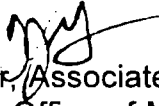




EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

MEMORANDUM FOR RAY CLARK, CEO
MARK SCHAEFER, OSTP
KATHI WAY, DPC
BRIAN BURK, DPC
ERIK LICHTENBERG, CEA
BARBARA CHOW, LA
MICHAEL DEICH, NEC

FROM: Katie McGinty, Director, White House Office on Environmental Policy


T.J. Glauthier, Associate Director, Natural Resources, Energy and Science, Office of Management and Budget

SUBJECT: White House Floodplain Management Task Force Report

The White House's Floodplain Management Task Force Working Groups have completed their review of the recommendations and actions proposed in the Gerry Galloway report entitled *Sharing the Challenge*. This report examined the 1993 Midwest floods focusing on what went wrong, what went right, and what Federal policies and programs need to change. Copies of the report were provided to your office a few months ago.

The Task Force Working Groups have developed draft issue papers on each of the recommendations and actions contained in the *Sharing the Challenge* report to document their findings. Attached is a set of their draft issue papers and a summary matrix containing our initial comments. Before we meet with the working groups, we would like you to review the annotated draft issue papers and let us know if you have additional or differing views. After we receive your comments, we will consolidate and provide them to the working groups. The working groups will then revise their issue papers on the basis of all of our comments.

Please review the annotated issue papers and provide any comments on the attached scorecard. For each applicable recommendation/action, we would like to know:

- If you agree with the working group recommendation.
- If you don't agree totally, do you think it's basically a good idea but should be modified? How? If you don't like the recommendation, please explain why.

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- If the recommendation has been overtaken by events. For example, has legislation been passed that does what the recommendation suggests -- 1994 National Flood Insurance Reform Act, the 1994 Federal Crop Insurance Reform Act, etc.? Please explain.
- Do you have any other comments?

We would like to give your comments to the working groups on November 18th. Therefore, we would appreciate getting your comments on the attached scorecard by Friday, November 18th. Please provide your comments to either Bruce Long, extension 5-4590, or Jim Kazel, extension 5-3752 -- Fax 5-4652.

You may find the numbering designation of each recommendation (R) and action (A) confusing, however, this is the designation used in the Galloway report.

Attachments

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SCORECARD

INTERNAL REVIEW OF FLOODPLAIN MANAGEMENT WORKING GROUP ISSUE PAPERS

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
Philosophy of FPM			
R 4.1: Reduce the vulnerability of population centers to damages from the standard project flood discharge.			
R 4.2: Reduce the vulnerability of critical infrastructure to damage from the standard project flood discharge.			
Organizational Frameworks			
A 5.1: Enact a National Floodplain Management Act to define governmental responsibilities, strengthen Federal-State coordination, and assure accountability.			
A 5.2: Revitalize the Water Resources Council.			
A 5.3: Reestablish Basin Commissions in a revised form reflecting current needs.			
Federal Government Sets the Example			
A 5.4: Issue a new Executive Order to reaffirm the Federal government's commitment to floodplain management with an expanded scope.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 5.5: OMB should direct all Federal agencies to conduct an assessment of the vulnerability of flooding using a scientific sample of Federal facilities and those State and local facilities constructed wholly or in part with Federal aid.			
R 5.1: Revise the RCRA locational standards and contingency planning regulations for consideration of flood hazards in areas impacted by the Standard Project Flood.			
A 5.6: Seek revision of Section 1134 of the 1986 Water Resources Development Act to provide for phase-out of Federal leases in the floodplain.			
Increasing State/Local Role and Stake			
R 5.2: Increase the State role in all floodplain management activities including, but not limited to, floodfighting, recovery, hazard mitigation, buyout, floodplain regulation, levee permitting, zoning, enforcement, and planning.			
R 5.3: Restructure and refine the scope of Federal technical services programs and increase funding for the USACE in the areas of Floodplain Management Services and Planning Assistance to the States programs, and increase funding for States through the FEMA Community Assistance Program.			
R 5.4: Hold FEMA's existing disaster assistance cost-sharing requirements to no more than 75/25; seek to make other agencies disaster programs' cost-share requirements consistent at 75/25.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 5.7: For communities not participating in the NFIP, limit public assistance grants.			
A 5.8: Encourage communities to obtain affordable private insurance for infrastructure as a prerequisite to receiving public assistance.			
A 5.9: Provide loans for the upgrade of infrastructure and other public facilities.			
Balancing the Planning Process			
A 5.10: Establish as the new, co-equal objectives for planning water resources projects under Principles and Guidelines. - National Economic Development - Enhance the Quality of the Environment			
A 5.11: Establish an interdisciplinary, interagency review of the P&G by affected agency representatives to address: Structural vs. non-structural bias, and environmental restoration goals.			
R 5.5: The Administration should seek increased funding for Federal agencies to support collaborative planning participation with other Federal agencies.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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R 5.6: Promote the use of programmatic NEPA documents in the planning process.			
R 5.7: OMB should issue a directive that requires periodic reevaluation of Federal water resources projects to include potential operation and maintenance modifications.			
R 5.8: OMB should use only the benefit-cost ratio for damage reductions to existing development in establishing Administration funding priorities unless a standard project flood level of protection is provided.			
Managing Floodplains in Watershed Context			
A 6.1: The Administration should establish an interagency task force, jointly chaired by the USDA and EPA, to formulate a coordinated, comprehensive approach to multiple objective watershed management.			
A 6.2: The DOI, USDA, and EPA should coordinate and support Federal riverine and riparian area restoration.			
A 6.3: The Administration's legislative proposals for the 1995 Farm Bill should support continuation and expansion of conservation and voluntary acquisition programs focused on critical lands within watersheds.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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Streamlining Disaster Planning			
R 6.1: Enhance pre-disaster planning and training.			
Floodplain Planning and the NFIP			
A 6.4: Promote the NFIP Community Rating System as a means of encouraging communities to develop floodplain management and hazard mitigation plans and incorporate floodplain management concerns into their ongoing community planning and decisionmaking.			
A 6.5: Provide funding for the development of State and community floodplain management and hazard mitigation plans.			
R 6.2: The FEMA should review its policy of issuing revisions to flood insurance maps which remove property from the floodplain based on fill.			
Improve Mapping/Risk Assessment			
A 6.6: Map all communities with flood hazard areas that are developed or could be developed.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> -- Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 6.7: To improve and accelerate delivery of NFIP map products, the Administration should propose supplementing those funds obtained for floodplain mapping from NFIP policyholders with appropriated funds.			
A 6.8: Utilize technology to improve floodplain mapping.			
Increase Education/Outreach			
R 6.3: Federal agencies in floodplain management should include information regarding floodplain management and past and probable future flood heights and extents in their education and public affairs initiatives.			
R 6.4: State floodplain officials should encourage local school districts to include natural hazards in their curricula.			
Focus on Environmental Enhancement			
A 7.1: The Administration should establish a lead agency coordinating acquisition of title and easements to lands acquired for environmental purposes.			
R 7.1: The Administration should support increased funding for the Refuge Sharing Act.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 7.5: The DOI should focus land acquisition efforts on river reaches and areas with significant habitat values or resource impacts.			
A 7.6: Require agencies to co-fund ecosystem management using Operation and Maintenance funds.			
A 7.7: Enact legislation allowing cost-share participation and eligibility requirements under Sections 906 and 1135 of the 1986 WRDA to include Federal, State, and non-governmental contributions, as well as work-in-kind.			
A 7.8: Allocate funds for mitigation lands in concert with and at the same pace as project construction.			
R 8.1: Federal agencies should capitalize on opportunities, within existing authorities and resources, to enhance the environment when reviewing operations or undertaking repairs or improvements to existing flood damage reduction programs.			
Procedural Flexibility			
A 7.2: The Administration should develop emergency implementation procedures to organize Federal agencies for environmental land acquisitions.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 7.3: The DOI should formalize environmental considerations in multi-agency disaster recovery land restoration activity through a coordinated Memorandum of Agreement.			
A 7.4: Seek legislative authority for flexibility in use of programmed funds in emergency situations.			
Improving Structural Measures			
A 8.1: Establish the USACE as the principal Federal levee construction agency.			
R 8.2: The Administration should propose legislation that establishes consistent cost sharing across agencies for non-Federal participation in like activities.			
A 8.2: The Administration should reaffirm its support for the USACE criteria under the PL 84-99 levee repair program, and send a clear message that future exceptions will not be made.			
R 8.3: The USACE should investigate procedures to minimize impacts associated with levee overtoppings.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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R 8.4: The USACE should coordinate with the SCS to decide on appropriate criteria for evaluating the economics of levee repairs.			
A 8.3: Federal and State officials should restrict support of floodfighting to those levees that have been approved for floodfighting by the USACE.			
Expand Nonstructural Measures (Buyout)			
R 8.5: Maintain flexibility in hazard mitigation programs to promote cost-effective and appropriate mitigation techniques.			
A 8.4: Establish a task force to develop common procedures for Federal buyouts and mitigation programs.			
R 8.6: Encourage establishment of State-chaired task forces to coordinate buyouts and other hazard mitigation activities.			
A 8.5: Provide States the option of receiving Section 404 Hazard Mitigation Grants as a block grant.			
A 8.6: Provide funds in major disasters where supplemental appropriations are made for buyouts and hazard mitigation, through FEMA's Section 404 Hazard Mitigation Grant Program.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 8.7: Establish a programmatic buyout and hazard mitigation program with funding authorities independent of disaster declarations.			
R 8.7: Encourage use of CDBG, EDA, and other funding to acquire and relocate or take other mitigation actions where consistent with program objectives.			
Reducing Risk to Damaged Building			
A 8.8: The FEMA should continue to enforce substantial damage requirements, but decide on a definition of substantial damage and stick to that definition.			
A 8.9: The Administration should support insurance coverage for mitigation actions necessary to comply with local floodplain management regulations.			
A 8.10: Develop a program to reduce losses to repetitively damaged insured properties through insurance surcharges, increased deductibles, mitigation insurance, and/or mitigation actions.			
Response and Recovery			
R 9.1: Integrate Federal flood response and recovery under the FEMA.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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R 9.2: Enhance the linkage among response, recovery, and floodplain management.			
A 9.1: Hold an interagency strategic planning meeting for those Presidentially declared disasters that require a multi-agency recovery effort.			
R 9.3: Continue to seek Federal-State co-leadership of an interagency hazard mitigation team.			
Mitigating Losses Through Flood Insurance			
R 9.4: States should actively encourage flood insurance purchase by their citizens.			
A 9.2: Increase NFIP market penetration through improved lender compliance with the mandatory purchase requirement.			
A 9.3: Provide for the escrow of flood insurance premiums or payment plans to help make flood insurance affordable.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> -- Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 9.4: Develop improved marketing techniques.			
A 9.5: Reduce the amount of post-disaster support to those who could have bought flood insurance but did not to that level needed to provide for immediate health, safety, and welfare; provide a safety net for low-income flood victims.			
A 9.6: Require actuarial-based flood insurance behind all levees that provide protection less than the standard project flood.			
A 9.7: Increase the 5-day waiting period for flood insurance coverage to at least 15 days.			
Improve Crop Insurance Program			
A 9.8: The Administration should continue to support reform of Federal Crop Insurance that limits crop disaster assistance payments, increases participation, and makes the program more actuarially sound.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 10.1: Establish upper Mississippi and Missouri basin commissions with a charge to coordinate development and maintenance of comprehensive water resources management plans to include, among other purposes, ecosystem management, flood damage reduction, and navigation.			
A 10.2: The Administration should expand the mission of the Mississippi River Commission to include the Upper Mississippi and Missouri Rivers. Further, to recognize ecosystem management as a co-equal Federal interest with flood damage reduction and navigation, the Administration should request legislative change to expand commission membership to include the DOI.			
A 10.3: Assign responsibility for development of an Upper Mississippi River and Tributaries (UMR&T) system plan and for a major maintenance and major rehabilitation program for Federally related levees to an expanded Mississippi River Commission, operating under the USACE.			
A 10.4: Seek approval from the Congress to redirect the USACE Floodplain Management Assessment of the Upper Mississippi River Basin to development of an UMR&T systems plan. Place this assessment under the Mississippi River Commission, operating under the USACE.			
A 10.5: Following completion of the survey, seek authorization from the Congress to establish the UMR&T project.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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R 10.1: Where they do not already do so, States should assume responsibility for regulating levee-related activities such as levee location, alignment, design, construction, upgrade, maintenance, repair, and floodfighting.			
A 10.6: DOI should complete an ecological needs investigation of the Upper Mississippi River Basin and provide a report to the Administration within 30 months.			
A 10.7: Provide an early report in the USACE Upper Mississippi River - Illinois Waterway Navigation Study of environmental enhancement opportunities in the Upper Mississippi River.			
A 10.8: Provide a report on the ecological effects of relocating navigation pool control points under the USACE Navigation Rehabilitation Study.			
R 10.2: The USACE should consider land acquisition as an alternative during planning and design of habitat rehabilitation and enhancement projects under the Upper Mississippi River Environmental Management Program (EMP).			
A 10.9: The Administration Interagency Ecosystem Management Task Force should select an Ecosystem Management Demonstration Project within the Upper Mississippi River Basin, and establish a cross-agency ecosystem management team under the DOI to develop plans and budgets for the project.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 11.1: The USGS should establish a Federal clearinghouse for data gathered during preparation of the Review Committee report.			
A 11.2: FEMA should investigate the costs and feasibility of completing a national inventory of floodprone structures.			
A 11.3: The USACE, NWS, and USGS, with other collaborators, should continue development of basin-wide hydrologic, hydraulic, and hydrometeorologic models for the Upper Mississippi River system.			
R 11.1: Federal water agencies, in collaboration with State, tribal, and local entities, should review and update, as necessary, discharge-frequency relationships for streamflow gages in the Upper Mississippi River Basin to reflect the 1993 flood data. The adequacy of the existing streamgaging network should also be reviewed.			
A 11.4: The Hydrology Subcommittee of the Federal Interagency Advisory Committee on Water Data should review the current standards for computing discharge-frequency relationships in light of observations from the 1993 flood and other recent large floods in the Upper Mississippi River Basin.			
R 11.2: Federal agencies coordinated by NWS and USGS, should collaborate on an assessment of the effectiveness of the streamgaging network and flood forecasting during the 1993 Midwest floods.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> -- Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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A 11.5: The Administration should support the USGS in development and acquisition of detailed digital topographic data and other land characteristics for use in floodplain management activities. Existing DOD techniques should be leveraged to assist in the acquisition of these data.			
A 11.6: The Administration should direct that scientific research be conducted to identify techniques or applications for estimating and assessing environmental and social impacts.			
R 11.3: The USACE and USGS should investigate and better define relationships between high energy erosion zones, other zones in floodprone areas, and levee failure.			
A 11.7: The USACE and USDA, in collaboration with the DOI, should evaluate the effect of natural upstream storage and floodplain storage in such areas as wetlands and forested wetlands on mainstream flooding.			
R 11.4: Federal agencies should conduct research on biotechnical engineering techniques and incorporate them into design manuals.			
R 11.5: OMB should review the current system of funding disaster relief; consideration should be given to encouraging the National Science Foundation to support such a review.			
R 11.6: USDA should evaluate the impact of Federal farm programs on agricultural land use decisions in and out of the floodplain.			

Recommendations/Actions contained in <i>Sharing the Challenge</i> – Summary	Agree w/ Work Group Rec. (YES/NO)	Agree w/ Modific. (YES/NO)	Remarks
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R 11.7: FEMA should conduct research on the issue of NFIP market penetration to determine who buys flood insurance and who does not and why.			
R 11.8: The National Science Foundation should consider funding research on the following subjects: (1) Full accounting of all public and private benefits and costs of floodplain occupancy and associated floodplain management measures, including both monetary and non-monetary methods of accounting, (2) Mapping regulatory areas with movable stream channels and storm drainage overflow and backup, (3) Special impacts of floods, including epidemiological and mental health factors, and (4) The feasibility and effectiveness of the use of meteorologic data and geomorphic and botanical evidence in conjunction with hydrologic and hydraulic models to estimate flood frequency.			

Additional Comments

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FLOODPLAIN MANAGEMENT TASK FORCE

DRAFT ISSUE PAPERS

November 8, 1994

The draft issue papers are divided into two sections. Section one contains those papers developed by the full Task Force committee staff, and Section two contains those papers developed by the Working Groups. Section three contains a Summary Issue Paper Matrix.

SECTION 1

**DRAFT ISSUE PAPERS DEVELOPED BY THE FULL TASK FORCE
STAFF**

STAFF LEVEL WORKING DRAFT ISSUE PAPER -- September 23, 1994

**IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT**

Points of Contact: Shannon Cuniff, Jim Kazel (202) 395-4590 Fax 395-4652

FMRC Action Item: 5.1, Enact a Floodplain Management Act

Description: The FMRC suggested the enactment of a national Floodplain Management Act to define governmental responsibilities, strengthen federal-state coordination and assure accountability.

Background: The FMRC determined that there is a need to declare a national policy and goals for floodplain management, beyond those articulated by the EO 11988, Floodplain Management. This policy and goals should be reflective of the vision set forth in *Sharing the Challenge* and move the nation forward toward implementation of a floodplain management vision that:

- Reduces vulnerability to flooding by avoiding flood risk through watershed planning, land treatment, floodplain management planning, buy-out of structures in the floodplain, and mitigation;
- Reduces vulnerability to flooding by modifying flood risk to existing population centers, protecting existing critical infrastructure, and protecting the nation from flood-related releases of hazardous materials; and
- Recognizes that floods will continue to occur but that the residual risk in floodplains can be reduced by insuring against flood loss and rebuilding properly when flood losses occur.

The FMRC proposed that the purpose of the Act should be to provide incentives including funding for state and local entities to develop and implement floodplain management plans and increase their accountability for actions in floodplains. The FMRC suggested that this could be achieved by assigning primary responsibility for floodplain management to states and providing federal guidance and technical and financial assistance to them for development and implementation of floodplain management projects meeting minimum federal standards. The Act could authorize funds to supplement state efforts to build and institute effective floodplain management programs. The FMRC suggested that participation in on-going, non-disaster flood damage reduction and mitigation activities could be withheld from those states that do not pursue effective floodplain management planning. To support local planning and emphasize state leadership, the FMRC suggested, that the Act require federal activities affecting floodplains be consistent to the maximum extent practicable with federally approved state programs. Appendix D of *Sharing the Challenge* suggests components of a national Floodplain Management Act.

S. 2418 proposes "to improve the management of floodplains, to protect and restore the environment in floodplains, and for other purposes". While this bill addresses aspects of many recommendations contained in *Sharing the Challenge*, it does not contain the fundamental features of a national floodplain management act proposed by this report.

Analysis: An Administration proposal for legislation needs to be carefully thought through and widespread agreement garnered regarding the nature of the floodplain management problem and the best means to address changes. The National Assessment of Floodplain Management (1992) and *Sharing the Challenge* (1994) provide vehicles from which to start a national dialogue on floodplain management. In fact, that dialogue has already begun in the field of floodplain managers – whether it has gone beyond those involved with the field is unknown. Because *Sharing the Challenge* focused on the Midwest, further dialogue on a national scale is desirable to solicit ideas and gauge the degree of interest and need. Of greatest concern is the need to assure state and local governments that the Act would not result in "an unfunded mandate". The FMRC approach was to create a system of carrots and sticks to encourage states' active floodplain management in comprehensive planning, as well as in response and recovery to flood events. The Act would develop additional funding sources for those states that plan and pursue effective floodplain management and would decrease federal support for states that did not effect a program of floodplain management. As such it would not create an unfunded mandate -- it would help to place suitable incentives and disincentives (and replace inappropriate incentives and disincentives) for management of floodplains.

If the Water Resources Coordinating Committee (or other body) were tasked with developing a detailed legislative proposal for a national Floodplain Management Act, then: 1) Key responsibility of WRCC would be seeking state, agency, Congress, nongovernmental agency and public input; 2) Administration Floodplain Management Task Force could be forum for coordinating agency views on key elements already proposed; 3) Other items that could be included in Floodplain Management Act could be identified.

Task Force Recommendation: Establish as part of the Water Resources Coordinating Committee charter a working group to develop a detailed legislative proposal for a Floodplain Management Act addressing needs identified in the FMRC that cannot be handled administratively.

Implementation:

Agencies: DOI, EPA, FEMA, USACE, USDA, DOT others as interested.

Type: Develop legislative proposal

Timing: 6 months

Estimated Annual Resources: Within Existing Resources

· STAFF LEVEL WORKING DRAFT ISSUE PAPER -- October 23, 1994

**IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT**

Points of Contact: Shannon Cunniff, Jim Kazel (202) 395-4590 Fax 395-4652

FMRC Action Item: 5.2, Revitalize the Water Resources Council

Description: The FMRC identified a need to elevate floodplain management on the national agenda and secure a national commitment to reform floodplain management, in its broadest context. The FMRC identified that improvements were needed in federal coordination and efficiency and that federal, state, tribal planning also needed improvement. The FMRC suggested revitalization of the Water Resources Council (WRC) as the mechanism.

Background: Issue areas identified that the WRC could address (with respect solely to the floodplain management):

- Agencies failure to comply with letter and spirit of EO 11988;
- Central direction and unified implementation of existing national floodplain management goals -
- Act upon recommendations on Floodplain Management Assessment (1992), and
- Integrate Unified National Program for floodplain management into various federal program aims and practices; and
- Address long-term floodplain management issues.

The scope of the WRC, as defined by the Water Resources Planning Act of 1965, extends well beyond floodplain management issues. The WRC mission, by law, to encourage and supervise river basin planning and prepare executive branch water resources policies. The WRC's membership, by law, includes the Secretaries of the Interior; Health, Education and Welfare; Agriculture; Army; and, Transportation; as well as the Chairman of the Federal Power Commission. Other Secretaries and agency heads are to be consulted as needed. EPA's Administrator and FEMA's Director are not explicitly members because the agencies did not exist at the time the Act was passed. The Chair is designated by the President and most recently was the Secretary of the Interior. Staff from the principal water agencies of the departments represented on the WRC, were the principle working group -- they drew up the agenda, made preliminary recommendations concerning decisions that the cabinet-level Council had to make, and made many other decisions.

The FMRC suggests that a WRC-like body is most needed to address unification of policies, interagency coordination and collaboration. EO 12113, which established the WRC's independent project review function, was revoked by EO 12322 which gave this function to OMB. The FMRC did not envision returning the project review function to a revitalized WRC.

The draft FMRC proposal to revitalize the WRC generated numerous comments. Generally there was broad support for the WRC or a similar entity to provide a mechanism for interagency, policy-level coordination. However, many comments indicated apprehension

stemming from the old WRC's function, authorities, and methods of operation.

S.2418 on floodplain management proposes re-establishment of the Water Resources Council. It updates Council membership (but does not include EPA). The WRC duties would include: serving as the primary center for assistance concerning coordination and resolution of interstate and interagency water resources management; aligning federal floodplain management with other broad national goals; serving as an innovative planning and technical clearinghouse for floodplain management; preparing a report to Congress by 1996 evaluating changes to Corps policies and practices concerning use of structural solutions to water resources management problems; and overseeing the activities of three Midwest-based flood management coordinating committees (which are also created by the proposed bill).

Analysis: A policy level body is needed to address floodplain management issues by:

- Launching and promoting collaboration and cooperation among federal agencies and state/tribes;
- Aligning federal floodplain management goals with other broad national goals;
- Providing a single point of focus to assist coordination and resolution of interstate water resource management issues;
- Serving as an innovative planning and technology center -- including intergovernmental data gathering, analysis, and dissemination activities; and
- Facilitating resolution of federal agency issues.

All of the options considered provided a means to: align federal floodplain management goals and practices; align federal floodplain management goals with other national goals; resolve federal interagency disputes on water resources issues related to floodplain management issues; coordinate the application of EO 11988 or subsequent floodplain management EOs; develop floodplain management policies and pursue comprehensive/multiagency watershed and floodplain management projects that should result in long-term savings from disaster relief. All require that a charter stipulating discrete functions, goals, timeframes, and a renewal clause to trigger periodic review of the value added by that entity.

Establishment of a new forum for water policy reform and coordination -- a Water Resources Coordinating Committee (WRCC) -- would be distinct from the WRC, carrying no baggage but learning lessons from the WRC. The charter would include formation of working groups to address floodplain management including but not limited to P&G review and development of a Floodplain Management Act. The membership should include the Assistant Secretaries (or their equivalent) of the Cabinet agencies, the Federal Energy Regulatory Commission, the EPA, the FEMA, the Tennessee Valley Authority and the Council on Environmental Quality. Options for the designating the chair include:

- Yearly rotation to each agency has leadership challenges and responsibilities. But may lose consistency associated with longer term appointments.
- Interior representative as chair. DOI represents several agencies with significant interests and expertise in aspects of water resources (USGS, FWS, BR).
- Chair of CEQ. Represents the Executive Office of the President and is therefore not beholden to any agency. Chair is Senate confirmed. CEQ has negotiation and issue resolution expertise and familiarity with cross cutting water resources policy. Currently no Senate confirmed chair is in place at CEQ.

· Director of OEP. Represents the Executive Office of the President and is therefore not beholden to any agency. Is Administration leader on environmental issues.

Task Force Recommendation: Establish a new forum for water policy reform and coordination -- a Water Resources Coordinating Committee (WRCC) -- chaired by CEQ Chair and with Secretary-level participation.

Implementation:

Agencies: All

Type: Task Force Directive and Charter to establish Committee

Details: Develop a Committee Charter.

Timing: Establish within 2 months

Estimated Annual Resources of WRCC -- Within Existing Resources

**IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT**

Points of Contact: Shannon Cunniff, Jim Kazel (202) 395-4590 Fax 395-4652

FMRC Action Item: Action 5.3, Re-establish Basin Commissions in a Revised Form Reflecting Current Needs; Action 10.1 Establish Upper Mississippi and Missouri Basin Commissions....

Description: The FMRC identified that improvements were needed in interstate and federal-state coordination and that federal, state, tribal planning also needed improvement. The FMRC suggested revitalization of River Basin Commissions as a mechanism.

Background: Title II of the Water Resources Planning Act of 1965 authorized creation of river basin commissions and authorized financial assistance to states and tribes for water resources planning. The President was authorized to declare the establishment of a river basin commission upon request by 1) the Water Resources Council or 2) a State request addressed to the Council in which the Council concurs and by which the States within the basin also concur. (The relative proportion of states in the basin required for concurrence varied by geographic area.) Commissions could represent an area, river basin, or group of river basins. Membership of the Commissions is also spelled out in the Water Resources Planning Act; it included a federal chair, federal agencies, states, interstate agencies, and international Commissions. Section 203, 204, and 205 of the Act details the organizational logistics, duties, and administrative provisions, respectively, for the commissions.

The scope of the River Basin Commissions, as defined by the Water Resources Planning Act of 1965, extends well beyond floodplain management issues. The individual commissions produced comprehensive, coordinated plans for water and related land resources that were advisory to federal, state, tribal and local authorities. Each commission:

- Served as the principal agency for coordination of federal, state, interstate, local and non-governmental plans for the development of water and related land resources in its jurisdiction;
- Prepared and updated, comprehensive, coordinated, joint plans for federal, state, interstate, local and non-governmental development of water and related land resources. (That plan had to include alternatives, be prepared in stages, and make recommendations regarding individual projects.);
- Recommended long-range schedules or priorities for collection and analysis of basic data and for investigation, planning and construction of projects; and
- Fostered and undertook studies of water and related land resources problems within their geographical jurisdiction.

The commissions were abolished, via EO 12312, along with federal funding in 1981. In some areas (e.g., the Upper Mississippi River Basin) interstate organizations evolved to fill the gap left by the demise of the commission. For some, federal participation may be limited by charter (e.g., to non-voting status) or by lack of funding (e.g., not paying full membership dues) or authority to participate (e.g., Corps of Engineers when not related to a specific project authorization).

The FMRC proposed the reestablishment of basin commissions and suggested that they be formed by the states in accordance to the Water Resources Planning Act, but

suggested certain changes in voting procedures to give more stature to state positions. The FMRC suggests that the focus of the commissions must be results-oriented and their process collaborative. The FMRC further suggested that the commissions' charters look beyond traditional water and flood management challenges to allow the commissions to address regional issues of biodiversity conservation, water quality, sustainable development, and other environmental goals.

No other proposal in the draft FMRC report generated as many comments as that of basin commissions. Many of the comments expressed a strong desire not to create basin commissions in the same form as those that existed in the late 1960s and 1970s. Many reserved endorsement of basin commission concept until further information on their purpose, functions, and methods of operation was detailed.

Analysis: The FMRC identified the need for coordinated federal and state planning within basins (and within sub-basins). Weaknesses in the current system include interjurisdictional coordination and the lack of pursuit of multi-objective benefits and integration of projects. The value of basin commissions is demonstrated by the Upper Mississippi River Basin Association which evolved from the ashes of the Upper Mississippi River Basin Commission. Basin commissions provide a means of preserving and enhancing both state and local attention to floodplain management and broader water and natural resources issues, while proving a mechanism to inform, involve or enroll appropriate federal agencies in state and local floodplain management/watershed management activities. Because watersheds and associated ecosystems do not coincide with, nor do water resources and environmental protection problems respect, political boundaries, a vehicle is needed to integrate federal-multi-jurisdictional examination of issues and solutions.

It is not clear whether there is sufficient interest on the part of states to renew basin commissions in part because other mechanisms for interstate coordination may have stepped in to take their place. The issue has not been looked into on a nationwide basis. The decision for formation should probably remain with the states rather than the federal government.

Task Force Recommendation: Encourage the states to establish river basin commissions/associations on their own and direct federal agencies to provide technical support to these commission/associations. WRCC could continue dialogue with states and reconsider the River Basin Commission program and funding issues as determined to be appropriate.

Implementation:

Agencies: OMB; All agencies through WRCC

Type: Could use Floodplain Management EO as the vehicle to direct federal agencies provision of support to commissions/associations.

Timing: EO - January 1995

Estimated Annual Resources of WRCC -- None as of now; would be determined by WRCC after consultation with states regarding interest and need.

STAFF LEVEL WORKING DRAFT ISSUE PAPER -- September 23, 1994

IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

POINTS OF CONTACT: Shannon Cunniff and Jim Kazel (202) 395-4590 FAX 395-4652
FMRC Report Item Number: Action 5.4, Issue a new Executive Order, with an expanded scope, to reaffirm the federal government's commitment to floodplain management.

Background: The FMRC identified several improvements needed to EO 11988 including:

- Federal leadership in floodplain management as demonstrated by compliance with the spirit of the order (poor compliance stems from poor analysis of both flood damage vulnerability and the cumulative impacts of proposed federal actions, the lack of consultation with federal experts, and confusion regarding compliance with NFIP standards);
- The need for further emphasis of the sequential approach to analysis of proposals in floodplains (avoid where not floodplain dependant, minimize where avoidance is not practicable and, lastly, mitigate flood damage vulnerability and impacts to natural and beneficial functions and uses of floodplains);
- The need for recognition of and adherence to local and state floodplain management regulations;
- The need for a mechanism to resolve interagency disputes regarding EO compliance; and
- The lack of flexibility and clarity regarding the identification and protection of critical infrastructure.

In addition, other proposals stemming from *Sharing the Challenge* and recent changes in federal policy can be incorporated into an EO on floodplain management to create the new federal vision for floodplain management. These potentially include:

- Establishing a federal water resources coordinating body (Action 5.2);
- Broadening the objectives of the Principles and Guidelines for evaluating water resource projects (Action 5.10) and requiring a review and updating of those guidelines (Action 5.11);
- Emphasizing the link between federal disaster response, recovery and mitigation (relates to Recommendations 9.1 and 9.2);
- Directing an assessment of the vulnerability of federal and federally-funded facilities to flooding (Action 5.5);
- Encouraging coordinated and streamlined buy-outs and relocation as a long-term sustainable approach to flood damage reduction (and encouraging sustainable strategies in redevelopment);
- Incorporating guidelines for coordinated analysis of levee repair options; and
- Emphasizing the natural and beneficial functions uses of floodplains, sustainable development and redevelopment.

After work groups reach closure on their issue papers, those requiring EO action can be incorporated into the proposed EO on floodplain management.

Analysis: The EO 11988, floodplain management, and the Implementing Guidelines published by the Water Resources Council represent well thought out policy on floodplain management. The EO and guidelines provide clear yet flexible direction. Virtually all agencies have regulations implementing the EO -- for the most part these regulations need no

revision. However, several weakness in implementation were revealed by the FMRC that could be corrected by minor revisions to the EO. No substantive change to the policy contained in the EO is proposed.

The numerous non-floodplain dependent federally funded, approved, or conducted development is indicative of a lack of rigorous analysis of practical analysis alternatives to floodplain development early in project planning. The revised EO needs to strongly reaffirm the national goals for sustainable development which includes, among other things, thorough economic and environmental impact analysis of projects proposed for or affecting floodplains.

The EO should address shortcomings of EO11988 identified by the FMRC; the revised EO should: 1) recognize FEMA's interest in review and comment upon proposals for federally conducted, supported or permitted floodplain development and 2) create an ability for FEMA to refer to the Executive Office of the President (or the WRCC chaired by a member of the Executive Office) issues that cannot be resolved between FEMA and the other federal agency; and 3) require consultation with FEMA regarding interpretation of floodplain maps, the development of maps where necessary, or the development of means to minimize flood risk, flood damage, and impact to floodplain functions; 4) clarify its applicability to actions and agencies to better protect federal investments and minimize unwise federal floodplain activities or development.

A issue raised by the states dealt with federal compliance with state or local floodplain management regulations. States exhibited leadership in floodplain management have developed standards for development that are more stringent than those required by the National Flood Insurance Program. Some states indicated that federal facilities planned for floodplains comply only with the NFIP standard but not state or local standards. Options to address this issue include 1) do nothing; 2) affirm that the federal leadership underpinning the EO requires that the federal government comply, to the maximum extent practicable, with state or local floodplain management regulations, or 3) require state or local statement regarding compliance of the facility with applicable floodplain management ordinances. Other topics could be addressed in the EO: 1) connection between floodplain and watershed and ecosystem management activities; 2) other FMRC proposals for which EO action is needed; 3) the 1993 OEP/OMB guidelines on levee repair; and 4) other administration policy on flood response, recovery, and mitigation (e.g., buyouts), developed as a result of the Midwest and subsequent floods.

Task Force Recommendation: Revise current EO to address short-comings identified by FMRC and those identified by Water Resources Coordinating Committee Working Group.

Implementation:

Agencies: Water Resources Coordinating Committee will develop revised EO for EOP review.

Type: Executive Order

Timing: Issue new Floodplain Management EO in January 1995

Estimated Annual Resources: Within Existing Resources

STAFF LEVEL WORKING DRAFT ISSUE PAPER – September 23, 1994

IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Points of Contact: Shannon Cunniff, Jim Kazel (202) 395-4590

FMRC Action Items: 5.10, Establish as the new, co-equal objectives for planning water resources projects under Principles and Guidelines... and Action 5.11, Establish an interdisciplinary, interagency review of the P&G by affected agency representatives...

Description: The FMRC identified a need for more balance in project planning and water resources management decision processes. Their proposal is to broaden the objectives for water resources projects by ensuring co-equal evaluation of a project's contribution towards enhancement of the national economic development and the quality of the environment. The FMRC determined that such a change would result in more comprehensive and innovative planning and balanced decision-making regarding development and operation of water resource projects. The FMRC further found that, during the ten years since issuance of the P&G, national recognition of environmental and social goals has increased, construction agency authorities and emphases have changed, methods for quantifying economic and environmental costs and benefits have evolved, and that a review of the practical considerations of P&G application was warranted.

Background: The P&G was published in 1983 to guide formulation and evaluation of major federal water resources development agencies (i.e., the Corps of Engineers, Soil Conservation Service, Tennessee Valley Authority and Bureau of Reclamation). The P&G provides an overriding philosophy and process for formulating alternative plans and weighing the impacts of each alternative to select a recommended plan for meeting the study needs. Although many other agencies can become involved in water resources projects (e.g., EDA grants for levee construction), they are not required to follow the P&G. They could be applied to a broader array of federal agency evaluations of alternatives to more efficiently allocate scarce resources to meet the needs of the nation. EO 12893, Principles for Federal Infrastructure Investment (signed January 1994), calls for the systematic analysis of expected benefits and costs. A review of the P&G in light of the EO is timely.

The P&G contains a single objective for planning of water resources projects: "to contribute to national economic development consistent with protecting the Nation's environment, pursuant to national environmental statutes, applicable executive orders, and other federal planning requirements." Contributions to NED are increases in the net value of the national output of goods and services, expressed in monetary units. Exceptions to NED plans require overriding reasons for recommending another plan based on federal, state, local and international concerns and have been both limited and discouraged.

The P&G does not require a systems-of-accounts analysis to provide critical information on market and non-quantifiable, non-market effects necessary to provide the basis for trade-offs; however, a systems-of-accounts methodology is recognized as a means to develop alternative proposals and ensure a balanced evaluation of a project's impacts. The application, if not the P&G itself, may be biased toward structural solutions, does not give sufficient weight to environmental quality or rural values nor result in innovative solutions to flooding problems.

Analysis: Calculations of NED are meant to include all environmental and social benefits and costs for which monetary values can be obtained. This monetary focus on NED does not give adequate consideration to unquantifiable or difficult to quantify environmental and social values. The NED focus limits formulation and acceptance of projects capable of striking a better balance between flood damage reduction (or other water resource development) and the environment. A system-of-accounts, or something similar, would help ensure balanced planning but is not the only fix that could be explored for the P&G. The P&G may in theory be more balanced than they are in practice. There is an underestimate of costs and over estimate of benefits as currently designed and applied. Many of the social benefits (e.g., elimination of disruptions to households and individuals from flooding, equitable treatment of lower value floodprone properties (which are often occupied by minorities and do not generate sufficient benefits to justify protection from the flooding)), and the environmental benefits of a natural floodplain are not addressed adequately by evaluations.

Given both fiscal and environmental concerns, much of the federal water resource effort has become more focused on water resources management and infrastructure maintenance. Project re-evaluation is occurring across the nation to update current needs and balance competing goals (e.g., flood control, hydropower, water supply, and environmental needs). The P&G needs to be reviewed in light of changing priorities, an expanding focus of federal projects on renewal of existing infrastructure, and a contracting focus on new projects.

Task Force Recommendation: Action 5.11 - Establish a multi-agency, multidisciplinary P&G Review Working Group of the Water Resources Coordinating Committee and await Committee report. The budget pass-back process will be used to encourage more collaborative and nonstructural approaches to flood control and watershed management. A P&G Review Working Group would be established in the charter of the Water Resources Coordinating Committee which will call for a review of P&G objectives, methods, and areas of application, including development of changes in procedures.

Implementation:

Agencies: DOI, EPA, FEMA, TVA, USACE, USDA, DOC, others as interested

Type: Working Group Reports

Timing: Report due in May 1995, on recommendations

Draft Changes in procedural guidelines, if necessary, September 1995; public review, final January 1996.

Estimated Annual Resources -- Within Existing Resources

**IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT**

Points of Contact: Shannon Cunniff, Jim Kazel (202) 395-4590 Fax 395-4652

FMRC Action Item: 10.2, Expand the Mississippi River Commission (MRC) boundaries, responsibilities and membership.

Description: There is an institutional framework in place to effect operational modifications of flood damage reduction and navigation facilities throughout the basin. The technical capabilities in water resources management of the USACE provides the foundation of this framework. However, Congress provided for detailed project planning and implementation oversight on the Mississippi by establishing the MRC. Since the 1920s the MRC focus has been the Mississippi River and Tributaries project, but its authorities still extend to the Mississippi headwaters. The MRC reports program performance directly to the USACE Chief of Engineers and the White House. No similar operational framework or technical foundation is in place within one agency or between agencies responsible for natural resource protection or management within the upper Mississippi River basin. Most significantly, no direct connection exists between natural resource management and management of the river and floodplain for other uses.

The FMRC suggested: (1) the expansion of the MRC mission to include the upper Mississippi and Missouri Rivers; (2) inclusion of ecosystem management as a co-equal federal interest with flood damage reduction and navigation in the MRC program; and (3) expansion of the commission membership to include DOI.

Background: The Commission has, by Presidential appointment, seven members. There are three military officer members from the Army Corps of Engineers (one serving as president), three civilian members -- two of which are civil engineers -- and one member from the NOAA Coast and Geodetic Survey. Since its creation, the presidential appointed MRC has retained this unique composition.

The mission of the MRC is to develop a plan that would "correct, permanently locate, and deepen the channel and protect the banks of the Mississippi River, improve and give safety and ease to navigation thereof, prevent destructive floods, promote and facilitate commerce, trade and the postal service".

The draft FMRC proposal to expand the mission of the MRC generated numerous comments. Overall, most comments expressed reservations about this proposal, but for widely divergent reasons. Some comments arose from concerns about the nature of activities of the Commission in the past and the Commission's ability or interest in taking on a broader non-structural approach to floodplain management. Others arose from not wanting to broaden the Commission's membership and charter to address related ecological resource issues. Others objected to extending the geographical extent of the MRC's authority (although this authority already exists).

The MRC proposal by the FMRC represents the operational link in a framework for achieving successful floodplain management. Without some alternative means to address national interests in river operations, that framework will be incomplete.

Analysis: The MRC has focused on the MR&T project. However, the MRC authority extends to the headwaters of the Mississippi River. The MR&T project began its 70-year development with a structural focus on navigation and uniform level of flood protection on the main stem Mississippi River. The MRC is perceived as synonymous with big levees, at 100 percent federal cost, and habitat loss. Using the MRC to solve the flooding in the Midwest, may be too much baggage to overcome. Over the last 20-years, in response to a shift in national goals toward environmental quality, the MRC has been adjusting the MR&T project to provide habitat restoration and environmental enhancement. Environmental groups doubt MRC's ability to alter its traditional structural project focus and culture -- yet these changes are already under way.

In the Upper Basin no one entity is in charge of coordinating technical planning and operations affecting navigation, flood control, recreation and environmental restoration and protection. The current situation in the Upper Basin speaks to the currently disjointed efforts. The large amount of federal funding directed towards operations and maintenance activities, navigation and the Environmental Management Program needs coordination.

The MRC planning process is dominated by federal ideas and an engineering solution to flood problems. The MRC, by law, holds many public meetings to obtain the views of state, local and public interests, but in the end the MRC drives the process. The addition of DOI as a commission member, as the FMRC suggests, expands the federal program but maintains the dominant federal role.

It is not clear whether there is sufficient interest on the part of the upper Mississippi River Basin states to expand the MRC mission. There is however, a dominant perception that the Lower Mississippi is treated differently from the Upper Basin and that the ad hoc approach to flood damage reduction needs to be changed.

The Mississippi River needs to be addressed as an entire system -- hydrologically, hydraulically and ecologically. Currently there is no entity with the ability to view this system as a whole (except the President or Vice President) as the river system is divided across agency lines and within agency organizations. One example of the fragmented approach to the river is that currently four different flood flow lines exist for various stretches of the river; this does not make good sense from a scientific, management, nor planning perspective.

Task Force Recommendation: Direct the Chief of Engineers to develop a single point of contract within one District or Division on Upper Mississippi River and tributaries, to coordinate with the Lower Mississippi River Division, and to meet regularly with the Regional Directors of Fish and Wildlife Service and hold yearly public meetings on Upper Mississippi River issues. This recommendation will require the Corps to do extensive coordination among its division and district offices.

Implementation:

Agencies: USACE

Type: Administrative

Timing: Within 6-months

Estimated Annual Resources -- Within Existing Resources

SECTION 2

DRAFT ISSUE PAPERS DEVELOPED BY THE WORKING GROUPS

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

Point of Contact: Charles R. Moeslein, USACE

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FMRC Report Recommendation or Action Item Number: Recommendation 4.1

Reduce the vulnerability of population centers to damages from the standard project flood (spf) discharge.

Background: During the Flood of 1993 several large urban centers and other concentrated population centers with existing levees and floodwalls were threatened though none of the major Federal Urban levees were overtopped or failed. Severe damages were caused to smaller towns and communities where levees which protect predominately agricultural lands were overtopped or otherwise failed. Concern has been expressed by some that a higher level of flood protection than the 100-year flood event should be provided to concentrated population centers and high value of property. The SPF, which is said in the FMRC report to approximate the 0.2 percent chance (500-year) discharge, has been proposed as a good expression of the higher standard. There are two positions on what should be an appropriate level of protection. One is that there should be an established goal or standard (e.g., spf, 500-year, etc.), while the other supports an approach whereby the appropriate level of protection is determined on a case-by-case basis.

Analysis: Full consideration should be given to the economic, social, safety, and environmental consequences, including residual risks, in determination of appropriate sizing of levee and flood wall projects to be recommended for Federal participation. A risk analysis will allow decision makers to make trade-offs to achieve balance. While a high level of protection may be desirable for highly developed areas, use of arbitrary standards, SPF or others, can lead to inefficient use of scarce resources or have other adverse consequences. Levels of protection should be based on the value added of going to the high standard, comparing the economic and environmental costs and benefits, consistent with Executive Order 12893, Principles for Federal Infrastructure Investment.

- Adoption of such a standard would lead to fewer, bigger projects because of level budgets and Sponsors who could not afford to cost-share in larger projects.
- Larger projects could increase adverse environmental impacts.

- SPF is not always economically feasible or environmentally acceptable, therefore, some "good" projects may not be recommended or constructed.
- SPF is often highly uncertain in discharge and stage and changes over time.
- Protection from flooding should be based on all economic, social and environmental costs and benefits, as well as residual risks and consequences.

Working Group Recommendation: The Working Group concurs with the recommendation modified as follows: Reduce the vulnerability of population centers to damages to a level determined appropriate through a risk analysis that incorporates all economic, social and environmental costs and benefits, as well as residual risks and consequences.

Implementation:

Agency(s) Responsible for Implementation: U.S. Army Corps of Engineers (USACE)

Type: Administrative

Details: Emphasize USACE policy on levee sizing to include risk-based analysis and evaluation of residual risks and consequences from an economic, social, safety, and environmental stand-point in determining plans for recommendations. Develop more specific guidance on evaluation of residual risks and consequences and potential rationale for deviations from NED plan where there are overriding economic, social, safety, and environmental considerations.

Timing: Two to six months to issue specific guidance.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

What are the costs?

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 4.2

Reduce the vulnerability of critical infrastructure to damages from the standard project flood (spf) discharge.

Background: During the Flood of 1993 several major highways bridges and other transportation infrastructure were put out of service for weeks and months, causing substantial hardship on the public. Additionally, critical water supply and waste water facilities were rendered unusable due to flooding. Concern has been expressed by some that a high level of flood protection should be provided to critical infrastructure facilities. Critical infrastructure is defined in the report as structures, facilities, and installations of the following type and function: 1) those that, if rendered unserviceable, would impose significant hardship on the public, or, 2) those that, if flooded, would pose a threat to public health, public safety, and/or the environment. The SPF, which is said in the FMRC report to approximate the 0.2 percent chance (500-year) discharge, has been proposed as a good expression of the appropriate high standard. There are two positions on what should be an appropriate level of protection. One is that there should be an established goal or standard (e.g., spf, 500-year, etc.), while the other supports an approach whereby the appropriate level of protection is determined on a case-by-case basis.

Analysis: Full consideration should be given to the economic, social, safety, and environmental consequences including residual risks in determination of appropriate sizing of levee and flood wall projects to be recommended for Federal participation. A risk analysis will allow decision makers to make trade-offs to achieve balance. While a high level of protection may be desirable for highly developed areas, use of arbitrary standards, SPF or others, can lead to inefficient use of scarce resources or have other adverse consequences. Levels of protection should be based on the value added of going to the high standard, comparing the economic and environmental costs and benefits, consistent with Executive Order 12893, Principles for Federal Infrastructure Investment.

- Adoption of such a standard would lead to fewer, bigger projects because of level budgets and Sponsors who could not afford to cost-share in larger projects.

- Larger projects could increase adverse environmental impacts.
- SPF is not always economically feasible or environmentally acceptable; therefore, some "good" projects may not be recommended or constructed.
- SPF is often highly uncertain in discharge and stage and changes over time.
- Protection from flooding should be based on all economic, social and environmental costs and benefits, as well as residual risks and consequences.

Working Group Recommendation: The Working Group concurs with the recommendation modified as follows: Reduce the vulnerability of critical infrastructure to damages to a level determined appropriate through a risk analysis that incorporates all economic, social and environmental costs and benefits, as well as residual risks and consequences.

Implementation:

Agency(s) Responsible for Implementation: U.S. Army Corps of Engineers (USACE)

Type: Administrative

Details: Emphasize USACE policy on levee sizing to include risk-based analysis and evaluation of residual risks and consequences from an economic, social, safety, and environmental stand-point in determining plans for recommendations. Develop more specific guidance on evaluation of residual risks and consequences and potential rationale for deviations from NED plan where there are overriding economic, social, safety, and environmental considerations.

Timing: Two to six months to issue specific guidance.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Costs ?

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 5.1
Revise the RCRA locational standards and contingency planning regulations for consideration of flood hazards in areas impacted by the Standard Project Flood.

Background: The EPA's regulations for the Resource Conservation and Recovery Act (RCRA) on permitting hazardous materials treatment, storage, or disposal facilities have locational standards. These standards appear inconsistent with the EO 11988 guidelines for critical actions. The RCRA regulations addressing flood design requiring that no washout of hazardous materials occurs, apply to those facilities located in areas with a one percent annual chance of flooding. EPA recognizes this concern, and is presently reviewing siting and locational standards in conjunction with other significant issues, including floodplain requirements. The EPA requires that permitted facilities have contingency plans addressing notification and response for any unplanned release. The regulations do not specifically require that the plans address flooding events. However, in flood prone areas, permit criteria routinely include certain agency consideration as permit conditions. The contingency plan must be reviewed, and immediately amended, if necessary whenever the plan fails in an emergency (e.g., flooding). -

Analysis: The EPA would continue to review siting and locational standards in conjunction with many significant issues, including environmental justice and floodplain requirements. Recommendations would be made to the EPA's Assistant Administrator for Solid Waste and Emergency Response during the Fall of 1994. EPA feels that the issues raised concerning contingency plans that do not address flooding events and that do not provide feedback regarding contingency plan effectiveness can be addressed under existing regulations.

Working Group Recommendation: The Working Group supports the revision of site locational regulations to also consider restricting hazardous waste management activities in areas subject to flooding of greater than a 100-year frequency. The Working Group recognizes that E.O. 11988 indicates avoidance of these activities in the 500-year floodplain, but believes that the use of an spf goal or standard for RCRA activities currently located in the floodplain is not appropriate. The risks for each site should be

independently evaluated. EPA should provide additional guidance to advocate that contingency plans specifically address the special activities and coordination required in the event of flooding to decrease the risk of hazardous materials releases and enhance governmental response. EPA should review contingency plans after hazardous materials releases due to flooding that would provide the means to enhance pre-disaster planning.

Implementation:

Agency responsible for implementation: EPA

Type:

Details: Revisions to regulations concerning locational standards will need to go through rulemaking.

Why?

Timing: Two years to revise regulations. Issues regarding contingency plans could be addressed in less than six months.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations: None

Does it really take two years?

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Numbers: Recommendation 5.2 & Recommendation 10.1

R5.2 - Increase the state role in all floodplain management activities including, but not limited to, flood fighting, recovery, hazard mitigation, buyout, floodplain regulation, levee permitting, zoning, enforcement, and planning.

R10.1 - Where they do not already do so, states should assume responsibility for regulating levee-related activities such as levee location, alignment, design, construction upgrade, maintenance, repair, and floodfighting.

Background: The Report recommends that the States lead the way in floodplain management activities. These two Recommendations were grouped together because each advocates an increased role for the States.

Analysis: The ultimate responsibility for floodplain management rests with States, local governments, and individuals through local land use planning decisions. These entities are in the best position to coordinate overall floodplain management activities. Currently, the Federal government has a dominant role in many floodplain management activities. A shift towards increasing the role of the States and local units of government would be necessary to establish local and regional priorities, resolve intrastate issues, coordinate floodplain management activities, and increase their stake in reducing flood risk.

Working Group Recommendation: The Working Group recommends that agencies take appropriate measures to encourage increased state responsibility in managing floodplains. This would include improving partnerships between Federal agencies, State governments, and local communities. Although some programs are structured with a federal emphasis for floodplain management activities, states should take a leadership role. The Working Group concurs with the recommendations as stated below:

R5.2 Increase the state role in all floodplain management activities including, but not limited to, flood fighting, recovery, hazard mitigation, buyout, floodplain regulation, levee permitting, zoning, enforcement, and planning.

R10.1 - Where they do not already do so, states should assume responsibility for regulating *non-federal* levee-related activities such as levee location, alignment, design, construction upgrade, maintenance, repair, and floodfighting.

The Working Group also recommends that under the proposed Floodplain Management Act (Action Item 5.1), Congress should encourage the states and local governments to take a more pro-active role in floodplain management activities.

Implementation:

Agencies responsible for implementation: All agencies/OMB

Type: Administrative, Legislative

Details:

Timing: 1-2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Unfunded mandates?

R 5.2 - "encourage"
Can't require except
very carefully.

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation Item Number: Recommendation 5.3

Restructure and refine the scope of Federal technical service programs and increase funding for the USACE in the areas of Floodplain Management Services and Planning Assistance to the States programs and increase funding for states through the FEMA Community Assistance Program.

Background: This Recommendation provides an incentive to increase the role of the States under Recommendations 5.2 and 10.1, and also to allow federal technical assistance to go the states and let them advise communities, rather than working through communities, which can be less efficient and may be making decisions that the state should be making from a larger perspective.

The FEMA Community Assistance Program provides federal funding to the states to conduct floodplain management activities. However, these funds are from the NFIP policyholders and can be used only for those activities that directly support the administration of the NFIP.

The USACE provides planning/engineering services to states, communities and Indian Tribes through two National programs. The Planning Assistance to States Program makes USACE expertise available to assist states, local governments, and Indian Tribes in preparing their own plans for development, utilization, and conservation of water and related land resources. Studies are requested and prioritized by the states or Indian Tribes and conducted by the USACE. Studies are funded on a 50-50 cost-shared basis. This program is funded for \$2.0 million in FY 95, well below the statutory limit of \$6.0 million. The Flood Plain Management Services Program reduces flood losses to the Nation by helping states, communities, and Indian Tribes to deal correctly with floods and flood hazards. Planning assistance and technical services are provided in the form of special studies to assess flood risk and to develop comprehensive floodplain management plans, including flood proofing studies, flood warning/preparedness studies, hurricane evacuation studies, and the like. Services are provided by the USACE on an as requested and funds-available basis. This activity is 100% Federal funded for states,

local governments and Indian Tribes. Each year there is a known shortfall of funds and significant unmet requests. This program is funded for \$8.0 million in FY 95, well below the statutory limit of \$15.0 million.

Analysis: Restructuring, expanding, and fully funding Federal technical services and increasing funding for States through the FEMA Community Assistance Program would provide an incentive for the States to become more involved in floodplain management activities. This recommendation would increase funding to the Corps of Engineers and FEMA to provide assistance to the States.

Note that Action 6.5, if implemented, would provide increased funding to the states for community floodplain management and hazard mitigation planning. This would partially satisfy the states' views that funding and assistance are not sufficient. Action 5.1, the Floodplain Management Act, could meet the demands by states for increased flexibility under the Community Assistance Program.

This recommendation, R5.3, if implemented, would further satisfy the states' needs for technical services and planning assistance from Federal agencies. It would enable the USACE Flood Plain Management Services Program to provide more services to a greater number of states, local governments, and Indian Tribes. It would also enable the USACE to enter into a greater number of cost-sharing agreements with states, local governments, and Indian Tribes to provide USACE planning and engineering expertise in water resources studies under the Planning Assistance to States Program. *What examples?*

Working Group Recommendation: The Working Group supports incentives that increase the role of the States and improves partnerships between Federal agencies, State governments, and local communities. Additional funding to the Corps would be necessary to expand the Floodplain Management Services Program.

Increase funding to the states through the FEMA Community Assistance Program only if the decision is made not to proceed with the Floodplain Management Act. Increase funding to the USACE Flood Plain Management Services and Planning Assistance to States Programs to provide more technical services and planning assistance to the states, local governments, and Indian Tribes, and to further facilitate technology transfer and disseminate data critical to sound decision making at those levels.

Implementation:

Agency(s) responsible for implementation: FEMA (Community Assistance Program), USACE (Flood Plain Management Services & Planning Assistance to States Programs)

Type: Administrative

*Not able to just increase dollars
w/out to shift \$'s from Fed to state*

Details: Agencies should seek increased funding through the normal budget cycle.

Timing: FY 97

Estimated Annual Resources -- Cost and FTE: TBD

Additional Comments and Observations: Annual increases in funding for FY 97 would bring USACE Programs up to the statutory limits. Funding for FY 98 and beyond would continue at those levels.

ISSUE PAPER

IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Recommendation 5.4

Hold FEMA's existing disaster assistance cost sharing requirements to no more than 75/25; seek to make other agencies disaster programs' cost share requirements consistent at 75/25.

Background: Federal disaster assistance under the Stafford Act is, by law, designed to be supplemental to State and local capability. The supplemental nature of disaster assistance is reflected in the cost share that is required for most programs under the Stafford Act. Generally, the cost share requirement is 75% Federal/25% nonfederal. The Individual and Family Grant Program and the Hazard Mitigation Grant Program are set in law at the 75/25 cost share. The Public Assistance Program is set in law as not less than 75% Federal. This has provided the President the authority to adjust the cost share for Public Assistance when conditions warrant. Cost share adjustments are granted only when the impact of the disaster is extreme, as in the case of Hurricane Hugo, Hurricane Andrew, the Midwest Floods, and the Northridge Earthquake. Cost share adjustments are very rare. For example, in the past 10 years (beginning in FY 1984) there have been approximately 350 major disaster declarations granted. Only 24 of the 350 declarations have included an adjustment to the cost share requirement. Virtually all of the 24 adjustments were for the above named events and for disasters declared in the Pacific Islands. *current discussions?*

Certain programs for individuals, most notably the Temporary Housing Program and the Crises Counselling Program, are by law 100% Federal. FEMA strongly supports retaining these types of programs as 100% Federally funded because that allows the Agency complete control to provide quick and efficient assistance to meet the emergency needs of disaster victims. In the infrequent instances where Temporary Housing requires construction of mobile home group sites, construction of the sites is, by law, cost-shared 75/25.

With respect to programs of other Federal agencies the cost shares vary. However, there is agreement that, in general, a 75/25 cost share should be sought for disaster recovery programs. There are certain exceptions. For example, the USACE strongly supports retaining 100% Federal funding for all floodfighting costs. Currently the USACE cost shares emergency levee repair/restoration on an 80/20 basis, and could revise the cost share formula administratively. The Economic Development Administration (EDA) has

a fluctuating cost share for its regular (nondisaster) programs, from a low of 50/50 to a high of 80/20, and believes that flexibility should be retained. EDA could limit the cost share to the proposed 75/25 for disaster programs funded under emergency appropriations, provided the appropriation language establishes the 75/25 cost share requirements. HUD does not support a cost share when its regular programs are used for disaster recovery, and wishes to retain flexibility for any disaster programs that may be funded. SCS agrees with the 75/25 cost share and implements the Emergency Watershed Program at that cost share. However, at the time of disaster emergency actions may be taken by SCS at up to 100% Federal cost.

Two agencies proposed alternatives to the recommendation that cost share be a consistent 75/25. HUD suggested that instead of requiring cost sharing, agencies fund only a certain percentage of the recovery costs (e.g. 75 percent), without a matching requirement. It would be up to the state and local government to determine how the remainder of the recovery costs would be covered.

DOI questioned the selection of a uniform 75/25 cost share. DOI brought up the point that among President Clinton's first acts in office was the issuance of a directive with respect to the management of floodplain assets. Executive Order 12893, Principles for Federal Infrastructure Investments, decrees that infrastructure investment and management will be based on systematic analysis of expected benefits and costs--both market and non-market, monetized and qualitative. An objective of the E.O. was equitable distribution of risks and costs associated with floodplain management. The arbitrary selection of a 75/25 cost share seems to be at variance with E.O. 12893. DOI states that we must recognize the importance of incentives and the beneficiary-pay principle of public finance, and recommends that an interagency group revisit the policy of taxpayers nationwide paying for 75 percent of the cost of local flood protection or recovery. Section 2(b)(3) of E.O. 12893 states that "...efficient levels of serviced can often best be achieved by properly pricing infrastructure...". The Review Committee was mindful of the importance of incentives when it analyzed and made recommendations for revising the flood insurance and crop insurance programs. DOI suggests that the Full Task Force needs to review whether the 75/25 percent cost share is an appropriate reflection of the costs and benefits to the Federal government, and the costs and benefits to the local inhabitants.

Analysis: This is a two part recommendation dealing with FEMA programs and those of other Federal agencies. FEMA already implements the policy of retaining a 75/25 cost-share, unless adjustments are made in those rare instances when disaster conditions warrant such action. Other Federal agencies generally indicated a willingness to pursue a 75/25 cost share for their disaster recovery programs, with the exception of HUD and DOI which propose alternative solutions. All Federal agencies, however, felt that flexibility should be retained for certain programs and certain situations.

Work Group Recommendation: FEMA will continue its current policy with respect to retaining a 75/25 cost share. The USACE and SCS will pursue a 75/25 cost share for their disaster programs, as appropriate. All agencies will retain the flexibility to continue exceptions to the 75/25 cost share when programs and disaster situations warrant an exception. Any revisions to current cost share will require coordination with appropriate public interest groups, beginning in the early stages of such revisions.

Implementation:

Agencies responsible for implementation: All

Type: Legislative/Administrative

Details:

Timing: 1 to 2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

Point of Contact: Robert T. Sienkiewicz, DOT

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FMRC Report Recommendation or Action Item Number: Action 5.5

OMB should direct all federal agencies to conduct an assessment of the vulnerability of flooding using a scientific sample of federal facilities and those state and local facilities constructed wholly or in part with federal aid.

Background: There are many facilities and much infrastructure located in the floodplain that have been constructed with Federal funds. The public has an interest in knowing what these facilities and structures are in order to better protect its investments that range from office buildings to bridges. This action recommends that the Federal Government conduct a vulnerability assessment which should identify and quantify the total federal investment subject to flood damage. The target flood for protecting critical infrastructure (i.e., SPF 500 or 500-year) should be considered in the assessment. The assessment also should contain recommendations on mitigation measures to protect federal facilities currently at risk. The results of this study would be used to make decisions regarding the need, if any, to take mitigative measures.

Analysis: This option allows the Federal government to ascertain what portion of its total investment in infrastructure and facilities is subject to damage during flooding. This would enhance the Federal government's ability to protect current investments as well as to make contingency plans for catastrophic situations. In addition, implementation of this action allows the Federal Government to set an example for state and local governments.

However, in order for the implementation of this action to make sense, a number of ancillary issues must be addressed. One particular area of concern is the overall usefulness of the collected data. Before this action is implemented, it would be appropriate to determine what will be done with the data after it is collected. In addition, OMB must make sure that the data is consistent.

Another concern is whether the benefits derived from performing this analysis are greater than the associated costs. This action has the possibility of being very costly because of the sheer magnitude of Federal investment. For example, one administration in the U.S. Department of Transportation, Federal Highways Administration, reports that there are over 580,000 bridges in the floodplain on which standard risks have yet to be

assessed. This action's implementation would only make sense if the potential benefits derived are less than the associated costs. In addition, the scope of this analysis needs to be further defined. There exists the possibility of OMB directing states to determine which of its facilities have been constructed with Federal funds. If so, this becomes an unfunded mandate problem. Before performing the analysis, it is necessary to define terms. The definitions of terms such as "vulnerable" and "scientific sample" must be stated. Furthermore, floodplains need to be defined on a nationwide basis.

Finally, OMB should avoid duplication of effort. For example, much of the assessment may have already been performed by universities, and OMB may be able to take advantage of this already existing data.

Working Group Recommendation: OMB, in consultation with the Water Resources Coordinating Committee (WRCC), should direct agencies to identify to the extent possible those structures and facilities owned and operated wholly or in part by the federal government that are vulnerable to flood damage and pose the most risk to public health, safety, and welfare. The OMB directive must include specific reporting requirements to ensure a timely and effective response.

Implementation:

Agencies Responsible for Implementation: OMB to lead, support to be provided by all Federal agencies and contractors.

Type: Within existing authority

Details:

Timing: 24 months.

Estimated Annual Resources: TBD

Additional comments and observations:

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IMPLEMENTATION OF THE INTERAGENCY
FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 5.5

The Administration should seek increased funding for federal agencies to support collaborative planning participation with other federal agencies.

Explain

What are they?
Just long-term?

Background: A collaborative approach in an ecosystem context is needed to move agencies away from single-agency problem solving and forward towards collaborative floodplain management planning efforts.

Working group

Watershed management

Analysis: Collaborative planning efforts will provide long-term benefits after an initial investment in time and resources. A task force under the Water Resources Coordinating Committee or acting independently will need to establish a framework for collaborative floodplain/watershed management efforts prior to initiating work on specific projects. Funding limitations will likely constrain the abilities of most federal agencies to participate in large-scale multi-agency collaborative planning efforts.

Coastal Mgmt Model

Working Group Recommendation: The working group recommends that the Water Resources Coordinating Committee develop a framework and mechanism for collaborative planning efforts, and identify the need for additional funds, if any, to make this planning possible.

in consultation with the Ecosystem Management Task Force

Implementation:

Agency(s) responsible: USACE, FWS, SCS, EPA, NMFS

CEQ, OMB?

Type: Administrative and legislative

Details:

Timing:

Estimated Annual Resources: TBD

Additional comments and observations:

change from "funding" to just increasing activity or drop it that's redundant

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IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 5.6

Seek revision of Section 1134 of the Water Resources Development Act of 1986 to provide for phase-out of federal leases in the floodplain.

Background: Since the mid-1950's, the Corps of Engineers has leased out about 1,200 cottage sites along the Upper Mississippi River. In 1965, because of changes in Federal policies governing floodplain development and other laws, the Corps decided to phase out the leases. However, Congress directed the Corps to continue leasing the sites until 31 December 1989 (P.L. 97-140). Before the expiration date, Congress enacted P.L. 99-662, Section 1134 of which prohibited the Corps from terminating the leases unless the sites were needed for immediate use as a public park, or for a higher authorized use, or if a tenant substantially violated the lease. When the sites were first outleased, in the 1950's, the leases permitted recreational use only. The current leases contain similar restrictions. In late 1987, the ASA(CW) directed that year-round residency, by itself, would not be considered a violation of the lease serious enough to warrant termination. The lessees were informed of this policy. This policy was reaffirmed by the ASA(CW) after the recent midwest floods.

Analysis: USACE continually works with the local communities for the enforcement of floodplain ordinances with respect to the condition of current buildings and the rebuilding of improvements, etc. USACE has proposed termination of these leases on two occasions but Congress did not adopt the recommendations. The Government expends funds to manage the leases and also provides benefits when floods occur. The Midwest flood of 1993 demonstrates again that it would be desirable to terminate the leases, not only from management and fiscal viewpoints, but also to prevent possible loss of life. Some people use these recreational sites for their permanent residences and it would be difficult, if not impossible, to simply terminate leases on such sites. Also, any distinction in the treatment of permanent vs. part-time residents in terms of lease terminations could be equally difficult.

Working Group Recommendation: That Section 1134 of PL 99-662 be amended such that all Upper Mississippi River cottage site leases would be acquired. However, if

acquisition of the leases does not come to fruition, it is recommended that Federal disaster assistance for future flood events not be provided.

Implementation:

Agencies responsible for implementation: USACE

Type: Legislation.

Details: Although the land would remain in Federal ownership, it could be used for greenbelt or environmental purposes with state or local sponsorship.

Timing: Initiate legislation early in 104th Congress.

Estimated Annual Resources: TBD

Additional Comments and Observations: This is a highly political situation. Our earlier attempts at lease termination were unsuccessful and we would expect opposition again. However, in an effort to reduce possible loss of life and property damage, as well as additional Federal expense, we believe this is a good time to finally resolve this issue.

-cost?
-realism?

ISSUE PAPER

IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN REVIEW COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Number: Recommendation 5.6
Promote the use of programmatic National Environmental Policy Act (NEPA) documents in the planning process.

Background: Federal agencies currently tend to prepare site-specific, independent NEPA analyses for actions taken on a watershed, without addressing what other actions are being considered on the broader watershed scale. As a planning and decision making process, such individual analysis can be inefficient and time-consuming. Instead, proposed agency actions on a watershed should be planned on a programmatic, regional, multi-agency basis. This process provides for strategic planning with significant public involvement, and allows agencies to tier off of the programmatic statement for site-specific actions that are more efficient and focused.

Analysis: The CEQ regulations implementing NEPA provide that environmental impact analyses may be prepared, and are sometimes required, for broad Federal actions, including proposals by more than one agency. When agencies prepare broad analyses, the regulations encourage tiering off the analysis to eliminate repetitive discussions of the same issues, and to focus on the actual issues ripe for discussion at each level of environmental review. These subsequent analyses need only summarize the issues discussed in the programmatic statement, while concentrating on the issues specific to the subsequent action.

While the CEQ regulations address programmatic and tiered NEPA analyses, the Council itself should actively promote their use by sponsoring workshops and other fora to assist in identifying successful approaches to strategic analyses. CEQ should also develop guidance for federal agencies, and explore means by which agencies can plan in a collaborative manner when more than one agency has jurisdiction by law, or special expertise or interest in the planning process. This should also be a priority issue for the newly formed Water Resources Coordinating Committee to promote.

Working Group Recommendation: The Working Group recommends that the Council on Environmental Quality (CEQ) initiate workshops, conferences and other forums to be

October 13, 1994

Probably good idea
But is this the way?

- What's being done
- why not just focus on CEQ
and other agencies in
cooperating in
regional
NEPA
activities

EIS
Corps - 20-30/year

co-sponsored by the agencies to assist in identifying how agencies can effectively and efficiently develop strategic environmental impact analyses. CEQ will also issue subsequent guidance.

→ in consultation w/
WRCC

Implementation:

Agency Responsible: Council on Environmental Quality, all agencies

Type: Administrative guidance/workshop

Details:

Timing: 6-12 months ?

Estimated Annual Resources: Federal budget saver, with some expense to CEQ and other agencies who may co-sponsor workshops.

Additional comments and observations:

Explicit that
regulatory products
will be outcome.

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

Point of Contact: Frank Thomas, FEMA

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FMRC Report Recommendation or Action Item Number: Action 5.7

For communities not participating in the NFIP, limit public assistance grants.

Background: Currently, assistance to non-NFIP communities is denied only for insurable structures in the base floodplains. Authority is the Flood Protection Act of 1973, Section 202. Assistance is available for other infrastructure (roads, utilities, flood channels, etc.) which is normally not insurable.

This limitation has largely been overtaken by the provision in the 1988 Stafford Act which reduces eligible costs by the amount which could have been obtained from a standard NFIP policy [Section 406 (d)]. Assistance still available for such structures is the standard deductible, uninsurable items, and damages in excess of standard policy limits (usually \$250,000 per structure). These last three eligible items are not available for non-NFIP communities.

Analysis: A change to the Stafford Act would be required to implement the limitation and extend it to all permanent restoration assistance. The regulations would be changed to allow for the survey of damages with repair estimates for the ineligible projects. The applicant would be advised that such projects could be eligible if the community entered the NFIP within a grace period, usually six months from the declaration.

Working Group Recommendation: The sanction of assistance for all infrastructure facilities for non-participating communities should be implemented as an added incentive to join the program.

Implementation:

Agencies responsible for implementation: FEMA

Type: Legislative

Details:

Timing: 1-2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Sounds good
-- How does it fit with overall disaster policies?
-- What's the downside?
Defensible? If not how about reducing level (eg. 75%)

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 5.7
OMB should issue a directive that requires periodic reevaluation of federal water resources projects to include potential operation and maintenance modifications.

Background: Many of the nation's water resources projects were constructed a number of years ago. For some of these projects major maintenance expenditures will be needed, due to changed conditions that make them less effective (e.g., headwaters development that increases runoff and flood stages causing protection downstream to be lessened), and for others, modifications may be needed in response to changing societal goals. Although it is recognized that the authority exists under Section 216 of the River and Harbor and Flood Control Act of 1970 (i.e., PL 91-611) to review the operation of completed projects constructed by the Corps of Engineers in the interest of navigation, flood control, water supply, and related purposes (including improving the quality of the environment in the overall public interest), this may not be entirely responsive to changing conditions (the effects of which are unknown without reevaluation) or to changing societal goals. For projects that have been in place for a significant number of years (say 40), a reevaluation should be made to insure project integrity and allow consideration of potential project modifications.

Analysis: Some have indicated that the existing Section 216 authority is adequate to address these situations. If significant problems exist, it is likely that there would be an awareness of those problems. To require all older projects to be reevaluated is a waste of scarce resources. Others are concerned that current operational practices do not properly reflect current societal and environmental goals and Section 216 will not focus on this unless specific problems and opportunities can first be documented. In addition, without reevaluations, some projects that do not currently provide the level of protection for which they were designed will not be identified and corrections will not be considered until after a disaster impacts them. A more proactive approach is needed that identifies deficiencies prior to a disaster.

Working Group Recommendation: It does not appear that a consensus can be reached at this time and no alternative approaches have been recommended that could lead to consensus. {While the potential cost consequences have not been determined,

reevaluation of all water resources projects that are 40 years old or greater could be a significant endeavor.} For the USACE, Sections 216 and 1135 fo PL 91-611 meet the need for reevaluation of water resource projects that include potential Operation and Maintenance modifications. More aggressive coordination with other agencies such as DOI and USDA, similar to the process recommended in Recommendation 5.5, would be a useful endeavor that would further water resource ...

Implementation: None

No

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IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 5.8

→ Encourage communities to obtain private affordable insurance for infrastructure as a prerequisite to receiving public assistance.

Background: ?

not clear

Analysis: No statutory change is needed for this item. A regulation change would provide that either the applicant or the state would certify that insurance on an item or class of items was in effect or that it was unavailable or not affordable for a facility to be eligible. ① ② ③ ?

Working Group Recommendation: Implement by regulation, but do not make assistance contingent on the purchase of insurance. → contingent on certification

Implementation:

Agencies responsible for implementation: FEMA

Type: Administrative/Legislative

Details:

Timing: 1-2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

- Weak!

ISSUE PAPER

IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation of Action Item Number: Recommendation 5.8

OMB should use only the benefit-cost ratio for damage reductions to existing development in establishing Administration funding priorities unless standard flood level of protection is provided.

ie
excludg
induced
develop.
benefits

Background: Concern has been expressed that Federal projects induce development into floodplains and, where a high level of protection (such as SPF) is not afforded, increased flood damages occur when a levee or floodwall is overtopped. This creates additional risks to floodplain occupants and is likely to produce increased demands for Federal disaster aid.

Analysis: SPF is an arbitrary standard, and as such, may lead to an inefficient use of resources. Residual risks remain with all levels of protection, including SPF protection. Full consideration is given to residual risk in the analyses which determine the sizing of flood control projects. The analyses produce higher levels of protection where there is greater risk.

The calculation of benefits to existing development is already part of the budgetary reporting and decision process for prioritizing Federal investments. Both the Principles and Guidelines (P&G) and OMB require reporting of a benefit-cost ratio for existing development. The P&G also requires participation in the Flood Insurance Program as a basic assumption in the without-project condition. Therefore, no benefits are claimed for future development in the FEMA-base floodplain (100-year flood), unless it is elevated to FEMA standards. Further, Section 308 of WRDA '90 already precludes the claiming of benefits for development in the 100-year floodplain occurring after July 1, 1991 (with certain exceptions).

In addition, E.O. 11988 establishes a Federal priority not to induce or encourage development in floodplains. In application of this E.O., induced development is included in Corps projects only if it is incidental to a project formulated for without-project condition development. ✓

It is recognized that the proposed recommendation is not intended to alter the P&G or the E.O., but rather to place greater budgetary priority on projects which are justified based on the prevention of damages to existing development.

Working Group Recommendation: The Working Group was not able to reach a clear consensus on this recommendation. The crux of the conflict involves the recognized need for appropriate economic development in this country and the need to protect the natural functions of the floodplain and avoid unnecessary floodplain development. Not giving priority to projects whose NED benefits are derived substantially from future economic development precludes using water projects as a tool of economic development. Certainly, there is a strong interest in economic development in this Administration.

At the same time, using future economic development to justify making projects a priority will contribute to the problem of more development occurring in the floodplain than would likely be the case if the community bore a greater proportion of the residual risk. And in many cases, the water projects and future economic development that will occur do so at the expense of natural floodplain functions. The Working Group tends to support policies that seek to balance economic development and prosperity with the maintenance of natural values and functions, and believes that considerable work will be necessary by the WRCC to help establish the policies that reach this balance. The Working Group does not support using the SPF level of protection as a basis for determining whether or not a water project should be funded. See our recommendations concerning the SPF issue in the overview paper and in Recommendations 4.1 and 4.2.

Implementation: None

*Induced Benefits
will not use as
justification for
project?
Wait -- No action
now - possible after
EQ modified*

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IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 5.9

Provide loans for the upgrade of infrastructure and other public facilities.

Background: Concerns have been expressed that the FEMA public assistance program may provide disincentives for communities to take action to protect public infrastructure from flood damages or to relocate those facilities outside the floodplain. A local cost share of less than the cost of relocating or protecting the facility from flood damages creates disincentives for communities to mitigate. Also, communities may not budget adequate funds for the maintenance and upgrading of infrastructure and public facilities. Therefore, when a flood or other disaster occurs and facilities are damaged, some of the damage may be due to deferred maintenance or to the communities' failure to upgrade or properly size the infrastructure.

A major problem in the Midwest Flood of '93 was that many storm and sanitary sewer systems were inadequate to handle high groundwater and rainfall in many areas of the Midwest. This resulted in flooding and sewer backup into the basements of thousands of homes and businesses.

Analysis: Currently, post emergency funding is available from FEMA for the repair of damaged public facilities under a 75/25 cost share formula (a 90/10 cost share was used for the Midwest Flood). These funds can be used to repair damaged facilities to their pre-flood condition only. Although some funds may be available through the FEMA Section 404 Hazard Mitigation Grant Program for mitigation and the upgrade of facilities to reduce future damage, most of these funds are often allocated for other purposes and are not available for public facilities.

Inadequate funding exists to upgrade and mitigate future damages for infrastructure and other public facilities.

States and communities should undertake efforts to identify vulnerable facilities in floodplains. A loan program is needed which would encourage and enable communities to take action during recovery to reduce future damage to public facilities by relocating or protecting those facilities rather than repairing a facility at its current location. Such

Cost?
New program
Significant resources

a program could also assist communities to upgrade undersized storm sewer systems or other flood control facilities. Since these are capital improvements and have long-term benefits to the community, loans would be more appropriate than grants.

Working Group Recommendation: Congressional action should be pursued to establish a loan program to provide loans in urban and rural areas for the upgrade of infrastructure and other public facilities in flood prone areas. *relocation of*

Implementation:

Agencies responsible for implementation: Logical agencies for the administration of such programs are RDA in rural areas and HUD in urban areas, as these agencies have experience in making loans to public bodies.

Type: Legislative

Timing: 1-2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations: FTE requirements would be within existing ceilings.

ISSUE PAPER

IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 6.1

The Administration should establish an interagency task force chaired by USDA and EPA to formulate a coordinated, comprehensive approach to multiple objective watershed management.

Background: Federal agencies provide guidance and assistance to many individuals and units of government. Most programs administered by a federal agency are normally narrow in scope and address identified problems. An examples is the EPA water quality programs delivered through states address point and non-point water quality problems separately. Solutions to identified problems are installed by local governments or individual farmers or ranchers. Many times the issue of water quality has both problems in a watershed and solving each problem independently may not solve the overall water quality problem for a stream or watershed. Also the most cost effective solutions maybe solving both problems jointly. Other agencies such as USDA provide assistance to individuals on erosion control, water conservation, flood control, etc and each are separate individual programs. Other agencies such as DOI, USACE and others also deliver programs for solving identified problems. In addressing problems it has become apparent that most areas have several overlapping problems and the best way to improve the resources is to provide assistance in a comprehensive, coordinated effort. The method of evaluating resource needs and delivering services proposed is the watershed State and approach. The goal is for the federal government to assist local decision makers in effectively developing a resource plan which would coordinate the many single focused programs of the federal government.

Analysis: For the federal government to gain maximum effectiveness and efficiency in assisting states, local governments, and individuals in applying comprehensive and coordinated watershed management it must determine how agencies will coordinate and work in planning and implementation of projects and practices which solve identified watershed problems. To coordinate the federal effort those agencies with the programs and responsibilities must develop and recommend a proposed process for coordinating on a watershed bases. Recommended minimum representation for the task force should be Soil Conservation Service, Forest Service, Agricultural Stabilization Conservation

Service, and Rural Development Agency or Farmer Home Administration of USDA; Fish and Wildlife Service, Bureau of Land Management, Park Service and Bureau of Reclamation of DOI; Environmental Protection Agency; Corps of Engineers; and the Tennessee Valley Authority. Responsibility of the task force would be to recommend the proposed federal delivery process for watershed management to state, local governments and private individuals. A clear delivery approach would assist Congress in providing funding to the proper agencies through the appropriate appropriation committees and sub-committees for the 1996 budget. Also this task force report would provide the federal government role for assisting states and local government. This process could then be clearly articulated in the proposed Watershed 95 Conference planned for October 1995.

Working Group Recommendation: The Working Group concurs in this action and recommends the establishment of the proposed Water Resource Coordinating Committee (WRCC) to formulate a coordinated, comprehensive approach to multiple objective watershed management.

Implementation:

Agency(s) Responsible for Implementation: Committee representatives: SCS, ASCS, FS, RDA or FmHA, EPA, USACE, FWS, NPS, BLM, BuRec, TVA.

Type: Administrative

Details: Establish by directive.

Timing: 6 months. Establish 1/95.

working group

Estimated Annual Resources: Short term assignment to ~~task force~~. Complete with existing resources. Long term savings and efficiency for government and reduction of duplication of services.

Additional Comments and Observation: Successful development of a method for delivering services in a comprehensive manner supports the National Performance Review efforts of the administration. Final proposal will reflect leadership by the administration and will assist in carrying out Eco-based assistance to states and local governments and individuals.

system management

** Should work with CEQ-NEPA Programmatic EIS effort*

No additional action required if WRCC started

ISSUE PAPER

IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Recommendation 6.1
Enhance pre-disaster planning and training.

Background: The four main providers of training for pre-disaster planning and training are FEMA, USACE, EPA, and SCS. Each agency has existing legislative authorities and experience in training for emergencies. FEMA, as the main provider of disaster planning and training, has offered a wide variety of education and training for emergency management of natural disasters, including response, mitigation, recovery phases.

FEMA's Emergency Management Institute (EMI) and National Fire Academy provide training for local and State elected officials emergency managers, planners and responders. EMI provides training in simulation exercise design and evaluation, as well as technical assistance through exercise training officers funded by FEMA in every State. Regarding hazardous materials, FEMA provides training for emergency responders in the awareness, operations, specialist, technician and Incident Commander areas. Among the training audiences are Local Emergency Planning Committees, State Emergency Response Commissions, and persons in the private sector responsible for hazardous materials incidents.

Too
at directed
add'l
funds.
Focus on
increased
coord. &
effects
of current
programs

USACE works with local governments and levee boards on awareness of flood threats, conducts floodfighting workshops, and providing technical assistance and information to local officials. Additionally, USACE provides technical support and planning assistance to state and local governments for comprehensive floodplain management. SCS provides these services in subwatersheds or upstream areas. SCS also provides an Emergency Action Plan for an inundation structure that is built under SCS Conservation or Watershed Programs. This includes a hydrologic inundation study and evacuation plan agreed to by the sponsors on cases where a breach could cause loss of life or disruption of transportation or electrical infrastructure.

EPA provides training programs regarding preparedness, prevention and response to chemical emergencies, under the Community Emergency Planning and Community Right to Know Act of 1986. Courses are offered on hazards analysis, risk communication, preparedness and response training. After the 1993 Midwest floods, the environmental impacts of the Midwest and Mississippi Floods were greater than has been seen

previously. Environmental agencies at the state level as well as EPA dealt with a large number of hazardous materials incidents (from floating propane tanks and drums of chemicals), and the prospects for wildlife habitat and wetlands restoration in the Mississippi Valley area. The Galloway report noted the need for more training on disaster preparedness and response generally and on hazardous materials in particular.

Analysis: In order to minimize the health and safety impacts and environmental risks of floods, the report recommended that FEMA, in coordination with EPA and other federal agencies involved with aspects of emergency response should increase state, tribal, local public and corporate awareness of risk. It also recommended these agencies foster the exercise of pre-disaster plans. EPA should work with FEMA and states to emphasize local pre-disaster planning, including notification and coordination procedures for response to releases of hazardous materials. The report encourages all agencies to use geographic information systems to link data sources.

To improve the disaster preparedness and response capacity of the flood-prone midwest states, EPA and FEMA plan to work together and with other relevant federal agencies, such as USACE, to better improve and better integrate the training they offer state and other officials. Generally, FEMA deals with emergency management of all natural disasters; USACE provides training regarding floods, and EPA deals with hazardous materials emergencies. These federal agencies will work to enhance and augment existing training programs and materials in an effort to improve the efficiency and effectiveness of flood response implementation.

EPA and FEMA propose to work through existing state organizations (such as offices of emergency services, environmental agencies and State Emergency Planning Commissions) and local organizations (such as county emergency management agencies and local emergency planning committees). The three major training agencies also plan to do more outreach to state and local governments, non-governmental organizations, and the general public.

FEMA, USACE, EPA and other federal agencies engaged in disaster training propose to coordinate at the headquarters level, in an effort to achieve more comprehensive and effective program delivery. The objective is to work with state government and other key officials in order to enhance knowledge of disaster planning to enhance preparedness and capability at the state and local level. These plans for a broader range of training and exercising and public outreach will require extensive coordination with non-governmental organizations, such as the Association of State Flood Plain Managers, with state associations (such as the National Emergency Management Association), and with organizations representing general purpose government at the State and local levels.

What
They
Don't Do
Now?

Work Group Recommendation: This group agrees with the need to enhance pre-disaster planning and training, and can do so within existing statutory authorities; however, in

order to do this effectively, all of the agencies will require will require substantial additional resources.

Implementation:

Agencies responsible for implementation: FEMA, USACE, EPA, SCS

Type: Administrative

Details:

Timing: Can begin almost immediately after obtaining funding

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

*Better coordination of current programs?
Are \$'s needed?
Why not just improve current programs?*

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 6.2

The DOI, USDA, and EPA should coordinate and support Federal riverine and riparian area restoration.

Background: Stream and riparian restoration is vital to watershed management and can significantly improve water quality, reduce soil erosion and runoff, and increase fish and wildlife habitats.

Analysis: Habitat restoration in floodplains can provide a multitude of benefits for reducing flood risk and for improving public health, water quality, water resource management, and fish and wildlife resources. Several agencies are involved in habitat restoration activities; however, stream and riparian restoration efforts are often uncoordinated. Valuable information on costs, techniques, and effect is undistributed and often unavailable.

Working Group Recommendation: The Department of the Interior, Corps of Engineers, Department of Agriculture, and EPA, in consultation with the Water Resources Coordinating Committee (WRCC), should develop a Memorandum of Understanding to outline an action plan for coordinating their land, river and wetland restoration and protection programs. These Agencies should treat high value riparian lands in flood prone areas as important components of these programs. ✓

Implementation:

Agencies responsible for implementation: Department of the Interior, Department of Agriculture, Corps of Engineers, and EPA

Type: Administrative

Details:

Timing: This Action Item could be fully implemented by the end of 1995.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations: Proposed Senate bill #2418 directs the Secretary of the Army to purchase land along the Missouri River between Sioux City and St. Louis to improve riparian habitat and to reduce flood losses (80% cost share). The Secretary must consult with Interior and Agriculture. The Working Group recommends the Corps consult with other Federal agencies as outlined in this Action Item.

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Recommendation 6.2

FEMA should review its policy of issuing revisions to flood insurance maps which remove property from the floodplain based on fill.

Background: Currently, in areas of the 100-year floodplain that lie outside the FEMA-designated floodway, fill meeting certain specified criteria may be placed to raise the level of the ground above the 100-year elevation. The property owner then would request that FEMA revise the floodplain map to remove the property from the 100-year floodplain. When this is done, floodplain management measures and the mandatory flood insurance purchase requirement no longer apply to the property.

Analysis: FEMA's current mapping regulations may encourage the placement of fill in floodplains for development purposes, even though the residual risk of flooding remains, and the placement of fill could cause adverse hydraulic and environmental impacts. Individuals may make decisions without full knowledge of flood potential, the advisability of purchasing flood insurance, or access problems during floods.

Both FIA and the Mitigation Directorate of FEMA should be involved in this policy review, as well as RDA, FmHA, HUD, and other interested federal agencies. Likely non-federal partners in the review would include ASFPM, the Association of Homebuilders, and environmental organizations. FEMA's review of this policy should include the following objectives: flood loss reduction and the protection of human life, maintaining the insurance policy base, map accuracy, and minimization of environmental degradation due to activities in the floodplain.

Working Group Recommendation: Concur with Recommendation.

Implementation:

Agencies responsible for implementation: FEMA

Type: Administrative

Details:

Timing: 1-2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

*Sounds correct,
but done thru
rulemaking.*

rulemaking?

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IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 6.3

The Administration's legislative proposals for the 1995 Farm Bill should support continuation and expansion of conservation and voluntary acquisition programs focused on critical lands. The proposal should support technical and financial assistance for implementation of watershed management, riparian and wetland restoration, and upland treatment measures.

Background: The Food Security Act of 1985 and the Food, Agriculture, Conservation, and Trade Act of 1990 both contained strong conservation measures to reduce soil erosion, improve water quality and wildlife habitat, and reduce down stream flooding. There are two programs of particular importance: the Conservation Reserve Program, which provides annual payments to producers for maintaining conservation cover on highly erodible or other environmentally sensitive land, and the Wetlands Reserve Program, which acquires permanent conservation easements on prior converted wetlands and restores the wetlands.

Analysis: Flood stage and frequency normally are significantly influenced by the degree to which rainfall is captured and released more slowly in the uplands. Wetlands restoration and upland treatment can be effective in mitigating smaller floods in addition to providing the water quality and wildlife habitat benefits that have been traditionally used to justify these types of programs.

Working Group Recommendation: Actively support continuation and expansion of conservation and acquisition programs.

Implementation:

Agency(s) Responsible for Implementation: USDA

Type: Legislation

Details:

Timing: 6 Months — longer

Estimated Annual Resources: TBD

Additional comments and observations:

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COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 6.4

Promote the NFIP Community Rating System as a means of encouraging communities to develop floodplain management and hazard mitigation plans and incorporate floodplain management concerns into their ongoing community planning and decisionmaking.

Background: The National Flood Insurance Reform Act of 1994 codifies the CRS and allows it to provide credits for actions which enhance natural and beneficial floodplain functions. The CRS currently has recognition for floodplain management and hazard mitigation plans built into the system of credits. There is also an effort underway to develop the information necessary to evaluate how well the CRS is progressing towards meeting its goals and to refine the operation of the System. Whether more credits should be provided for the subject plans is an issue that should be addressed in the evaluation context.

Analysis: The CRS has expanded in the past 2 years to include over 900 communities representing over 40% of the flood insurance policy base. Increased participation in the CRS at the community level will provide a multiplicity of benefits including protecting and restoring the natural resources and functions of floodplains. The USACE provides technical assistance on the CRS to communities (on an as requested basis). Successful promotion of the CRS could mean that more communities would request assistance from the USACE. However, significant additional requests in any given fiscal year would require supplemental funding.

Work Group Recommendation: Fully concur with A6.4 as stated.

Implementation:

Agencies responsible for implementation: FEMA

Type: Administrative

Details:

Timing: Under implementation

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Numbers: Recommendations 6.3, 6.4

R6.3 - Federal agencies involved in floodplain management should include information regarding floodplain management and past and probable future flood heights and extents in their education and public affairs initiatives.

R6.4 - State floodplain management officials should encourage local school districts to include natural hazard education in their curricula.

and frequency

Background: If individuals and communities are going to participate in pre-disaster, response, recovery, and mitigation efforts, then public awareness of natural hazards should be the first step in pre-disaster planning.

Analysis: The US Army Corps of Engineers routinely makes floodplain and related data available to states, communities, and to some extent the general public through its Public Affairs office and by responding to requests through its Flood Plain Management Service Program. The states and Indian Tribes can also request studies through the Planning Assistance to States Program (50-50 cost-shared). Similar information is also made available during the Corps project planning process, through public meetings, news releases, and other methods.

Some National Park Service (NPS) units currently include this information in their public information programs. The NPS could expand this component of their public education program with additional FTE's and funding.

FEMA has developed a floodplain management course for state and local officials on "Managing Floodplain Development Through the National Flood Insurance Program." This is a 40 hour course that provides a comprehensive overview of floodplain management, including environmental issues, and the requirements of the National Flood Insurance Program (NFIP). NFIP state coordinators conduct floodplain management workshops for state and local officials as well. EO 11988 states, in Section 3 (c), "if property used by the general public has suffered flood damage or is located in an identified flood hazard area, the responsible agency shall provide on structures, and other places where appropriate, conspicuous delineation of past and probable flood

height in order to enhance public awareness of and knowledge about flood hazards." This recommendation should already be implemented throughout federal agencies.

Working Group Recommendation: Working Group II supports these recommendations.

Implementation:

Agencies responsible for implementation: All

Type: Administrative

Details:

Timing: 1 year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 6.5

Provide funding for the development of state and community floodplain management and hazard mitigation plans.

Background: Incentives are needed to encourage the development and implementation of state and community floodplain management and hazard mitigation. Present technology and know how applied to these plans could cause significant reductions federal expenditures for future disasters. FEMA, SCS, USACE and FWS strongly support the concept of community floodplain management and hazard mitigation plans. In fact, the guidance for planning under Section 409 of the Stafford Act encourages all States to develop all-hazard mitigation plans prior to the occurrence of a disaster. Once a major disaster is declared, all states are required to develop a mitigation plan for the disaster areas, which in effect becomes a pre-disaster plan for future disasters.

Analysis: Language providing source funding in S.1405 and H.R. 3191 was included in the National Flood Insurance Reform Act of 1994 and is waiting the President's signature. This provides FEMA \$1.5m for planning assistance grants to states and communities at 75/25 cost share. FEMA programs such as the Disaster Preparedness Improvement Grant (DPIG) Program and Emergency Management Assistance (EMA) program, encourage development of mitigation plans. USACE, Flood Plain Management Services Program (Sec 206, FC Act of 1960) provides comprehensive floodplain management plans at 100% Federal funded and performed by the Corps on an as requested fund available bases. USDA/SCS River Basin Program (PL83-566, Sec 6) provides floodplain management studies including planning at 100% Federal cost in rural and agricultural communities. This includes studies for the protection of wetlands and other natural resources.

Was it signed?

Working Group Recommendation: Implement floodplain plans that are ecologically based and in harmony with a quality environment. Federal efforts continue to emphasize the need for State and local mitigation plans through their existing programs and FEMA should continue to support the creation of a preparedness program for hazard mitigation within the Stafford Act amendments now under review. Technical assistance available from DOI, USDA and DOD.

existing

Implementation:

Agencies responsible for implementation: FEMA, USDA/SCS/FS, DOI/FWS, DOD/USACE

Type: Legislative/Administrative

Details:

Timing:

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

*Encourage development of plans -
use existing programs.*

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 6.6

Map all communities with flood hazard areas that are developed or could be developed.

Background: Approximately 22,000 communities have been identified by the NFIP as floodprone, and nearly 21,000 have been mapped. Many of the unmapped communities are sparsely populated and undeveloped. However, some 100-year floodplains along mainstem rivers are not identified. Funding constraints have caused FEMA to focus mapping dollars in areas with high development pressure. Subsequently, many rural counties and communities remain unmapped.

Analysis: Not all unmapped communities require mapping. However, FEMA should review the status of all unmapped communities designated as floodprone to determine if current circumstances warrant mapping. This would provide communities participating in the NFIP with information necessary to enforce floodplain management regulations and ensure that properties at risk carry flood insurance. Mapping may also provide an incentive for non-participating communities to join the NFIP.

At this time, an accurate estimate of the number of communities requiring the initiation of floodplain mapping is unavailable. Until a review is completed by FEMA and the states, the necessary resources are unknown. The resources necessary to complete this Action would be included in the funds described in Action 6.7, supplementing the floodplain mapping budget with appropriated funds.

Working Group Recommendation: Concur with Action.

Implementation:

Agencies responsible for implementation: FEMA

Type: Administrative

Details:

Timing: 1 year for study to determine number of communities

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

No.
I'd agree with
the statement
under "Analysis"
not the recomm.

Not
the
same

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IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 6.7

To improve and accelerate delivery of NFIP map products, the Administration should propose supplementing those funds obtained for floodplain mapping from NFIP policyholders with appropriated funds.

Background: Currently, all administrative expenses of the NFIP are funded by a \$25 federal policy fee. The current number of flood insurance policies subject to the \$25 federal policy fee results in an annual mapping budget of approximately \$35 million. This amount covers the initiation of new/revised engineering studies, responding to requests for revisions to existing maps based on data provided by state/local governments and individuals, cartographic/digital preparation of flood insurance rate maps, and printing and distribution.

Analysis: The resources necessary to improve the accuracy and timeliness of NFIP mapping are not definitively known at this time. Currently, the amount of work completed is based on the availability of funds, not actual mapping requirements. The NFIP reform legislation includes a requirement for FEMA to review all maps once every 5 years. When this procedure is initiated, a better estimate of the required resources will be available. It should be noted that if the flood insurance policy base increases, more funds may become available from the federal policy fee, and less funds may have to be appropriated.

It is possible, however, to estimate the required resources based on existing surveys performed by NFIP map user groups and comparisons with other federal mapping programs. Some other federal mapping efforts are funded at much higher levels. For example, USDA spends \$74 million per year on soils survey mapping. The USGS National Mapping Division's current budget is approximately \$53.5 million per year (projected FY95 budget = \$60 million). DOI spends about \$8 million per year on the National Wetlands Inventory. The themes of these other mapping programs are generally more static than floodplain mapping, which requires detailed engineering analyses and subsequent updates as watershed conditions, development conditions, and new data become available (such as a large flood event). Additionally, floodplain map changes require coordination with communities and administrative appeal procedures.

October 13, 1994

*If this is
so valuable it should
be in the FY 96 Budget
The acid test
Otherwise, need to change*

NFIP mapping is used by state and local floodplain and emergency managers, federal agencies, insurance companies, lenders, developers, and others. Many more groups benefit from the availability of this information than the flood insurance policyholders.

Working Group Recommendation: Concur with Action

Implementation:

Agencies responsible for implementation: FEMA

Type: Legislative

Details:

Timing: 1-2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 6.8

Utilize technology to improve floodplain mapping.

Background: Digital conversion of existing Flood Insurance Rate Maps (FIRMs), as well as the digital collection of data for new and revised FIRMs will reduce the long term costs of the National Flood Insurance Program (NFIP) mapping activities. Current funding levels and procedures do not allow for a quick conversion of the existing inventory of FIRMs.

Analysis: Digital conversion of FIRMs has been a key part of the automation of the flood mapping and revision process in the NFIP. Updates, maintenance and distribution by FEMA of the flood risk theme in digital format will provide a substantial long term cost savings to the government. These digital data and their secondary risk information derivatives are used by a large community of local, state, federal, and private sector entities for risk assessment, planning, and insurance purposes. The acceleration of the digital conversion process will vastly improve NFIP mapping activities.

What is
the action
to be
taken?
Cost --
will issue

Topographic data collection now costs 40% of the FEMA flood insurance study budget. Due to the fiscal costs of topographic data, and the complexity of reducing these data for use in hydrologic and hydraulic models, the primary goal recommended for use of technology is to improve the efficiency and accuracy of topographic data collection, while reducing the costs at the same time. Secondary goals include the collection of improved levee and flow restriction data, Manning's "n" values, or collateral data, and flood extent boundaries for use in model calibration.

This action is closely related to Action 11.5: "The Administration should support the USGS in development and acquisition of detailed topographic data and other land characteristics for use in floodplain management and other water resources management activities. Existing DOD technologies should be leveraged to assist in the acquisition of these data." Presently, the US Army Topographic Engineering Center, USGS, FEMA, and NASA are jointly pursuing activities in support of Action 11.5. The primary purpose of this effort is to test the feasibility of using emerging technologies to collect digital topographic data and create digital elevation models (DEMs).

Successful collection of DEM data will allow for the application of these data for hydrologic and hydraulic modeling, as well as NWS real-time streamflow forecasting services. From this effort, scientists and engineers will be able to evaluate the value of detailed topographic input to hydraulic models in understanding and predicting the behavior of flood waters in complex riverine environments.

Working Group Recommendation: Concur with Action

Implementation:

Agencies responsible for implementation: FEMA, DOD, USACE, USGS, NWS

Type: Administrative

Details:

Timing: 1 year for the DEM project, ongoing digital conversion

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Action Item Number: Action 7.1

The Administration should establish a lead agency for coordinating acquisition of title and easements to lands acquired for environmental purposes.

Background: Coordination between the major land acquisition agencies (DOI, USDA, USACE) would improve efficiency and provide more opportunities to address both landowner and ecosystem needs.

Analysis: The Working Group agrees that some landowner confusion exists when Federal agencies have separate land acquisition programs and that Federal land acquisition could be better coordinated. We disagree with the specific solution outlined in the Report because of the difficulties in combining land acquisition programs from different agencies.

Working Group Recommendation: The Working Group recommends that the major Federal land acquisition agencies develop a Memorandum of Understanding and a set of guidelines for Federal agencies to use when acquiring lands for environmental purposes. The MOU and the guidelines would emphasize an ecosystem approach to land acquisition; effective coordination with Federal, State, and local programs; avoidance of competitive bidding between agencies for the same land; and improved customer (landowner) service. The WRCC will assist in the implementation of the MOU. *good*

Implementation:

Agencies responsible for implementation: DOI, USDA, USACE

Type: Administrative

Details:

Timing: 2 years

Estimated Annual Resources -- Cost and FTE: TBD
Additional comments and observation:

*Good to J.
specific*

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 7.1

The Administration should support increased funding for the Refuge Revenue Sharing Act (The Act).

Background: When the U.S. Fish and Wildlife Service acquires land for a National Wildlife Refuge, tax revenues are lost to the lowest unit of government that collects and distributes taxes from those lands (usually counties). The Act authorizes payments to reduce the financial burden of removing lands from the tax rolls. Inadequate funding has limited the attractiveness of such land acquisition in some areas of the country, particularly the upper Midwest.

Analysis: Certain areas of the country receive revenue sharing payments that are considerably higher than local property taxes. However, in the upper Midwest, revenue sharing payments are often 25% to 30% lower than real estate taxes. This makes land acquisition in floodplain management in the upper Midwest controversial. Payments at less than full entitlement magnifies the issue.

Working Group Recommendation: The Working Group recommends the Department of the Interior request Congress to fully fund the Refuge Revenue Sharing Fund so that payments to counties would be at 100 percent entitlement, and Congress should amend the Act to create a more equitable distribution of funds across the States so that maximum payment to counties would not exceed local taxes. Counties with shortfalls would share equally in the remainder of available funds.

Implementation:

Agency responsible for implementation: DOI - U.S. Fish and Wildlife Service

Type: Legislative

Details:

Timing:

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Is it in FY
96 request
(Kid Test)?
How much is it?

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IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 7.2

The Administration should develop emergency implementation procedures to organize federal agencies for environmental land acquisition. ✓

Background: The report identifies several difficulties encountered by federal agencies in their efforts to provide disaster relief to economically distressed landowners and, at the same time "enhance natural resources". First, the statutory authority of federal agencies to acquire real property prohibits agencies from "spending without first completing full procedural cycles." Second, there is "uncertainty among landowners about the ability of federal agencies to execute timely real estate actions," which limits their interest in selling their property to the federal government.

Analysis: The report recommends that the DOI be directed to develop, in cooperation with other federal agencies, "an interagency, programmatic environmental land acquisition plan that could be implemented during emergency situations." The intention, apparently, is to identify and integrate the program-specific real estate requirements of federal, tribal, state, and local agencies within certain geographic areas and to define or describe the lands or interests in land to be acquired. In conjunction with this effort, the report recommends that actions be taken to permit the "waiver of certain procedural components of land acquisition programs that require extended intra- and interagency review and comment" in disaster response situations. The report does not indicate, however, specific procedures that could be waived. Nevertheless, the report suggests that if such a plan were developed, the federal government could use available funds following disasters to "immediately acquire" lands that have been identified in advance.

Working Group Recommendation: The Working Group concurs with the recommendation as written, and would give it a high priority. DOI will lead an interagency task force with the primary mandate to explore accelerated land acquisition procedures while still protecting the interests of taxpayers, landowners, and the Federal government. The ability to combine the efforts of federal agencies to quickly acquire environmentally-sensitive lands in times of flood emergencies would materially assist in ✓

the process of limiting re-development and providing alternatives in flood prone areas. Furthermore, specific circumstances may occur when DOI may delegate the lead to the Federal agency having the largest local involvement and capacity.

With respect to the development of a programmatic environmental land acquisition plan, the Working Group supports this concept. An interagency team should explore a variety of options such as pre-authorized acquisition areas or categories for Federal land acquisition during emergencies. By identifying areas or categories of property ahead of time, some of the pre-acquisition procedures and clearances can be completed up-front and thereby shortening the remaining processing time. For example, if privately-owned, flood-prone parcels within authorized boundaries have "pre-authorized" acquisition authority, then expedited acquisition could proceed.

Implementation:

Agencies responsible for implementation: DOI (FWS, BR, BIA, BLM, NPS), USACE, FEMA, ASCS, SCS, FS, DOJ, DOT, HUD

Type: Legislative, administrative

Details: Implementation may require changes to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations thereto. Other statutes and regulations may be involved as well depending upon the specific elements of the interagency land acquisition plan.

Timing: A legislative initiative could be submitted early in the 104th Congress. Necessary changes to regulations could be made within 6 months of the date the bill becomes law.

Estimated Annual Resources -- Cost and FTE: It is not anticipated that additional resources would be required to develop a legislative initiative or regulatory and policy changes.

Additional comments and Observations: It is assumed that the acquisition of lands or interests in land will be performed under existing authorities. In any case, there are a number of practical problems associated with the "immediate" acquisition of numerous tracts of land, especially following a disastrous flood event, which are not addressed in the report. It must be recognized that prudent business practices still require that an adequate legal description of the tracts be developed, that proper title evidence and an appraisal of fair market value of the property be obtained, and that an investigation be conducted for possible contamination by hazardous substances. Furthermore, physical access to the lands to be acquired, public records

and landowners may be hampered by flood waters. In addition, the real estate requirements of federal agencies are not static. Therefore, an interagency land acquisition plan would have to be continuously updated to reflect such changes. It is also noted that non-federal sponsors are typically required to provide all lands or interest in lands needed to USACE projects. Thus, the pace of acquisition is somewhat dependent on the capabilities of the non-federal sponsor. Opportunities are currently being sought to streamline the USACE review and approval process, consistent with the recommendations of the National Performance Review. Lastly, USACE cannot delay acquisition of lands required for its projects until a disaster occurs. USACE should consider the current requirements of other agencies and accommodate them if practicable. However USACE, like other federal agencies, should maintain ultimate responsibility for defining the interest to be acquired and performing the work.

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IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 7.3

The DOI should formalize environmental considerations in multi-agency disaster recovery land restoration activity through a coordinated Memorandum of Agreement.

Background: In response to the flooding, federal agencies developed informal alliances to partner programs to achieve better flood recovery. Formalization of working relationships would expedite recovery efforts by providing coordination points and a central clearinghouse for information on buyouts options, sources of funds, and a list of potential cooperators.

Analysis: Action 7.3 is closely related to Action 6.1 (i.e., interagency task force for multi-objective watershed management) and 7.2 (i.e., emergency land acquisition procedures). Action 7.3 supports a prior DOI recommendation that DOI join the interagency task force and coordinate and expedite land acquisition and/or restoration during emergency situations. We welcome efforts to develop this Memorandum of Agreement. → DOI editorial

The Federal land restoration programs must be coordinated achieve a holistic and synergistic approach to watershed restoration and management. Implementation of this Action Item would provide Federal agencies with an overview of priority environmental considerations for land restoration (not the least of which would be watershed management) and identify for Federal agencies locations or programs ripe for collaborative restoration.

Use of MOU's or MOA's would streamline the acquisition process where multi-agency efforts are needed. The lead agency would have the responsibility for all floodplain land protection efforts; with cooperation and support from other agencies through these procedural agreements.

- restoration, not acquisition

Presuming additional funding and FTEs are available to the lead agency under actions described in 7.1 of this section, no funding would be needed for this item.

} Why any \$ needed?

The product developed by this recommendation should be an umbrella document that identifies roles, responsibilities, etc., of all agencies and should be the authorizing document that would allow for fund transfers, etc., identified in item 7.1.

expanded
scope?

Working Group Recommendation: The Working Group supports the recommendation and would give it a high priority.

Implementation:

Agencies responsible for implementation: DOI (FWS), EPA (significant role), BR, BLM, BIA, NPS, USACE, ASCS, SCS, FS, FEMA

Type: Administrative

Details:

Timing: 1-2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Scope needs to be limited to MOA --
"guidance" for restoration.
Not new authority for
agency transfers, etc.

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IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 7.4

Seek legislative authority for flexibility in use of programmed funds in emergency situations.

Background: During the flood of 1993, many agencies were unable to respond in a timely manner to capitalize on opportunities for landowner relief and environmental enhancement which materialized during and immediately following the flood. As an example, the FWS was unable to access appropriated Land & Water Conservation funds to offer landowners an immediate alternative to realigning and restoring levees.

Analysis: DOI (FWS), EDA, RDA, HUD, and FEMA(Response & Recovery) support this. HUD has waiver authority for the CDBG program and the HOME Investment Partnerships program. Similar authority could be sought for certain other HUD programs. DOI suggests that Congress continue to provide such flexibility to address emergency requirements in appropriations bills and to expand it for other agencies that do not now have such authority. EDA suggested that flexibility be provided by allowing agencies to use a certain percentage of their program funds in an emergency.

FEMA has administratively streamlined their disaster assistance programs when necessary to meet the emergency needs of the disaster. The Stafford Act outlines broad parameters for various assistance and mitigation programs, allowing FEMA to exercise flexibility during and following the disaster. USACE currently has legislative authority (PL 84-99) for use of programmed funds in emergency situations.

General legislative authority could be sought for agencies other than FEMA and USACE for use of programmed funds in emergency situations similar to the USACE authority under PL 84-99. The National Floodplain Act (Action 5.1) could be the appropriate vehicle for this action. However, it was the Working Group consensus that a single act covering all agencies and programs/missions would be a significantly burdensome piece of legislation.

Working Group Recommendation: Authority should be given to federal agencies to allow for expedited landowner relief from flood events and the ability to capitalize on environmental enhancement opportunities that may arise during and immediately

following the flood event. Each agency should seek legislative authority tailored to the agency's specific programs and missions. Each agency would then develop and publish in the Federal Register the regulations for implementing the authority.

Implementation:

Agency(s) responsible for implementation: Each affected agency

Type: Legislative, Administrative

Details: Legislation must be introduced separately for each agency to authorize use of programmed funds during emergencies.

Timing: Immediate (FY 1995) - Approximately one year from date of legislation to develop agency regulations and/or navigate the FR rulemaking process.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

OK within limits.

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IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 7.5

The Department of the Interior should focus land acquisition on river reaches and areas with significant habitat values or resource impacts.

Background: The Report recommends that until ecosystem plans are completed, the Department of the Interior should focus its land acquisitions and easements on problem river reaches with known habitat values and threatened and endangered species.

Analysis: The Federal government should make every effort to follow an ecosystem approach to land acquisition. The Department of the Interior supports voluntary land acquisition on problems reaches of river and areas where the benefits are maximized for the least cost. However, while endangered and threatened species are important considerations in floodplain management, other objectives may be of equal or higher importance in setting land acquisition priorities.

Funding and FTE's should be sought to assist and coordinate with existing Federal efforts to characterize the floodplain, develop GIS information, and prepare ecosystem strategies for management.

Working Group Recommendation: The Working Group recommends the Department of the Interior focus its voluntary land acquisition and easement programs on problem river reaches, riparian corridors, and similar areas where the maximum flood reduction and habitat restoration benefits occur.

Implementation:

Agency responsible for implementation: DOI, U.S. Fish and Wildlife Service

Type: Administrative (within the U.S. Fish and Wildlife Service)

Details:

Timing:

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Why would it cost anything?

DOI must be on board. 58

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COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 7.6

Require agencies to co-fund ecosystem management using Operation and Maintenance funds.

Background: While there is a need to develop and implement ecosystem management plans across the Mississippi River Basin, identification of the appropriate funding mechanism is difficult.

Analysis: Funding is needed for development and implementation of ecosystem management plans. Use of operation and maintenance funds for developing these plans is not appropriate and the legality is questioned.

Working Group Recommendation: The working group does not support the action item as written, but recommends that the Water Resources Coordinating Committee develop ~~a framework and funding mechanism~~ for ecosystem management activities.

Implementation:

Agency(s) responsible: USACE, DOI (FWS), SCS, EPA, NMFS,

OMB

Type: Administrative and legislative

Details:

Timing:

Estimated Annual Resources: TBD

Additional comments and observations:

→ The Ecosystem Management Task Force is developing the "Framework".

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 7.7

Enact legislation allowing cost-sharing participation and eligibility requirements under Sections 906 and 1135 of WRDA 1986, as amended, to include federal, state, and non-governmental contributions as well as work-in-kind.

Background: The Review Committee believes that by expanding the possible array of cost-share partners and by permitting work-in-kind to qualify as local sponsor cost-share contributions there would be more opportunities to implement projects under Sections 906 and 1135 of WRDA '86, as amended. Cost-sharing has been an issue with regard to implementation of certain sub-sections of 906 since its enactment. Although mitigation is authorized in Section 906 at the same level at which the project was constructed, funding has not been provided, since, for many projects, this would mean 100% Federal cost-sharing.

Several potential sponsors of Section 1135 project modifications have also expressed an interest in contributing work-in-kind and in having the efforts of volunteers qualify as part of the non-Federal share. There are two positions on the use of Federal agency contributions to meet the non-Federal cost-sharing requirement. One is that the Federal cost-sharing limit of 75% should be adhered to. The other is that Federal agencies should be able to contribute toward the non-Federal sponsor share of costs (i.e. the 25% non-Federal share).

Analysis: In certain cases a non-Federal sponsor of a Section 1135 project modification may use Federal funds to meet its share of the total project modification costs, if the Federal granting agency verifies in writing that the expenditure of such funds is expressly authorized by statute. State agencies are currently the non-Federal sponsors of several Section 1135 project modifications. Non-governmental organizations may contribute to traditional non-Federal sponsors of Section 1135 projects and may be the non-Federal sponsor for Section 1135 projects with no long term operation and maintenance requirements. Sponsors of Section 1135 project modification do not provide funds until the construction phase, as opposed to authorized projects involving cost-sharing of the feasibility study phase. If credit for work-in-kind is allowed, the work could be subject to

the same rules governing Federal construction activities. Additionally, there is concern that the administrative requirements for monitoring the costs of in-kind services may exceed any potential savings to the non-Federal sponsor.

Working Group Recommendation: The Working Group fully supports amending Section 1135 of WRDA '86 to include state, and non-governmental contributions, as well as work-in-kind; however, full consensus was not achieved on the use of other Federal agency contributions to meet the non-Federal cost-sharing requirement.

The Working Group supports cost-sharing modification to Section 906 to require a 25% non-Federal cost-share for environmental mitigation consistent with the cost-sharing philosophy for Section 1135 as discussed in WRDA '86 as amended.

Implementation:

Agency(s) Responsible for Implementation: U.S. Army Corps of Engineers (USACE).

Type: Legislative (Currently proposed legislation and existing authority for Section 1135. New legislation would be required for Section 906.)

Details:

Timing: Two months from passage of legislation for preliminary guidance, two months to resolve current policy issues.

Estimated Annual Resources: TBD

Additional comments and observations: The purpose of the provision to amend Section 103 of WRDA '86 is to create a consistent cost sharing formula of 75 percent Federal/25 percent non-Federal for the costs of projects for environmental protection, restoration and /or enhancement that could be applied to the various authorities for the Corps to carry out such projects.

The proposed amendment to Section 1135 of WRDA '86, as amended, will allow the Corps to pursue small ecosystem restoration projects in areas where Corps projects have contributed to the ecosystem degradation but the proposed solutions do not involve modifications in the structures or operations of Corps projects. A second part of the proposal makes it clear that the federal per project limit is \$5 million, unless a project with higher federal costs is specifically authorized.

Non-governmental organizations can already participate as cost share sponsors for Section 1135 projects, if no operation and maintenance is involved. The Corps is examining the possibility of participation of certain well established national

organizations in situations where some operation and maintenance is required. These organizations may currently make arrangements with governmental agencies to contribute to projects and the operation and maintenance that the governmental agencies sponsor.

The Corps Office of Counsel is currently researching the work-in-kind issue with regard to Section 1135. It appears that the Corps may legally credit such work to the non-Federal sponsors, however its applicability may be reserved to those cases where it is clear that the benefits in terms of cost savings to the sponsor outweigh the administrative costs.

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FMRC Report Recommendation or Action Item Number: Action 7.8

Allocate funds for mitigation lands in concert with and at the same pace as project construction.

Background: Development projects often require agreements to purchase mitigation lands before project construction plans receive agency approval. However, funding of mitigation land acquisition has not always proceeded on the same schedule as construction. In some cases, this lack of funding has led to unmet mitigation over periods of years.

Analysis: Under the Water Resource Development Act of 1986 (WRDA) [Section 906(a)(1)(B)], the Corps of Engineers is required to allocate funds for mitigation lands at the same pace as project construction. Other Federal water resource development agencies do not have the same requirements.

Working Group Recommendation: The Working Group recognizes that mitigation delayed is often mitigation denied. We recommend that Congress consider legislation that requires all Federal agencies to allocate mitigation funding at the same pace as project construction as required of the Corps.

Implementation:

Agency(s) responsible for implementation:

Type: Legislative

Details:

Timing:

Estimated Annual Resources -- Cost and FTE: There would be no additional Federal costs or FTE's associated with implementing this recommendation.

Additional comments and observations:

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 8.1

Establish the USACE as the principal Federal levee construction agency.

Background: This action is not a call for new levee construction, but rather calls for a consolidated levee repair and construction effort in place of the fragmented and inefficient effort witnessed during the aftermath of the Midwest Flood of '93. The primary Federal construction agencies for water resources projects (USACE and SCS) have been joined by FEMA, EDA, and HUD in the repair of non-Federal levees damaged by the 1993 Flood and in the construction of new or improved levees as a result of the flood. Some of these agencies have not used the same engineering standards or methods of economic and environmental analysis in carrying out their programs. The differences rest with the purposes of the programs and the varying nature of the levees. Nevertheless, these differences cause confusion among those dealing with the multiple programs. In addition, cost-sharing differences also exist between the different Federal agencies programs which encourages non-Federal sponsors to shop around for the best Federal deal. Also, many instances exist where levee repairs by one or more Federal agencies were considered inappropriate only to be done anyway by another Federal agency.

Analysis: Since the USACE is the principal water resources construction agency it is logical that it should be designated the principal levee construction agency. Although the levee construction program of the SCS has significantly declined in recent years, the SCS would continue to construct levees in headwater areas within their jurisdiction, when appropriate. In all other areas, there should be only one Federal agency to insure consistent evaluations, engineering standards, and Federal cost-sharing. The Corps is also currently responsible for repairs to existing levees that qualify under the PL 84-99 Emergency Repair Program. Allowing other agencies to repair and levees as a result of a flood disaster undermines the existing Corps program and reduces the incentive for levee districts to participate in that program.

Working Group Recommendation: The Administration should establish the USACE as the principal levee construction agency for the Federal government.

*Does this mean Corps will deal with
all agricultural levees?
Provide TP inspection, etc.?*

October 13, 1994

Implementation:

Agency(s) Responsible for Implementation: USACE, SCS, FEMA, EDA, and HUD.

Type: Administrative

Details: Executive Order or OMB directive.

Timing: 6 months.

Estimated Annual Resources: Federal resources for levee construction and repair should decrease.

Additional Comments and Observations: It is appropriate for one Federal agency to manage and ensure the integrity of all the levees in this country that meet Federal program requirements. The USACE and SCS should coordinate and revise the existing MOA as appropriate.

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IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 8.1

Federal agencies should capitalize on opportunities, within existing authorities and resources, to enhance the environment when reviewing operations or undertaking repairs or improvements to existing flood damage reduction programs.

Background: Levees will continue to have significant responsibilities for the provision of flood protection in the upper Mississippi River Basin. Approximately half of the levees currently in-place were either built by the Federal government, or were constructed to meet Federal standards. In both these situations, post-disaster (floods of '93) repairs and/or replacement are eligible for Federal assistance. USACE and SCS are the water resource agencies with primary responsibilities for the design and construction in these situations. However, in this instance, FEMA, EDA, and HUD are also involved through their public assistance and grant programs. Both USACE and SCS have extensive experience in levee construction, rehabilitation and continued maintenance; the other agencies very limited experience. Consequently, a wide degree of engineering standards, methods of economic analysis, and approach to environmental considerations occur.

Analysis: USACE is not only the principal water resources construction agency, but has a variety of existing authorities as well as resources capable of ensuring environmental enhancement or restoration opportunities are properly addressed as part of the analysis, design and construction process when recommending repairs, improvements or modifying the existing operational programs on the upper Mississippi levee system. In fact, USACE planning/ O&M programs routinely address these environmental considerations. Agency regulations (ER-1105-2-100, Planning Guidance Notebook), as well as various sections of the Water Resource Development Acts (WRDA) of 1986, 1988, 1990 and 1992, authorizes the Secretary of the Army to specifically respond to

these environmental concerns. For example, Sections 906 and 1135 of WRDA '86, as amended, authorize fish and wildlife mitigation, and project modifications for improvement of the environment, respectively. Similar authority is found in Section 306 of WRDA '90, which states: "The Secretary shall include environmental protection as one of the primary missions of the Corps of Engineers in planning, designing,

constructing, operations and maintaining water resources projects." Certification of existing resource capability is exemplified in the numerous and successfully completed mitigation Section 1135 enhancement projects, and the restoration programs such as the Kissimmee River project currently under construction.

Working Group Recommendation: Federal agencies should capitalize on opportunities within existing authorities and resources, and if necessary, seek new authority to restore and/or enhance the environment when reviewing operations or undertaking repairs or improvements to existing flood damage reduction programs. The agencies should work with the WRCC and OMB to develop, in a timely fashion, agency-specific plans of action to implement this recommendation.

Implementation:

Agency(s) Responsible for Implementation: All appropriate water resources development agencies; U.S. Army Corps of Engineers (USACE), logical lead.

Type: Legislative, Administrative

Details: Emphasize existing authorities, PGN; coordinate with other agencies.

Timing: Immediately.

Estimated Annual Resources -- No significant increase in cost or FTE's is anticipated for implementation of the recommended action; would be conducted under authorized annual program funding ceiling.

Additional comments and observations:

*Need to be more
Specific
Is the plan to review and
revise current agency guidance,
instructions, training for
staff/programs?*

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**IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT**

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 8.2

The Administration should reaffirm its support for the USACE criteria under the PL 84-99 levee repair program and send a clear message that future exceptions will not be made.

Background: Approximately 1,600 levees (1,400 of them non-Federal) were damaged to the point of requiring some form of rehabilitation or repair as a result of the 1993 flood in the midwest. Less than 500 of these levees are under the USACE emergency repair program, and of these, 229 were Federally constructed. Many levees that had been under the USACE program in the past were not under it at the time of the flood for various reasons, such as failure to operate and maintain the levee properly, individual decisions not to participate, lack of a public sponsor, or inability to meet required engineering criteria. A total of 199 levees have been approved for repair. Given the seriousness of the 1993 flood and the fact that less than 15 percent of the non-Federal levees that were damaged qualified for repair consideration under the USACE program, the Administration and Congress provided supplemental funding for levee repair. Even with the waiver of the USACE requirements, the Administration and Congress stipulated that levee districts or sponsors would have to meet the following requirements to receive funding: agree to join the USACE program; and, within two years, provide public sponsorship, ensure levee maintenance, and meet engineering, environmental, and other eligibility requirements of the program.

Analysis: The eligibility requirement of the USACE emergency repair program are reasonable. Continued deviation from the established and sound principles of the repair program may send the wrong message to levee sponsors that the Federal government will waive requirements in the future and continue to bail those out who are significantly impacted. It is in the best interest of the nation to provide incentives to ensure the integrity of public levees. These incentives are undermined when exceptions or waivers are granted.

Working Group Recommendation: Concur with the proposed recommendation. It must be made clear to non-Federal levee sponsors that the Federal government will provide repair assistance in the future to only those levees that are enrolled in the program and that the risks associated with non-participation are potentially large. In addition to the specific requirements of the USACE program, the USACE should ensure that levees are properly located and aligned to reduce the probability of repetitive losses and do not adversely impact river hydraulics and other properties. Benefit-cost analyses should include consideration of environmental and social benefits and costs in addition to the traditional quantifiable benefits and costs. Where levees have a history of failures and realignment is not feasible, the benefit-cost analyses should consider the greater risk of failure, adjusting operation and maintenance cost estimates appropriately. Where the site is unsuitable, no Federal support should be provided. The Working Group also recommends an information campaign to inform levee districts of the advantages of participation in the USACE levee repair program and the requirements for inclusion.

Implementation:

Agency(s) Responsible for Implementation: USACE

Type: Administrative

Details: Executive Order or OMB directive.

Timing: 6 months.

Estimated Annual Resources: Should result in a savings to the nation as levees that are not in the program would no longer be eligible for Federal repair.

Additional Comments and Observations: While it is difficult to stick with the established rules during national disasters, deviation from the rules sends the wrong message to levee districts that they do not have to comply with the national rules and still can receive disaster assistance. When this happens the incentives for compliance with the rules of the emergency repair program become nonexistent or significantly watered down.

*Not realistic - need to
modify to meet objective but not
to save money -- how do we
handle levees not in the Corps program
(esp. of the AS.1) ?*

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IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group: Policy, Planning, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 8.2

The Administration should propose legislation that establishes consistent cost-sharing across agencies for non-federal participation in like activities.

Background: Program assistance and cost-sharing assistance varies between various programs legislated by Congress or through rule making for like water resource activities. An example is the levee rehabilitation programs of Corps of Engineers (USACE), Soil Conservation Service (SCS), and the Federal Emergency Management Agency (FEMA). In presidential declared disasters FEMA requires 25% local cost share for restoration under the Stafford Act unless changed by the President. In the Midwest flood it was changed to 10% based on the Presidents decision. The USACE cost-share require the local cost share to be 20% for projects under the USACE program but no local cost share was required for federally constructed levees. SCS require a local cost share of 25% for like restoration work. Other examples of inconsistencies exist for authorized flood reduction or flood control projects such as SCS Small Watershed Program, the USACE small project authorization, and other agency authorities.

Analysis: The identified inconsistencies exist for varied reasons. Some are mandated by congressional action and laws, therefore, these must be changed by congressional action. This is true for existing flood reduction programs of the USACE and SCS. On disaster assistance all the local contributions could be adjusted by rule making or by executive order. The biggest problem is that no organization exist within the administration which identifies the difference or proposes solutions, whether legislative or by rule making, to work toward a uniform local cost-share rate. Most agencies are not concerned with the need for consistency between other agency programs because they only are responsible for administering programs as determined by Congress or as delegated within narrow guidelines. These problems are addressed only on demands by Congress or as single policy issues. The goal of coordinating and working toward consistent local cost share is an item that should be addressed by the Water Resources Coordinating Committee. To establish consistent non-federal cost share requirements will require on-going activity as agencies and congress address each law or rule in a singular manner.

This recommendation could be completed in rapid order by passing a single new legislative bill which would establish a minimum local requirement. An example would be that local and states must pay at least 25% of all activities. Such a bill, however, would probably be very controversial because of its effect on states, and local governments.

Working Group Recommendation: The Administration should establish a goal to develop consistent cost-sharing in like activities. Principles for non-Federal cost-sharing requirements should be established. These principles should be developed via the Water Resources Coordinating Committee (WRCC). An evaluation of all programs should be completed and from this work the principles should be applied where appropriate to legislation, revised rule making by administering agencies, and by administrative order to like activities.

Implementation:

Agency(s) Responsible for Implementation: Water Resources Coordinating Committee completes evaluation. Affected agencies develop required rule adjustment as determined by evaluation and coordinate activity through WRCC. WRCC and affected agencies draft proposed legislative action for those requiring legislative action.

Type: Legislative, Rule Making, and Executive Orders.

Details: Will require a continual effort by the WRCC to reach the goal of consistent program cost for like programs and initiatives.

Timing: Development of principles and evaluation of program: 3-6 months. Ongoing application of principles through legislation development and program rule coordination.

Estimated Annual Resources: Can be completed with existing resources for legislative, rule making etc.. Long term efforts should be saving to the federal government because as rates are defined federal share will probably decline.

Additional Comments and Observation: This effort could lead to more consistent programs and a federal cost sharing effort which would avoid competition between programs as well as federal agencies. This effort is in line with concept of reinventing government.

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INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 8.3

Federal and state officials should restrict support of floodfighting to those levees that have been approved for floodfighting by the USACE.

Background: Threatened communities and owners of agricultural levees conducted heroic levee floodfighting during the 1993 Midwest Flood. However, such actions were taken absent any knowledge or consideration of the effects that keeping water off their area of the floodplain would have on the river stages in proximity to that location. The act of raising a levee during rising flood conditions has the effect of increasing the river level in the immediate area, as well as the potential for similar increases at locations upstream and downstream. The magnitude of the increase could be minor or significant, depending on hydraulic factors pertinent to the affected levee and river reach. If the water level rise is significant, greater damages to nearby lands could result than would have occurred otherwise, particularly if levee raising results in the failure of a neighboring levee.

Analysis: The USACE and the states would, through a collaborative effort (including advance planning with the benefit of river hydraulic modeling analysis), achieve consensus on those levees that could or could not be floodfought without significant adverse impacts on other properties in the floodplain. This action would not prevent floodfights that are consistent with state and local floodplain management regulations under the National Flood Insurance Program (NFIP).

Working Group Recommendation: Federal and state support should be restricted to floodfighting only those levees that have been previously approved for floodfighting, based on USACE/state collaboration and consensus, consistent with state/local floodplain management activities. It is also recommended that this proposed action be considered for inclusion in the Floodplain Management Act.

*This will be very difficult to enforce—
Recommendation should be a process to work
with States and communities*

Implementation:

Agency(s) Responsible for Implementation: U.S. Army Corps of Engineers (USACE) and the states.

Type: Collaboration/Consensus

Details: Consensus on floodfighting of individual levees will need to be achieved between USACE and the states prior to a significant flood event. In addition, consensus must be achieved between the Corps and the other federal agencies that operate levees and have their own emergency authorities (the Corps does not have authority to floodfight another Federal agency's levees when that agency has its own emergency authority to do so).

Timing: Two or more years after completion of the river hydraulic modeling analysis.

Estimated Annual Resources -- Cost and FTE: TBD

Additional Comments and Observations: Even though consensus may be achieved between the USACE and the states for floodfighting of levees in advance of a significant flood event, enforcement of such agreements during the actual flood event could be difficult to achieve. Also, consensus must be achieved from a "river reach" perspective (versus a state perspective) when a river reach borders two states.

Certain levees, due to the value of property or the critical nature of public services and facilities protected, could be designated for automatic floodfighting efforts without the need for a modeling analysis. However, if such designations are made, an appropriate analysis should still be conducted to determine any potential effects on neighboring levees.

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 8.3
The USACE should investigate procedures to minimize impacts associated with levee overtoppings.

Background: During the 1993 flood, many levees were overtopped and catastrophic damages occurred from scour and sand deposition.

Analysis: There are various methods for lessening these types of impacts such as use of spillways, control structures, levee superiority (choosing where a levee should overtop first), and limiting the height of levees where appropriate.

Working Group Recommendation: Differing methods to lessen levee overtopping impacts should be investigated. A report should be prepared by USACE that details preferred engineering techniques to improve current levee structures, where appropriate.

Implementation:

Agency(s) Responsible for Implementation: USACE

Type: Agency

Details: Establish as high research priority for agency.

Timing: 1 year.

Estimated Annual Resources: TBD

Additional Comments and Observations: None

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IMPLEMENTATION OF THE
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COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

Point of Contact: Jan Oppen, HUD

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FMRC Report Recommendation or Action Item Number: Action 8.4

Establish a task force to develop common procedures for federal buyouts and mitigation programs.

Background: This recommendation is an interim measure which should be taken, with FEMA as the coordinator, until Action 8.6 has been accomplished. Even so, its output will be crucial to the accomplishment of Recommendation 8.7.

Through the recovery from the midwest flood, FEMA has addressed already many of the problems cited in this Action item. Some have actually been resolved. For many others, a firm foundation has been established which the task force could build upon.

Analysis: FEMA recommends that this task force be established immediately and that agencies be requested to dedicate staff resources to the project to help ensure its success.

Work Group Recommendation: Fully concur.

Implementation:

Agency responsible for implementation: FEMA

Type: Administrative

Details:

Timing: 1-2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Should there be ^a working group of WRCC?

ISSUE PAPER

IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 8.4

The USACE should coordinate with SCS to decide on appropriate criteria for evaluating the economics of levee repair.

Background: The 1993 flood evaluation pointed out that the United States Corps of Engineers (USACE) and the Soil Conservation Service (SCS) use different economic criteria and procedures for determining levee eligibility for cost sharing. The USACE uses the procedures based on Principals and Guidelines (P&G) for determining if a project meet eligibility for restoration. SCS did not use the same criteria but evaluated whether a project had economic defensibility for determining if a project was eligible for assistance. SCS criteria didn't reflect the limitations of P&G. It is important to note that neither restoration authority requires P&G criteria but agencies made the determination via rule making. It is the belief by SCS that Congress determines criteria by establishing the work as emergency and the agency must only assure that what is protected has a value which exceeds the cost. The USACE has determined the full range of P&G criteria should apply therefore the criteria is more stringent.

Analysis: The differences in evaluating levee projects became apparent during the Midwestern Flood when local sponsors and elected officials applied to both agencies for levee restoration assistance. Project eligibility were very critical at area of responsibility interfaces and where the B/C ratios were near unity. Establishing the USACE as principal agency for assistance on levee work for the main rivers and tributaries will help clarify the issue; however, concern and difference will continue to exist at the borders of area of responsibility. Developing uniform criteria will prevent local people and congressman from shopping agencies for the best deal. Revisiting the MOU as recommended in Action 8.1 provides and excellent opportunity to clarify the issue of levee evaluation procedures.

Working Group Recommendation: The Administration should concur in this recommendation and have the USACE and SCS establish uniform guidelines for levee evaluations using the concepts of balancing economics with environmental and social values as recommended in revised P&G. The same criteria should apply to any FEMA or other agency funded projects.

Implementation:

Agency(s) Responsible for Implementation: USACE and SCS

Type: Administrative

Details: SCS and USACE should establish a small group to determine preferred evaluation procedure while updating the existing MOU.

Timing: 3 months after revised P&G.

Estimated Annual Resources: TBD

Additional Comments and Observation: This just good business to develop consistent federal guidelines for assistance.

Yes - to the extent other agencies
continue (see A 8.1)

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IMPLEMENTATION OF THE INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 8.5

Provide states the option of receiving FEMA Section 404 Hazard Mitigation Grants as a block grant.

Background: Some states have indicated that they could be more responsive to communities and could expedite decisions if they received FEMA Section 404 Hazard Mitigation Grants on the form of a block grant.

Analysis: States are already responsible for establishing priorities, approving local projects within established eligibility criteria, and allocating funding to applicants. Additionally, in the aftermath of the midwest floods and the Northridge earthquake, FEMA extended this principle by delegating the authority to approve projects that were in accordance with national objectives (acquisition and relocation in the midwest) or which were included in the state's hazard mitigation plan (Northridge earthquake). FEMA is gradually transforming the Hazard Mitigation Grant Program to function as much like a block grant program as possible within the existing legislation.

While some regulatory changes are necessary, a great deal can be done under the existing legislation to accomplish this. Better, more comprehensive hazard mitigation planning at the state level will enable FEMA to "block grant" funds to states with almost the same effect as if the program were legislatively designated a block grant program. FEMA believes that the approach of encouraging states to undertake hazard mitigation planning, as a condition of receiving expanded authority to implement the grant program, (an approach which the agency is currently adopting) is a more desirable approach than enacting legislation which could reduce the Administration's ability to encourage certain types of hazard mitigation. For example, if the Hazard Mitigation Program were a true block grant program, funding available to the states following the midwest flood may have been used for a variety of purposes, not just acquisition and relocation, which would have diluted the program's effectiveness in reducing long term flood hazard problems.

Further, the pending NFIP reform legislation includes a Mitigation Assistance Program which includes funding for mitigation planning assistance grants and cost-shared mitigation assistance.

Working Group Recommendation: Concur with recommendation.

Implementation:

Agency responsible for implementation: FEMA

Type: Administrative

Details:

Timing: Ongoing

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 8.5
Maintain flexibility in hazard mitigation programs to promote cost-effective and appropriate mitigation techniques.

Background: Hazard mitigation measures are those actions taken to reduce damages from such hazards as earthquakes, tornados and floods. These measures commonly include buyouts, relocation, elevation, flood-proofing, structural flood protection, flood warning systems and flood awareness programs. Buyouts were used extensively to reduce flood risk in many areas of the upper Midwest.

Analysis: The specific mitigation measures used must be designed to meet the circumstances and goals of participating communities. Decisions on the best mitigation approach should be made in cooperation with the State and local communities, and may differ greatly depending on the hazard and the local area. Therefore, future mitigation initiatives must be flexible enough to respond to a variety of circumstances.

Working Group Recommendation: The Working Group recommends that agencies with federal hazard mitigation programs such as the Section 404 Hazard Mitigation Grant work with the WRCC to maintain flexibility in those programs to promote cost-effective and appropriate mitigation techniques.

Implementation:

Agency Responsible for Implementation: FEMA in coordination with the WRCC

Type: Administrative

Details:

Timing: 6 months - 1 year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Should be no cost.

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COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 8.6

Provide funds in major disasters where supplemental appropriations are made for buyouts and hazard mitigation, through FEMA's Section 404 Hazard Mitigation Grant Program.

Background: Supplemental appropriations were provided by Congress to various federal agencies with the best of intentions, and the agencies themselves are administering these appropriations with the best of intentions, and attempting to work out differences in program requirements to ease the administrative burden on states and local jurisdictions. Nonetheless, the availability of funding from HUD, EDA, USDA and other agencies, in combination with the traditional disaster recovery funds available from FEMA, has created considerable confusion on the part of state and local applicants. Each agency has separate application procedures, review and approval processes and criteria and basic program objectives.

Even though considerable effort was expended by agency staff both in Washington and the field to streamline and coordinate programs, many problems were and continue to be insurmountable. For example, supplemental CDBG funds contained the restriction, imposed by Congress, that they could only be used to "repair, restore or replace" damaged housing. Under this restriction, HUD funds could not be used to actually purchase property for the fair market value of the property. HUD had to require that the funds be used by the disaster victim to replace their house. If a victim chose a replacement house which cost less than their original dwelling was worth, HUD assistance was limited to the value of the replacement dwelling. FEMA funding did not have this restriction. FEMA funds could be used to purchase a person's home for the value of the home, not the value of the replacement home.

Analysis: Upon enactment in 1974, the Stafford Act predecessor successfully combined a range of agency programs into a unified disaster program which provided a single agency and program structure for delivering disaster assistance. This is not occurring, however, as it relates to hazard mitigation programs. Where funding from more than one agency is combined in a project, it creates ludicrous contradictions in program requirements which are not within the capabilities of the agencies to resolve. There are many instances of conflicts which would be eliminated if the "discretionary" mitigation related

funds appropriated following large disasters are provided to just one agency, and one agency could be held accountable for making the program work. This recommendation is strongly supported by almost any state or local jurisdiction that received funding from more than one agency.

Work Group Recommendation: Fully concur.

Implementation:

Agency responsible for implementation: FEMA

Type: Legislative

Details:

Timing: Long term

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

What is included in Haz. Mit?
What will Corps, USDA, etc. not receive?

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COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Recommendation 8.6

Encourage establishment of state-chaired task forces to coordinate buyouts and other hazard mitigation activities.

Background: In response to the Midwest floods, state task forces were created, consisting of state and federal agency representatives.

Analysis: State task forces on disaster recovery and mitigation have apparently worked well in a number of Midwest flood states. These task forces have reportedly provided important forums for coordinating recovery assistance and for resolving issues among programs and agencies.

Working Group Recommendation: Suggest that FEMA take the lead in encouraging state-chaired task forces.

Implementation:

Agency(s) responsible for implementation: FEMA, ACE, DOI, USDA, Commerce, SBA

Type: (Administrative, Executive Order, Regulation, Legislation, Other)
Administrative

Details:

Timing: Immediately

Estimated Annual Resources - Cost and FTE: TBD

Additional comments and observations:

Should be no cost.

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 8.7

Establish a programmatic buyout and hazard mitigation program with funding authorities independent of disaster declarations.

Background: Funding for on-going efforts for flood mitigation is available. Through the Community Development Block Grant (CDBG) program, HUD has funded numerous infrastructure construction, repair and improvement projects. EDA has funded some projects to further economic development by upgrading and expanding facilities which also included hazard mitigation measures.

The National Flood Insurance Reform Act contains provisions for mitigation insurance for insured properties and a mitigation assistance program which provides funds for on-going mitigation.

FEMA has proposed legislation which will establish a programmatic hazard mitigation program with funding authorities independent of disaster declarations. It provides for a percentage of annual Disaster Relief Fund appropriations to be provided to the states for hazard mitigation programs.

Analysis: The narrative accompanying this action item notes monies available for mitigation activities from existing programs and seems to assume that "any monies remaining available from funds allocated to states and communities through CDBG and EDA" may be available for such a program. That is not the case with the CDBG program. Communities have a wide variety of eligible activities which they may undertake with CDBG program, at their discretion; HUD has no authority to dictate that those funds be spent for certain activities.

FEMA has proposed legislation to OMB providing a percentage of annual Disaster Relief Fund appropriations to the states for hazard mitigation.

Working Group Recommendation: Support establishment of a buyout and hazard mitigation program for independent of disaster declarations funded by earmarking regular Stafford Act appropriations. (NOTE: No additional cost to the Treasury.)

Implementation:

Agency(s) responsible for implementation: FEMA, USDA, DOI, ACE, HUD, EDA

Type:

Details:

Timing: FEMA - 1995; DOI - 1997-1999.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

*How realistic w/no cost Δ -
how many #'s? what loses?*

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**IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT**

Working Group Two: Buyouts, Insurance, and Recovery Coordination

Point of Contact: Jan C. Opper, HUD

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FMRC Report Recommendation or Action Item Number: Recommendation 8.7

Encourage the use of CDBG, EDA, and other funding to acquire and relocate or take other mitigation actions where consistent with program objectives.

Background: Funding for on-going efforts for flood mitigation is available. Through the Community Development Block Grant (CDBG) program, HUD has funded numerous infrastructure construction, repair and improvement projects. EDA has funded some projects to further economic development by upgrading and expanding facilities which also included hazard mitigation measures.

Analysis: Both CDBG and EDA funds are already used, in part, for activities related to mitigation. The CDBG program provides the grantee with discretion as to which eligible activities it undertakes. While EDA program assistance can be directed toward infrastructure development and enhancement to relocation activity as part of a long term economic recovery plan, the agency believes that it would be inefficient to use EDA program resources for buyouts.

Working Group Recommendation: Concur with the recommendation.

Implementation:

Agency(s) responsible for implementation: HUD, EDA

Type: Administrative

Details:

Timing: On-going

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 8.8

The FEMA should continue to enforce substantial damage requirements, but decide on a definition of substantial damage and stick to that definition.

Background: Communities that participate in the NFIP must require that buildings that are substantially damaged (damaged greater than 50%) by floods or other events meet the same requirements as new construction. For residential buildings, this means elevating the building to the 100-year flood elevation. In the past the requirement has been difficult to enforce because property owners have borne all of the cost even they often do not have the financial ability to do so after a flood. In order to make the provisions easier for communities to implement and less burdensome to individuals, FEMA has allowed communities to use replacement cost instead of market value in calculating whether a building is substantially damaged for several recent catastrophes including the Midwest flood. This inconsistency has caused confusion and has been opposed by some, including several states, on the grounds that fewer buildings are required to meet elevation requirements.

Analysis: The substantial damage requirement is critical to achieving national objectives of reducing the numbers of buildings that are severely floodprone and should be retained. However, FEMA should review the definition, decide on whether to use replacement cost or market value in the definition, and undertake rulemaking as appropriate. The implementation of mitigation insurance provided for in the National Flood Insurance Reform Act of 1994 and the 1993 Volkmer amendments to the Stafford Act which significantly increased funding under the Section 404 Hazard Mitigation Grant Program should substantially address the needs of individuals for financial assistance in meeting the requirement.

Work Group Recommendation: Fully concur with recommendation as stated. FEMA should do this action in conjunction with rulemaking to implement the National Flood Insurance Reform Act of 1994.

Implementation:

Agency responsible for implementation: FEMA

Type: Administrative (rulemaking)

Timing: Within 1 year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Should be no cost.

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 8.9

The Administration should support insurance coverage for mitigation actions necessary to comply with local floodplain management regulations.

Background: Mitigation insurance was authorized in the National Flood Insurance Reform Act of 1994.

Analysis: FEMA has begun work on drafting policy language to provide mitigation coverage, establishing the surcharge for such coverage, and developing the required notices to Write Your Own companies, insurance agents, adjusters, and policyholders.

Work Group Recommendation: Fully concur.

Implementation:

Agency responsible for implementation: FEMA

Type: Legislative (see reference to Reform Act above)

Details:

Timing: Less than one year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

more?
Was it
never
done?

What would be
covered?
Should be
self financing?

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COMMITTEE REPORT

Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 8.10

Develop a program to reduce losses to repetitively damaged insured properties through insurance surcharges, increased deductibles, mitigation insurance, and/or mitigation actions.

Background: The National Flood Insurance Reform Act of 1994 includes key components of such a program - mitigation insurance for repetitively damaged properties, and a 75/25 cost shared mitigation assistance program for state and community mitigation projects, which could include repetitively damaged insured properties.

Currently, higher deductibles apply for pre-FIRM structures, which account for most of the repetitive losses. The Reform Act also requires a study of the economic effects of charging actuarial premium rates for pre-FIRM structures. The study could result in surcharges and perhaps even higher deductibles. Such changes would require revisions to the Code of Federal Regulations.

Analysis: The mitigation insurance and mitigation grant program are statutorily required by the Reform Act. Further analysis will result from the study required by the legislation.

Work Group Recommendation: Fully concur.

Implementation:

Agency responsible for implementation: FEMA

Type: Legislative/Administrative

Timing: Mitigation insurance, mitigation grant program, and report provided to Congress within a year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 9.1

Hold an interagency strategic planning meeting for those Presidentially declared disasters that require a multi-agency recovery effort.

Background:

Analysis: The Federal Response Plan (FRP) already provides the framework for coordinating multi-agency efforts in the event of a major disaster. The 27 Federal agencies and American Red Cross that are signatories to the FRP meet regularly through the Catastrophic Disaster Response Group (to resolve policy issues associated with disaster response) and the Annex Planning Leaders (to refine and update the plan). These interagency groups provide a potential forum for discussion of broad recovery and mitigation priorities.

FRP working groups, being established in FY 1995 to integrate recovery and mitigation into the FRP, will clarify relationships between immediate response actions and longer term recovery and mitigation activities and will define agency roles and responsibilities in the recovery period. The efforts of these working groups should provide a good foundation for the future development of cross-agency recovery policies and initiatives, resulting in consideration of these issues at the Catastrophic Disaster Response Group policy level.

A broader forum involving affected state and local governments is essential, however, to address specific mitigation actions appropriate for a given disaster. After every flood disaster, an Interagency Hazard Mitigation Team, composed of interagency, intergovernmental, and interdisciplinary representatives, meets to identify mitigation options for the disaster. The focus of this group could be expanded to address development of a mitigation strategy for the specific disaster in question, and coordinate that strategy with the response under the FRP.

Work Group Recommendation: The Work Group does not agree with Action 9.1 that an interagency strategic planning meeting is required at the time of a Presidential disaster declaration. Existing mechanisms (the FRP groups and the Interagency Hazard

Mitigation Teams) should become the basis for development of a recovery and mitigation strategy for disasters rather than creating yet another coordinating or meeting body. The process of documenting the impact of a disaster and determining whether or not a Federal disaster declaration is merited is politically and time sensitive. An interagency meeting during this period would delay the disaster declaration process and be an unnecessary burden on agency personnel required to attend.

Implementation:

Agency responsible for implementation: FEMA

Type: Administrative

Details:

Timing: 1-2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Recommendation 9.1

Integrate federal flood response and recovery under the FEMA.

Background: FEMA already has recognized the need to address recovery and mitigation functions (for all hazards) in the Federal Response Plan (FRP). The FRP sets forth the policies, planning assumptions, concept of operations, and organizational structure for providing Federal assistance to support state and local governments in dealing with the consequences of major disasters. Recovery includes both temporary and long-term assistance to individuals, businesses and public entities to enable their return to a pre-disaster condition.

During FY 1995, FRP interagency working groups will develop options and recommendations for integrating recovery functions into, or linking them with, the FRP. This integration/linkage effort will require Federal agencies providing disaster assistance to coordinate their programs, both in planning and in delivery. The efforts of interagency working groups will be reviewed by FEMA and the Catastrophic Disaster Response Group (composed of the 27 Federal agencies and the American Red Cross) which resolves policy issues associated with disaster response.

The goal is to streamline the delivery of all assistance to disaster victims, making Federal response and recovery programs more efficient, accessible and understandable. One byproduct will be a comprehensive listing of all Federal assistance programs available to help in disaster recovery.

Analysis: While the integration of response and recovery functions in the FRP will contribute to achieving national floodplain management goals by clarifying Federal agency roles and responsibilities, and it will not fully address the scope of this recommendation.

Work Group Recommendation: Continue work with review by the Catastrophic Disaster Review Group. Defer final decision until working group recommendations are complete; then determine if floodplain management goals are adequately addressed.

Implementation:

Agency responsible for implementation: FEMA

Type: Under review

Details:

Timing: 1 to 2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 9.2

Increase NFIP market penetration through improved lender compliance with the mandatory purchase requirement.

Background: This was addressed in the National Flood Insurance Reform Act of 1994 which expands the flood insurance purchase requirements, including penalties for failure to require flood insurance or to notify the purchaser or lessee and the servicer of the loan that the property is located in a special flood hazard area and the requirement that flood insurance be placed by lenders at any time during the life of the loan if a structure is determined to be located in a special flood hazard area and the purchaser does not purchase flood insurance after 45 days of having been notified by the lender of the requirement to purchase the flood insurance.

Analysis: This is statutorily required by the Reform Act. Pursuant to the requirements of the new legislation, a Standard Hazard Determination Form is being developed for use when a loan is secured by improved real estate or a mobile home. The form will be established by regulations issued during FY 1995.

Work Group Recommendation: Fully concur.

Implementation:

Agency responsible for implementation: FEMA

Type: Administrative

Details:

Timing: Less than 1 year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 9.2
Enhance the linkage among response, recovery, and floodplain management.

Background: FEMA has the responsibility for disaster response while several Federal agencies have responsibilities for disaster recovery. Several bodies have been created for the purpose of linking these functions, including a Federal Interagency Floodplain Management Task Force under the Water Resources Council in 1975, which developed a Unified National Program for Floodplain Management, an Interagency Hazard Mitigation Task Force in 1980, a Federal Interagency Planning and Liaison Division and a Mitigation Directorate, both under FEMA's recent reorganization, and most recently, an Interagency Floodplain Management Task Force.

Analysis: Flood response and flood disaster recovery are closely linked to the management of the floodplain. Therefore, to fully address response and recovery, all facets of floodplain management, including disaster planning, recovery and hazard mitigation, should be important considerations for all Federal agencies. Enhanced communication and coordination between agencies will facilitate response, recovery and ongoing floodplain management efforts, both in a pre-disaster and post-disaster situation.

Work Group Recommendation: The Working Group concurs with the need for such linkage, and recommends that the WRCC be given responsibility for determining how to best meet that need.

Implementation:

Agency responsible for implementation: All Federal agencies

Type: Administrative

Details:

Timing: Within 6 months

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 9.3

Provide for the escrow of flood insurance premiums or payment plans to help make flood insurance affordable.

Background: Escrowing for flood insurance premiums is required by the National Flood Insurance Reform Act of 1994, if the lender escrows for any other reason.

Currently, private sector companies selling National Flood Insurance Program insurance may offer payment plans if it is their normal business practice to offer payment plans with their other lines of insurance. However, the full premiums must be deposited into the National Flood Insurance Fund and there is no reimbursement to the company if the insured does not continue to make the payments.

FEMA is looking into expanding the options for payment for policies issued directly by FEMA. One of the options under consideration is accepting payment by credit card and the FEMA Office of General Counsel has advised that a premium payment alternative that would allow insureds to use credit cards (Visa or Master Card) as an alternative to cash payments is feasible.

Analysis: Escrowing of flood insurance premiums is statutorily required by the Reform Act when the lender escrows for any other reason. FEMA will explore the actions necessary to accept premium payment by credit card.

Work Group Recommendation: Fully concur.

Implementation:

Agency responsible for implementation: FEMA

Type: Administrative

Details:

Timing: Within 1 to 2 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

October 13, 1994

Should be no cost.

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: R9.3

Continue to seek Federal-State co-leadership of an Interagency Hazard Mitigation Team.

Background: Currently FEMA assembles a team of people from federal and state agencies to investigate opportunities for hazard mitigation following Presidentially-declared disasters. A team report is produced, generally within 15 days of the disaster declaration. The state role is to identify and encourage hazard mitigation measures, since decisions on land use, which constitute a large role in floodplain management, are made at the local level.

Analysis: State co-leadership recognizes the role of the states in floodplain management. In addition, the experience gained by state participation increases awareness of hazard mitigation in declared disaster areas and should decrease federal expenditures for hazard mitigation and disaster relief in the future.

Working Group Recommendation: Work Group II fully supports implementation of the recommendation as stated.

Implementation:

Agency(s) responsible for implementation: FEMA

Type: Administrative

Details: none

Timing: On-going

Estimated Annual Resources -- Cost and FTE: TBD

Additional Comments and Observations: none

Shall be no cost.

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 9.4,
Recommendations 9.4, 11.7

R9.4 - States should actively encourage flood insurance purchase by their citizens.

A9.4 - Develop improved marketing techniques.

R11.7 - FEMA should conduct research on the issue of NFIP market penetration to determine who buys flood insurance and who does not and why.

Background: Traditionally, FEMA has relied on the insurance agents and, with the establishment of the Write Your Own program involving private sector insurance companies, those companies for its marketing activities. FEMA has also produced in the past public service announcements but heretofore has never used advertising paid for by FEMA.

Analysis: FEMA is embarking on a marketing campaign with the private sector companies participating in the Write Your Own program to increase the policy-in-force base by 20% over the next two years. In addition, FEMA is developing a new marketing initiative which is being called "Reinventing Direct." Major advertising and promotional activities FEMA will undertake include:

- Conducting market research on consumer attitudes about flood insurance.
- Developing effective messages to change attitudes and stimulate flood insurance sales.
- Developing and implementing a paid media strategy for delivering flood insurance messages through broadcast, print, direct mail, outdoor and transit outlets and other non-traditional advertising means.
- Developing a promotional/event strategy.
- Developing and implementing a strategy for working with business and industry, creating promotional tie-ins for delivering FEMA's flood insurance message.

- Developing a strategy for continuous contact with insureds to keep them renewing.
- Developing and implementing a free media strategy whereby FEMA's flood insurance message can be delivered through articles in newspapers, TV and radio news programs, TV and radio talk shows, trade and special interest periodicals, etc.
- Developing a "grass roots" strategy for delivering FEMA's flood insurance message in collateral materials using FEMA's regional and field operations, WYO companies, special interest organizations and public interest groups.
- Conducting continuing market research and evaluating methods employed to determine their effectiveness in accomplishing objectives.

FEMA expects to award a contract for the marketing initiative in April or May of 1995.

Work Group Recommendation: Fully concur.

Implementation:

Agency responsible for implementation: FEMA

Type: Administrative

Details:

Timing: 1 to 2 years

Estimated Annual Resources -- Cost and FTE: TBD (FEMA expects to identify offsetting savings elsewhere in the NFIP)

Additional comments and observations:

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 9.5

Reduce the amount of post-disaster support to those who could have bought flood insurance but did not, to that level needed to provide for immediate health, safety, and welfare; provide a safety net for low-income flood victims.

Background: There is no legislative requirement for private individuals to pre-purchase flood insurance, except in connection with a mortgage. There is a requirement that those who live in floodplains purchase insurance as a condition of receiving Federal assistance.

Analysis: If such a pre-purchase provision were enacted, the following challenges would make implementation of a reduced disaster assistance mandate dependent upon substantial additional dollars and FTE resources:

- There is an inadequate national database of properties in special flood hazard areas to which a flood insurance requirement applies. The Federal Insurance Administration would have to further develop the database and connect it to disaster assistance decision-making. Action 11.2 recommends investigating the feasibility of completing a national inventory of structures.
- Maintenance of the database would be an enormous labor- and cost-intensive proposition.
- Well-documented studies show that, even when disaster victims are given flood insurance premium funds, less than 20% comply with the mandate to continue the coverage. Low-income families served by the IFG program have basic daily needs unrelated to the disaster that take precedence over maintaining flood insurance.
- The political implications of limiting disaster assistance to non-compliant, low-income individuals are major. Unless separate funding is made available for IFG clients to maintain flood insurance, this limiting provision cannot be sustained.

A better way of reducing damage would be to provide mitigation funding for a national inventory of structures for which ongoing mitigable actions could be taken, then work with the occupants to mitigate their homes in non-flooding periods. This would be a better safety net than reducing post-disaster support in the way described.

R&R and FIA are putting into place a Group Flood Insurance Policy that will provide three years of flood insurance coverage to recipients of certain Disaster Housing and/or IFG assistance. This approach should assist the majority of disaster victims to be covered, at least in part, for any subsequent flooding damage during those next three years.

Work Group Recommendation: Action 9.5 cannot be implemented unless wholesale changes to the Flood Disaster Protection Act and/or the Stafford Act are enacted. Many changes contained in the National Flood Insurance Reform Act of 1994, which is being prepared for the President's signature, specifically address these recommended actions.

Implementation:

Agency responsible for implementation: FEMA

Type: Legislative

Details:

Timing: 1 to 5 years

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

*Additional
legislation
needed?*

*Is there a compromise possible? --
e.g. 75% of full benefits*

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 9.6

Require actuarial-based flood insurance behind all levees that provide protection less than the standard project flood.

Background: As the current actuarial rates for B, C, and X zones take into account the experience showing that these areas contain pockets of 100-year floodplain, it is not certain that AL zone rates in all cases would be higher than those currently charged. This will be a matter for actuarial study and analysis of the costs of carrying more detail in the risk classification system versus the benefits of developing rates for this sub-group of insureds. A question remains as to whether legislation would be required prior to implementing this action.

Analysis: FEMA will study the actuarial desirability of this recommendation and the legal issue of whether legislation would be needed. If the study results in a favorable recommendation, in order to implement this Action, all existing levees would need to be evaluated to determine whether or not they provide SPF protection. This information should be available for Federal levees, but not for most non-Federal levees. A screening process should be developed to eliminate obviously sub-SPF standard levees from consideration. This would significantly decrease the number of levees requiring detailed analysis.

Work Group Recommendation: Defer recommendation until study is completed.

Implementation:

Agency responsible for implementation: FEMA

Type: Administrative

Details:

Timing: 1 to 2 years

Estimated Annual Resources -- Cost and FTE: TBD (FEMA expects to identify offsetting savings elsewhere in the NFIP)

Additional comments and observations:

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Working Group Two: Buyouts, Insurance, and Recovery Coordination

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FMRC Report Recommendation or Action Item Number: Action 9.7

Increase the 5-day waiting period for flood insurance coverage to at least 15 days.

Background: As the National Flood Insurance Reform Act of 1994 requires a 30-day waiting period, a proposed rule is being drafted to revise the waiting period to 30 days. Pursuant to the new legislation, FEMA is also initiating a study on the appropriateness of existing requirements and whether different waiting periods should be established for various classes of properties (based upon the type of property, location of the property, or other factors related to the property) or for various circumstances under which such insurance is purchased. A report on the results of the study will be ready for submittal to the Congress no later than six months after the date of enactment of the Reform Act.

Analysis: This is statutorily required by the Reform Act.

Work Group Recommendation: Fully concur.

Implementation:

Agency responsible for implementation: FEMA

Type: Legislative (see reference to Reform Act above)

Details:

Timing: Less than 1 year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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Working Group: Policy, Planning, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 9.8

The Administration should continue to support reform of Federal Crop Insurance that limits crop disaster assistance payments, increases participation, and makes the program actuarially sound. ✓

Background: The Administration submitted to Congress a proposal to reform Federal crop insurance in March 1994. The proposal includes provisions that improve all-risk crop insurance by increasing the actuarial soundness of the program, adding a catastrophic level coverage plan, linking crop insurance coverage with farm program benefits, and repealing standing disaster assistance authority. These changes address the current problem of Federal programs that simply subsidize the transfer of risk from farmers to the government and replaces it with a an efficient risk-sharing program.

Analysis: Both the Senate (S. 2095) and the House (H.R. 4217) have passed crop insurance reform bills that incorporate the Administration's basic proposals. There is hope that a final bill will be sent to the President before the end of this congressional session.

Working Group Recommendation: The Working Group supports this action and recommends that the Administration continue to actively support passage of crop insurance reform legislation.

Implementation:

Agency(s) Responsible for Implementation: USDA

Type: Legislation

Details:

Timing: Immediately

Estimated Annual Resources -- Cost and FTE: Budget saver
Additional comments and observations:

*The Corps Insurance
Reform legislation
passed Congress -
Implement
appropriate provisions?*

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COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 10.2

The USACE should consider land acquisition as an alternative during planning and design of habitat rehabilitation and enhancement projects under the Upper Mississippi River Environmental Management Program.

Background: Based on numerous inquiries, discussions and meetings that have taken place during the past six months among representatives from the five Upper Mississippi River Basin states of Illinois, Iowa, Minnesota, Missouri and Wisconsin, the U.S. Fish and Wildlife Service, the National Biological Survey, the Soil Conservation Service, the Environmental Protection Agency, the Upper Mississippi River Basin Association (UMRBA) and the U.S. Army Corps of Engineers (USACE), the states strongly believe that incorporation of a limited voluntary land acquisition component to the Upper Mississippi River System Environmental Management Program (UMRS-EMP) would provide the needed flexibility to achieve habitat enhancement in a more efficient and cost effective manner.

Analysis: Although it is recognized that recommending habitat projects for construction which contain a land acquisition element could displace those projects on the current list of programmed priorities, the UMRBA believes that a reprioritization to include such projects involving voluntary land acquisition would greatly improve the overall value of the full range of EMP projects. Also, it is unlikely that one habitat project containing a substantially large land acquisition element would be undertaken in lieu of several habitat projects that could be realized with smaller elements of land acquisition. Proposed projects involving voluntary acquisition of land would most likely be accomplished in conjunction with projects either already included on the current list of program priorities or projects previously considered but discarded due to current USACE policy that precludes inclusion of a land acquisition element.

Working Group Recommendation: The USACE should consider voluntary land acquisition as an alternative during planning and design of habitat rehabilitation and enhancement projects under the Upper Mississippi River Environmental Management Program.

Implementation:

Agency(s) Responsible for Implementation: U.S. Army Corps of Engineers (USACE).

Type: Within existing authority.

Details: Modification of existing USACE policy on land acquisition for the UMRS-EMP would require approval by the Acting Assistant Secretary of the Army (Civil Works), prior to implementation.

Timing: One to two months.

Estimated Annual Resources -- Cost and FTE: TBD

Additional Comments and Observations: The proposed modification to the existing UMRS-EMP would improve the effectiveness of the existing program, and could help to meet both environmental and flood flow attenuation needs. A USACE memorandum recommending modification of existing policy to allow the inclusion of land acquisition as a project component for proposed habitat projects of the UMRS-EMP was forwarded to the Acting Assistant Secretary of the Army (Civil Works) for approval on 26 August 1994.

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 10.3

Assign responsibility for development of an Upper Mississippi River and Tributaries (UMR&T) system plan and for a major maintenance and major rehabilitation program for federally-related levees to an expanded Mississippi River Commission, operating under the USACE.

Background: This action is not directed at stopping ongoing authorized activities but rather to provide necessary integration among Federal programs. The main objective of developing a system plan is to determine how best to integrate existing facilities in the upper Mississippi River Basin into an efficiently functioning flood damage reduction system that is compatible with floodplain ecosystem function. Development of such a plan will require a survey to identify and gather information to form a foundation for systemic analysis of all levees on the main stems of the Mississippi, Missouri, and Illinois Rivers. This action was also intended to ensure the long-term functional integrity of the system plan through a Federal-state-local cost-shared program of systemic major maintenance and major rehabilitation.

The action for major maintenance and major rehabilitation would include Federally constructed and locally maintained levees as well as locally constructed and locally maintained levees that are eligible for emergency repair under PL 84-99. In addition to participation in the PL 84-99 program, the locally constructed levees would also have to be screened by the USACE to insure they meet the USACE engineering standards and are located at hydraulically appropriate locations. It was envisioned that the responsibility for developing the systems plan and new major maintenance and major rehabilitation program would be given to an expanded Mississippi River Commission.

Analysis: There is a need to integrate existing flood damage protection projects in the Upper Mississippi River Basin into an efficiently functioning floodplain management and flood damage reduction system that is compatible with floodplain ecosystem functions. A UMR&T project is not needed to develop a systems approach.

The responsibility for and the components of a systems plan for the Upper Mississippi

River Basin could be pursued without the oversight of the MRC. While the Lower Mississippi River Basin has had a system plan identified for many years, many see portions of that plan that do not reflect current societal goals. In that context, there is a high level of concern that the UMR&T plan would be used as the standard.

A Federal program for major maintenance and major rehabilitation should not be restricted to a geographical region but rather be established as a national program. The program should be limited, however, to Federally constructed and locally maintained levees. This program would thus address longstanding major repair/replacement needs for older Federal projects (e.g. those built in the 1940's and 1950's), for which no specific provisions were made for work such as the replacement of drainage structures.

Many locally constructed levees were not constructed to USACE engineering standards and some were located at hydraulically inappropriate locations. The burden on the Federal government of screening all locally constructed levees in the country and detailing the requirements necessary for compliance with USACE standards would be significant. Based on past experience of major non-Federal expenditures being required for inclusion in the PL 84-99 program and the limited ability or willingness of non-Federal sponsors to comply, it is unlikely that the majority of the levees with deficiencies would be corrected at non-Federal expense. Therefore, the Federal return on screening locally constructed levees and identifying the necessary requirements does not appear to be sufficient to justify the cost.

Working Group Recommendation: The Working Group agrees that a system plan is needed. The Working Group does not concur with the recommendation to assign responsibility for development of the plan to the MRC.

As an action separate from the systems plan, the Working Group supports a major maintenance and major rehabilitation program. This program should: be applicable to the nation rather than just to the Upper Mississippi River Basin; only include Federally constructed and locally maintained levees that are under the PL 84-99 emergency repair program; and meet the other requirements as outlined in Appendix H of the Galloway Report.

Implementation:

Agency responsible for implementation: USACE, USDA SCS

Type: Administrative. Legislation would be required for the major maintenance and major rehabilitation national program as discussed in Action 10.5.

Details: Reference Appendix H of the Floodplain Management Review Committee Report.

Timing: A systems plan could be developed in approximately 2 years, assuming adequate funding and priority given to this action.

Estimated Annual Resources -- Cost and FTE: TBD

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*Tend to agree with paper - Yes,
plan is needed. No, MRC is not
needed.*

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 10.4

Seek approval from the Congress to redirect the USACE Floodplain Management Assessment of the upper Mississippi River Basin to development of an UMR&T systems plan. Place this assessment under the Mississippi River Commission, operating under the USACE.

Background: Based on a study resolution of the Committee on Public Works and Transportation, United States House of Representatives adopted November 3, 1993 (Docket 2423), and subsequent funds provided in the FY 1994 Appropriations Act, the USACE is currently in the process of conducting an ongoing assessment of the Upper Mississippi and Lower Missouri Rivers and their tributaries. The study will be accomplished on a broad and conceptual basis over an 18-month period using a systems approach to floodplain management, cognizant of White House mission statements and efforts concerning long-term options. The study will be conducted within a systems context to achieve a number of general objectives, including consideration of structural and nonstructural measures, to name only a few, as part of an overall plan for basin flood damage reduction. Completion of the ongoing assessment is scheduled for June 1995. Similar actions to expand the current USACE study efforts are also contained in Section 105 of S.2418, a proposed bill recently introduced by Senator Baucus.

Analysis: The proposal described by the Review Committee Action 10.4, as well as similar actions proposed by Senator Baucus in Section 105 of S.2418 (which does not include any provision for additional funding) are actions that should be addressed separately from the ongoing assessment being conducted by the USACE, particularly given the advanced stage of that study.

Working Group Recommendation: The Working Group does not concur with the proposed action to redirect the USACE Floodplain Management Assessment of the upper Mississippi River Basin to development of an UMR&T systems plan. The Working Group also does not support the proposed action to place the USACE assessment under the Mississippi River Commission.

Rather, the Working Group recommends that as a follow-on effort to the current USACE 18-month assessment, the Administration seek approval from the Congress to have the USACE, in collaboration with other agencies (as envisioned in R5.5) and the WRCC, develop a systems plan of the Upper Mississippi River Mainstem levees to include a determination of the following: the physical condition of each levee; the estimated economic benefit of the levee to the area protected by the levee; and the estimated environmental impact of the levee. The Working Group recommends that this study be implemented in conjunction with the proposed study in Action 10.6.

Implementation:

Agency(s) Responsible for Implementation: U.S. Army Corps of Engineers (USACE).

Type: Legislative.

Details: Congressional authorization would be required for the USACE to conduct an assessment of levees described by the above Working Group Recommendation. Expansion of the current study effort to include an assessment of all levees, as proposed by the Review Committee and Section 105 of S.2418 (i.e., the Baucus Bill), would be both disruptive and premature, given that the ongoing 18-month USACE Floodplain Management Assessment of the Upper Mississippi and Lower Missouri Rivers and their tributaries is now at the midpoint of being completed.

Timing: To ensure that no time lag will exist between completing the ongoing USACE assessment and initiating the levee assessment described by the Working Group recommendation above, appropriate Congressional authorization should be in place by July 1995. It is estimated that approximately 2 years would be required to conduct an assessment of levees, as described above.

Estimated Annual Resources -- Cost and FTE: TBD

Additional Comments and Observations: Extensive coordination efforts with the USDA, FEMA, DOI, EPA, and others have been in place since the inception of the ongoing USACE floodplain management assessment. The offer to participate in a collaborative effort has also been extended to other interested parties.

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FMRC Report Recommendation or Action Item Number: Actions 10.5

Following completion of the survey [from Action 10.4], seek authorization from the Congress to establish the UMR&T project.

Background: This action is a follow-up action to the systems plan discussed in Actions 10.3 and 10.4. It would provide the authority for a Federal program of major maintenance and major rehabilitation of those levees found to be eligible for inclusion, include them in a UMR&T project for the basin, and assign the responsibility to the USACE to develop and execute the program. The UMR&T project would be identified as a separate line item in the USACE budget, funded by annual appropriation.

Analysis: The establishment of a UMR&T account is needed neither to develop a systems plan for the basin, nor to establish a major maintenance and major rehabilitation program. The advantage of establishing a UMR&T account appears to be that its creation represents a commitment to give this area of the country special treatment, to provide some protection from budget cuts in future years, and to assure that flood damages incurred in 1993 will not be repeated in the future. This, however, is not necessarily an advantage. A separate account would limit the flexibility to establish national budget goals that consider all water resource needs and the flexibility to consider expansion into new program areas such as environmental enhancement and restoration. Annual funding may also be related to the political clout of this region of the country. If all regions of the country were treated in this way, the nation's water resources program would be dictated by the political strength of each region. National budget goals should be established that fund those projects that are of the highest national priority based on an unbiased analysis applying the principles outlined in the "Principles and Guidelines" (P&G).

Working Group Recommendation: The Working Group recommends that special financial treatment or priority for one area of the country at the expense of other areas without an annual consideration of national priorities is not appropriate. Consequently, the Working Group does not support creation of a UMR&T project independent of a full consideration of national priorities and needs.

Implementation: None.

Additional comments and observations: Possible legislation in the 104th Congress could include Sections 105 and 106 of S. 2418 (the Baucus bill).

Section 105 of Baucus Bill: directs the Secretary of the Army to conduct four studies -- 1) an expansion of the current Corps Floodplain Assessment Study; 2) a hydrological study of the Upper Mississippi River region; 3) a study of how local drainage systems impacts floods; and 4) a study of which areas are most floodprone in the Mississippi and Missouri River regions. These studies were recommended in the Galloway Report.

Section 106: requires the Secretary of the Army to develop, in consultation with the Upper Mississippi River Basin Association and the Upper Mississippi River Flood Management Coordinating Committee (sec. 102(b)), a comprehensive river basin management plan that addresses the long-term ecological, economic, flood-control and navigation needs of the Upper Mississippi River system. The plan will be developed in consultation with the Governors of affected states, non-Federal interests and state and federal agencies.

Do nothing - But the studies listed in
the Baucus Bill may be worthwhile --
reactions?

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FMRC Report Recommendation or Action Item Number: Action 10.6

The Department of the Interior should complete an ecological needs investigation of the Upper Mississippi River Basin and provide a report to the Administration within 30 months.

Background: Information on the distribution, abundance, and ecological relationships of fish and wildlife and a comprehensive inventory and classification of ecosystems is a fundamental nationwide need. This information is largely incomplete for the Upper Mississippi River Basin. Ecosystem information is critical for setting resource objectives, examining alternatives within multiple-use planning, and implementing solutions.

Analysis: The Department of the Interior supports the concept of an ecological needs investigation; however, prior to any commitment of resources, those agencies conducting ecosystem-related research in the basin need to coordinate to identify research needs and objectives.

Working Group Recommendation: The Working Group fully supports this recommendation. The information is critical to fully integrate natural resource, public health, and water quality objectives into an ecosystem approach to floodplain management. We recommend additional funding be made available for the Department of the Interior to continue and expand its assessment of the Upper Mississippi River Basin. The 30 month time period would begin with appropriation of additional funding. The Working Group recommends that the ecological needs assessment be done in conjunction with the systems plan as outlined in Action 10.4.

What can we do
without additional funds?
(within DOI priorities)

Implementation:

Agencies responsible for implementation: This item would be implemented by the Department of the Interior in cooperation with other Federal and State agencies and local units of government.

Type: Administrative

Details:

Timing:

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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FMRC Report Recommendation or Action Item Number: Action 10.7

Provide an early report in the USACE Upper Mississippi River - Illinois Waterway Navigation Study of environmental enhancement opportunities in the Upper Mississippi River associated with the construction, operation, maintenance, and management of the existing or proposed 9-foot channel navigation project structures or lands.

Background: Using information generated during the DOI ecological needs investigation, this proposed action would involve the USACE developing a report detailing the relationship of its ongoing operation and maintenance activities, as well as those of new navigation construction alternatives to ecological needs identified by the DOI.

Analysis: Since the Review Committee recognized the value of identifying and acting on environmental enhancement opportunities as soon as possible, it was considered imperative that the USACE establish this report as a milestone in the overall schedule for the ongoing navigation study. The milestone would be based on the DOI investigation.

Working Group Recommendation: Concur with the proposed action to provide an early report in the USACE Upper Mississippi River - Illinois Waterway Navigation Study of environmental opportunities in the Upper Mississippi River associated with the construction, operation, maintenance, and management of the existing or proposed 9-foot channel navigation project structures or lands (based on the implementation discussion presented below).

Implementation:

Agency(s) Responsible for Implementation: U.S. Army Corps of Engineers (USACE).

Type: Administrative

Issue: if A 10.6 is not fully done -- still, couldn't they go forward?

really? Details: The proposed USACE action described under Action 10.7 would have to await DOI development of information under Action 10.6. The USACE work could subsequently begin approximately 10 months later. Since plan formulation for the navigation study is scheduled for completion in mid-1997, the timing should be such that the environmental enhancement opportunities could be identified well in advance. The proposed USACE action could also subsume Action 10.8, since control point relocation is yet one additional means of environmental enhancement.

Timing: The USACE action should be scheduled for completion about two years after the initial information becomes available from DOI's work under Action 10.6, probably beginning in August 1995.

Estimated Annual Resources -- Cost and FTE: TBD

Additional Comments and Observations: None.

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FMRC Report Recommendation or Action Item Number: Action 10.8

Provide a report on the ecological effects of relocating navigation pool control points under the USACE Navigation Study.

Background: At many Corps of Engineers Lock and Dam projects, water control management of the slackwater pool levels for navigation during minor to moderate floodflows is executed using the water surface elevation at the mid-pool location (rather than at the dam) as the controlling index value. This is called "hinge-pool" operation. A principal reason for adopting such a procedure is that it generally requires less land acquisition for operational purposes than does "at-the-dam" index control. Under hinge-pool control, during moderate floods, the water level in the reach of the pool nearest the dam is reduced as the discharge gates through the dam are opened to pass the increasing flow and maintain the desired navigable depth at mid-pool. A consequence is to produce an inverted hydrograph in the pool reach nearest the dam, i.e., when inflows to the pool increase the water level actually decreases. During large floods the water control procedure for both methods is the same and there is no difference in hydraulic effect.

Analysis: An argument made by biologists and others interested in preserving/enhancing riparian habitat and ecosystems along the upper Mississippi River point to the inverse hydrograph that results from the hinge-pool control procedure as being detrimental to fish and wildlife. Ground that would otherwise be wetted is dried, reversing the natural hydrograph upon which the native species became dependent. They indicate that at-the-dam index control more nearly replicates the natural flood pulse and thus benefits the biological community. The principal factors for the Corps of Engineers to consider in deciding whether to change to at-the-dam control is the viability of acquiring the additional real estate that would be flooded periodically and whether significant environmental benefits would accrue.

Working Group Recommendation: Support Action 10.8 based on implementation discussion presented in the issue paper for Action 10.7 (i.e., recommend Action 10.7 and Action 10.8 be combined).

Implementation:

Agency(s) Responsible for Implementation: U.S. Army Corps of Engineers (USACE).

Type: Within existing authority.

Details: The proposed USACE action could be included under Action 10.7, which would be completed in FY97, since navigation pool control point relocation is yet one additional means of environmental enhancement.

Timing: Refer to timing discussion in issue paper for Action 10.7.

Estimated Annual Resources -- Cost and FTE: TBD

Additional Comments and Observations: None.

*Could it still go forward if A 10.7
not fully done?*

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COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 10.9

The Administration Interagency Ecosystem Management Task Force should select an Ecosystem Management Demonstration Project within the upper Mississippi River Basin, and establish a cross-agency ecosystem management team under the Department of the Interior to develop plans and budgets for the project.

Background: The Report calls for the Upper Mississippi River Basin to be used as a demonstration ecosystem study area under the current National Performance Review's "Reinventing Environmental Management." Several Federal agencies have land management responsibilities in the Upper Mississippi Basin, but the Department of the Interior - U.S. Fish and Wildlife Service, has a current dual natural resources role for land management and water resources planning with development agencies.

Working Group Recommendation: The Working Group fully supports this action, and believes that the upper Mississippi River Basin would be an ideal watershed for the proposed ecosystem management demonstration study, but recommends that the WRCC have the discretion to select the specific watershed to be studied. The ecosystem study should proceed under the direction of the WRCC *in consultation with the Ecosystem Mgmt. Task Force*

Implementation:

Agencies responsible for implementation: All

Type: Administrative

Details: The U.S. Fish and Wildlife Service has been recommended as the lead agency for implementing this Action Item. The Working Group recognizes however, that one of the purposes of the project is to demonstrate cross agency partnerships, coordination of programs, and collaborative planning. Therefore, designating a lead agency does not indicate that agency plays a dominate role.

Timing: This Action Item could be fully implemented in 1995.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Lead should depend upon project.

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 11.1

The USGS should establish a federal clearinghouse for data gathered during preparation of the Review Committee Report.

Background: The data and analysis collected and produced by the Scientific Assessment and Strategy Team (SAST) has considerable value for the management, planning, research, and emergency response communities. Effective and efficient distribution of the data and information is necessary to ensure its use.

Analysis: This clearinghouse should be part of the National Information Infrastructure (NII) and should be well integrated with the various components of the NII, such as the National Spatial Data Infrastructure, the proposed National Biological Information Infrastructure, and other thematic data infrastructures as may be established. Further, an archive of biological data should be part of the clearinghouse. The National Biological Survey (NBS) should be the lead agency to archive existing biological data sets and to identify and develop basin-wide biological data sets to be used for inventory and modeling in the Upper Mississippi Basin. Organizations producing data sets should have the responsibility of maintaining the quality and currency of the data sets.

Working Group Recommendation: The Working Group fully supports this Action Item.

Implementation:

Agency responsible for implementation: Department of the Interior - Geological Survey and National Biological Survey.

Type: Administrative

Details: This would be an intermediate priority for the USGS. It would take about 6 months to begin implementing this item.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations: USGS would have the lead and would provide software, network facilities, interfaces, etc, to permit public access to the data base. Agencies contributing data would retain ownership, responsibility, and custody of data and would be responsible for ensuring accuracy and currency. Principle data supplying agencies include the Corps of Engineers, National Biological Survey, U.S. Fish and Wildlife Service, Soil Conservation Service, FEMA, and EPA.

- ① Does USGS have the \$15 -
- ② are agencies committing to maintain / update the data?

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 11.1

Federal water resource agencies, in collaboration with State, Tribal, and local entities, should review and update, as necessary, discharge-frequency relationships for streamflow gages in the upper Mississippi River Basin to reflect the 1993 flood data. The adequacy of the existing streamgaging network should also be reviewed.

Background: Water surface profiles for the Mississippi River are developed from discharge frequency curves and are used as the basis for FEMA's flood insurance rate maps. It is important to keep these curves representative of present conditions.

Analysis: Models used to determine flood heights require current estimates of flood discharges. Maintaining up-to-date estimates of discharge-frequency curves requires periodic review of the hydrologic record whenever new peak flow rates are recorded. The 1993 flood established new peak discharges. Therefore, discharge-frequency curves should be reevaluated to reflect the new data.

Working Group Recommendation: The Working Group supports this Action Item and recommends the work be conducted in 1995.

Implementation:

Agencies responsible for implementation: DOI (USGS), FEMA, USACE, USDA (SCS)

Type: Administrative.

Details: The lead agency would be the USGS in cooperation with FEMA, Corps, Soil Conservation Service, and State and local agencies.

Timing: This should be an immediate priority for USGS. It would take about 6 months to develop.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations: USGS recommended 3 million and 10 FTE's through 1999. The Working Group recommends that since updating the hydrologic records is a normal part of maintaining the existing database, the work should be conducted in 1995 with existing resources.

Should not cost anything?

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 11.2

FEMA should investigate the costs and feasibility of completing a national inventory of flood prone structures.

Background: Nationwide there is no authoritative estimate of the number of structures exposed to floods and other natural hazards. As a result, floodplain and emergency management decisions are often made based on inadequate information. The compilation of an inventory of structures would be the foundation of one of the strategic goals outlined in Chapter 4, *Capitalize on technology to provide information required to manage the floodplain*. More than 20 specific actions and recommendations contained in *Sharing the Challenge* would be supported by the completion of an inventory of structures, together with digital flood hazard information: R4.2, A5.5, R5.2, A5.8, A5.9, R6.1, R6.4, A6.6, A6.8, R6.3, R6.4, A8.6, A8.7, A8.10, R9.2, R9.4, A9.2, A9.4, A9.5, R11.5 and R11.7.

Analysis: During the next 30 days, FEMA will develop a feasibility analysis and technical approach to development of a national inventory of structures. Initial discussions will be held with the USGS and the Census Bureau. This effort will include more detailed time and cost estimates, and definition of products. Data requirements will be massive, and this effort should be coupled with efforts underway to design and implement the National Spatial Data Information Infrastructure. Several years will be required to fully accomplish this task. However, through use of existing data and technologies, a considerable impact could be made in the short term.

State and local governments, particularly those participating in the Community Rating System would be a major source of data on structure locations. Federal mapping expertise from the USGS and Census Bureau would be required to support this effort. The effort would have direct benefits to the USGS mapping programs and the efforts to increase the efficiency of the 2000 decennial census. Private technology companies in the areas of geographic information systems and global positioning systems technology would be partners in providing the technologies required to conduct the effort.

Private insurance companies, insurance agents, lending institutions and Federal banking regulators would be partners in applying resulting data for increase of NFIP insurance policies-in-force and enforcement of the mandatory purchase requirement. Emergency managers and emergency management groups (NEMA, NECMA), would be direct beneficiaries of these data through application to planning and response operations.

Opposition might be encountered from map determination firms (firms that provide a for-fee service of interpreting Flood Insurance Rate Maps for users), and from groups that might be concerned about the use/misuse of such data by "big government."

Working Group Recommendation: The Working Group concurs with Action 11.2 and recommends that the feasibility analysis be carried out. Serious and practical considerations and limitations need to be fully addressed before the scope of this recommendation is implemented. The Working Group feels strongly that the WRCC needs to participate fully in answering these questions to ensure that the effort is justified and will provide benefits to all the relevant federal agencies. The Working Group's support of A11.2 does not necessarily support all of the actions listed above, but all of the listed actions and recommendations might benefit from the completion of a survey of this type.

Implementation:

Agency responsible for implementation: FEMA, with assistance from the agencies participating in the WRCC, and others as appropriate.

Type: Administrative

Details:

Timing: 6 months - 1 year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

*Inc. Upper Mississippi as pilot/demo
option.*

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 11.2
Federal agencies, coordinated by the National Weather Service and Geological Survey, should collaborate on an assessment of the effectiveness of the streamgaging network and flood forecasting during the 1993 Midwest floods.

Background: Federal, State, and local authorities need river stage and discharge information for emergency situations, for local flood relief efforts, and for floodplain management. The National Weather Service provides hydrologic forecasts and warnings using streamgauge data collected primarily by the USGS.

Analysis: An assessment of the streamgaging network would include an evaluation of the ability of the present network to monitor the Mississippi River system and provide the public with timely and reliable flood warnings. NOAA's Natural Disaster Survey Report of the 1993 Midwest floods identifies the need for improvements to hydrologic forecasting and provides numerous recommendations.

Working Group Recommendation: The Working Group fully supports this Action Item.

Implementation:

Agencies responsible for implementation: DOI (USGS), DOC (NWS), USACE, FEMA

Type: Administrative

Details: USGS would be the lead agency in cooperation with the National Weather Service, the Corps, and FEMA. This would be a high priority item for USGS and could be fully implemented within 6 months.

Timing: 1 year

Estimated Annual Resources – Cost and FTE: TBD

Additional comments and observations:

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Why is additional funding necessary?
Should be in the base – without new dollars. 126

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FMRC Report Recommendation or Action Item Number: Action 11.3

The Corps of Engineers, National Weather Service, and the Geological Survey, with other cooperators, should continue development of basin-wide hydrologic, hydraulic, and hydro-meteorologic models for the upper Mississippi River system.

Background: The Review Committee wanted to answer some questions about flow characteristics for the entire upper Mississippi River. Unfortunately, a model to accomplish this does not exist. Five Corps Districts are involved in managing the upper Mississippi River and the models used by each District are different. This discrepancy makes system-wide modeling difficult.

Analysis: A system-wide, unsteady-flow model of the mainstem rivers in the Upper Mississippi River Basin would help evaluate impacts of any new structures being considered for the flood-plains, for floodfighting, and for floodplain management decisions. Further advanced hydrologic and hydraulic models can be combined with meteorologic observations and forecasts to provide information to enable better floodplain and water resource management.

Working Group Recommendation: The Working Group fully supports this Action Item.

Implementation:

Agencies responsible for implementation: USACE, USDA (SCS), DOI (USGS)

Type: Administrative

Details: The lead agency for floodplain modeling activities would be the Corps of Engineers with technical assistance from Soil Conservation Service and USGS. The NWS will continue to provide and enhance the associated hydrologic forecasts and warnings through advanced hydrologic and hydro-meteorologic models.

Timing:

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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Should be in base program?

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 11.3
The Corps of Engineers and the USGS should investigate and better define relationships between high energy erosion zones, other zones in floodprone areas, and levee failure.

Background: Evidence indicates that some levee failures along the Missouri River coincided with historic river channels and that levees were largely responsible for raising water levels that generated the high energies necessary to breach the levees. This created scour holes and generated the sand that damaged the very farmland the levees were designed to protect.

Analysis: Evidence also indicates that levees placed in high energy zones would not hold, even if it were possible to excavate all the sand from the old channel and place the levees on a clay core. Evidence also indicates that riparian zones offer substantial protection to levees. This suggests that levees should not be reconstructed in high energy erosion zones but should be set back to allow high energy zones to remain within a designated, functioning floodway and that compatible lands uses are important to levee protection. The actual location of levees would be dependent on numerous factors including land use, costs, benefits, etc.

Working Group Recommendation: The Working Group fully supports conducting the Study requested in this recommendation.

Implementation:

Agencies responsible for implementation: DOI (USGS), USACE

Type: Administrative.

Details: The USGS should be the lead agency with participation from the Corps of Engineers. It would take six months to develop agency policy and begin implementation.

Timing: 6 months - 1 year. This recommendation could be fully implemented in 1995.

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

*Should be high priority and in the base
No new \$'s*

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 11.4

The Hydrology Subcommittee of the Federal Interagency Advisory Committee on Water Data should review the current standards for computing discharge-frequency relationships in light of observations from the 1993 flood and other recent large floods in the upper Mississippi River.

Background: The current method of computing the relationship between flood peak discharge and frequency of occurrence is standardized among Federal agencies. Although this method was reviewed less than ten years ago, the magnitude of the 1993 Flood and its possible effects on discharge-frequency curves for the Upper Mississippi River provide an opportunity to determine the adequacy of the recommended method to reflect the probability distribution of annual peak discharges.

Analysis: The Report calls for flood frequency curves developed using the current Federal standard distribution function for annual peak discharges to be compared to those developed by a log-normal distribution function. The basis for concluding which method produces the most representative relationship should include the uses of the curves, evaluating the degree of risk of a structure, determining regulatory floodplain limits, and establishing flood insurance rates.

Working Group Recommendation: The Working Group fully supports this Action Item.

Implementation:

Agency responsible for implementation: DOI (USGS)

Type: Administrative

Details: This would be an intermediate priority for the Geological Survey and could be implemented by USGS within 6 months.

Timing: 6 months - 1 year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

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*Should be priority in the base -
There should be no added costs?*

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Recommendation 11.4
Federal agencies should conduct research on biotechnical engineering techniques and incorporate them into design manuals.

Background: Professional practitioners rely heavily on federal design manuals. Until recent years major emphasis has been on structural methods for protecting uplands and streams from erosion and flood damage. Research on plants adapted for erosion control are mainly developed by federal agencies. The USDA, Soil Conservation Service (SCS) recently published Chapter 18 of the Engineering Field Handbook, entitled "Soil Bioengineering for Upland Slope Protection and Erosion Control". This and a soon to be published revision of Chapter 16, entitled "Streambank and Shoreline Protection" emphasize the use of biotechnical systems. Meanwhile work is needed to adapt this technology more specifically to wetland restoration, stream/riparian corridor restoration and other restoration or conservation activities. Other federal agencies have also material on biotechnical systems.

Analysis: The current priorities on restoration of stream/riparian corridor systems, the associated relocation of people and personal property from the floodplain and other landscape restoration activities provides many opportunities to utilize biotechnical systems. Soil bioengineering is a combining of engineering and vegetative solutions that allow practical solutions to hard structural solutions commonly used in the past. It is vital that all federal agencies update their design manual and handbooks to reflect increasingly prescribed biotechnical solutions. Additional design criteria resulting from research and applications is critical to optimum use of this ecologically oriented technology. In addition to an interdisciplinary group of professional practitioners who offer planning/design services, there are now many associates in the construction trade, such as members of the International Erosion Control Association (IECA), who have a need for this technical information. Although heavy users of the technology, those practitioners are not likely to conduct the needed technology research and development. This is a function of the coordinating federal agencies.

Working Group Recommendation: Support the recommendation.

IMPLEMENTATION:

Agency(s) Responsible for Implementation: All federal agencies but special leadership to SCS, USACE, USFS, BLM, and BuRec.

Type: Administrative

Details: Establish as a priority

Timing: Start immediately continue as a ongoing activity.

Estimated Annual Resources: TBD

Additional Comments and Observation: Promoting this technology will provide for research and application of ecologically based systems in landscape restoration and conservation work. The use of living biological systems in the place of structural solutions could result in substantial savings in initial construction cost as well as savings over the long term from reduced maintenance due to the regenerative capability of living systems.

*No new resources except as re-programmed
with agencies?*

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 11.5

The Administration should support the USGS in development and acquisition of detailed digital topographic data and other land characteristics for use in floodplain management and other water resources management activities. Existing DOD technologies should be leveraged to assist in the acquisition of these data.

Background: Detailed topographic information is critical to the development of computer models used to estimate flood elevations.

Analysis: The Department of the Interior (USGS) supports acquisition of detailed digital topographical data in limited areas identified as critical by the Scientific Assessment and Strategy Team (SAST). USGS recognizes that detailed digital topographic coverage of the entire basin or floodplain would have significant budget implications. USGS also recognizes that detailed data are needed only in relatively small areas where detailed hydraulic and ecological studies are being done. USGS, in concert with SAST, is working on identifying and prioritizing areas for collecting detailed digital topographic data and is making plans for collection of data to the extent possible within budget constraints. In addition, continued research should be encouraged on the State of the Art technologies that will produce accurate, high-resolution digital elevation models.

Working Group Recommendation: The Working Group support this Action Item.

Implementation:

Agencies responsible for implementation: DOI (USGS, NBS, FWS), DOE, FEMA, USDA (SCS), DOD, USACE, NWS

Type: Administrative

Details: USGS would be the lead agency with participation by the Department of Energy, FEMA, Soil Conservation Service, National Biological Survey, and the U.S. Fish and Wildlife Service. This Action Item could be fully implemented in 1995.

Timing: 6 months - 1 year

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

Limited pilot at present (no new #'s)
DoD / Intell Pilot?

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FMRC Report Recommendation or Action Item Number: Recommendation 11.5
OMB should review the current system of funding disaster relief; consideration should be given to encouraging the National Science Foundation to support such a review.

Background: Following the emergency supplemental appropriation for the Northridge earthquake in early 1994, the House and Senate created Task Forces to address high disaster costs. Under these Task Forces, a study is being jointly conducted by the General Accounting Office, the Congressional Budget Office, and the Congressional Research Service. Aspects of disaster funding which are specifically being examined include: the history of disaster funding; types and amounts of funds expended; budgeting options for disaster funding; and indicators for performers of success.

Analysis: The House study was scheduled to be complete by August 31, 1994, and the Senate study by December 1994. Given that this review is currently underway, and that OMB will presumably be a part of it, FEMA recommends that no action be taken on this recommendation at this time.

Working Group Recommendation: The Working Group recommends that no action be taken on this item as it would be repetitive and as such, not a wise allocation of resources.

Implementation: None.

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 11.6

The Administration should direct that scientific research be conducted to identify state-of-the-art techniques or applications for estimating and assessing environmental and social impacts, including public health impacts.

Background: Improved techniques are needed to address both the environmental and social impacts of flood damage. Where no market system exists to account for these impacts, there is a need to evaluate the value of environmental outputs and the willingness to pay to avoid an impact.

Currently, federal agencies, universities, and private consulting firms are conducting research in these areas. A comprehensive, coordinated research effort needs to be fostered by an organization such as the National Science Foundation or another non-profit organization.

Analysis: The National Science Foundation currently funds flood-related projects for prediction and development. These models integrate physical, meteorological, and hydrological characteristics. The National Science Foundation could build upon these projects to take the lead in fostering research to develop flood-related environmental and social assessment techniques. Non-government organizations should also be included.

After identifying the existing research efforts within federal agencies, the Administration should direct a coordinated effort to develop impact assessment techniques. These research efforts should focus on interdisciplinary efforts (i.e. hydrologic, structural, ecological, economic) to develop risk assessment and management programs which consider both the natural and developed environment.

The Working Group is recommending that the Council on Environmental Quality (CEQ) provide oversight on these research efforts. CEQ is charged with overseeing the implementation of the National Environmental Policy Act, and in that role develops guidance to assist federal agencies in identifying and assessing environmental and social impacts. For this reason, CEQ is the logical agency to provide oversight for this action.

Working Group Recommendation: The Working Group fully supports this recommendation and suggests that the Administration require recommendations based on the research to be made within three years.

Implementation:

Agency responsible for implementation: Council on Environmental Quality

Type: Administrative (National Science Foundation Support), Executive Order, Other (Non-government organization involvement).

Timing: Long term and continuing action with implementation to begin within 6-12 months.

Estimated Annual Resources: Low federal budget impact.

Additional Comments and Observations: The FMRC Action 11.6 states that "[a]n organization such as the National Research Council of the National Science Foundation could foster this type of research." The National Research Council is part of the National Academies of Sciences and Engineering, not the National Science Foundation. The National Academies of Sciences and Engineering is a non-profit organization which is supported by agencies and other private organizations. The National Academies of Sciences and Engineering, as well as other NGO's could provide valuable assistance in this area.

Executive Order 12898 on Environmental Justice directs federal agencies to address "disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." The Administration should encourage the coordination of the research activities suggested by Action 11.6 and federal agency duties under EO 12898 to help avoid duplication and to insure that social and environmental impacts are assessed.

*Fits with other efforts.
Should be no added costs.*

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FMRC Report Recommendation or Action Item Number: Recommendation 11.6
USDA should evaluate the impact of federal farm programs on agricultural land use decisions in and out of the floodplain.

Background: USDA operates a number of programs that provide assistance to farmers. Numerous program requirements affect farmers' planting and other farm operation decisions. There are generally no eligibility or program participation requirement differences between floodplain and non-floodplain acreage.

Analysis: The primary farm programs that impact floodplain agriculture are crop insurance and disaster assistance. Continued enactment of ad hoc disaster assistance programs and problems related to crop insurance contributed to the non-economic use of floodplain land that is highly prone to flood damage. The passage of the Federal Crop Insurance Reform Act of 1994 brought a successful completion to Action 9.8. This legislation will result in reforms to crop insurance and agricultural disaster assistance programs will eliminate the primary causes of market failure in floodplain agricultural production. No longer will farmers be able to exploit these programs by having most of the risk of flood losses carried by the taxpayer.

Other federal support programs, such as the nonrecourse loan and agricultural conservation programs, have clear goals that are consistent with optimal floodplain management. The price and income support programs have seen more than a 50 percent decrease in the level of support provided to farmers since 1985. Existing USDA analysis has shown that aggregate production of basic agricultural products would remain relatively the same with or without price and income support programs. Production of some specific agricultural commodities may have significant differences between the with and without program scenarios, but they are not concentrated in vulnerable floodplain locations, e.g., dairy, sugarcane, and rice.

The agricultural use of the floodplain is included in the vision for the 21st century, and reform of the crop insurance and disaster assistance programs will bring needed discipline to crop production in such areas.

Working Group Recommendation: The Working Group concurs with the recommendation.

Implementation:

Agency(s) Responsible for Implementation: USDA

Type: Within existing authority

Details: Currently, agricultural production and land use data sets do not differentiate between floodplain and upland. Significant resources will be required to conduct a rigorous analysis of the impacts of farm programs on land use in and out of the floodplain.

Timing: 6 months - 1 year

Estimated Annual Resources: TBD

Additional comments and observations:

Probably still need study -- part
of Farm Bill process

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Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Item Number: Action 11.7

The Department of the Interior, Corps of Engineers, EPA, and the USDA should evaluate the effect of natural upland storage and floodplain storage in such areas as wetlands and forested wetlands and their effect on main stem flooding.

Background: A study conducted by the Corps of Engineers indicated that restoration of wetlands in upland areas restores the water-holding capabilities of the watershed and reduces the impact of flooding for smaller, more frequent flood events (25-year events and smaller). Restoration efforts would not have been effective for large flood events, such as occurred in 1993.

Analysis: Using a Geographic Information System developed in response to the flood, the Scientific Assessment and Strategy Team should take immediate action to identify those watersheds in the Upper Mississippi and Missouri River Basins that formerly were "closed watersheds" and did not contribute runoff, sediments and contaminants to outside water systems but now do contribute runoff, etc. because of agricultural drainage systems. These formerly "non-contributing" watersheds are high priority for wetland restoration. If these watersheds can be repaired, soil and water would be retained in the watershed and other wetland functions such as sediment and contaminant trapping, nutrient recycling, soil moisture, and fish and wildlife habitat would be restored.

Working Group Recommendation: The Working Group supports this Action Item. The involved agencies will work closely to develop appropriate models. However, additional funds and FTE's will be necessary to complete this task.

Implementation:

Agencies responsible for implementation: Corps of Engineers, Department of Agriculture, and Department of the Interior.

Type: Administrative

Details:

Estimated Annual Resources -- Cost and FTE: TBD

Additional comments and observations:

What could be done
with no new \$'s?
Could any unspent
disaster \$'s be
used? (if any)

ISSUE PAPER

IMPLEMENTATION OF THE
INTERAGENCY FLOODPLAIN MANAGEMENT REVIEW
COMMITTEE REPORT

Working Group One: Policy, Watershed Management, and Project Planning and Evaluation

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FMRC Report Recommendation or Action Number: Recommendation 11.8

The National Science Foundation should consider funding research on the following subjects:

- *Monetary and non-monetary accounting of public and private benefits and costs of floodplain occupancy and management measures,*
- *Mapping and regulating areas with movable stream channels and storm drainage overflow and backup,*
- *Special impacts of floods, including physical and mental health factors, and*
- *The feasibility and effectiveness of the use of meteorologic data and geomorphic and botanical evidence in conjunction with hydrologic and hydraulic models to estimate flood frequency.*

Background: Research efforts do not currently account for economic and non-economic costs and benefits of floodplain occupancy, the special health impacts associated with flooding, and other relevant information and data specific to flood prevention.

Analysis: The National Science Foundation currently funds flood-related projects for prediction and development. They could build upon these efforts to support research on the mapping and regulating of potential flood areas, the use of additional scientific techniques to estimate flood frequency, and an accounting of the public and private benefits and costs of flooding.

Several other areas of necessary research should also be supported by the National Science Foundation. Research on the impacts of floods on the natural and developed environment including hazards created by the flooding of industrial, municipal and commercial sites and the hydrologic and hydraulic long-term changes in the watershed due to floods should be studied. The effect of these changes on the local economy should also be studied to aid in the assessment of the physical and social impacts of floods. Research regarding the impacts on local economies will also support efforts to account the public and private benefits and costs of floods. The National Science

Foundation does not conduct epidemiologic nor mental health research. The National Institute of Environmental Health conducts research in these areas and should consider supporting studies assessing the epidemiologic and mental health impacts of flooding to facilitate the assessment of social impacts of floods.

Working Group Recommendation: The Working Group fully concurs that both the National Science Foundation and the National Institute of Environmental Health support research activities in the areas included in the FMRC report. Additionally, the National Science Foundation should support research regarding impacts on the natural and developed environments and local economies in flood areas.

Implementation:

Agency responsible for implementation: National Science Foundation and National Institute of Environmental Health.

Type: Administrative (National Science Foundation and National Institute of Environmental Health support).

Details:

Timing: Long term and continuing action, should be initiated within 3-6 months.

Estimated Annual Resources: TBD

Additional comments and observations:

Good ideas for topics to
be included in base research
programs - no new \$'s.

SECTION 3

SUMMARY ISSUE PAPER MATRIX

November 8, 199

Summary Issue Paper Matrix

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
Philosophy of FPM										
R 4.1: Reduce the vulnerability of population centers to damages from the standard project flood discharge.	1	Modify	Reduce vulnerability to flood damages is a national goal, but the risk of flooding must be balanced with the gain to be realized from locating in the floodplain. A high level of protection may be desirable for highly developed areas, but SPF standards lead to inefficient use of resources.	USACE	Reduce vulnerability to critical infrastructure where appropriate, proceed with risk-based analyses given economic, environmental, and social impacts.	Administrative - Develop specific guidance	2-6 months	TBD	<i>Philosophy statement/ goal for whole Federal government, States, and locals can't do risk analysis.</i>	Cost?
R 4.2: Reduce the vulnerability of critical infrastructure to damage from the standard project flood discharge.	1	Modify	Reduce vulnerability to flood damages is a national goal, but the risk of flooding must be balanced with full consideration for economic, social, safety, and environmental consequences.	USACE	Reduce vulnerability to critical infrastructure where appropriate, but proceed with risk based analyses given economic, environmental and social impacts. More specific guidance on risk analysis and deviation from NED plans for overriding considerations.	Administrative - Develop specific guidance	2-6 months	TBD	<i>Doesn't address problem. EO 11988 guidelines call for critical infrastructure protection from 500-year events. As does, the National Academy's aim to protect critical water supply, sewage treatment, emergency response facilities, etc.</i>	Cost?
Organizational Frameworks										
A 5.1: Enact a National Floodplain Management Act to define governmental responsibilities, strengthen Federal-State coordination, and assure accountability.	TF	Fully Concur	An Administration proposal for legislation needs to be carefully thought through and widespread agreement garnered regarding the nature of the floodplain management problem and the best means to address changes.	WRCC	Establish as part of the Water Resources Coordinating Committees (WRCC) charter (see A 5.2) a working group to develop a detailed legislative proposal for a Floodplain Management Act addressing needs identified in the FMRC that can not be handled administratively.	Legislative	6 months	Within existing resources	<i>Need to move quickly on this; coordinate with Senate and House Public Works Committees.</i>	Who coordinates?

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
A 5.2: Revitalize the Water Resources Council.	TF	Concurs with Modifications	A WRC-like body is most needed to address unification of policies, interagency coordination, and collaboration.	All Federal agencies	Establish a new forum for water policy reform and coordination, the WRCC. This Committee would be chaired by CEQ and would have Ass't Secretary-level participation.	Administrative	Establish within 2 months	Within existing resources	<i>Director from the represented agencies should serve at the pleasure of the chair.</i>	OK regarding name and CEQ with the solo lead; charter by January.
A 5.3: Reestablish Basin Commissions in a revised form reflecting current needs.	TF	Concurs with Modifications	Basin commissions provide a means of preserving and enhancing both State and local attention to floodplain management and broader water and natural resources issues, while providing a mechanism to inform, involve, or enroll appropriate Federal agencies in State and local floodplain management/ watershed management activities	OMB, and all Federal agencies through WRCC	Encourage the States to establish river basin commissions/associations on their own and direct Federal agencies to provide support to these commissions associations.	Administrative	Fall 1994	TBD	<i>Good; ought to provide for Federal membership to facilitate partnerships.</i>	OK.
Federal Government Sets the Example										
A 5.4: Issue a new Executive Order to reaffirm the Federal government's commitment to floodplain management with an expanded scope.	TF	Fully Concurs	A new EO will reaffirm the Federal commitment to floodplain management.	OMB, OEP	Revise current EO to address deficits identified by FMRC, the WRCC Working Group, and the Floodplain Management Task Force.	EO	Issue new EO by 1/95	Within existing resources	<i>Do immediately. Focus on shortcomings identified by FMRC.</i>	OK by January.
A 5.5: OMB should direct all Federal agencies to conduct an assessment of the vulnerability of flooding using a scientific sample of Federal facilities and those State and local facilities constructed wholly or in part with Federal aid.		Concurs with Modifications	Would enhance the government's ability to protect current investments and make contingency plans. In addition, would set examples for States and locals.	OMB, WRCC	Direct agencies to conduct survey and provide specific reporting requirements.	Administrative	Initiate immediately - report due in 2 years	TBD	<i>Concurs</i>	OK.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
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R 5.1: Revise the RCRA locational standards and contingency planning regulations for consideration of flood hazards in impacted by the Standard Project Flood.	1	Concurs with Modifications	Does not support use of SPF. Supports use of greater than 100-year frequency. EO 11988 indicates avoidance in the 500-year floodplain. Believes SPF goal or standard is appropriate. The risk for each site should be independently evaluated.	EPA	EPA should provide additional guidance to advocate that contingency plans specifically address the special activities to decrease the risk. Also, EPA should review the contingency plans after hazardous material releases due to flooding that would provide the means to enhance pre-disaster planning.	Administrative	2 years to revise regs. and 6 months to address contingency plans	TBD	<i>Position is inconsistent with EO 11988 implementing guidelines and 1982 NRC Committee on Levee Policy.</i>	OK. Why does it take 2 years?
A 5.6: Seek revision of Section 1134 of the 1986 Water Resources Development Act to provide for phase-out of Federal in the floodplain.	1	Fully Concurs	Makes sense from floodplain management, fiscal loss of life preservation stand points.	USACE	Section 1134 of PL 99-662 be amended to require termination of the Upper MS Cottage Site leases by acquisition of those sites used as permanent residences as of 1/1/94, and termination of the remaining leases. If legislation is not passed, do not provide Federal disaster assistance for future floods.	Legislation	1 year after the enactment of the legislation	TBD	<i>USACE Should require compliance with terms of leases and re-evaluate its relaxation of lease restrictions regarding permanent residences. \$/Buyout seems unnecessary.</i>	Cost? Realism?

Increasing State/Local Role and Stake

R 5.2: Increase the State role in all floodplain management activities including, but not limited to, floodfighting, recovery, hazard mitigation, buyout, floodplain regulation, levee permitting, zoning, enforcement, and planning.	1	Fully Concurs	Supports actions that increase the role of all States and improves partnerships between Federal agencies, State governments, and local communities.	States	Agencies take actions to encourage increased State responsibility, and Congress should encourage States and local governments to take a pro-active role.	Legislative – National Floodplain Management Act	1-2 years	TBD	<i>Action should be "Agencies need to look at own programs for ways to build in State" and emphasize need for States to take initiative.</i>	OK. Encourage, can't require except very carefully. Can we do anything administratively?
R 5.3: Restructure and refine the scope of Federal technical services programs and increase funding for the USACE in the areas of Floodplain Management and Planning Assistance to the States programs, and increase funding for States through the FEMA Community Assistance Program.	1	Fully Concurs	Provides incentives to increase role of States under R 5.2 and R 10.1.	USACE, FEMA	Additional funding for USACE Floodplain Management Service Program. Increase funding for FEMA's Community Assistance Program if a National Floodplain Management Legislation is not enacted.	Administration	FY 1997	TBD	<i>Doesn't address problem; need for USACE and others to gear programs toward States (not individuals).</i>	Not able to just increase funding? Want to shift funding from Federal to States. Any examples?

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R 5.4: Hold FEMA's existing disaster assistance cost-sharing requirements to no more than 75/25; seek to make other agencies disaster programs' share requirements consistent at 75/25.	2	Fully Concur	FEMA already uses 75/25 cost-share. Other agencies, with the exception of HUD and DOI, indicated willingness to pursue a 75/25 cost-share.	All Federal Agencies, FEMA with lead	FEMA will continue its current policy with respect to retaining a 75/25 cost share. Other Federal agencies will pursue a 75/25 cost share for their disaster programs, as appropriate. All agencies will retain the flexibility to continue exceptions to the 75/25 cost-share when programs and disaster situations warrant an exception.	Legislative/ Administrative	1-2 years	Within existing resources	<i>Real message limit use of 90/10 or 100% Federal disaster response and recovery.</i>	OK.
A 5.7: For communities not participating in the NFIP, limit public assistance grants.	2	Fully Concur	Change to Stafford Act would be required. Current assistance is denied only for insurable structures in the floodplain.	FEMA	The limiting of assistance for all infrastructure facilities for non-participating communities should be implemented as an added incentive to join the program.	Legislative	1-2 years	Within existing resources	<i>Concurs</i>	Feasible? If not, how about reduces level (e.g., 75%)?
A 5.8: Encourage communities to obtain affordable private insurance for infrastructure as a prerequisite to receiving public assistance.	2	Concur with Modification	Provide eligibility to those communities where private insurance was unavailable or not affordable.	FEMA	Implement by regulation, but do not make assistance contingent on the purchase of insurance.	Administrative	1-2 years	Within existing resources	<i>Concurs</i>	OK as modified. "Contingent" or "certification" weak.
A 5.9: Provide loans for the upgrade of infrastructure and other public facilities.	2	Fully Concur	Loan program would encourage and enable communities to take action during recovery to reduce future damage to public facilities.	RDA, HUD	Establish a loan program to provide loans in urban and rural areas to upgrade infrastructure and other public facilities in floodprone areas.	Legislative	1-2 years	TBD	<i>Concurs</i>	Cost? New program? No new funding.

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Balancing the Planning Process										
A 5.10: Establish as the new, co-equal objectives for planning water resources projects under Principles and Guidelines. - National Economic Development - Enhance the Quality of the Environment	TF	Concurs with Modifications	Given both fiscal and environmental concerns, much of the Federal water resource effort has become more focused on water resources management and infrastructure maintenance. Project re-evaluation is occurring across the Nation to update current needs and balance competing goals. However, the P&G needs to be reviewed in light of changing priorities, an expanding focus of Federal projects on renewal of existing infrastructure, and a contracting focus on new projects.	DOI, EPA, FEMA, TVA, USACE, USDA, DOC	Await changes to P&G (see A 5.11) until P&G Review Working Group of Water Resources Coordinating Committee Report.	WRCC	Report on Reccomen. - 5/95 Draft Changes in Procedural Guidelines - 9/95 Public Review - 1/96	Within existing resources	Change objectives now. Don't perpetuate prior Admin. policies on the environment.	
A 5.11: Establish an interdisciplinary, interagency review of the P&G by affected agency representatives to address: Structural vs. non-structural bias, and environmental restoration goals.	TF	Concurs	A well conceived flood damage reduction project can address multiple national and community needs and goals. Multi-agency collaboration helps to address these needs and goals as multiple authorities can be utilized.	DOI, EPA, FEMA, TVA, USACE, USDA, DOC	Establish interagency, interdisciplinary P&G Review Working Group as a part of the WRCC with broad charter of review of P&G objectives, methods, and areas of application, including development of changes in procedures.	WRCC	Report on Reccomen.- 5/95 Draft Changes in Procedural Guidelines - 9/95 Public Review - 1/96	Within existing resources	<i>Start of Work Group doesn't need to await WRCC establishment, but decisionmaking could still rest with WRCC.</i>	
R 5.5: The Administration should seek increased funding for Federal agencies to support collaborative planning participation with other Federal agencies.	1	Fully Concur	Collaborative planning provides long-term benefits after initial investment in time and resources.	OMB, USACE, FWS, SCS, EPA, NMFS	The WRCC develop framework and mechanism for collaborative planning efforts, and identify need for additional funding.	WRCC	Not given	Not given	<i>Need for a formalized framework seems overkill.</i>	No new funding, but we should encourage collaborative planning. Add in consultation with Ecosystem Management Task Force.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
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R 5.6: Promote the use of programmatic NEPA documents in the planning process.	1	Fully Concur	Individual analyses can be inefficient and time consuming. Allows for multi-agency analysis with significant public involvement.	CEQ	Initiate workshops, conferences, and other fora to show how to effectively develop strategic EISs. CEQ would issue guidance.	Administrative	Start immediately; issue guidance in 6-12 months	Low overall impact, some expenses to CEQ and other agencies who sponsor training	<i>Applies to all agencies.</i>	OK, but are special workshops, etc. needed? Isn't it part of regular CEQ work?
R 5.7: OMB should issue a directive that requires periodic reevaluation of Federal water resources projects to include potential operation and maintenance modifications.	1	Not known	No consensus and no alternative proposal could lead to a consensus.	USACE SCS TVA BOR	Section 216 (PL 91-611) may be adequate to address USACE review.	TBD	TBD	Not determined - could be significant	<i>Need post-construction audit to identify where problems are. Then can establish criteria as to which/when to address.</i>	OK.
R 5.8: OMB should use only the 1-cost ratio for damage reductions to existing development in establishing Administration funding priorities unless a standard project flood level of protection is provided.	1	Not known	No consensus, how can both P&G and OMB require benefit-cost ratio for existing development.	USACE	No consensus.	Administrative	N/A	N/A	<i>OMB should issue guidance on how they will prioritize damage reduction projects for funding.</i>	Wait; no action now, possible after EO is modified. Is it good policy to promote future development?
Managing Floodplains In Watershed Context										
A 6.1: The Administration should establish an interagency task force, jointly chaired by the USDA and EPA, to formulate a coordinated, comprehensive approach to multiple objective watershed management.	1	Fully Concur	In addressing problems it has become apparent that most areas have several overlapping problems and the best way to improve the resources is to provide assistance in a comprehensive, coordinated effort.	USDA, EPA (Co-Chairs), SCS, ASCS, FS, RDA or FmHA, EPA, USACE, FWS, NPS, BLM, BOR, TVA	The WRCC should formulate a coordinated, comprehensive approach to multi-objective watershed management. Establish a Task Force to recommend Federal delivery system.	WRCC	6 months-establish 1/95-ready for the proposed 1995 Watershed Conference	Within existing resources	<i>Start Task Force <u>now</u> and have it report to the WRCC.</i>	No additional action required (if WRCC is started).

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
A 6.2: The DOI, USDA, and EPA should coordinate and support Federal riverine and riparian area restoration.	1	Concurs	Habitat restoration in floodplains can provide a multitude of benefits for reducing flood risk and for fish and wildlife resources.	DOI, USDA, EPA, USACE, USACE	DOI, USACE, USDA, and EPA should develop a MOU to outline an action plan for coordinating land acquisition, river restoration, and wetland protection efforts towards riparian and floodprone areas.	Administrative	MOU by the end of 1995	MOU refocussing existing land acquisition efforts within existing budget - need additional funding for purchase	<i>Should also identify any legislative impediment or initiatives.</i>	Yes.
A 6.3: The Administration's legislative proposals for the 1995 Farm Bill should support continuation and expansion of conservation and voluntary acquisition programs focused on critical lands within watersheds.	1	Fully Concurs	Flood stage, frequency, and duration normally are influenced by the degree to which rainfall is captured and released in the uplands. Wetlands restoration and upland treatment can be effective in mitigating smaller floods. In addition to providing water quality and wildlife habitat benefits have been traditionally used to justify these types of programs.	USDA	Actively support continuation and expansion of conservation and acquisition programs.	Legislative	6 months	TBD		Yes.
Streamlining Disaster Planning										
R 6.1: Enhance pre-disaster planning and training.	2	Fully Concurs	Need to better improve and integrate training offered by Federal agencies.	FEMA, USACE, EPA, SCS	Supports the need to enhance pre-disaster planning and training, and can do so within existing statutory authorities; however, in order to do this effectively, all the agencies will require substantial additional resources.	Budget process	Immediately after funding is obtained	TBD	<i>Develop joint training plan. Provide guidance/incentives in budget passback.</i>	Is additional funding needed? Why not just improve current programs? (revise) Are there significant ?

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Floodplain Planning and the NFIP										
A 6.4: Promote the NFIP Community Rating System as a means of encouraging communities to develop floodplain management and hazard mitigation plans and incorporate floodplain management concerns into their ongoing community planning and decisionmaking.	2	Fully Concur	Increased participation will provide numerous benefits.	FEMA	No specific action stated.	Administrative	Immediately	Within existing resources	Concurs	
A 6.5: Provide funding for the development of State and community floodplain management and hazard mitigation plans.	2	Fully Concur	Incentives are needed to encourage State and local FPM and hazard mitigation plans.	FEMA (lead agency); SCS, FS, FWS, USACE	FEMA should continue to support the creation of a preparedness program for hazard mitigation within the Stafford Act amendments now under review. Technical assistance is and should continue to be available from DOI, USDA, and USACE.	1994 NFIR Act provides FEMA \$1.5M for planning assistance grants to States and communities at 75/25 cost share. Technical assistance from DOI, USDA, and USACE.	TBD	\$1.5M	Concurs	Encourage development of plans; use existing programs and recently approved additional funds.
R 6.2: The FEMA should review its policy of issuing revisions to flood insurance maps which remove property from the floodplain based on fill.	2	Fully Concur	Current regulations may encourage the placement of fill in floodplains for developmental purposes.	FEMA (lead agency), RDA, FmHA, HUD, and other Federal agencies	FIA and Mitigation Directorate will lead policy review with other agencies.	Administrative	1-2 years	TBD	Concurs	
Improve Mapping/Risk Assessment										
A 6.6: Map all communities with hazard areas that are developed or could be developed.	2	Concurs with Modifications	Need to first determine numbers of communities that need mapping.	FEMA	Conduct 1-year study to determine number of communities. FEMA to review the status of unmapped areas.	Conduct Study/ Administrative	1 year	TBD	Concurs	Change.

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A 6.7: To improve and accelerate delivery of NFIP map products, the Administration should propose supplementing funds obtained for floodplain mapping from NFIP policyholders with appropriated funds.	2	Fully Concur	NFIP maps are used by State/local and emergency managers, Federal agencies, insurance companies, lenders, developers, and realtors. Level of funding significantly less than other more static Federal mapping programs.	FEMA	Obtain authority to supplement the NFIR amendments expenses through Federal appropriation.	Legislative	1-2 years	TBD	Concurs	Is this in our FY 96 plans? If not, we must not agree.
A 6.8: Utilize technology to improve floodplain mapping.	2	Fully Concur-Closely related to A 11.5.	Digital conversion will provide substantial long-term savings to the government.	FEMA, USACE, USGS	Test feasibility of emerging technologies with 1-year demonstration project.	Administrative	1 year	TBD	Coordinate with mapping advisory council and established NFIP Reform.	What is the action? (This action is A 11.5.)

Increase Education/Outreach

R 6.3: Federal agencies in floodplain management should include information regarding floodplain management and past and probable future flood heights and extents in their education and public affairs initiatives.	2	Fully Concur	Public awareness should be first step in pre-disaster planning.	All Federal agencies	Other than the belief that this recommendation is already being implemented.	Administrative	1 year	TBD	Specific actions should be developed.	
R 6.4: State floodplain officials should encourage local school districts to include natural hazards in their curricula.	2	Fully Concur	Public awareness should be first step in pre-disaster planning.	All Federal agencies	No specific actions proposed.	Administrative	1 year	TBD	Specific actions should be developed.	

Focus on Environmental Enhancement

A 7.1: The Administration should establish a lead agency coordinating acquisition of title and easements to lands acquired for environmental purposes.	1	Concurs with Modifications	Some landowner confusion exists. Federal land acquisition programs vie for same land. Federal land acquisition could be better coordinated.	DOI, USDA, USACE	Develop MOU and set of guidelines to use for acquiring lands for environmental purposes.	Administrative	2 years	TBD	Concurs	Good and specificity.
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ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
R 7.1: The Administration should support increased funding for the Refuge Sharing Act.	1	Fully Concur	Inadequate funding has limited the attractiveness of Federal land acquisition in some areas of the country, particularly the upper Midwest.	FWS	FWS should fully fund the fund so payments to counties would be at 100% entitlement; amend the Act to create a more equitable distribution of funds across the States.	Legislative	TBD	TBD	<i>Better to buy a little and in the right place... Continue to focus on better management after acquisition.</i>	Is it in FY 96 budget? If not, revise. We should look at the costs.
A 7.5: The DOI should focus land acquisition efforts on river es and areas with significant habitat values or resource impacts.	1	Concur with Modifications	Every effort must be made to follow an ecosystem approach to land acquisition.	FWS	DOI will focus land acquisition efforts on problem river reaches, riparian corridors, and similar areas where the maximum flood reduction and habitat restoration will occur.	Administrative	TBD	TBD	<i>Concurs</i>	OK, but DOI be on board (no new funding). Should be no cost.
A 7.6: Require agencies to co-fund ecosystem management using Operation and Maintenance funds.	1	Nonconcur-Alternative proposed	No mechanism to fund ecosystem management planning.	USACE, FWS, SCS, NMFS, EPA	WRCC should develop a framework and funding mechanism for collaborative planning and other effort ecosystem activities.	WRCC	TBD	TBD	<i>Doesn't address problem. Give Districts understanding that ecosystem management is part of O&M and is authorized element of project.</i>	Change words to include "funding strategy." The Ecosystem Management Task Force is developing the "Framework."
A 7.7: Enact legislation allowing (share participation and eligibility requirements under Sections 906 and 1135 of the 1 WRDA to include Federal, State, and non-governmental contributions, as well as work-in-kind.	1	Concurs in Part	Supports amendments to include State and NGO contributions and work-in-kind. No consensus on inclusion of "Federal contributions."	USACE	Proposed amendment to WRDA 86 Section 1135 will specifically address.	Legislative	2 months from passage of legislation for preliminary guidance, 2 months to resolve current policy issues	TBD	<i>Develop guidance regarding limited circumstances of national interest when 100% Federal may be appropriate.</i>	OK.
A 7.8: Allocate funds for mitigation lands in concert with and at the same pace as project construction.	1	Fully Concur	Mitigation delayed is mitigation denied.	All Federal agencies	Recommends that all Federal agencies be required to comply with the Water Resources Development Act with regard to funding mitigation.	Legislative	Now	No additional funding will be required	<i>Concurs</i>	OK.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
R 8.1: Federal agencies should capitalize on opportunities, within existing authorities and resources, to enhance the environment when reviewing operations or undertaking repairs or improvements to existing flood damage reduction programs.	1	Fully Concur	A variety of authorities for environmental restoration as part of project design, construction, improvement, and modification processes.	All Federal Agencies	Work with OMB and WRCC to develop agency specific plans of action to implement.	Administrative	Immediately	No significant increases in cost or FTEs is anticipated.	Establish end date for specific plan of action.	Yes, but more specific action. Be more specific-agencies to review revise.
Procedural Flexibility										
A 7.2: The Administration should develop emergency implementation procedures to organize Federal agencies for environmental land acquisitions.	2	Fully Concur	Ability to combine the efforts of Federal agencies to quickly acquire environmentally sensitive lands would materially assist the process of providing alternatives to flood victims.	FWS (lead agency), BOR, BIA, BLM, NPS, USACE, FEMA, ASCS, SCS, FS, DOJ, DOT, HUD	DOI should lead an interagency task force to explore accelerated land acquisition procedures.	Administrative - (Immediately) Legislative - changes to 1970 Uniform Relocation Assistance and Real Property Acquisition Policies Act.	6 months after the passage of the bill	Within existing resources	Concurs	Yes.
A 7.3: The DOI should formalize environmental considerations in multi-agency disaster recovery restoration activity through a coordinated Memorandum of Agreement.	2	Fully Concur-Closely related to A 6.1 and 7.2	Would expedite recovery efforts by providing coordination points and central clearinghouse for information on buyout or habitat restoration options, sources of funds, and a list of potential cooperators.	FWS (lead agency), EPA, BOR, BLM, BIA, NPS, USACE, ASCS, SCS, FS, FEMA	FWS will develop interagency MOU.	Administrative	1-2 years	TBD	Concurs	Scope needs to be limited to MOU...guidance for restoration new authorities for agency transfers, etc. TF not just FWS.
A 7.4: Seek legislative authority for flexibility in use of programmed funds in emergency situations.	2	Fully Concur	Will allow for expedited landowner relief from floods and the ability to capitalize on environmental enhancement opportunities that may arise from a flood event.	Each affected agency	General legislative authority should be sought for agencies other than FEMA and USACE for use of programmed funds in emergency situations.	Legislative - National Floodplain Mgmt. Act or agencies' authorizations.	1 year	Within existing resources	WRCC should monitor to ensure legislative requests are made.	OK (with limits).
Improving Structural Measures										

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
A 8.1: Establish the USACE as the principal Federal levee action agency.	1	Fully Concur	Federal agencies have not used same engineering standards or methods of economic or environmental analyses. Allowing other agencies to repair levees undermines USACE program and reduces the incentive for levee districts to participate in that program.	USACE, SCS, FEMA, EDA, HUD	OMB should establish USACE as the principal levee construction agency.	Administrative	6 months	Federal resources for levee construction and repair should decrease	Concurs	Significant - Corps deal with all agricultural levees? Cost may not decrease if we are doing more levees. Corps and SCS should be agencies, revise MOA.
R 8.2: The Administration should propose legislation that establishes consistent cost sharing across agencies for non-F participation in like activities.	1	Concurs with Modifications	Differences cause confusion and perception of inequitable treatment.	WRCC	The Administration should establish a goal to develop consistent cost sharing in like activities. An evaluation thru WRCC of all programs should be completed, and from this work with the legislature and the various agencies through rule making and administrative order to develop the consistent cost-share requirements.	Administrative and Legislative	3-6 months	Within existing resources - estimated savings could be \$500 - \$1,000M annually	Concurs	OK.
A 8.2: The Administration should reaffirm its support for the USACE criteria under the PL 84-99 levee repair program, and a clear message that future exceptions will not be made.	1	Concurs with Modifications	Need to reduce future flood damages and costs. Need to ensure integrity of existing levees.	USACE	The USACE should ensure that levees are properly located and aligned to reduce the risk of repetitive losses. Benefit-cost analyses should be expanded to include consideration of environmental impacts, social benefits and the levees history of failures and realignment. Where the site is unsuitable, no Federal support should be provided.	Administrative	6 months	Should result in savings as levees not in the program would no longer be eligible for Federal repair	Concurs	Not realistic. Need to modify to meet objective, but not to save money. How do we handle levees not in the Corps program (especially agricultural levees)?
R 8.3: The USACE should investigate procedures to minimize impacts associated with levee overtoppings.	1	Fully Concur	Unplanned overtopping of levees can result in catastrophic scour and deposition.	USACE	A report should be prepared by USACE that details preferred methods to improve current levee structures.	Administrative	1 year	TBD	Concurs	OK.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
R 8.4: The USACE should coordinate with the SCS to decide on appropriate criteria for evaluating the economics of levee repairs.	1	Fully Concur	Different means of evaluation gives perception in inequitable treatment and encourages "shopping around."	USACE, SCS	Establish uniform guidelines for levee evaluations.	Administrative	3 months	Within existing resources	Concurs	Yes, to the extent that other agencies continue (see A 8.1).
A 8.3: Federal and State officials should restrict support of floodfighting to those levees that been approved for floodfighting by the USACE.	1	Concurs with Modification	The act of raising a levee during a flood has the effect of increasing river levels with the potential to increase flood level in other locations. Floodfighting must occur with proper technical knowledge.	USACE and the States	Fund base on USACE/State/local collaboration and consensus, consistent with State/local FPM plans.	Administrative	2 or more years after completion of the river hydraulic model analysis.	TBD	Resources may be duplicate of other activities. Model will help other actions.	Resources should be a process... Wording superior to detailed write-ups (especially local role).
Expand Nonstructural Measures (Buyout)										
R 8.5: Maintain flexibility in hazard mitigation programs to promote cost-effective and appropriate mitigation techniques.	1	Fully Concur	Specific mitigation measures must be designed to meet the circumstances and goals of participating communities.	FEMA	Supports implementation of this recommendation.	Administrative	6 months-1 year	TBD	Concurs	OK. Should be no cost.
A 8.4: Establish a task force to develop common procedures for Federal buyouts and mitigation programs.	2	Fully Concur	Uncommon procedures confuse the public.	FEMA	Initiate Task Force.	Administrative - Task Force	Initiate Task Force Immediately-Complete 1-2 years	TBD	Concurs	OK. FEMA Should this be a working group of the WRCC?
R 8.6: Encourage establishment of State-chaired task forces to coordinate buyouts and other hazard mitigation activities.	2	Concurs	Worked with Midwest floods.	FEMA, ACE, DOI, USDA, DOC	FEMA take the lead in encouraging State-chaired task forces.	Administrative, Executive Order, Regulation Legislative	Immediately	TBD	Doesn't seem to relate to recommend.	OK. Should be no cost.
A 8.5: Provide States the option of receiving Section 404 Hazard Mitigation Grants as a block grant.	2	Fully Concur	States could be more effective by receiving grants like block grants.	FEMA	Provide option of Hazard Mitigation grants as a block grant. Underway already.	Administrative	Ongoing	TBD	Concurs	OK.
A 8.6: Provide funds in major disasters where supplemental appropriations are made for buyouts and hazard mitigation, through FEMA's Section 404 Hazard Mitigation Grant Program.	2	Fully Concur	Where funding from more than one agency is combined in project, contradictions in program requirements are created. Strongly supported by States/locals.	FEMA	Hold one agency, FEMA, accountable by appropriating "discretionary" mitigation - related funds.	Legislative	Long-term	TBD	Concurs	What is included in hazardous mitigation? What will Corps, USDA, etc. not receive? Should be no cost.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
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A 8.7: Establish a programmatic buyout and hazard mitigation program with funding authorities independent of disaster declarations.	2	Concurs	FEMA has proposed legislation to establish programmatic mitigation as a % of annual Disaster Relief fund appropriations.	FEMA, USDA, DOI, ACE, HUD, EDA	Establish buyout and hazard mitigation program independent of disasters. Provide percentage of annual Disaster Relief Fund Appropriations.	Legislative	FEMA - 95; DOI - 97-99	TBD	Concurs	OK. How realistic with no additional costs? How much funding? What losses? Should be no cost.
R 8.7: Encourage use of CDBG, EDA, and other funding to acquire and relocate or take other mitigation actions where consistent with program objectives.	2	Concurs	Already used in part for mitigation.	HUD, EDA	HUD, EDA will encourage use of funds for mitigative purposes.	Administrative	On-going	Within existing resources	Concurs	OK.

Reducing Risk to Damaged Building

A 8.8: The FEMA should continue to enforce substantial damage requirements, but decide on a definition of substantial damage and stick to that definition.	2	Fully Concurs	Requirement is critical to achieve reduction of building that are severely floodprone. Switches in definition hamper local implementation.	FEMA	FEMA should review which definition and decide which is appropriate. FEMA should implement this action item in conjunction with rulemaking to implement the NFIR.	Administrative (Rulemaking) in conjunction with implementing 1994 NFIR Act	Within 1 year	TBD	Concurs	OK. Should be no cost.
A 8.9: The Administration should support insurance coverage for mitigation actions necessary to comply with local floodplain management regulations.	2	Fully Concurs	Mitigation insurance is authorized in 1994 NFIR Act.	FEMA	Draft policy language to provide mitigation coverage, establish surcharge, develop required notices to companies, agents, adjusters, and policy holders.	Legislative - Done NFIR Reform Administrative - Reg. Develop	Less than 1 year	TBD	Concurs.	OK. No cost-self financing? Should be "plans or regulations"?
A 8.10: Develop a program to reduce losses to repetitively damaged insured properties through insurance surcharges, increased deductibles, mitigation insurance, and/or mitigation actions.	2	Fully Concurs	The mitigation grant program and mitigation insurance is a legislative requirement of the 1994 NFIR Act.	FEMA	Further analysis will result from the study of the economic effects of changing actual premium rates for pre-firm structures that was required by the 1994 NFIR Act.	Legislative/ Administrative - Initiate Mitigation grant and insurance programs. Initiate study.	Mitigation insurance, grant program, and report provide to Congress within a year.	TBD	Not responsive to problems identified. Paper doesn't reflect Working Group's position.	OK (was NFIR Act passed?).

Response and Recovery

R 9.1: Integrate Federal flood response and recovery under the FEMA.	2	Defer Decision	Interagency group is already developing options and recommendations for integrating.	FEMA	Defer until Catastrophic Disaster Review Group review is complete; then determine if management goals are adequately addressed.	Administrative	1-2 years	TBD	Flood response requires integrated focal point consistent over time.	OK (Defer).
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ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
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R 9.2: Enhance the linkage between response, recovery, and floodplain management.	1	Fully Concur	Flood response and flood disaster recovery are closely linked to the management of the floodplain.	All Federal agencies	The WRCC be directed to determine how to best meet the need.	WRCC	6 months	TBD	Concurs	OK.
A 9.1: Hold an interagency strategic planning meeting for those Presidentially declared disasters that require a multi-agency recovery effort.	2	Nonconcur	Existing mechanisms (the FRP groups and the Interagency Hazard Mitigation Teams) should become the basis for development and recovery and mitigation strategy for disasters rather than creating yet another coordinating or meeting body.	FEMA	Expand focus of Interagency Hazard Mitigation Team to develop mitigation strategy for specific disasters and coordinate it with the response effort.	Administrative	1-2 years	TBD	Concurs	Nonconcur with recommendation.
R 9.3: Continue to seek Federal-State co-leadership of an interagency hazard mitigation effort.	2	Fully Concur	State co-leadership recognizes State role in floodplain management. Increases awareness of hazard mitigation.	FEMA	Continue to establish co-leadership of IHM Teams.	Administrative	On-going	TBD	Concurs	OK. Should be no cost.

Mitigating Losses Through Flood Insurance

R 9.4: States should actively encourage flood insurance purchase by their citizens.	2	Fully Concur	Traditional approaches not satisfactory.	FEMA	FEMA should continue marketing campaigns with private sector companies and other promotional activities.	Administrative	1-2 years	TBD	Not responsive. Needs to address State responsibility.	OK. Should be no cost.
A 9.2: Increase NFIP market penetration through improved lender compliance with the mandatory purchase requirement.	2	Fully Concur	Required by 1994 NFIR Act.	FEMA	Standard Hazard Determination Form being developed, will be established by regulators.	Administrative	Less than one year	TBD	Concurs	OK.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
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A 9.3: Provide for the escrow of flood insurance premiums or payment plans to help make flood insurance affordable.	2	Fully Concur	Required by 1994 NFIR Act.	FEMA	Escrowing of flood insurance premiums is a legislative requirement now that the 1994 NFIR Act is signed into law. FEMA will explore the actions necessary to accept premium payment by credit card.	Administrative	Within 1-2 years	TBD	Concurs	OK.
A 9.4: Develop improved marketing techniques.	2	Fully Concur	FEMA is in the process of developing a marketing campaign.	FEMA	Supports implementation of this action item.	Administrative	1-2 years	TBD	Concurs	OK.
A 9.5: Reduce the amount of disaster support to those who could have bought flood insurance but did not to that level needed to provide for immediate health, safety, and welfare; provide a safety net for low-income flood victims.	2	Non Concur	This action item cannot be implemented unless wholesale changes to the Flood Disaster Protection Act and/or the Stafford Act are enacted. Many changes contained in the 1994 National Flood Insurance Reform Act. The Act specifically addresses these recommended actions. Inadequate database of properties.	FEMA	Propose database inventory for which ongoing mitable actions can be taken and Group Flood Insurance Policy for recipients of certain types of assistance.	Legislative	1-5 years	TBD	Doesn't address problem; NFIR Reform addresses somewhat; money is unnecessary - don't need database, if person doesn't have insurance let them bear the burden of proof as to why they didn't need it.	Is there a compromise possible, e.g., 75% of full benefits?
A 9.6: Require actuarial-based flood insurance behind all levees that provide protection less than the standard project flood.	2	Defer - Recommend until study is complete	Need to study actuarial desirability and legal issue of whether legislation is needed.	FEMA	Initiate study of actuarial desirability and determine which levees provide protection.	Administrative	Initiate immediately study 1-2 years	TBD	Do now. Press for requiring insurance define areas behind levees and special hazard areas.	OK.
A 9.7: Increase the 5-day waiting period for flood insurance coverage to at least 15 days.	2	Fully Concur	Addressed in 1994 NFIR Act.	FEMA	Implement NFIR and initiate study to determine appropriateness of existing requirements for different classes of properties.	Administrative-Expand to other classes of properties will require legislation.	Less than 1 year	TBD	Concurs	OK.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
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Improve Crop Insurance Program

A 9.8: The Administration should continue to support reform of Federal Crop Insurance that limits crop disaster assistance payments, increases participation, and makes the program more actuarially sound.	1	Fully Concur	Increases actuarial soundness of program. Establishes risk sharing.	USDA	The crop insurance reform legislation passed Congress. Implement appropriate provisions.	Administrative	Immediately	Budget saver	Concurs	OK (Done)
A 10.1: Establish upper Mississippi and Missouri basin commissions with a charge to coordinate development and maintenance of comprehensive water resources management to include, among other purposes, ecosystem management, flood damage reduction, and navigation.	TF	Concurs with Modification	Need to encourage interstate and Federal/State cooperation.	OMB, all Federal agencies through WRCC	Encourage the States to establish river basin commissions/associations on their own and direct Federal agencies to provide technical support to these commissions/associations.	Administrative	6 months - 1 year	TBD	Provide for Federal membership to provide for partnerships.	
A 10.2: The Administration should expand the mission of the Mississippi River Commission to include the Upper Mississippi and Missouri Rivers. Further, to recognize ecosystem management as a co-equal Federal interest with flood damage reduction and navigation, the Administration should request legislative change to expand commission membership to include the DOI.	TF	Nonconcur with MRC expansion.	There are reservations about expanding the MRC because of the projects the Commission undertakes, and is continuing today. However, the MS River needs to be addressed as entire system.	USACE	OMB to direct USACE to develop a single point of contact in the district or division office to coordinate Upper MS River activities.	Administrative	6 months - 1 year	No additional costs.	If not the expansion of the MS River Commission then what?	MRC is not needed.
A 10.3: Assign responsibility for development of an Upper Mississippi River and Tributaries (UMRT) system plan and for a major maintenance and major rehabilitation program for Federally related levees to an expanded Mississippi River Commission, operating under the USACE.	1	Concur with Modification	There is a need to ensure functional integrity of levee systems. Maintenance of existing levees through major maintenance and major rehabilitation is necessary.	USACE, USDA, SCS	A program of major maintenance and rehabilitation should be national. Only include Federally constructed and locally maintained levees in the Corps' PL 84-99 emergency repair program. Non-Federally constructed levees in the PL 84-99 program would not be included	Administrative/ Legislative required for major maintenance and rehabilitation.	2 years	TBD	Need to guarantee integrity of entire system; must address non-Federal levees. Devise a screening process. Believe it will be cost effective on life cycle basis rather than post-flood repair.	Tend to agree with paper. Yes, plan is needed. No, MRC is not needed.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
A 10.4: Seek approval from the Congress to redirect the USACE Floodplain Management Assessment of the Upper Mississippi River Basin to development of an UMR&T systems plan. Place this assessment under the Mississippi River Commission, operating under the USACE.	1	Concur with Modification	Should be addressed separately from ongoing assessment, particularly given advanced stage of that study.	USACE	USACE to conduct an assessment of levees in this region of the Mississippi River upon the completion of the USACE Floodplain Management Assessment of the Upper Mississippi and Lower MO Rivers and their tributaries.	Legislative	2 years	TBD	<i>Report, as is, will result in some duplication of FMRC action.</i>	OK, as modified.
A 10.5: Following completion of the survey, seek authorization from the Congress to establish the UMR&T project.	1	Concur with Modification	Special financial treatment or priority for one area of the country at the expense of others without an annual consideration of national priorities is not appropriate. Also reduces overall USACE program flexibility.		Do nothing.				<i>Would like to review final WG position.</i>	OK (do nothing); but, the studies listed may be worthwhile in the issue paper reactions.
R 10.1: Where they do not already do so, States should assume responsibility for regulating levee-related activities such as levee location, alignment, design, construction, upgrade, maintenance, repair, and floodfighting.	1	Fully Concur	Supports actions that increase the role of all States and improves partnerships between Federal agencies, State governments, and local communities.	All Federal agencies and OMB	Agencies should take appropriate measures to encourage increased State responsibility in managing floodplains.	Administrative/ Legislation	1-2 years	TBD	<i>National Floodplain Management Act would help.</i>	
A 10.6: DOI should complete an ecological needs investigation of the Upper Mississippi River and provide a report to the Administration within 30 months.	1	Fully Concur	Information is critical to fully integrate natural resource public health, and water quality into an ecosystem approach to floodplain management.	DOI	May need more than 30 months. Complete an ecological needs investigation of the Upper MS River Basin in conjunction with the systems plan outlined in A 10-4.	Administrative	Initiate immediately	TBD	<i>Concurs</i>	What can be done without additional funds (with DOI priorities)?
A 10.7: Provide an early report in the USACE Upper Mississippi River - Illinois Waterway Navigation Study of environmental enhancement opportunities in the Upper Mississippi River.	1	Fully Concur	Needs to identify and act on environmental enhancement opportunities as soon as possible.	USACE - relies on DOI for ecological needs	Requires ecological needs investigation of A 10.6. Will establish early report as milestone in on-going acquisition study.	Administrative	The USACE action should be scheduled for completion about 2 years after the initial information becomes available.	TBD	<i>Concurs</i>	Issue - If A 10.6 not fully completed, still, couldn't this go forward? Can this be done at no cost?

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A 10.8: Provide a report on the ecological effects of relocating navigation pool control points under the USACE Navigation Rehabilitation Study.	1	Fully Concur	Navigation pool control point relocation is one means of providing environmental enhancement.	USACE	Combine with report of A 10.7. Conduct a study to determine the effectiveness of moving the control point to the dam and the viability of acquiring the additional real estate that would be flooded periodically.	Administrative	The USACE action should be scheduled for completion about 2 years after the initial information becomes available.	TBD	Where possible should be done as soon as possible (already have information).	OK (or even if A 10.7 not fully done). Should be in consultation with Ecosystem Management Task Force.
R 10.2: The USACE should consider land acquisition as an alternative during planning and of habitat rehabilitation and enhancement projects under the Upper Mississippi River Environmental Management Program (EMP).	1	Concur	The States strongly believe that incorporation of limited voluntary land acquisition as a component to the EMP project would provide the needed flexibility to achieve habitat enhancement.	USACE	Consider voluntary land acquisition as an alternative during planning and design of habitat rehabilitation and enhancement projects of EMP.	Administrative - Within Existing Authority. Modify existing USACE policy on land acquisition for EMP.	1-2 months	TBD	Concur	OK. Should be no cost.
A 10.9: The Administration Interagency Ecosystem Management Task Force should select an Ecosystem Management Demonstration Project within the Upper Mississippi River Basin, and establish a cross-agency ecosystem management team under the DOI to develop plans and budgets for the project.	1	Concur	The Upper MS River Basin would be an ideal watershed for a demonstration study.	FWS	The WRCC should have the discretion to select the specific watershed to be studied, and assign to lead agency.	Administrative	1995	TBD	MS River Demonstration project dropped because of FMRC effort. Should be done under WH Ecosystem Task Force not WRCC.	OK. Shouldn't lead depend upon project selected?
A 11.1: The USGS should establish a Federal clearinghouse for data gathered during preparation of the Review Committee report.	1	Fully Concur	Effective and efficient distribution of data is necessary to ensure its use.	DOI (NBS, USGS)	USGS will establish clearinghouse when funds are provided.	Administrative	6 months to begin implementation	TBD	Concur	1) Is it necessary that USGS additional funding? 2) Are agencies committing to maintaining/updating the data?

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
A 11.2: FEMA should investigate the costs and feasibility of completing a national inventory of floodprone structures.	1	Fully Concur	Nationwide there is no authoritative estimate of the number of structures exposed to floods and other natural hazards.	FEMA USGS, Census Bureau, Postal Service (for data collection)	Develop a feasibility analysis and technical approach to develop the inventory.	Administrative	6 months	TBD	Concur	OK. Include Upper MS as a pilot/demo option.
A 11.3: The USACE, NWS, and USGS, with other collaborators, should continue development of wide hydrologic, hydraulic, and hydrometeorologic models for the Upper Mississippi River system.	1	Fully Concur	A systematic, unsteady flow model of the mainstem river in the Upper MS River Basin would help evaluate impacts of any new structures being considered for the floodplains, for floodfighting, and for floodplain management decisions.	USACE, SCS, USGS	Develop a system-wide unsteady flow model.	Administrative	Mult-year	TBD	Concur	OK. Should be in base program funding.
R 11.1: Federal water agencies, in collaboration with State, tribal, and local entities, should review and update, as necessary, discharge-frequency relationships for streamflow gages in the Upper Mississippi River Basin to reflect the 1993 flood data. The adequacy of the existing streamgaging network should also be reviewed.	1	Concur	Important to keep discharge frequency curves up to date. They are the basis of flood insurance maps.	DOI (USGS), FEMA, USACE, USDA (SCS)	Review and update discharge frequency relations to reflect the 1993 flood.	Administrative	6 months - 1 year	TBD	Concur	OK, but this shouldn't cost anything?
A 11.4: The Hydrology Subcommittee of the Federal Interagency Advisory Committee on Water Data should review the current standards for computing discharge-frequency relationships in light of observations from the 1993 flood and other recent large floods in the Upper Mississippi River Basin.	1	Fully Concur	The 1993 flood provides a unique opportunity to determine adequacy of method.	USGS	Undertake review.	Administrative	6 months - 1 year	TBD	Concur	OK. Should be priority in base. Funds should be in base program.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
R 11.2: Federal agencies coordinated by NWS and USGS, should collaborate on an assessment of the effectiveness of the streamgaging network and flood forecasting during the 1993 Midwest floods.	1	Fully Concur	River stage and discharge information is needed for emergency situations, local flood relief and floodplain management.	USGS, (Lead) USACE, NWS, FEMA	Supports this action item, however, additional funding is needed.	Administrative	6 months	TBD	Concurs	OK. This should be a priority of base program without new funding.
A 11.5: The Administration should support the USGS in development and acquisition of detailed digital topographic data and other land characteristics for use in floodplain management activities. Existing DOD techniques should be leveraged to assist in the acquisition of data.	1	Fully Concur	Detailed topographic information is critical to the development of computer models used to estimate flood elevations.	USGS (Lead), DOE, FEMA, SCS, NBS, FWS	USGS should develop digital topographic data in limited areas identified as critical by SAST. Significant budget ramifications if developed for a larger area. Detailed data are needed only in relatively small areas where detailed hydraulic and ecological studies are being done.	Administrative	6 months - 1 year	TBD	Need DOD and USACE to support need for development and furthering state-of-the-art. However, need to address for remainder of nation.	OK. Limited pilot area at present (no new funding). DOD/Agency pilot?
A 11.6: The Administration should direct that scientific research be conducted to identify techniques or applications for estimating and assessing environmental and social impacts.	1	Fully Concur	A comprehensive coordinated research effort is needed to develop flood-related environmental and social assessment techniques.	CEQ	Identify existing Federal agency research efforts and direct coordinated effort to develop impact assessment techniques.	Administrative	Long-term and continuing - to begin within 6 months - 1 year	TBD	Concurs	OK. Fits with other efforts.
R 11.3: The USACE and USGS should investigate and better define relationships between high energy erosion zones, other in floodprone areas, and failure.	1	Fully Concur	Evidence indicates that levees placed in high energy zones would not hold, even if it were possible to excavate all the sand from the old channel and place the levees on a clay core. Evidence also indicates that riparian zones offer substantial protection to levees.	USGS, USACE	Undertake investigation, develop agency policy and begin implementation.	Administrative	6 months - 1 year	TBD	Concurs	OK. Should be a high priority in the base. No new funding.
A 11.7: The USACE and USDA, in collaboration with the DOI, should evaluate the effect of natural upstream storage and floodplain storage in such areas as wetlands and forested wetlands on mainstream flooding.	1	Fully Concur	Restoration of wetlands could restore habitat, improve water quality, and reduce flood damages. Need to explore optional conclusions for multi-objective restoration.	USACE, DOI, USDA	SAST should identify watersheds in the Upper MS River Basins that were formerly "closed watersheds" but now contribute runoff because of agricultural drainage.	Administrative	TBD	TBD	Concurs	What could be done with no new funding? Could any unspent disaster funding be used (if any)?

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
R 11.4: Federal agencies should conduct research on biotechnical engineering techniques and incorporate them into design manuals.	1	Fully Concur	The use of living biological systems in place of structural solutions could result in substantial savings in construction cost and reduced maintenance.	All Federal Agencies with special leadership to SCS, USACE, USGS, BLM, and BOR	Explore and develop procedures and design manuals.	Administrative	Start immediately and continue as an ongoing activity	TBD	Concurs	No new resources as required with agencies.
R 11.5: OMB should review the current system of funding disaster relief; consideration should be given to encouraging the National Science Foundation to support such a review.		No action at this time	Following the emergency supplemental appropriations for the Northridge earthquake in 1994, Congress created a Task Force to address high disaster costs.	OMB	The review is underway.				Issue should be carefully considered. OMB should send note to NSF.	OK (No action).
R 11.6: USDA should evaluate the impact of Federal farm programs on agricultural land use decisions in and out of the floodplain.	1	Concurs	Congress passed Crop Insurance Reform. Reform of the crop insurance and disaster programs will bring needed discipline to crop production in the floodplains.	USDA	Do nothing now.	Administrative within existing authority	6 months - 1 year	TBD	Doesn't address problem. Still need study; crop insurance changes don't address this issue.	Probably do still need study... Part of Farm process.
R 11.7: FEMA should conduct research on the issue of NFIP market penetration to determine who buys flood insurance and who does not and why.	2	Fully Concur	FEMA has decided to conduct market research on consumer attitudes.	FEMA	Continue marketing research and develop effective management to change attitudes.	Administrative	2 years	TBD	Concurs	OK.

ACTION	GRP	POSITION	RATIONALE	WHO	WHAT	HOW	WHEN	COSTS	GALLOWAY REVIEW	EOP COMMENTS
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R 11.8: The National Science Foundation should consider funding research on the following subjects: (1) Full accounting of all public and private benefits and costs of floodplain occupancy and associated floodplain management measures, including both monetary and non-monetary methods of accounting. (2) Mapping regulatory areas with movable stream channels and storm drainage overflow and backup. (3) Special impacts of floods, including epidemiological and mental health factors, and (4) The feasibility and effectiveness of the use of meteorologic data and geomorphic and botanical evidence in conjunction with hydrologic and hydraulic models to estimate flood frequency.	1	Concur with Modifications	The National Science Foundation currently carries out flood-related projects for prediction development. They could build on their efforts to support research. The National Science Foundation does not conduct epidemiologic research. The National Institute of Environmental Health does. They should be considered in supporting studies.	National Science Foundation and National Institute of Environmental Health	Both the National Science Foundation and the National Institute of Environmental Health should support research activities in the areas included in the FMRC report. In addition, the National Science Foundation should support research regarding impacts on the natural and built environments and local economies in flood areas.	Administrative	TBD	Low-medium budget impact	OMB or WRCC should write letter to NSF.	OK. Good for topics to be included in base research programs. No funding necessary?
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NOTES: Costs are annual unless otherwise noted.
 Italics - FMRC comments passed on papers as of 9/29

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