of levees and flood control projects on the river and to recommend other flood control measures, including nonstructural measures, that would be appropriate. These studies are to be coordinated with other Federal Government agencies and other interests and be submitted to Congress by June 30, 1995.

The legislation before you today is based on HR2931, introduced by the gentleman from Illinois [Mr. DURBIN] and H.R. 3012 introduced by the gentleman from Missouri [Mr. VOLKMER]. I want to thank Representatives DURBIN and VOLKMER and the other Members whose districts were inundated by the flooding for bringing these issues to our attention. I especially want to thank the gentleman from California [Mr. MINETA], the ranking minority member of the full committee, the gentleman from Pennsylvania [Mr. SHUSTER] and the subcommittee ranking Republican, the gentleman from New York [Mr. BOEHLERT] for their assistance in this bipartisan effort to assist the people who have been harmed by this great natural disaster.

I urge adoption of this important and timely legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BOEHLERT. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, I rise today in support of the Hazard Mitigation and Flood Reduction Act. This legislation is a critical step toward understanding the causes of last summer's flooding and toward limiting similar tragedies.

The residents of the Midwest have suffered enormous hardships over the past 6 months--thousands were left homeless and billions of dollars in property damages have been left in the wake of the great flood. The legislation before us today will bring assistance and certainty to the lives of those living along the upper Mississippi and its tributaries.

Before I discuss the specifics of HR3445, I would like to commend Chairman MINETA, ranking Republican BUD SHUSTER, and Chairman APPLEGATE for their work to expeditiously move this legislation through the House. I am hopeful that our colleagues in the Senate will give this measure the same prompt consideration. We must get a comprehensive flood mitigation bill to the President's desk this fall.

Mr. Speaker, HR3445 is primarily a combination of two widely supported bills--one introduced by Congressman VOLKMER and one by Congressman DURBIN.

The bill approved last week by the Public Works and Transportation Committee responds directly to the need for changes in the Federal Disaster Relief and Flood Control Programs highlighted by this year's flooding.

The first of the bill's three basic components amends and clarifies FEMA's Hazard Mitigation and Relocation Assistance Programs. These changes will help provide more Federal assistance to encourage people to voluntarily "get out of harm's way"--that is, relocate out of the flood plain. Specifically, the bill modifies FEMA's Hazard Mitigation Program and clarifies the applicability of the Uniform Relocation Act to voluntary relocations.

The second basic component directs the Army Corps of Engineers to review, in consultation with key agencies and groups, national flood control and flood plain management policies, as well as specific measures for the upper Mississippi and lower Mississippi River basins.

The third component is an amendment to the corps' existing program for levee repair and restoration. The provision would provide the corps the opportunity to offer nonstructural options if requested and supported by the nonFederal project sponsor.

Mr. Speaker, our Nation's flood response and flood control policies need to be modified, HR3445 is a reasonable step in that direction and should bring a significant reduction in future flood losses. When people living in dangerous flood plains seek to move, our Government should assist their effort, not hinder it. This point was hammered home by many during the markup of H.R. 3445 including Congressman EMERSON and Congresswoman DANNER of our committee, who represent those directly affected. I appreciate their thoughtful input to this legislation.

Mr. Speaker, HR3445 will effectively reduce future losses of life

and property that result from flooding. Reduced damages will translate into a reduced need for Federal relief dollars. I urge all of my colleagues to support the passage of this measure.

Mr. Speaker, before I conclude I would like to make two important observations: First, the great floods of the year brought forth the best of America. In my own district in beautiful upstate New York, in Delaware County, the 2,500 people of the town of Davenport, under the leadership of their dynamic supervisor, Ray Christiansen, adopted Davenport, IA, a distant city of over 100,000 people, and said, "We want to help you. We recognize your special needs." Those dedicated people from Davenport, NY, sent a whole tractor-trailer full of goods and products that the people of Davenport, IA, needed during this time of crisis.

What a wonderful story that is for America, people half a continent away, in a small community, responding to the needs of their fellow Americans who were suffering so greatly.

So I would like to commend the people of Davenport, NY, and say how grateful I am to have the privilege of representing people who are so thoughtful and caring and so responsive in times of crisis.

Finally, Mr. Speaker, I would like to take particular note of the fact that this is the first bill the gentleman from Ohio [Mr. APPLEGATE] has brought forth in his new position as chairman of the subcommittee. He has been magnificent in providing leadership to the subcommittee, in moving the hearings along expeditiously, and in reaching out to all of our colleagues, Republicans and Democrats alike, and in essence following the admonition of Lyndon Baines Johnson, who was wont to say, "Come, let us reason together."

We have reasoned together and we have fashioned an outstanding product.

Mr. Speaker, I say to the gentleman from Ohio [Mr. APPLEGATE], "You deserve a great deal of credit. What a pleasure it is to work with you."

Mr. Speaker, I reserve the balance of my time.

Mr. APPLEGATE. Mr. Speaker, I yield 3 minutes to our very distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT].

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I want to begin by giving my heartfelt thanks to the chairman and the ranking member of the subcommittee for a tremendous job in putting this legislation together. I also want to thank the chairman and the ranking member of the full committee for doing a tremendous job in bringing

together this legislation and in a short time getting it in front of us and allowing us to have the chance to pass it before the Congress finishes its work this year.

I think this bill is a very wise investment in the rebuilding of flood-stricken communities. It provides hope to families that they can get back into safe housing as soon as possible, and it will help ensure that Federal disaster funds already appropriated are spent in the most effective manner.

The State of Missouri alone has sustained flood destruction of over \$260 million in what is the worst flood in anyone's memory. Thousands of families have been out of their homes now for more than 4 months. Every time that any of us go home, we spent a lot of time talking to these flood victims, and, their question always is, whether or not they had insurance-and many of them did-"Should I stay and rebuild, or can I leave?"

Under today's law and circumstances, there is no human way that we could ever cobble together enough money from Federal, State, local, and private sources to be able to get a buy-out fund necessary to even give people 20 or 25 cents on the dollar so that they could be in a position to go out and take on a new loan on a new piece of property outside the flood plain.

This legislation primarily gives FEMA the flexibility, not the money but the flexibility, with the money they already have in order to be able to better cooperate with the Federal, State, and local governments so that where buy-out funds make sense and can be put together, we have the ability through FEMA funds to be able to do that.

I think this makes sense for the Government, I think it makes sense for taxpayers, and I know it makes sense for some of the victims of the disaster. None of them will be made anywhere near whole. All of them have suffered a great tragedy that will take many, many years, if ever, to overcome. This legislation gives us an opportunity and the possibility that we can cobble together buy-out funds, local, Federal, State, and private, in order to get people into a position where, with great loss, they can move out of a property that might flood again and be able to take on a new loan and a new mortgage and be in a place that will be high and dry the next time if a flood occurs.

Mr. Speaker, I urge the Members to vote for this legislation, and again I thank profusely the members on both sides of the subcommittee and the full committee that strongly supported this bipartisan legislation.

Mr. BOEHLERT. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Missouri [Mr. TALENT].

(Mr. TALENT asked and was given permission to revise and extend his remarks.)

Mr. TALENT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, during the difficult days of July and August when the flood was hitting in the Midwest one of the things people in my district constantly asked me was: "Look, the attention of the Nation is on us now during the difficult times when we are fighting these waters. What are people going to do when the waters have gone down? Are they going to leave us alone, or are they going to be there to help?"

I think the significant thing about this bill is that it sends a signal that the Government is still aware of the problem and is still going to be there to help, and I think there are two significant things about it that we are addressing in this legislation. The first is the whole question of people who have been put out of their homes, whose homes have been very substantially damaged and who face now the issue of whether to try and rebuild according to Federal and local regulations or whether to try to seek a buy-out and to relocate.

Those individuals, as much as they need anything else, need some certainty about the options that are going to be available.

As has been said here today, very few people are going to be made completely whole, but they need to know how much they can count on, what kind of support is going to be available, and whether there will be help in relocating. And if they are going to have to make the difficult decisions about whether they should stay or whether they should move, I believe this legislation sends a signal that the Federal Government is moving as quickly as possible to try to identify those areas of uncertainty and eliminating them. The committee deserves a great deal of credit in putting it out in an expeditious way.

The other really important aspect of the bill-and there is a number of good features in it-is the comprehensive study that it mandates, with particular emphasis on the upper Mississippi and the upper Missouri tributaries so that we can begin looking at what we can do in a broad fashion to prevent these kinds of floods in the future or, failing that, to try to protect the people in the area from the damage that would otherwise occur.

It is essential that we take a comprehensive approach. If we do not, this thing is going to get piecemealed. Everybody is going to go in and try to get what they can for their area. It would be much better if we did in the upper Mississippi what has already happened in the lower Mississippi and approach this thing in a comprehensive way. So the important thing about this legislation overall is that it sends the signal to the people in the area that we have not forgotten you; we are monitoring the situation, trying to help in any way possible.

Again, I congratulate the committee and the distinguished

chairman and ranking member for putting the bill out.

Mr. BOEHLERT. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I rise in support of HR3445 and commend the committee for their work on this excellent and necessary legislation.

I do have one question for the chairman, a clarification of section 5. It is my understanding that section 5, when it refers to the lower Missouri River, will refer to that portion of the river before the last, that is to say, the most downstream, control structure, the Gavins Point Dam, which creates the Louis and Clark Reservoir.

Mr. Speaker, I would ask the chairman, is my understanding correct?

Mr. APPLEGATE. Mr. Speaker, if the gentleman will yield, that is my understanding. The gentleman is correct.

Mr. BEREUTER. Mr. Speaker, with that kind of clarification, which I think is entirely reasonable, that is to say the stretch of the river below the last control structure, I certainly rise in support of the legislation and urge all of my colleagues to support it.

Mr. APPLEGATE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MINETA], the very distinguished chairman of the Committee on Public Works and Transportation.

Mr. MINETA. Mr. Speaker, I want to commend the gentleman from Ohio [Mr. APPLEGATE] for his fine explanation of the bill and I want to commend him and the Subcommittee on Water Resources and Environment's ranking Republican [Mr. BOEHLERT] for their leadership on this important bill. I also want to pay special recognition to the following Members who have labored long and hard on behalf of their constituents and the Nation on this important issue:

Congressmen VOLKMER, DURBIN, GEPHARDT, EMERSON, COSTELLO, DANNER, and SKELTON.

The destruction of the midwest floods of 1993 urges us to review and reconsider our present flood policies. Not only the directly affected victims of the floods, but also the taxpayers who are contributing for reconstruction in the Midwest, have asked us to do what we can to reduce the impact of future floods.

In the past, the Federal Emergency Management Agency has helped people who wanted to move out of Harm's way. But the scale was very small. Today, as towns try to look to the future, many see more floods. Over 200 communities, many of which have been victims of

numerous floods during the last 20 years, have approached the Federal Government about relocations out of the flood plains to higher ground. The legislation before the House today will increase the availability of Federal assistance for relocations.

Additionally, the bill authorizes the Corps of Engineers to fund nonstructural alternatives to the repair or reconstruction of damaged levees, if requested by the non-Federal sponsor.

Long-term studies are also authorized to give the Congress the information we need to determine what our flood control policies should be for the 21st century.

Mr. Speaker, I again wish to thank the leadership of the subcommittee, the chairman as well as the ranking Republican, and my fine colleague, the gentleman from Pennsylvania [Mr. SHUSTER], the ranking Republican on our committee, and urge the adoption of this very important legislation.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this legislation. It is really a combination of two widely supported bills, one introduced by the gentleman from Missouri [Mr. VOLKMER] and one introduced by the gentleman from Illinois [Mr. DURBIN]. Certainly many Members have contributed mightily to it, particularly those Members from Missouri and Illinois whose districts were directly impacted, the gentleman from Missouri [Mr. EMERSON], the gentleman from Illinois [Mr. SANGMEISTER], the gentleman from Illinois [Mr. POSHARD], the gentlewoman from Missouri [Ms. DANNER], and certainly the majority leader, the gentleman from Missouri [Mr. GEPHARDT]. So this is very worthy of our support. I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. APPLEGATE. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER], one of the principal sponsors of this bill.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from Missouri.

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). The gentleman from Missouri [Mr. VOLKMER] is recognized for 4 minutes.

(Mr. VOLKMER asked and was given permission to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, I first wish to take this opportunity, along with others, to thank the gentleman from California [Mr. MINETA], the chairman of the Committee on Public Works and Transportation, and also the ranking minority member, the gentleman from Pennsylvania [Mr. SHUSTER], the subcommittee chairman, the

gentleman from Ohio [Mr. APPLEGATE], and the ranking minority member on the subcommittee, the gentleman from New York [Mr. BOEHLERT], for having this legislation here before us today.

Mr. Speaker, I rise today in support of HR3445, the Hazard Mitigation and Flood Damage Reduction Act of 1993. This bill incorporates legislation that I sponsored along with legislation introduced by the gentleman from Illinois.

This legislation will give FEMA the added flexibility to help people voluntarily relocate out of the flood plain through the Hazard Mitigation Grant Program. Increasing the Federal share and raising the cap for available funds will provide increased support to State and local governments to take mitigation measures now and reduce expenditures for disasters in the future.

I have a particular interest in this legislation because portions of all the counties that I represent along the Mississippi and Missouri Rivers were flooded and received Presidential declarations for individual assistance and public assistance. I have seen firsthand the damage caused by this summer's floods which inundated entire towns and fields. Businesses were closed and farmland that once produced bountiful crops were turned into mud bogs and sand bars.

Mr. Speaker, I have traveled extensively throughout my district since early spring, when the first flood began to exact its heavy toll on the levees, homes, and property in the flood plain. Levees that have withstood years of flooding gave way this year to the heavy rains. Homes that have not been affected by high water before were flooded. In my State of Missouri estimates for flood related damage have exceeded \$3 billion and are still rising as the damage assessment continues. Many areas in my district have not had just one flood but a succession of two or three separate floods this year. The city of Alexandria in the northeast corner of my district was one of the first towns to be flooded and was one of the last cities to have the water recede. For many the only option currently available is to use the money they receive to rebuild in the flood plain either because government programs are not flexible enough to assist them relocate out of the flood plain and they cannot afford to relocate on their own.

Many of the people that live in the flood plain do not live there because they want to, they live there because it is all they can afford. Many that have had their homes damaged or destroyed by the flood have come forward and said they would move out of the flood plain but they do not have sufficient funds to do so.

Currently, individual and family grants are available from FEMA for up to \$11,900 to help cover the costs of elevating and rebuilding in the flood plain. Federal money for relocation is available from two sources, section 1362 of the National Flood Insurance Program [NFIP] and section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. As it now stands, few

people will be able to participate in the section 1362 buy-out because such a low percentage of people are enrolled in the National Flood Insurance Program and the program has stringent requirements that make it difficult to relocate unless a property has suffered damage three or more times or more in a 5-year period or suffered damage of 50 percent or more once. Use of hazard mitigation grant money in section 404 is limited because many of the areas that have been affected by the flood cannot afford the 50-50 match that is in present law. Total funds available for section 404 are limited to 10 percent of the funds allocated for section 406, public assistance.

HR3445 will amend section 404 of the Stafford Act by changing the current 50-50 Federal-State cost share to a 75-75 Federal-State cost share. It will also raise the current Federal funding for the Hazard Mitigation Grant Program limitation from the current 10 percent of the estimated aggregate amounts to be made under section 406 to 15 percent of the estimated aggregate amounts of grants to be made under the disaster program. I feel that H.R. 3445 will provide an opportunity for the flood victims to move from the flood plain while reducing the continued need for Federal dollars to be spent for emergency services and rehabilitation of personal and public property. If we act now, we can mitigate the damage when future floods come as we know they will. It is very apparent to me that rather than encouraging people to spend Federal money to rebuild in the flood plain it is fiscally responsible to use that money to relocate people out of the flood plain especially when their preference is to leave the flood plain.

Mr. APPLEGATE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. DURBIN], a principal author of this bill.

Mr. DURBIN. Mr. Speaker, I thank the gentleman for yielding time to me.

I want to salute the Committee on Public Works and Transportation, both Democrats and Republicans, for bringing this important bill to the floor.

This last Saturday, I flew over the flooded areas of my district. Many people are surprised to know that we still have flooding. In fact, we do. The aftermath of this flood will be with us for many, many months and perhaps years to come.

The gentleman from Missouri [Mr. VOLKMER] has outlined a way to help the people presently suffering from flood damage to their businesses and homes and to mitigate damages in the future. I support that section of the bill, and I am glad it is part of this package.

The provision which I have included in the bill takes a different approach. Let me give my colleagues a little history, very briefly.

In 1927, a major flood on the Mississippi River led Congress and

the President to sign legislation assigning the responsibility for levee protection to the lower Mississippi south of Cape Girardeau, MO, to the Federal Government. The river, of course, is wider and flows more deeply in that part of our Nation.

But, in fact, the Federal Levee System, and 6 billion dollars' worth of Federal expenditures, have protected those folks from the ravages of the flood. And that is why the flood of 1993 and all the damage was virtually north of that Cape Girardeau, MO, location, because of that decision made in Congress 66 years ago.

It was not just God's design. It was also the design of the Federal Government.

What we are asking for is a study by the Army Corps of Engineers to ask priority protection on the Upper Mississippi River and on the Illinois and Missouri Rivers to try to find out where was should invest our funds, Federal, State, and local, to prevent the kind of damage and disaster we have just lived through.

Clearly, transportation is one of the highest priorities. When we knocked out passage across the Mississippi River for cars and trucks and railroads, we literally paralyzed the Midwest and most of the country so that has to be one of our high priorities.

But it also goes beyond that, to toxic waste sites, water supply systems, sewage treatment plants, so many other areas that were threatened by this flood need to be protected in the future. We are asking the Army Corps of Engineers, working with other Federal agencies, making certain that they take into account environmental considerations, to come up with proposals, not only for structural changes in levees but for nonstructural approaches, perhaps the expansion of wetlands.

We think that in the next year the Army Corps of Engineers can produce this study, give guidance to Congress and the administration for the mitigation in future disasters.

I thank the Committee on Public Works and Transportation for their help with this effort.

Mr. APPLEGATE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. BORSKI], chairman of the Subcommittee on Investigations and Oversight of the Committee on Public Works and Transportation.

(Mr. BORSKI asked and was given permission to revise and extend his remarks.)

Mr. BORSKI. Mr. Speaker, I wish to express my support for HR3445 which will provide an immediate response to this past summer's flooding along the Upper Mississippi and Lower Missouri River Valleys.

I commend our chairman, the gentleman from California [Mr. MINETA], and the ranking Republican member, the gentleman from Pennsylvania [Mr. SHUSTER], the subcommittee chairman, the gentleman from Ohio [Mr. APPLEGATE], and the ranking Republican member, the gentleman from New York [Mr. BOEHLERT], for their work on the bill.

This bill directly reflects our findings in the Subcommittee on Investigations and Oversight that increased funding should be made available for the buy-out of property in the flood plain. While this past summer's floods produced more interest in the buy-out option, limited funding prevented more widespread use of buy-outs.

Under HR3445, the cap for funds available for buy-outs, the Hazard Mitigation Program, will be increased from 10 percent of the total disaster assistance funds available to 15 percent.

The new FEMA Director, James Lee Witt, who has a long background in the disaster relief program, testified before the Investigations and Oversight Subcommittee that hazard mitigation is among the most significant-and most overlooked-aspects of disaster relief.

By raising the cap for hazard mitigation, the drafters of HR3445 have recognized that disaster relief starts by looking ahead to potential disasters. The disaster relief program should not be limited to mopping up the last disaster.

Our subcommittee investigation also found that the Upper Mississippi Basin requires a comprehensive study that has input from various perspectives. While the Army Corps of Engineers should have the lead in developing flood control policies, other agencies should have a role as well.

I also commend the committee leadership on the strong direction in the committee report for the Corps of Engineers to consult with other Federal agencies, and State and local governments, on a continuous, cooperative, and comprehensive basis. The studies should be completed as quickly as possible but they must be open throughout the process to all points of view.

HR3445 results from the disaster that was faced by thousands of people along the Mississippi and Missouri Rivers. I hope that the disaster areas that require immediate attention will receive top priority in this national study effort and that the broad nature of the national studies will not prevent compliance with the 18-month deadline.

Mr. Speaker, I urge the passage of HR3445.

Mr. SHUSTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). The question is on the motion offered by the gentleman from Ohio [Mr. APPLEGATE] that the House suspend the rules and pass the bill,

HR3445, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

There are no more items to read.

OFFICE OF THE
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Morrie Goodman
FAX TO: *Kathi Way* DATE: *12/17/93*
OFFICE: *DPC* PHONE: *456-7777*
FAX: *456-7739*

SUBJECT: *Flood Rehab Report - Complete*

PAGES TO FOLLOW: *16*

FROM: DR. ROBERT N. STEARNS
DEPUTY ASSISTANT SECRETARY
(PROJECT MANAGEMENT)

PHONE: (202) 272-0126

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COMMENTS:

FACT SHEET

1993 MIDWEST FLOOD AND RESPONSE

U.S. ARMY CORPS OF ENGINEERS

History

The U.S. Army Corps of Engineers (Corps) has been and continues to be an integral part of the multi-agency response to the Midwest flood and the Federal recovery effort. At the field level, this response is coordinated through Disaster Field Offices established by the Federal Emergency Management Agency (FEMA). The Corps workforce was taken primarily from the District offices in the affected geographic area¹, but included personnel from other offices who voluntarily accepted assignments to the flood area.

Corps flood fighting activities included the following:

- Provision of 31 million sandbags to use in support of levees, to increase the height of levees and to protect individual structures;
- Provision of over 400 pumps to pump out water from behind levees and other areas that had become flooded;
- Provision of technical assistance to affected communities and levee districts on flood fighting techniques such as sandbagging and other structural measures; and
- Provision of data and analysis of current and projected flood conditions.

The total cost of the flood fighting effort is approximately \$25 million. The major source of funding was the Emergency Supplemental Appropriations for Relief From the Major Widespread Flooding in the Midwest Act of 1993 (P.L. 103-75), which is also being used for flood recovery (primarily levee repair). This Emergency Supplemental bill included \$180 million for the Corps; \$120 million made available at the time of passage of the Act, \$60 million as a contingency. It is now clear that the Corps will need at least the additional \$60 million (these funds were released by the President on December 10, 1993), and probably some additional funds to complete the job of flood recovery.

Corps flood recovery activities are focused primarily on repairing levees. Damages to the levees were substantial. In some cases the levees were breached because they could not withstand the pressure created by the flood. In many more cases, the levees were overtopped causing damage, not only to the land and structures

¹- This includes District offices located in St. Paul, MN; Rock Island, IL; Omaha, NE; Kansas City, MO; and St. Louis, MO.

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behind the levees, but to the levees themselves. By policy, Corps responsibility for levee repair has been limited to mainstem levees (primarily the Mississippi and Missouri Rivers) and then, only to those levees classified as "active" in the Corps program-- a program established under the Flood and Coastal Storm Emergencies Act (P.L. 84-99).

Levees can provide protection against flooding this Spring and because of the likelihood that some flooding will occur, levee repair has been a primary concern for Government officials, as well as the average citizen, in the affected areas. For this reason, the remainder of this paper focuses on the status of the levee repairs and the possibility of additional damages being incurred next Spring. It should be noted, however, that the Corps recovery efforts also included:

- Restoration of commercial navigation (barge operations), including dredging to assure adequate channel depth and testing to assure passage of tows past damaged flood control facilities without causing further damage;
- Repairs to Corps-operated flood control and navigation facilities, funded from the Corps regular Operations and Maintenance appropriation- this work includes structural repairs to river bank revetments, dredging work, and repair of spillways and outlet channels at lakes due to erosion;
- Work for FEMA under Stafford Act provisions- this work includes damage assessments, debris removal, technical assistance, potable water, and provision of water pumps and generators.

Status of the Corps Work

As stated above, by policy, the Corps of Engineers is not responsible for the repair of all levees damaged by the 1993 flood. In smaller watersheds (off of the mainstem rivers) the Soil Conservation Service (SCS) repairs Federally eligible levees (eligibility defined by SCS). Within the Corps geographic area, many of the locally constructed levees are not eligible for repair by the Corps (eligibility defined by the Corps²). The Corps received 543 requests for assistance. This includes both initial and final repair requests (most of the levees requiring both were

²- The eligibility criteria for the two agencies are virtually identical. SCS levees tend to be smaller and to protect agricultural lands primarily. There are, therefore, slight differences in the public sponsorship requirements. Additionally, the SCS cost benefit analysis is less formal, since it would make little sense to do extensive analysis on projects with substantially lower costs.

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counted twice in this total). After an initial screening, 270 requests were turned down, because the levees were not eligible for assistance.

In order to address those cases where the likelihood of further flood damage is greatest, even from minor flooding events, the Corps instituted emergency procedures for making initial repairs. The levees in this category were either breached or damaged severely due to overtopping. The Corps has determined that initial repairs were justified under the expedited guidelines in 38 cases. The Corps has made significant progress in providing initial repairs where levees have been severely damaged and virtually all of this work will be complete by the end of February, 1994³. A state by state breakdown of initial repairs is included in Table One.

In all, there were 245 levees in the Corps program that are expected to be repaired using P.L. 84-99 funds. This includes the 38 levees for which initial repairs are being made (all will require additional repairs to return them to the pre-flood conditions). In a small number of cases, permanent repairs have started. By the end of the 1994 construction season, it is anticipated that construction will be completed on all of the levees.

Table Two present state by state breakdowns on the permanent and total levee repair program. The total cost of levee repairs (initial and permanent) is currently estimated to be \$230 million. This amount exceeds the available funding from the Emergency Supplemental Appropriations (P.L. 103-75). Procedures for addressing this shortfall are currently under review.

Because of the number of ineligible levees within the Corps geographic areas of responsibility, completion of all Corps repairs, by itself, would not restore the area to its pre-flood condition. Nonetheless, virtually all of the major urban areas along the mainstem rivers are in the Corps program, as are a substantial number of primarily agricultural levees.

Outlook for Spring Floods

There is a general consensus among forecasters, that the probability for spring flooding is high. Whatever the amount of rainfall and snow runoff, the effects will be greater than normal because the ground throughout the Midwest is already in a supersaturated condition. The uncertainties of forecasting the

³- The one exception may be Louisa County IA, Levee #8. In this case, the local sponsor is considering a partial buyout of land behind the damage levee for inclusion in the SCS Wetlands Restoration program.

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likely damages in the spring that normally are associated with weather forecasting are compounded in this case, because the exact nature of repairs on non-eligible levees is unknown. Nonetheless, even though the initial repairs on Corps levees should be virtually complete, there will still be many unrepaired levees and the possibility of significant damages should not be discounted.

The Corps is currently preparing a strategy for dealing with potential spring flooding in the Midwest. This strategy includes: (1) identifying potential contractors for emergency work related to flood fight activities; (2) pre-identifying sand, rock, and other borrow materials; (3) re-assessing sandbag inventories and pre-positioning sandbags where appropriate; (4) continued education of local and State governments concerning flood fight techniques; and (5) recommendation that our field staff meet with local officials with regard to Corps policies so there is a clear understanding of our policies before an event occurs.

Coordination is continuing with FEMA, SCS, and other Federal agencies as appropriate at the Washington level to identify potential problem areas related to response and recovery. Corps Water Control Management personnel with their forecasting capabilities are working with the National Weather Service to identify specific areas of concern where flood vulnerability and risks of significant damages or problems are highest.

Report on Individual Levees

The eligible levees in the Corps Emergency Repair program vary greatly by size, level of protection afforded, nature of the property protected, and the damages caused by the 1993 floods. Attached to this paper are examples of the problems faced and the Corps response. These examples are intended to give a picture of the flood recovery effort that the aggregate numbers cannot do by themselves.

TABLE ONE. U.S. ARMY CORPS OF ENGINEERS LEVEE REPAIR,
STATUS OF INITIAL REPAIRS.

STATE	NUMBER OF LEVEES ELIGIBLE FOR INITIAL REPAIR	NUMBER OF INITIAL REPAIRS UNDERWAY OR COMPLETE	NUMBER OF REPAIRS TO BE COM- PLETED BY FEBRUARY 1994	ESTIMATED COSTS (\$000)
ILLINOIS	16	13	16	\$44
INDIANA	0	0	0	\$0
IOWA	3	2	3	\$3
KANSAS	0	0	0	\$0
MINNESOTA	0	0	0	\$0
MISSOURI	19	13	19	\$33
NEBRASKA	0	0	0	\$0
NORTH DAKOTA	0	0	0	\$0
SOUTH DAKOTA	0	0	0	\$0
WISCONSIN	0	0	0	\$0
TOTAL	38	28	38	\$82

TABLE TWO. U.S. ARMY CORPS OF ENGINEERS LEVEE REPAIR,
INITIAL AND PERMANENT REPAIRS COMBINED.

STATE	NUMBER OF LEVEES ELIGIBLE FOR REPAIR	NUMBER OF LEVEE REPAIRS UNDERWAY OR COMPLETE	NUMBER OF REPAIRS TO BE COM- PLETED BY END OF 1994 CONSTRUCTION SEASON	ESTIMATED COSTS:		
				INITIAL (\$000)	PERMANENT (\$000)	TOTAL (\$000)
ILLINOIS	36	18	36	\$46	\$21	\$63
INDIANA	4	0	4	\$0	\$3	\$3
IOWA	48	11	48	\$3	\$25	\$28
KANSAS	39	4	39	\$0	\$32	\$32
MINNESOTA	15	1	15	\$0	\$9	\$9
MISSOURI	63	26	63	\$35	\$30	\$65
NEBRASKA	6	5	6	\$0	\$1	\$1
NORTH DAKOTA	6	0	6	\$0	\$4	\$4
SOUTH DAKOTA	17	1	17	\$0	\$11	\$11
WISCONSIN	11	1	11	\$0	\$7	\$7
TOTAL	245	67	245	\$82	\$143	\$230 **

**- INCLUDES CONTINGENCY RESERVES OF \$5 MILLION.

BOIS BRULE DRAINAGE AND LEVEE DISTRICT
State of Missouri, Mississippi River

1. Levee's design level of protection: 50 year flood
2. Date flood stage was initially exceeded: 8 June 93
3. Date of initial overtop/breach: 24 July 93
4. Highest water level of record, with date: 49.53 Chester
Cage 7 August 93
5. Date water dropped below flood stage: 13 October 93
6. Date rehab construction started: 29 October 93
7. Anticipated date of completion of initial repairs: 7 Mar 94
8. Anticipated date of completion of final repairs: Fall 94
9. Area protected:
 - a. acres - 25,900
 - b. homes - 200
 - c. people - 500
 - d. towns - Belgique, Clancyville, Minfro, McBride, MO
 - e. infrastructure - Chester Bridge (only Mississippi River
crossing for 105 miles), 25 industrial/commercial activities
10. Estimated cost of repairs: \$5,053,000

CHESTERFIELD MONARCH DISTRICT
State of Missouri, Missouri River

1. Levee's design level of protection: 100 year flood
2. Date flood stage was initially exceeded: 2 July 93
3. Date of initial overtop/breach: 30 July 93
4. Highest water level of record, with date: 39.3 31 Jul 93
5. Date water dropped below flood stage: 30 August 93
6. Date rehab construction started: 25 September 93
7. Date of completion of initial repairs: 12 November 93
8. Anticipated date of completion of final repairs: 30 Jan 94
9. Area protected:
 - a. acres - 5621
 - b. homes - 30
 - c. people - 6000 (includes working people)
 - d. towns - None
 - e. infrastructure - Chesterfield Industrial Park, 500 private businesses, Spirit of St Louis Airport, US Highways 40 and 61
10. Estimated cost of repairs: \$460,000

FT CHARTRES DRAINAGE AND LEVEE DISTRICT
State of Illinois, Mississippi River

1. Levee's design level of protection: 50 year flood
2. Date flood stage was initially exceeded: 8 June 93
3. Date of initial overtop/breach: 2 August 93
4. Highest water level of record, with date: 47.0 (Brinkeys
Cage) 5 August 93
5. Date water dropped below flood stage: 11 October 93
6. Date rehab construction started: 20 November 93
7. Anticipated date of completion of initial repairs: 27 Jan 94
8. Anticipated date of completion of final repairs: Fall 94
9. Area protected:
 - a. acres - 15000
 - b. homes - 20
 - c. people - 50
 - d. towns - 0
 - e. infrastructure - roads, Union Pacific Railroad
10. Estimated cost of repairs: \$1,539,000
11. Additional remarks: Union Pacific Railroad says it is
losing \$250,000 per day because of need to reroute due to track
being inundated during flood, and now being subject to flood.

HARRISONVILLE DRAINAGE AND LEVEE DISTRICT
State of Illinois, Mississippi River

1. Levee's design level of protection: 50 year flood
2. Date flood stage was initially exceeded: 6 June 93
3. Date of initial overtop/breach: 2 August 93
4. Highest water level of record, with date: 47.0' Brinkeys Gage 5 August 93
5. Date water dropped below flood stage: 11 October 93
6. Date rehab construction started: 11 September 93
7. Date of completion of initial repairs: 12 November 93
8. Anticipated date of completion of final repairs: Fall 94
9. Area protected:
 - a. acres - 27800
 - b. homes - 450 (assessed value of \$16.5M)
 - c. people - 900
 - d. towns - Valmeyer, IL
 - e. infrastructure - roads, Union Pacific Railroad
10. Estimated cost of repairs: \$1,271,000
11. Additional remarks: Town of Valmeyer has applied for a major buyout to move most of the community to higher ground. Even so there are many farmsteads and 46,000 acres of farmland behind the Harrisonville/Stringtown/Fort Chartres levee system. Union Pacific Railroad was losing \$250,000 per day because of need to reroute trains due to track inundation.

HUNT-LIMA LAKE DRAINAGE DISTRICT
State of Illinois, Mississippi River

1. Levee's design level of protection: 50 year flood
2. Date flood stage was initially exceeded: 9 April 93
3. Date of initial overtop/breach: 9 July 93
4. Highest water level of record, with date: 32.13' (centrally located Quincy gage), 12 July 93
5. Date water dropped below flood stage: November 93
6. Date rehab construction started: 6 October 93
7. Anticipated date of completion of initial repairs: 1 Feb 94
8. Anticipated date of completion of final repairs: July 94
9. Area protected:
 - a. acres - 28,500
 - b. homes - 70
 - c. people - 350
 - d. town - Town of Meyer, IL
 - e. infrastructure - roads, grain storage elevator
10. Estimated cost of repairs: \$5,234,000

INDIAN GRAVE DRAINAGE DISTRICT
State of Illinois, Mississippi River

1. Levee's design level of protection: 50 year flood
2. Date flood stage was initially exceeded: April 93
3. Date of initial overtop/breach: 12 July 93
4. Highest water level of record, with date: 32.13' (centrally located Quincy gage), 12 July 93
5. Date water dropped below flood stage: November 93
6. Date rehab construction started: 27 October 93
7. Anticipated date of completion of initial repairs: 28 Feb 94
8. Anticipated date of completion of final repairs: July 94
9. Area protected:
 - a. acres - 18,000
 - b. homes - 0
 - c. people - 50
 - d. towns - 0
 - e. infrastructure - nil
10. Estimated cost of repairs: \$10,916,000
11. Additional remarks: Agricultural levee

KASKASKIA ISLAND DRAINAGE AND LEVEE DISTRICT
State of Illinois, Mississippi River

1. Levee's design level of protection: 50 year flood
2. Date flood stage was initially exceeded: 8 June 93
3. Date of initial overtop/breach: 22 July 93
4. Highest water level of record, with date: 49.53' Chester Gage 7 August 93
5. Date water dropped below flood stage: 13 October 93
6. Date rehab construction started: 11 November 93
7. Anticipated date of completion of initial repairs: 2 Feb 94
8. Anticipated date of completion of final repairs: Fall 94
9. Area protected:
 - a. acres - 9,100
 - b. homes - 75
 - c. people - 190
 - d. towns - Pujol, IL
 - e. infrastructure - roads on island
10. Estimated cost of repairs: \$2,640,000

MRLS R 471-460
State of Missouri, Missouri River

1. Levee's design level of protection: 100 year flood
2. Date flood stage was initially exceeded: 25 June 93
3. Date of initial overtop/breach: 26 July 93
4. Highest water level of record, with date: 32.7' 26 Jul 93
5. Date water dropped below flood stage: 8 August 93
6. Date rehab construction started: 16 August 93
7. Date of completion of initial repairs: 12 Sep 93
8. Anticipated date of completion of final repairs: August 94
9. Area protected:
 - a. acres - 10,817
 - b. homes - 450
 - c. people - 3000
 - d. towns - Elwood and Wathena, MO
 - e. infrastructure - 65 businesses, roads, Rosecrans Airport
(to include the Missouri Air National Guard Base)
10. Estimated cost of repairs: \$1,400,000

CITY OF ST LOUIS FLOODWALL
State of Missouri, Mississippi River

1. Lovee's design level of protection: 500 year flood
2. Date flood stage was initially exceeded:
3. Date of initial overtop/breach: none
4. Highest water level of record, with date:
5. Date water dropped below flood stage: 13 September 93
6. Date rehab construction started: Approx 15 Jan 94
7. Anticipated date of completion of initial repairs: 5 Mar 94
8. Anticipated date of completion of final repairs: Fall 94
9. Area protected:
 - a. acres - 3200
 - b. homes - several thousand
 - c. people - 500,000 plus
 - d. towns - St Louis
 - e. infrastructure - massive amounts of industry, 3 Mississippi River bridges, Metropolitan Sewer District, etc.
10. Estimated cost of repairs: \$361,000

SNY ISLAND DRAINAGE DISTRICT
State of Illinois, Mississippi River

1. Levee's design level of protection: 50 year flood
2. Date flood stage was initially exceeded: April 93
3. Date of initial overtop/breach: 25 July 93
4. Highest water level of record, with date: 32.13' (centrally located Quincy gage), 12 July 93
5. Date water dropped below flood stage: November 93
6. Date rehab construction started: 20 September 93
7. Anticipated date of completion of initial repairs: 30 Dec 93
8. Anticipated date of completion of final repairs: July 94
9. Area protected:
 - a. acres - 44,200
 - b. homes - 0
 - c. people - 40
 - d. towns - 0
 - e. infrastructure - nil
10. Estimated cost of repairs: \$4,441,000