

NFIP Minimum Floodplain Management Standards Public Meeting #1 Transcript

This document contains the transcript from the first Public Meeting on Nov. 4, 2021 on FEMA's Request for Information (RFI) on the National Flood Insurance Program's (NFIP) minimum floodplain standards for land management and use and gather input on the program's potential to better protect threatened and endangered species and critical habitat. This transcript is also available in Spanish on FEMA's [website](#).

Slide 1 - Title

Jennifer Salerno: Hello and thank you for joining us on the Request for Information (or RFI) on the National Flood Insurance Program, referred to as the NFIP, Minimum Floodplain Management Standards. My name is Jennifer Salerno, and I will be your moderator. This meeting is being recorded and a transcript will become part of the public record. Participation in this public meeting constitutes your consent that your name may appear on the official transcript for the public record.

Slide 2 - Welcome

Jennifer Salerno: This is a public comment forum, rather than a discussion forum. We are hosting this public meeting to gather input on the published in the Federal register on October 12, 2021. The purpose of this meeting is to seek feedback on the National Flood Insurance Program's floodplain management standards for land management and use and gather input on the program's potential to better protect threatened and endangered species and critical habitat. Individuals cannot apply for assistance or receive information regarding a pending assistance request as part of this meeting. If you are an individual who has been impacted by a disaster and are seeking assistance from FEMA, please call the FEMA helpline listed here at 1-800-621-3362 to receive information in the pending request.

Slide 3 - Technical Housekeeping

Jennifer Salerno: Before we get in the meeting, first some technical housekeeping information, followed by a preview of the agenda for today's meeting. Live captioning is available and can be accessed by navigating to the website above: www.captionedtecx.com and entering the event ID: 4937564 in the upper right-hand corner of that website. By default, participants are disabled from speaking during the presentation portion of this public meeting. The verbal comment portion of today's meeting will allow those who registered in advance an opportunity to provide comments on the RFI for a limited amount of time, up to 3 minutes. At the end of the meeting, as time allows, there'll be an open comment period for interested individuals to provide additional verbal comments. Next slide please.



FEMA

Slide 4 - Agenda

Jennifer Salerno: Let's take a moment to review today's meeting agenda. First, we'll provide a brief history on the program which provides flood insurance to more than 22,500 communities across the country. Second, we will describe the background of this RFI and review its purpose. After the overview information, we will explain the instructions for providing your written comments on the RFI during the comment period. Note that comments can be submitted until December 13, 2021. The majority of the remaining time of today's meeting is reserved for verbal comments for the record on the minimum floodplain management standards. We'll review the details about how to provide verbal comments before we unmute microphones to receive your comments. And then we'll, we'll conclude with a few closing remarks. I'm going to hand things over to our presenter today, David Maurstad, FEMA Deputy Associate Administrator, Federal Insurance & Mitigation Administration.

Slide 5 – History of the NFIP

David Maurstad: Thank you, Jennifer. Thank you for joining this public meeting for the minimum floodplain management standards, which covers floodplain management standards for land use and management, and the opportunities to better protect, threatened and endangered species and critical habitat. My name is David Maurstad, and I am the Deputy Associate Administrator for the Federal Insurance & Mitigation Administration, and the Senior Executive of the National Flood Insurance Program.

Until 1978, actions related to flooding were primarily responses to significant flooding events, such as the Midwest major riverine flood disasters of the 1920s and 1930s. However, despite federal investments in federal flood control projects, losses to life and property continued. In recognition of continued flood loss, major steps were taken in the 1940s, 50s, and 60s to redefine the federal Government's approach to providing flood disaster relief.

The National Flood Insurance Program (commonly referred to as the NFIP) and the Federal Insurance Administration were created in 1968 following devastating riverine floods in the 1950's and Hurricane Betsy in 1965. The National Flood Insurance Act of 1968, which created the NFIP within the Department of Housing and Urban Development, was developed to provide flood insurance in communities that voluntarily adopt and enforce floodplain management ordinances that meet minimum NFIP requirements. The purpose of the NFIP, as identified in the legislation, is to help minimize the long-term risks to persons, property, and protect the natural and beneficial functions of the floodplain from the effects of flooding.

Slide 6 – The NFIP Today

David Maurstad: Flooding is the costliest natural disaster in the United States, resulting in deaths and billions in property damage each year. In spite of this, people continue to live in the nation's floodplains. Flood and coastal storm events are also increasing in frequency and severity with billion-dollar events up 50% by the end of 2020, compared to the previous decade. And 70% of those costs were incurred in the last three years. By making flood insurance available in communities that adopt and enforce floodplain management ordinances, the NFIP is the national foundation to protect lives and homes from flood disasters. Through its implementation, it is estimated that floodplain management efforts save the nation roughly \$1.9 billion annually through avoided flood losses. Currently, there are more than 22,500 communities across the country that participate in the NFIP.

Slide 7 – Request for Information Background

David Maurstad: As identified in the RFI, FEMA received a rulemaking petition from the Association of State Floodplain Managers and the Natural Resources Defense Council requesting that FEMA revise the current floodplain management standards. Submitted in January 2021, the petition requested that FEMA consider adopting the higher minimum standards. These standards include the nationally applicable consensus model codes and standards from the International Codes Council (or I-Codes) and the American Society of Civil Engineers Flood Resistant Design and Construction standard. The petition also requested that FEMA develop standards that include future conditions related to construction and land use standards within flood-prone areas.

FEMA is seeking input on ways to improve the minimum floodplain management standards for land use and management which better aligns the NFIP with the current understanding of flood risk and risk reduction approaches. While FEMA provides updates to NFIP policy and technical guidance, the minimum floodplain management standards have not been revised since 1976. FEMA is thoroughly reviewing the floodplain management standards, along with prior published studies and reports, to determine how these standards can best meet FEMA and stakeholder needs.

Slide 8 – Request for Information Background (cont.)

David Maurstad: Additionally, at the national level, FEMA is re-evaluating the implementation of the NFIP under the Endangered Species Act. As part of this effort, FEMA is working with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. Section 7(a)(1) of the ESA requires agencies to promote the protection of listed species and critical habitat. In 2020, FEMA launched a nationwide NFIP ESA Section 7(a)(1) Conservation Action Program, promoting the protection and conservation of listed species and critical habitat. FEMA developed an educational website, a new mapping tool, and two new Community Rating System (CRS) sub-elements.

FEMA is currently working with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service on the implementation of the NFIP under section 7(a)(2) of the ESA. FEMA plans to complete a revised, national programmatic Biological Evaluation and will re-examine NFIP actions.

Slide 9 – Request for Information Purpose

David Maurstad: In the last 45 years, we have learned a lot about the changing nature of flood risks, and now we have the opportunity to reevaluate the NFIP minimum standards. FEMA published this RFI to solicit input from the public on how to align the minimum floodplain management standards with the current understanding of flood risk and risk reduction approaches; potential improvements to the minimum floodplain management standards that would help communities become safer, stronger, and more resilient; and how the NFIP can better promote protection of and minimize any adverse impact to threatened and endangered species, and their critical habitat.

Through this RFI, FEMA will gather stakeholder input to inform potential revisions that make communities more resilient, protect species and habitat, and reduce disaster suffering.

Slide 10 – Providing Comments

David Maurstad: FEMA is seeking useful information, data, and perspectives that you have on the benefits and burdens of the NFIP's minimum floodplain management standards, flood hazard mapping, protection of threatened

and endangered species, and other NFIP changes. You may submit written comments, identified by [Docket ID: FEMA-2021-0024](#), through the Federal eRulemaking Portal at www.regulations.gov. All submissions must include the [FEMA Docket ID](#) for this notice. Visit the docket to review background documents or comments received, at <http://www.regulations.gov> and search the [Docket ID](#). Written comments are requested on or before December 13, 2021. Late-filed comments will be considered to the extent practicable. By providing your input today or by submitting written comments, we have the opportunity to hear directly from you. Thank you in advance for your participation. I will invite our moderators to facilitate the verbal comment portion of this meeting.

Slide 11 – Verbal Comments

Jennifer Salerno: Thanks, David. Members of the public will now be given an opportunity to speak. Those who signed up during the registration as indicating an interest to provide their verbal comments today will speak first, and then we'll open the comments up to all attendees, depending on the time remaining. Be assured that any written comments submitted will be given equal consideration. The speaking order is determined by date of submission in chronological order of registration. We will be using a timer to stay on track. I will call two names at a time. The first will be the current speaker and the second will be the speaker on-deck.

When your name is called, please use the raise hand function, found in the smiley face at the bottom of your screen, to indicate your readiness to speak. You'll be invited to unmute your microphone. Once you are unmuted and ready to speak, please state your name for the record, and that you are ready to speak. Each speaker will have 3 minutes to speak, and the timer will begin after you have been acknowledged to speak. I will say “we hear you and your name, and your time for her comments begins now.”

As I mentioned, if time allows, we will invite other meeting participants who have not yet spoken to indicate an interest in speaking by raising their hand. Unfortunately, as was stated on the registration page, anyone dialing in by phone for this event will be unable to provide verbal comments at this time. If you have dialed into this meeting by phone and wish to provide a comment,

I encourage you to please submit a written comment online at the eRulemaking Portal at www.regulations.gov and insert “FEMA-2021-0024” in the search function. Note that FEMA will not be responding to comments or questions during this webinar. We request that you limit your comments to no more than 3 minutes. I will inform you or interrupt you if your comments are over 3 minutes so we can proceed to the next speaker.

I will be joined by Lindsey Reitingner who will be helping me with the coordination of the speakers. Lindsey, can you share the names of our first two speakers?

Lindsey Reitingner: Mike Graham, it is your turn to speak, please raise your hand so your microphone may be enabled and then confirm your readiness to speak. Ellen Ibert, you are up next.

Jennifer Salerno: Mike are you here? Mike, I think has dropped off, so we'll move on to Ellen Ibert...but Mike Graham are you still here? I can't tell. Mike, if you would like to speak, please raise your hand. Maddie or Ariel, can you make sure you've unmuted Mr. Graham? Alright. Mr. Graham, I believe, has come off the WebEx participant list. So, I think we'll move on and let's keep an eye to see if he does join back. Can we unmute Ms. Ibert? Ms. Ibert, I can hear you and your time begins now.

Ellen Ibert: I'm Ellen Ibert and I'm a Senior Problem Resolution Officer for environmental and historic preservation concerns as related to FEMA grants in compliance with the National Environmental Policy Act. I wanted to point out that the following comments are my personal and professional opinion and do not necessarily represent the state of Louisiana. My specific concern relates to federal overreach and FEMA acting outside its authority. As I appreciate it, the NFIP is an insurance program to assist property owners recover from flood damages and FEMA is the managing authority over NFIP. NFIP encourages the adoption of adequate state and local floodplain management measures for land development and building as well as provides guidelines for participating in the program. However, participation in NFIP is not required and the NFIP does not dictate authority of state and local government land management decisions. Insurance proceeds are not considered federal funds, and thereby distribution of these proceeds are not federal actions.

Additionally, U.S. Fish and Wildlife serves as the managing and regulatory authority over threatened and endangered species as well as their associated habitats. In reference to section 7 of Endangered Species Act, it relates to interagency cooperation for the furtherance of the Act as defined under section 4, with 7a2 citing that each federal agency shall consult with the Secretary of Interior's US Fish and Wildlife, and section 7a1 mandates federal agencies to consult with the Secretary when carrying out their programs and activities. Congress has not provided FEMA authority over these protected resources. U.S. Fish and Wildlife is the regulator for protecting these resources and FEMA is the regulated.

NEPA requires all federal value agencies to consider the consequences of their actions and FEMA's actions is funding recovery and community resilience grants. These grants correlate to NFIP. I agree with the rulemaking petition that NFIP regulations are outdated. I recommend updating the regulations without incorporating threatened and endangered species concerns into the floodplain management regulations. FEMA should be careful not to commit federal overreach or act outside their authorities. Appropriate floodplain management will have a positive impact on species without incorporating endangered species concerns. Thank you for providing me the opportunity to share my comments.

Jennifer Salerno: Thank you Ellen, we're going to try and get Mr. Graham back on. Lindsey, can you give us the names of the next two people so they can be ready?

Lindsey Reiting: Next up, we have Nina Saavedra and following Nina, we will have Tyler Ardron.

Jennifer Salerno: Perfect, thank you Lindsey. Mr. Graham, the floor is yours. Your timer starts now.

Mike Graham: Great, I can't believe you picked me first! Sorry about that. So, my name's Mike Graham. I'm the CEO of floodproofing.com, Smart Vent and Risk Reduction, plus Group, a full-service insurance agency. I'm a certified floodplain manager and I've been in this business for 20 years, in the mitigation business. It's a shame I can't show you some visuals, but I wanted to talk about Hurricane Ida and what we've seen in New York, in New Jersey as it relates to mitigation.

The NFIP standards are lower than the minimum building codes and that just seems crazy. Enhancements to freeboard and enforcement of wet and dry floodproofing could really reduce claims and suffering. And I think we all know that mitigation works. One example from Ida is from a project in Manayunk PA, where water rose to 16.28 feet and where 14 feet is considered a major flood. Almost every business on Main Street flooded and some had 10 feet

of water in their businesses. The Aisle is a condominium unit that was built about 5 years ago and Bridge 5 is about a mile up the street and that was built 18 years ago. Both had engineered flood vents installed and neither sustained structural damage. The newer condo used floodproof materials up to about nine feet and the water came to about 11 feet. So, they did have 2 feet of drywall that was above that 9 feet, but everything below was dry floodproof materials and they power-washed everything and had no structural damage. Water came in and automatically came out, which is the idea of mitigation in this way. Um, let's see. So, the next higher floor in that building, the water came up to within 6 inches of the next higher floor, which is actually the living space. And so, whoever picked the height or the BFE and where to build was, it was a miracle! Um, but another foot or 2 would have been an expensive safety factor. Again 6 inches higher and it would have flooded that first floor. I really wish I could show the picture of the fence that was right in front of this building that was right off the Schuylkill River. The water passed through that fence and it had 2-inch typical fence holes that were completely filled with debris. And this explains a little bit about why air vents clog and why engineered openings are important.

Mitigation does work, we all say it and it's been proven. Yet air vents are allowed and they clog. And so, I just wanted to say that Risk Rate 1 – we'll call it - only discounted full height enclosures. It never discounted vented crawlspaces. And today Risk Rate 2 removed the full height enclosure discounts along with the need for the elevation certificate, which discounted openings and which documented openings and coverage area. ECs are also found not to be helpful, right? So, I just wanted to say that we realized Risk Rate. 2.0 is new, and we are encouraged by the NFIP leadership to address these problems. But you have to incentivize compliance and if we don't, then we're not going to have compliance. And so.

Jennifer Salerno: Alright thank you Mr. Graham. Your three minutes are up. I don't mean to cut you off but I do encourage you to make sure you can maybe submit your photos and your comment in the written comment portal. Thank you so much for your time. Up next we have Nina Saavedra and Tyler Ardron. Please raise your hand and keep your hand up so that we can unmute you if you are here. Nina, are you available?

Okay. I'm not seeing Nina's hand or her name, so we'll move onto Tyler Ardron. Tyler, if you are interested in speaking, please raise your hand so you may be unmuted. Lindsey while we wait to see if Tyler is here, can you give us the names of the next 2 people who are registered to speak?

Lindsey Reiting: Absolutely. Marcia Steelman will be up next and following. Ms. Steelman. We'll have Joel Scata.

Jennifer Salerno: Thank you. Tyler Ardron if you are interested, please raise your hand, and keep it raised so we can unmute you. Alright, we'll move on to Marcia Steelman. Marcia if you are available, please raise your hand and we will unmute you if you'd like to speak. Marcia, if you're interested, please let us know. I'm not seeing Marsha raise her hands, so we will move on. Before I get to. Mr. Scata, can you give us the names Lindsey for the next 2 folks? We can get them ready. Marcia, one last chance.

Lindsey Reiting: Following Mr. Scata, we will have Elizabeth Haas. She'll be up next and following Ms. Haas, let's see, we have April O'Leary.

Jennifer Salerno: Perfect. Mr. Scata if you are interested in speaking still, please raise your hand and we will unmute you for to speak. I'm not seeing Mr. Scott on the participant list. Nor am I seeing a raised hand? If you are interested

in speaking, please, do we hear that Mr. Scata is here? Can he be unmuted? Mr. Scata, the floor is yours if you can hear us.

Joel Scata: Thank you. Good afternoon. My name is Joel Scata and I'm an attorney with the National Resources Defense Council. NRDC is pleased to respond to FEMA's request for information on reforming the National Flood Insurance Program's floodplain management standards for building and land use. We thank FEMA for granting NRDC's and the Association of State Floodplain Managers petition to update the NFIP rules for building in the nation's floodplains, and to develop flood maps that protect from future flood risks, and for beginning the process to transform the NFIP into the type of future oriented, climate-informed program that the nation desperately needs.

Ongoing and future changes to climate, such sea level rise and extreme rainstorms combined with growing population density in coastal and other flood prone areas are increasing the likelihood of damage and human suffering caused by floods. Rising sea levels are exacerbating several threats to coastal communities. The projected increases in sea level, average tropical storm intensity and tropical cyclone rainfall rates will act to further elevate future storm risk.

The NFIP is the nation's primary mechanism for addressing the flood related impacts of climate change. It must be capable of addressing the increasing threat of flooding. Smart policy and the law both mandate that FEMA revise the implementing regulations to adequately account for the increasing risk of flooding due to climate change. Safer and stronger construction and land use standards and adequately mapping future conditions provide communities the opportunity to anticipate and reduce flood risk, saving lives and protecting property.

NRDC requests FEMA adopt the following but not exclusive list of changes. Um, FEMA should require freeboard for new and substantially damaged construction. For noncritical infrastructure in A Zones. FEMA should adopt a higher free board standard, requiring at least 2 feet of free board above the BFE for new construction and for substantial damage or improvements. For noncritical structures in B zones, FEMA should require a higher freeboard standard of 4 feet above the non-sea level rise adjusted BFE for new construction and for substantial damage or improvements to existing structures. Per FEMA's own study, 2008 Supplement to the 2006 Evaluation on the National Flood Insurance Program Building Standards, 4 feet of free board was found to be highly cost-effective. The additional cost to elevate 4 feet above 100-year flood was significantly outweighed by the amount saved in reduced flood damages.

Second, as a condition of participation in the NFIP, states should be required to enact disclosure loss and provide information about flood risk. Such a requirement should ensure that a person selling or renting a property disclose the following information: whether the home has ever been damaged by a flood and the extent of damage, whether the home is located in the floodplain and if it is, the flood zone classification of the property, and the source and date of this information, and 3, whether the seller or previous owners ever received federal disaster aid that would require all feature owners to obtain and maintain flood insurance.

Further, FEMA should ensure that all new and revised NFP flood maps depict how the floodplain will change over time, especially concerning sea level rise. Communities and developers rely on these maps to guide citing, design, and construction of all housing, commercial development, and public infrastructure. And finally, FEMA should help, through revisions to the NFIP, more homeowners retrofit their homes to the growing threat of climate change and climate-related flooding by increasing and making flexible the NFIP-related funding provided to the increased cost of compliance program. Specifically, FEMA should increase the ICC coverage from 30,000 to 60,000 even up to

100,000 with an optional buy in. The body of science connecting climate change to increased risk of flooding is clear, and it's time for the NFIP to be reformed. Thank you for this time, and I appreciate the opportunity to submit written comments.

Jennifer Salerno: Thank you Mr. Scata, we appreciate you hearing your comments. I'm going to circle back to Marcia Steelman. I see you're here. We'll unmute you right now, but just a reminder that when your it's your turn to speak, please use the smiley face button to raise your hand, and keep your hand raised. That will help us to mute and unmute you. But if we can, let's unmute Marcia Steelman so, we can hear her.

I will circle back to Marcia when her green unmute feature is open. Our next speakers I believe were Elizabeth Haas and April O'Leary. Ms. Haas, if you are on the line and interested, please use this smiley face to raise your hand and we will unmute you. I'm not seeing Elizabeth on the participant list right now.

I'm not seeing Elizabeth on the participant list right now. Before we move on to April – April, if you are on your hand raise, that'd be fantastic – Lindsey, I'll ask for the next 2 speakers so they can have their hands ready.

Lindsey Reitinger: Following April, we have Traci Sears.

Jennifer Salerno: Perfect April you should be, uh, muted and be able to speak.

April O'Leary: Hello everybody, can you hear me?

Jennifer Salerno: We can April. Thank you for joining us. Your time starts now.

April O'Leary: Thank you. I'm actually just a humble family that actually flooded in 2018. I lost my sense of safety and security when my little family flooded. I want to thank FEMA and Association of State Floodplain Managers and the NRDC, and for working so hard to give us this opportunity, I'm here on behalf of 25,000 families that have been affected by flooding in my county, Horry County, South Carolina, and I founded a nonprofit to help these families after I flooded. Close to half of the families who flood in Horry County live outside the defined FEMA regulated flood zone and as a result, they're not required to carry a flood insurance policy and they're not protected. On average, our families lose about 100,000 dollars of wealth after they flood. In fact, there's really no such thing as recovery when you flood. You never fully recover financially, and families constantly live in fear of flooding.

We believe simple changes to how we regulate our lands that flood, such as prohibiting critical facilities from the 100 and 500 year flood zones, increasing the free board elevation to 3 feet above base flood elevations to keep waters from being in families' livable spaces, providing compensatory storage when using fill in the flood zone to protect existing communities and flood-fringe communities, better regulating of filling and isolated wetlands to preserve natural flood storage and designing regulatory standards to mitigate flash flooding, which currently are not required. These are simple measures that we believe would make a huge difference to ensure that we have better flood protections. And again, I'm humbly thankful for the opportunity to talk to you today and represent the families that have lost their homes to floodwaters.

Jennifer Salerno: Thank you so much for your comments today, April, we appreciate that. Marcia, I see that you are green for being unmuted. Would you like to speak?

Marcia Steelman: Uh, no, no, I don't have any comments, but I had no way to tell you that.

Jennifer Salerno: All right, thank you. We appreciate it – just making sure we could dot our i's and cross our t's and give you the opportunity. Thank you very much. Next up, I believe is Traci Sears. Traci, if you're on the line.

Traci Sears: Thanks, good afternoon.

Jennifer Salerno: Hi, Tracy. Welcome and your time starts now.

Traci Sears: Great, thank you for this opportunity to comment on this important topic. My name is Traci Sears and I'm the current National Flood Insurance Coordinator for the state of Montana. The following is my professional opinion and does not necessarily reflect official policy or position of the state of Montana. After experiencing the impact and rollout of Risk Rating 2.0 and BRIC I am concerned how these proposed regulatory changes will be conducted and how they will impact local communities to enforce their local floodplain programs.

I offer the following general comments. I hope you will consider extending public comment time for this, for these regulatory changes. Any proposed change to be enforceable at the local level, including rural and low populated areas with limited staff. Future conditions should have transparent and defensible information, information that is vetted at the local level and has gone through extensive review and local approval. U.S. Fish and Wildlife should have a simple permitting process for endangered species since they have the expertise to adequately evaluate the endangered species information.

Do not implement additional roadblocks for rural landowners who continue to be stewards of the land. Have extensive coordination on rule changes with local partners, including rural and small communities, especially in rural states. Work with federal, state, and local wildlife stakeholders and partners on reasonable regulations that do not overlap areas of responsibilities.

Work with local conservation districts on ideas of how to improve habitats for endangered species, such as specific regulations for stream restoration projects that can improve habitat. They by far work with large rural and agricultural communities and property owners. In some areas, these property owners are the ones who manage the largest amount of high flood-risk areas. The regulations should not be a one-size-fit-all approach based solely on urban areas and resources. Successful rule changes should incorporate extensive coordination with local communities and state partners, and I have to agree with the previous comment to incentivize compliance or you will lose this program at the local level. And again, I thank you for this opportunity to comment.

Jennifer Salerno: Thank you very much Traci for your comments. We appreciate them. Lindsey, can you please name our next 2 speakers?

Lindsey Reitingner: Absolutely Yazan Abudawood it is your turn next. Following Yazan, we'll have Chad Berginnis.

Jennifer Salerno: Thank you. Yazan, if you are interested in speaking, please raise your hand. I'm not seeing Yazan on the participant list. We'll move on to Mr. Berginnis. Mr. Berginnis, if you are here, we will unmute your microphone.

Chad Berginnis: Okay, can you hear me?

Jennifer Salerno: I can Chad. Your timer starts now.

Chad Berginnis: Hey, great. Thank you. Over the last 3 decades, the annual flood losses have roughly doubled each decade. Today, annual flood losses average nearly 20 billion dollars annually. Why are these losses increasing? Well, there are likely several reasons. One of them is that the minimum land use and development standards of the NFP are simply inadequate. Since their last revision in 1976, states and communities throughout the nation have learned much about what standards are effective, what standards are not and where NFIP minimums are deficient. For example, ASFPM researched that at least 62% of the population of the United States lives in a community or state that has adopted a freeboard above the base flood elevation. In partnership with the American Planning Association, ASFPM's identified over 60 higher subdivision designs and layout standards that communities have adopted to result in increased flood resiliency. As ASFPM develops more extensive written comments, we wanted to take the opportunity to simply raise the point that if there is a problem that needs to be solved, states and communities are a rich source of ideas for more effective standards.

Also, I wanted to pre-butt arguments that any increase in housing costs will be detrimental to those who have a difficult time with housing affordability. What is detrimental to those who can least afford a flood disaster is putting them in harm's way, when research has shown that they struggle most with the disaster recovery. In years past, I might've called this a moral hazard, but today I have to call it a moral travesty. If we can determine today's flood risk, tomorrow's flood risk, why would it be so difficult to ensure that all new housing is built to withstand future flooding? This is especially needed in coastal areas, which are subject to additional threat of future sea level rise. In reality, ASFPM has shown that homes built to better standards have lower monthly cost of ownership, which is mortgage payment plus flood insurance, than those built simply to NFIP minimums. Those arguing against additional construction costs as being too much are actually arguing for a larger cost of monthly ownership, even if the purchase price of the structure is cheaper. I am Chad Berginnis, Executive Director of the Association of State Floodplain Managers and these are my personal comments. Thank you.

Jennifer Salerno: Thank you. Mr. Berginnis. We appreciate your comments. Lindsey, if you don't mind please reading our next 2 registered speakers?

Lindsey Reitingering: Lloyd Colston it is your turn to speak. Charles Arnold you will be next. Mr. Colson. If you will please raise your hand and leave it raised so we can enable your microphone.

Jennifer Salerno: Mister Colston, if you're online, it's your turn. I'm not seeing Mr. Colston on the participant list. Next it is Mr. Arnold. Charles Arnold, if you are on the line, please raise your hand and we'll have you unmuted. I'm not seeing Mr. Arnold on the participant list. Lindsey would you mind giving us the next 2 speakers please?

Lindsey Reitingering: Our next two speakers are Sabrina Chapa and Rebecca Jim. Sabrina, if you're here, please raise your hand.

Jennifer Salerno: Thank you. I'm not seeing Sabrina Chapa on the list or with her hand raised. Rebecca Jim, if you are here? I believe I saw your name on the list. If you are ready to speak, we'll have you unmuted.

Rebecca Jim: Hi there. Can you hear me?

Jennifer Salerno: We can hear you. Your time starts now.

Rebecca Jim: Well, thank you very much. I was going to try to watch that time myself. My name's Rebecca Jim, and I'm the executive director for an organization that serves Ottawa County, Oklahoma. Local Environmental Action Demanded is the name of our organization, and we work closely with Anthropocene Alliance working closely with flood victims throughout the country. Um, FEMA and EPA must collaborate downstream of Superfund sites, and especially for downstream communities who are upstream of a dam that historically floods, the city of Miami, Oklahoma. This flood water mixes with the toxic mine water discharge and enters homes and may cover property, it has already been remediated for heavy metals on the Superfund site clean-up work.

The opportunity to begin this dialogue must be made with an MOU that will bring the agencies together to share the long range plans for the properties at risk of flooding. Tribal boundaries and parks, residential, and even a college campus are inundated, and the National Flood Insurance Program needs to be made affordable to those at risk, and those who are artificially made to be at risk from politically motivated lake level rise. It is not all tied to climate change in our area. That political action should be investigated. FERC, EPA, FEMA, and the state agency charged with the lake level rise, GRDA (Grand River Dam Authority) must communicate and plan for the long term. The ground level elevation in relationship with the Superfund corridor must be considered for new development, and the city of Miami assisted to update codes to be protective of life and property. No one developer should be allowed to ignore the known flood hazards that we have. New development will cause existing homes and property to be more at risk. This development and other developments like it should not be allowed just because the city fears litigation. They need support from FEMA with additional assistance. I appreciate the opportunity to say these few words. There was many more I'd like to share from the victims of the floods of a past. There's a great deal of heartache and grief that happens with flood and it floods over me to think of it.

Jennifer Salerno: Thank you Rebecca for your comments. I encourage you to submit any additional comments in writing to the e-portal. Thank you. Lindsey, can you please share the next 2 speakers in order?

Lindsey Reitinger: Our next 2 registered speakers are Queen Quet Marquette L. Goodwine followed by Jacqueline Jones.

Jennifer Salerno: Miss Goodwin, if you are on the line, please, raise your hand and we'll have you unmuted.

Queen Quet Marquette L. Goodwine: Peace and blessings.

Jennifer Salerno: Hi there. Welcome. And your time starts now. We can hear you.

Queen Quet Marquette L. Goodwine: Peace and blessings, I am Queen Quet of the Gullah Geechee Nation. The name is Queen Quet Marquette L. Goodwine, not Goodwin and I am here representing the Gullah Geechee nation, which exists from Jacksonville, North Carolina to Jacksonville, Florida and encompasses all of the sea islands and 35 miles inland to the Saint John's river, which is often referred to as the Low Country. And so, when you talk about what is in the Federal Register, the adverse effects on the listed species and critical habitat, I need you to also clearly note that this is a critical habitat for Gullah Geechee culture. So, when you hear our language [speaking Gullah], you know, those are native Gullah Geechees that are speaking, and we're happy to have an opportunity to speak your language as well to discuss the fact that this area is federally designated as a national heritage area. It became an act of Congress in 2006, and that should be considered in the work that you are doing, because we definitely agree that there needs to be some changes and there needs to be some new implementation of how you

all do the work that you do within your agency, especially as it relates to what you call a floodplain and what we call home, and where we've had this home since the 1500s prior to any of the laws that you are talking about and any of the stipulations or regulation that you are talking about.

So, in regard to the cost-benefit analyses that are often done, they're done with regard to homes that have been built in gated areas and directly into the marsh directly into the ocean in a way that's antithetical to the way that native Gullah Geechees live. So, we want to ensure that in all considerations and all changes, you recognize that there are those who have grandfathered clauses our culture has been here prior to these laws, and we do not build in a way that has these negative impacts on this species that are in the waters, or the estuaries or on the land. So, you have to consider that these coastal cultural heritage communities need to be sustained and family compounds need to have certain stipulations to allow them to have resilient homes, but not to say that if there is flooding that we moved into a flood zone, because we didn't move into it, we were actually placed in it during a period called chattel enslavement.

So, when we talk about protection, we need to not only think about the species that are creatures, but about cultures and our cultural community, and the adverse effects that happen to us. We do live in a place where they are 5 seasons and one of which is hurricane season. And I offer to you, in one of your documents you asked about where you can get data that can accurately assess climate risk. I recommend Risk Finder at [ClimateCentral.org](https://climatecentral.org). So riskfinder.climatecentral.org. That is a tool that the Gullah Geechee Sustainability Think Tank uses, and it will provide you with details on the specifics of who is there demographically, what is there in terms of historic sites. What it does not note are sacred grounds, and those are often part of the habitat that we need protected as people continue to build.

We would recommend that there be no more fill or build in the area as that is adding to the compacting problems of climate change including ocean acidification. I look forward to being able to dialogue with you further. I will also be submitting written comments, but I just heard about this today and I wanted to make sure to participate and to say on the record that you need to make sure that there is a benefit to the cultural communities because the cost would be priceless. You can never put it down in numbers – and I'm a mathematician and computer scientist – for the loss of a cultural heritage of a community like ours that is internationally and nationally recognized. Thank you for your work, thank you for this opportunity, and I look forward to working with you, because we always say [speaking Gullah] your work can help us stay here, in this area that is called the low country. Thank you very much.

Jennifer Salerno: Thank you so much for your comments. We really appreciate them. Thank you. My next speaker I believe is Jacqueline Jones. Before we move to Ms. Jones, Lindsey, can you give us the names of the next 2 speakers?

Lindsey Reiting: Following Ms. Jones, we will have Diane Henry and Darshan Elena Campos as our last 2 registered speakers.

Jennifer Salerno: Thank you very much Jacqueline Jones, if you are available and interested the floor is yours. You just need to unmute your microphone.

Jacqueline Jones: Hello? Can you hear me?

Jennifer Salerno: Yes, we can hear you Ms. Jones. The floor is yours and the timer starts now.

Jacqueline Jones: My name is Jacqueline Jones. I live in Reidsville, Georgia. Zip code: [REDACTED]. My group is called Reidsville Georgia Community Floods. I am closely affiliated with Anthropocene Alliance, a national nonprofit that educates and organizes individuals and communities harmed by environmental abuse and climate change. I bought a beautiful home in Reidsville Georgia, based on the fact that the flood map stated no flooding occurred in the area. However less than a year after moving in, I had water up to my window seals for days at a time and anytime it rains even a little bit I get deep stagnant water on my property, so much so that I can't even access a huge part of my property. Why? The floodplain administrator in my small town of 3000 people did not even know he was the floodplain administrator. So, he hadn't, and probably still does not inform FEMA of the flooding, and the floodplain maps have not been updated in over 10 years. So, when anyone pulls up the old maps, it looks like no flooding occurs in the area, which is not true even before now.

Flooding has occurred in this area for over 60 years, according to the older residents. The drains are outdated, rusted, and antiquated, yet this city receives grant money from FEMA and other sources, but they refuse to spend it on the infrastructure apparently, which needs to be investigated. So, something also needs to be done about the frequency in which flood maps are updated. It is horrifying and disheartening for myself and my neighbors to deal with all this water. We cannot even get into our homes, the majority of the time, and we are experiencing mold as well because of the flooding. We get standing water for 6 months out of the year that has nowhere to go again, because the drains haven't been replaced in 50 years. There are 2-year drains and they need to be updated to 100-year drains, which the city is fully aware of because their city engineer used his own engineering firm to do an engineering report on the issue. Isn't that illegal? I beg you please change the frequency in which you update the flood maps and stop allowing contractors to build and fill, because my house is sitting on a swamp. And finally, I ask that you increase the minimum floodplain management standards, especially for structures and facilities that perform critical actions and set higher freeboard requirements. Thank you for allowing me to speak.

Jennifer Salerno: Thank you so much miss Jones you your comments. We really appreciate them. Our next speaker is Diane Henry. Ms. Henry, if you are available and interested in speaking, please, let us know. Diane, are you there?

Diane Henry: I'm here. Can you hear me?

Jennifer Salerno: I can Diane. The floor is yours. We'll start the timer now.

Diane Henry: Thank you. My name is Diane Henry, I'm a member of the Residents Working Against Huron River Flooding, and also working with Anthropocene Alliance. I live in a community in Michigan, in metro Detroit. We flood 3 to 5 times each year. The flooding is damaging to our properties, homes, and community at large. The frequent flooding is also dangerous to our community members as parents of young children have to carry them across floodwater. Elderly are at risk of serious injury trying to navigate the floodwaters and children become fearful anytime it rains. Fish swim in and around our properties and our garages when we flood, and as the water starts to recede some do not make it back into the lake.

Our community is part of a special flood hazard area, and we participate in NFIP flood insurance for that reason. Many of our homeowners have flood insurance, yet our neighbors have faced an issue with a lack of disclosure of flood claims on homes. For example, one neighbor recently purchased a home, knowing that he would need flood insurance, but he was not able to get any information about prior flood claims on the home. Later, after purchasing the home, he found out that it is designated as a severe, repetitive loss structure instead of the assumed

approximately \$1,000 dollars per year premium for flood insurance. He is now forced to pay over \$13,000 dollars per year for flood insurance. The only way to reduce his premiums is to raise his home, which would cost a minimum of \$200,000 dollars. There was no way to find out this information prior to purchasing his home.

When purchasing a car, we have CarFax to find out about any prior accidents the vehicle was in. We need a CarFax for homes so homeowners can know what flood claims have previously been made on our homes and not get stuck with high premiums and inability to get out of them. Also, the minimum cost designations for severe repetitive loss or repetitive loss need to be raised as they do not currently reflect the years of inflation since they were originally set. Lastly FEMA needs to update their maps to more accurately represent flood-prone communities and inform homebuyers of such. Thank you for letting me speak today

Jennifer Salerno: Thank you Ms. Henry, we really appreciate your comments. Our last registered speaker is Darshan Elena Campos. If you are here, please let us know.

Darshan Elena Campos: I am here.

Jennifer Salerno: Welcome and the floor is yours. Our timer will start now.

Darshan Elena Campos: For those of you who don't have visual right now I am pouring water in honor of my ancestors. And a beautiful island of Borikén, the ancestral territory of my people. Most of you might know us as the biggest island of the colony of Puerto Rico. I am speaking today as myself, Darshan Elena Campos. I am the daughter of an incest survivor. I am the daughter of a veteran, who has been homeless, missing, or incarcerated. I speak on behalf of my people, an indigenous black people of the Caribbean. I speak on behalf of those of us who are survivors of abuses at the hands of an imperial government, a federal government, a colonial government. And I also speak directly to FEMA. I speak on behalf of survivors of FEMA. I know people who have worked for your agency. I know people who have been abused at the hands of your workers and the people that you hire to do the job on the ground. Polluted lands, polluted waters. I am disgusted,

I am absolutely horrified that these rules haven't been revised since 1976. I was born in 1975. I am 46. That is an embarrassment and a shame and it's a living horror for my people who get flooded out, get locked out of FEMA reimbursements because of paperwork that we don't understand. Why is this meeting not in Spanish? Why is it not in simultaneous translation? We are an occupied people. Where's the representation of your colonies? People that are in Guam, people that are in the U.S. Virgin Islands.

Thank you to Queen Quet, thank you to the Gullah Geechee nation. Thank you to every indigenous people who stands up and says this is ridiculous. We need to shape policies that reflect our lived realities. And when you come here, where is our insurance, FEMA, that you won't be raping and abusing people who have been displaced? I know survivors. People who have been raped when they were held in FEMA containment units after Hurricane Maria. I have talked to FEMA agents who've told me the horrors of what they saw when they were on the ground after Hurricane Katrina. Horrors, absolute horrors. For shame, you need to not only consult the direct survivors of the climate emergency, but those of us who have been directly harmed by the specific policies that FEMA has put into place and maintain that make it absolutely impossible for a 97-year-old grandmother who only speaks Spanish, who has no formal education to participate in sharing what she endured after the horrors, not just of Maria, but Hurricane George.

I can keep going I talk to my neighbors all the time, lonely grandmothers who missed their children, because they've been stolen away to work somewhere else because there are no jobs. Because our businesses are still gutted from the horrors of Maria that were compounded, immensely compounded, compounded to the - beyond comprehension by FEMA. By FEMA. There is a hashtag that my people - I am a doctor, a professor - that we use to describe our experience at the hands of FEMA. It is #F***FEMA. I say that with the blessing of my ancestors -

Jennifer Salerno: Thank you Darshan. Your time is up; we appreciate your comments.

Darshan Elena Campos: Many blessings.

Jennifer Salerno: That is the last of our registered speakers. We'd like to have time for other members of the public to provide verbal comment. We still have 30 minutes in our public meeting. If you'd like to speak, please use the raise hand button, and keep the raise hand button up. We will take people by the order that we receive them. Lindsey, are you seeing any indications of additional speakers?

Lindsey Reitingner: Not so far, no.

Jennifer Salerno: Alright, if you are interested in speaking, just a reminder, please use the raise hand button so we can call on you. Well, I'm not seeing any additional speakers. I'll give it one last call for anyone wishing to provide comments on today's public meeting for the minimum floodplain management standards request for information.

That was my final call. I'm not seeing any Lindsey, are you? Alright, well, thank you if there are no other comments. I like to turn it over to Eric Letvin for some closing remarks. Eric?

Slide 12 – Closing Remarks

Eric Letvin: Thank you again for joining today's public meeting and for those who provided their verbal comments. The comments FEMA received today will be helpful in shaping NFIP program changes and improvements. If you have not already done so, please remember to provide written comments via the eRulemaking Portal at www.regulations.gov using [Docket ID FEMA-2021-0024](https://www.regulations.gov/docketID/FEMA-2021-0024).

The public comment period will end on December 13, 2021. FEMA will carefully consider all relevant comments received during this meeting, and during the remainder of the comment period. As mentioned earlier, a transcript of this meeting will be available and posted to the eRulemaking portal at a later date.

Thank you again; this concludes today's public meeting for the FEMA NFIP's Minimum Floodplain Management Standards Request for Information.

Note: On Nov. 21, FEMA published a [revised Federal Register Notice](#) to extend the public comment period to Jan. 27, 2022. In addition, FEMA also announced a [third virtual public meeting](#) is scheduled for Dec. 15, 2021 from 3-4:30 p.m. Eastern Time.