



ASSOCIATION OF STATE FLOODPLAIN MANAGERS, INC.

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1-27-17

Subject: Implementation of Executive Orders on Floodplain Management
Draft Engineer Circular (EC) 1165-2-217

The Association of State Floodplain Managers (ASFPM) is a national professional organization representing 17,000 members at the local, state, regional and private sector who are dedicated to managing flood risk to reduce flood damages and taxpayer costs from flood disasters. We support Executive Order (EO) 13690 (amending EO 11988) and the Federal Flood Risk Management Standard (FFRMS), which have the commendable objectives of protecting lives, preserving floodplain values, and ensuring that projects funded with taxpayer dollars do not have to be rebuilt time and again as we deal with increased rainfall and storm events. We commend the U.S. Army Corps of Engineers (USACE) for developing draft policy for implementing EO 13690. Our comments reflect the review guidance suggested by USACE. ASFPM appreciates the opportunity to provide feedback on this Engineer Circular (EC) and hopes that the following suggestions will strengthen USACE's approach to protecting taxpayer investments.

The economic costs to the nation's taxpayers associated with flooding are clearly increasing and are unsustainable, even if rainfall and storms were not verifiably increasing. Based on NOAA and CoreLogic analysis, the overall flood loss in 2016, driven by six, extreme rain events, was approximately \$17 billion, which is six times greater than the overall flood damage experienced in 2015.

General comments

1. We strongly support this USACE action to implement the Federal Flood Risk Management Standard and urge USACE to finalize and implement the subject EC.
2. ASFPM strongly supports the USACE statement that the Climate Informed Science Approach (CISA) will be the primary approach to determining the FFRMS floodplain. While consensus on CISA for future conditions in coastal areas has more data (sea level rise), we must start to use CISA in riverine areas also and there are a number of urban areas with projections of future hydrology exist. USACE indicates it will work with other federal, state and local agencies to develop CISA. This is exactly what must happen so we have uniform application of CISA to protect taxpayer investments.
3. ASFPM supports the USACE approach to use natural systems in development of alternatives, where possible.
4. Wherever the EC directs an impact analysis the USACE should do a cumulative analysis of this and similar actions in the hydraulic reach to ensure that neither flood levels nor velocity are affected on any other property. If there is an impact on other property, whether developed or not, those property owners must agree to the impact through whatever compensation is necessary. These criteria of flood level and velocity impact and appropriate mitigation must be applied whenever there is an impact.
5. We urge that the EC contain a statement that USACE will use more restrictive state or local standards.

Dedicated to reducing flood risk and losses in the nation.

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Specific comments

1. On page 5—starting line 165 USACE lists the actions where the FFRMS floodplain will be used. We support the list, but are unclear if (1) (b) applies to PL 84-99; we do believe it should.
2. Pg 5-line 296- (2) (b) indicates the 1% floodplain will be used for projects in the interest of national security. While we understand that approach, we do suggest the Corps at least do an economic analysis to determine if a higher floodplain will provide a better return on investment for the taxpayer.
3. Pg 5-line 199-(2) (c) discusses 408 projects. Application seems a bit unclear, so we look forward to additional guidance that will be developed.
4. Pg 6-line 211- c. lists those actions the EC does not apply to; we offer these comments: on (3) it lists routine O&M, but only those that do not impact or change the floodplain—we agree with that and urge USACE to do a cumulative analysis of this and similar actions in the hydraulic to ensure flood levels and velocity do not rise on any other property or there is an impact on other property, whether developed or not. Those property owners must agree to the impact through whatever compensation is necessary. This criteria of flood level and velocity impact and appropriate mitigation must be applied wherever the EC directs such an impact analysis
5. Pg 6-line227-General Policy—This is the appropriate statement of policy to avoid or minimize and avoid inducing development with which we strongly agree. The final sentence states “unless there is no practicable alternative”---this is where the process explained in our comment immediately above must come into play; if the FP site is chosen, all impacts on other properties must be mitigated through actions of compensation.
6. Pg 6-(247)- 7. (b) We applaud the direction to USACE staff to coordinate with other agencies to agree on the appropriate horizontal and vertical floodplain.
7. Pg 7-(252)—top para outlines how USACE will determine the appropriate floodplain to evaluate the action and alternatives, then goes on to state USACE will not use the vertical elevation as a design standard or use it for planning and design of Corps projects that involve horizontal infrastructure, then listing examples like levees, dunes, beaches, seawalls, etc. Since many of these actions are designed to protect people and property, and may include critical facilities, we would not support exempting seawalls, engineered dunes or levees, and suggest USACE develop specific criteria for any of the other exemptions.
8. Pg7-(265)—c. and d. We support the language indicating broad consideration of nature-based systems and look forward to the noted upcoming added guidance.
9. Pg 7-(283- e. and f.--good description of principles and process for no practicable alternative.
10. Pg 8-(312) a. describes the CISA approach, which, as stated above, ASFPM strongly supports. While USACE indicates the use of CISA in riverine areas will be done in accordance with Appendix H, that appendix states: “No approach analogous to the [sea level rise approach] has yet been developed to account for uncertainties due to climate change with respect to projected future precipitation and associated riverine flooding.” We must start to use CISA in riverine areas and USACE has the technical ability to lead the federal family in how to project future hydrology to determine riverine CISA. Furthermore: there are a number of urban areas where projections of future hydrology exist. USACE does appropriately indicate it will work with other federal, state and local agencies to agree on an approach, and that collaboration will need to develop added guidance so that all agencies have a common approach nationally.
11. Pg 9-(334) (1) discusses critical actions process and states that for these actions not subject to FFRMS (we assume this means national security actions) the 500 yr floodplain will be used. That seems reasonable, but again we urge careful evaluation of using a higher elevation for critical actions, especially if access and operation during extreme events is in fact critical, or if it is in the taxpayers best interest.

Association of State Floodplain Managers, Inc.

January 27, 2017

12. Pg 9-(355) (3)--Explains that even actions outside the floodplain must be evaluated to determine if it has impacts on the floodplain or supports development in the floodplain: which we strongly support. This goes on to appropriately explain that the analysis must consider cumulative impacts of many such individual actions.
13. Pg 16 (637)—Glossary definition of Climate Informed Science Approach (CISA). This is a practical definition that can be understood and implemented.

Thank you for considering these comments. If you have questions about any of these comments, please contact Chad Berginnis or Larry Larson at 608 828-3000

Respectfully submitted



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