



## FLOOD ADVISORY COMMITTEE

July 10, 2001

### MEETING SUMMARY

The fourth meeting of the Delaware River Basin Commission Flood Advisory Committee (FAC) was held at the Commission's offices on Tuesday, July 10, 2001, at 10 a.m. with Solomon Summer chairing the meeting.

#### **REVIEW OF DRAFT MINUTES FROM THE MARCH 15, 2001 MEETING**

Mr. Summer asked for review, comments or corrections of the Minutes of the last meeting of March 15, 2001. There being no comments or corrections, the Minutes were approved as presented.

#### **PROGRESS AND NEXT STEPS RELATED TO THE FLOOD WARNING IMPROVEMENT RECOMMENDATIONS**

Rick Fromuth gave the committee an update on what has taken place with the flood warning recommendations since the last FAC meeting.

- At the last FAC meeting, the committee discussed the report the staff had compiled for the recommendations. All comments made were incorporated into the revised report which was sent out with the endorsement of the committee.
- The NWS reviewed the report on April 6, 2001 and made comments which were included in a second revision.
- On April 9, 2001 funding request letters coordinated by the Northeast Midwest Institute and signed by the Delaware Basin Task Force co-chairs were sent to three congressional appropriations sub-committees (Commerce, Justice, State & Judiciary, Interior and Energy and Water Development).
- At the Commission meeting on April 19, 2001 in NYC, the Commissioners endorsed the recommendations report and gave support to the staff to pursue funding.
- On May 9, 2001, the NWS invited DRBC and SRBC to their headquarters to review some of the Advanced Hydrologic Prediction Services (AHPS) products in the Juniata River Basin, within the Susquehanna River Basin. The AHPS program uses improved technology in GIS, Doppler radar and computer modeling with probability for hydrologic forecasting.
- Carol Collier, Executive Director of the DRBC, issued two letters on May 18th - one to all the members of the Delaware Basin Task Force who had previously been asked to support federal financing and one to the heads of the Appropriations Committee for Commerce.
- On June 16th and 17th tropical storm Allison moved through the basin and the flooding in Bucks and Montgomery counties was so bad that federal disaster areas were declared for both counties. Mr. Fromuth noted that this particular area has had intense flooding in four of the last five years.

- On June 25th, DRBC again sent out copies of the recommendations report and email letters to the congressional staffs of Congressman Greenwood, Congressman Hoeffel and Senator Specter.
- As a result of the Bucks and Montgomery county flooding, the Federal Emergency Management Agency (FEMA) and the Pennsylvania Emergency Management Agency (PEMA) sponsored a meeting on July 2nd at the PEMA headquarters in Warminster, PA and again DRBC distributed copies of the recommendations report.
- On July 9 and 10, DRBC Executive Director Carol Collier traveled to Washington, D.C. and met with a number of representatives and staff on Delaware River Basin issues, one of which was the flood recommendations.

Mr. Fromuth concluded that in review of the progress of this project, it appears there is possible funding through the AHPS initiative within the Commerce budget.

Mr. Summer gave the committee a perspective of the Commerce budget. He noted the funding could come through NOAA and NWS. Eric Webster of the Science Committee has informed Scott Carter of NOAA Legislative Affairs that the funding issue has been discussed due to all the past flooding events and requests for funding.

He noted there are currently two congressional pushes at this time. One from Congressman Etheridge of North Carolina, related to Hurricane Floyd and one from the Delaware River Task Force. He also stated there is a third bill from Congressman Moore but that bill is also somewhat related to hurricanes and tornados and other natural hazard research actions.

Through discussions, it is believed the position being considered is a possible merger of all requests under the AHPS umbrella rather than having one competing against the other. Mr. Summer stated that there will be discussions between the Science Committee and Congress during the week of July 16 about the funding proposal.

Mr. Summer cautioned that AHPS is a new initiative under the NWS and only in the third year of funding. The initial efforts under the AHPS program were with the Ohio River Basin and the upper Mississippi River Basin, and within the last year the Susquehanna River Basin initiative started with AHPS. If funding can be obtained through this initiative, AHPS can start to be developed in the Delaware River Basin.

Mr. Summer suggested that at a future meeting of the FAC , Mr. Fromuth can request persons to come and discuss the actual products displayed in the AHPS program.

## **GOALS OF ADVANCED HYDROLOGIC PREDICTION SERVICES (AHPS)**

Mr. Summer noted the strategic goals of the AHPS program over the next five years include a better product in three areas:

- To better define flash flood warnings for flood customers with monitoring and predictions for small watersheds. Currently, the weather service issues flash flood warnings in county areas.
- The river flood and forecast program. Currently, a standard river forecast is issued two to three days ahead of time, but with AHPS it is anticipated to have a one week forecast.
- AHPS would not only provide information to be used in the river and flood forecast programs but in the water resource management program as well. Probabilistic forecasting would be used to produce an expanded hydrologic outlook;

not simply river forecasts.

In terms of advances from the technological point of view, AHPS would provide:

- A new type of graphical presentation
- Confidence level of probabilistic type forecasts
- Making use of the GIS with higher resolution information

Bob Hainly asked about the probability of funding for AHPS for next year. Mr. Summer stated that over the last few years, the AHPS program has generally been one million dollars a year which funded the Ohio and Mississippi River Basins, but now that a request for expansion has been made for the Susquehanna River Basin and perhaps the Delaware River Basin, as this type of forecasting is being requested, there is a good opportunity to have the appropriation increased.

### **STATUS OF DRBC COMPREHENSIVE PLANNING PROCESS & OPPORTUNITY FOR COMMITTEE INPUTS**

Mr. Fromuth gave a brief overview of the status of DRBC's effort to develop a new basin Comprehensive Plan. A workshop was held on May 14th and 15th with the Watershed Advisory Council (WAC) which is a group selected from outside of the commission to act as a steering committee for the plan development. It is comprised of about 30 people with varied water resource interests in the basin. At the May workshop the liaisons for the advisory committees also provided input. Mr. Fromuth noted the liaisons for the FAC at the workshop included Clark Gilman, Alan Tamm, Peter Gabrielson, Jerry Kaufman and Dave Burd.

At the completion of the workshop it was requested that the commission staff needed to put together preliminary goals and objectives. An ad hoc steering committee was created which worked on putting together a "first cut" of goals and objectives which is intended to go to the committees for comments and criticism in their respective areas of expertise. On July 24th the committee liaison will provide comments at a second meeting of the Watershed Advisory Council.

Mr. Fromuth advised the committee that it needed to select a liaison for the meeting to organize the committee's ideas and officially present them at the meeting. Solomon Summer and Clarke Gilman offered to serve as the FAC liaison. (Note: Clarke Gilman represented the FAC at the July 24 meeting.)

Mr. Fromuth then noted that tropical storm Allison provided an example of how development patterns over many years have increased flood risk. As a result an inter-agency meeting was held on July 2nd to discuss flood recovery and mitigation in Bucks and Montgomery counties. One of the outcomes from the meeting is that there is potential for DRBC to contribute to a planning effort for flood mitigation.

Ron Killins, chief hazard mitigation officer for PEMA made a presentation on damage from tropical storm Allison in Bucks and Montgomery counties, PA. The presentation included suggestions for including flood mitigation in the DRBC comprehensive planning.

Mr. Killins noted that when Hurricane Floyd came through the area, it was believed to be a single incident, but now, with tropical storm Allison hitting the same general area, he believes there is a trend being set. He requested FEMA to convene a task force to prevent or mitigate this from happening again. He believes that DRBC is the ideal agency to provide a solution to this problem.

He further stated there is no comprehensive effort along any watershed lines to plan development of storm water run-off, therefore, the back ends of watersheds will be the victims of all of the poor decisions made at the beginning of the watersheds. He feels the problems are not singular but a combination of ingredients, all of

which are addressable and can be resolved if there is a single coordinating agency who can take an overall look at the problem and provide solutions.

Lastly, Mr. Killins stated that he believed Bucks and Montgomery counties could form a laboratory for the Commission to implement concepts and ideas to determine if they work and if they do then he believes they could work along the entire watershed.

It was asked if any of the communities that were flooded by the tropical storm still permit development in the 100 year floodplain. Mr. Killins stated yes, however with certain restrictions. He also stated in the areas hardest hit, there still are classic cases of floodplain management violations where new development was allowed without having met floodplain standards.

Gerald Kaufman commented that one would think there would be precedence for prohibiting any and all urban and suburban development within the 100 year floodplain in the Delaware River Basin. Mr. Killins stated unfortunately our county governments are our weakest link with many g home ruled systems and persons making the decisions who often have little background in flood loss reduction. They are everyday citizens who volunteer and yet their decisions will have a long-term impact not only on their community but on their neighbors. Mr. Killins also noted that most small municipalities do not have the resources to enter into or endure long costly legal disputes with developers.

Anthony Mangeri expressed that New Jersey's Emergency Management feels the same way that Mr. Killins does in this area. He encouraged creating an awareness among residents of flood mitigation as New Jersey's case law has not been successful in precluding development in areas that really should not be built upon.

Mr. Killins noted PEMA's goal for their mitigation program is to return the floodplain to its natural function. Although acquiring existing properties through federal, state and local dollars and returning the land to open space is starting in some areas, building is still taking place in other areas and will negate the value and benefit of what has already been accomplished. Therefore, he believes the only way to make this come to fruition is to make hazard mitigation a public value and to continue with comprehensive planning of the watershed.

Mr. Summer spoke of the need for flood mitigation education. Mr. Mangeri suggested the language needs to be stronger to increase awareness of the damages of flood hazards and prevention and believes the DRBC is in a great position to handle these topics. He also spoke of land use and the need to make municipalities identify known areas of ponding and flood hazards within their communities. Municipalities are not now required to identify areas of known repetitive, chronic areas of flooding in their municipal land use when doing their zoning maps.

Mr. Nickelsberg suggested signage be used. He was informed that New Jersey attempted this but vandalism and realtors registering complaints were two major roadblocks. The Disclosure Law was also mentioned, but again there were instances cited where it did not help. Mr. Gilman discussed Goal No. 2 on page 7 of the Draft Goals document for the DRBC comprehensive planning and noted that although this is a noble goal, as long as FEMA allows development in flood fringed areas of 100 year flood plains and local governments tax the land as if it were prime real estate, the courts will not be supportive when it comes to stopping development in t he 100 year floodplain..

Goal No. 3 was discussed and it was suggested the goal be re-worded to state "Control or develop standards to encourage sustainable viable development in areas of known hazards." Mr. Mangeri commented that since many of the states have smart growth and E.D.A. money to do viability studies and modified planning with sustainable growth, standards development can tie into existing funding sources. He also thought DRBC might be able to bring in more academic experts to assist the states in identifying standards.

Mr. Mangeri noted that during Hurricane Floyd, 242 Manville residents requested acquisition of their homes.

However, due to the restrictive standards FEMA placed on this event, only 100 homes qualified and only 40 went through with acquisitions. He also commented that he believes the issues come down to land use management, finding funds for acquisition, elevation and retrofit. Acquisition is not always the answer. In some cases, portions of a community within a 100 year floodplain can't be destroyed or the community is terminated.

He reiterated that Goal No. 3 should now read "Control or develop standards to encourage reasonable, sustainable, viable development in areas vulnerable to flooding including the 100 year floodplain and fringe areas."

Mr. Fromuth commented that the comprehensive planning process is supposed to take the committee inputs and gear them towards the goals but it does not mean the Commission is going to pass laws for certain counties in terms of what their flood regulations are going to be.

It was agreed that this is an opportunity to have the Commission provide leadership and support to the different agencies to work together to identify the problems and resolve them.

Mr. Mangeri stated he would like to have all of the repetitive loss properties in the DRBC jurisdiction tracked for any discussions on chronic repetitive loss areas.

Mr. Gilman commented on the objectives of Goal No. 2 under the Waterway Corridor Management section of the Goals document. He noted that any residential subdivision in New Jersey is now required to maintain and reduce the amount of stormwater run off from the property under new design standards.

He also commented on Objective 3 of Goal No. 1 which speaks to identifying flood prone areas in the Delaware River Basin. He believes this is already done. He spoke of the situation that occurred in Manville where the lone coordinator of the National Flood Insurance program became ill and unable to determine substantially damaged structures. The Department of Community Affairs came in, and because they do not recognize floodplain management, the homes that were substantially damaged were not identified by the Department of Community Affairs officials. Therefore, the available FEMA HMGP money could not be used for this project. He further noted that if Manville would have started in 1996, when they first experienced flooding, to develop a mitigation plan that identified the subject area as dangerous, a program could have been in place prior to Hurricane Floyd and perhaps the 250 homes affected by Hurricane Floyd would have had a different outcome.

Mr. Mangeri stated that he believed there could be a role for DRBC to assist in educating floodplain managers of communities about their roles, responsibilities and authorities through a partnership with all of the states within the basin.

Mr. Killins noted that the Disaster Mitigation Act of 2000 was passed because Congress understood the importance of mitigation. However, the message got lost in the current administration as it did not fund it. Within the Act it states each state would have, at least, \$500,000 per year to use for mitigation planning and mitigation measures. The mitigation grant program which was 75/25 (federal match) is now 50/50. Mr. Mangeri stated this has set things back 10 years because when you go to a 50/50 grant towns start infrastructure projects instead of creative acquisition because the residents won't absorb the 50% whereas they might absorb 25%. The government might be able to justify 25% towards the acquisition of homes as far as being cost beneficial to the town. Mr. Killins stated that PA had a difficult time even when the state absorbed 22% as the state's share which left 3% to the local governments. He noted in the majority of the acquisition projects that did occur, the 3% was either funded by the homeowner or some other volunteer group. His last comments were that this current administration is conveying a different message - disaster prevention has little or no value as there is zero money for disaster mitigation.

Mr. Gilman further noted a major failure of the national flood insurance program is ICC - (increased cost of construction) which is in every standard flood insurance policy issued today as a rider. It allows a homeowner, if the structure is deemed substantially damaged by a flood, to collect up to \$25,000 which could be used towards retrofitting a structure. A local government official must declare the building substantially damaged. In New Jersey and nationwide, this rider is rarely used.

Dave Burd agreed with all the comments and noted the challenge the FAC has before them is how and what is it going to take to encourage education about the need for flood mitigation.

Chris Roberts asked if there was a database listing of floodplain managers. It was noted that there is the State Association of Floodplain Managers which has been in existence for over 20 years. The majority of the membership is either federal or state agency representative. Mr. Mangeri commented he attempted to have their well attended national conference held in NJ but lack of resources and staff requirements prevented this. He feels it would greatly help increase awareness. The idea of conducting a basin wide workshop was discussed.

Gerald Kaufman asked if it would be useful for the FAC to file a survey of Floodplain Ordinances or Stormwater Ordinances currently in effect by local and county governments to see exactly where we are with regard to regulating floodplains in the basin. He offered to collect the data from Delaware and suggests all other states within the basin join in and collect their data. Mr. Gilman and Mr. Mangeri stated New Jersey also has information available.

Mr. Fromuth commented that if all the states submit their data to DRBC a compilation of data can be obtained. Mr. Killins cautioned that specific guidelines should be created on the type of information to be compiled such as criteria for repetitive losses and from what sources it is obtained from as various agencies have varied standards they use for their guidelines which may not give an accurate account of the type of information the FAC is attempting to compile.

Mr. Fromuth noted DRBC already has 3 flood insurance claim databases from FEMA which start from 1976 and go up to post-Floyd. The first one came from FEMA's Washington office which has every single claim whether it was paid or not. The next dataset was repeat claims and the third one was a more detailed dataset which Dave Thomas provided DRBC but it does not have longitudes or latitudes. Mr. Mangeri stated each state can reach out to their municipal coordinators and validate the data.

Mr. Killins and Mr. Mangeri asked Mr. Fromuth to inform the FAC what his needs would be so they can support the DRBC and this venture can be a true partnership. Mr. Killins also offered to support the DRBC with a large percentage of his staff's time to assist.

Mr. Fromuth noted he would summarize the meeting discussion in order to provide it to the liaison for the WAC workshop on the 24th. He requested anyone with additional comments to inform him of them before next week so he can include them in his packet for the liaison.

## **POSSIBLE FEDERAL FLOOD LOSS REDUCTION POLICY CHANGES RESULTING FROM CHANGE IN ADMINISTRATION**

Mr. Fromuth noted that the Association of State Floodplain Managers put together a newsletter which summarizes what has been happening lately with budgets and discussions. Some topics of interest include:

- reduction in the hazard mitigation flood shares from 75/25 to 50/50
- termination of project impact
- termination of flood insurance for repetitive loss properties after one additional claim

It was noted that a number of these issues are currently under argument, but that is what was in the draft budget. The Director of FEMA is reconsidering some of the positions by the White House at this point.

Mr. Summer stated there was concern raised about reduction in mitigation efforts that are under way now and what impact it could have. Mr. Hainly commented that since the issuance of the newsletter, the House has passed the budget for USGS and it is actually above last year's amount, however, he has not heard what the Senate is doing. He further noted last year the House and Senate put in more than what the President had proposed.

John Chiaramonte commented that he is involved with Project Impact and believes that most of the communities involved have seen the benefit of Project Impact so even if it is eliminated they will continue to do what they are doing. Mr. Killins stated if the funding for Project Impact is cut, the communities in PA will suffer as PEMA gives out mini-grants to augment what the communities couldn't do; so a cut in funding will be one of the greater losses as PEMA will no longer be able to assist the local efforts.

Mr. Fromuth noted that currently the Corps floodplain management services and planning assistance for the states budget appears it is going to stay about the same.

Mr. Sauls mentioned that there is a proposed cut of 14% for the budget.

## **DISCUSSION OF METHODS AND NEXT STEPS FOR IMPROVING EDUCATION AND OUTREACH**

Mr. Summer indicated that the NWS has been working on a brochure and two videos on AHPS along with a computer CD version and all are available to the public. He also stated the NWS is working on an awareness guide which is an eight page color brochure that deals with the dangers of inland flooding from tropical cyclones and hurricanes posed for the United States. It will also be web-ready and when it is back from the printers in approximately one month, copies can be made available to the Commission and anyone else interested..

He noted that another topic the NWS has been working on, with a possible brochure being produced, focuses on land development and urbanization and their significant impact on flooding. Again, this would be an education and awareness type of brochure.

Mr. Gilman noted the state police have taken on a NWS program called the Storm Ready Community Program which provides recognition to communities for their preparedness efforts for all types of storms. Mr. Summer stated the program is relatively new but continually growing in which the NWS works with the counties and communities and when certain criteria is met they are recognized as Storm Ready in all aspects of readiness. Mr. Gilman noted that the communities receive two plaques for the entrance and exit of the community, as well as, a few points if they are in the community rating system.

Mr. Summer suggested the program be discussed at the next meeting in more detail.

Mr. Fromuth offered some materials used by the public information officers of DRBC involving use of the internet and how they can link to various other websites, i.e. NWS, USGS, etc. He encouraged the members of the FAC to utilize DRBC's website for any information they would like to have put out on the web. The only requirement is that there be a name of a reference person included in the article to be contacted for further information.

Mr. Roberts added to the discussion by stating he believed having a few workshops is a great idea. He further suggested putting together some type of educational package on flood response to let people know what is involved and available, as well as, doing a mailing to the floodplain managers once a list has been created or posting information on the website or a CD.

Lastly, he spoke of the flood forecast mapping that could be made available to the local floodplain managers once they are identified. He offered outreach suggestions for the committee to consider and respond back to him on.

## **NEXT MEETING**

The next meeting of the committee was scheduled for **Tuesday, September 25, 2001**, at the offices of DRBC in West Trenton, N.J. (Subsequently moved to October 2, 2001.)

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***P.O. BOX 7360, West Trenton, NJ 08628-0360***

**● Voice (609) 883 - 9500 ● FAX (609) 883 - 9522**



[croberts@drbc.state.nj.us](mailto:croberts@drbc.state.nj.us)