

# Oklahoma Floodplain Managers Association

## White Paper

### Use of FEMA HMGP Funding

#### General:

Hazard Mitigation Grant Program (HMGP) funding is available from the Federal Emergency Management Agency (FEMA) by providing grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

#### Types of Projects that can be Funded:

FEMA regulations state that HMGP funds may be used to fund projects that will reduce or eliminate the losses from future disasters. Projects must provide a long-term solution to a problem, for example, elevation of a home to reduce the risk of flood damages as opposed to buying sandbags and pumps to fight the flood. In addition, a project's potential savings must be more than the cost of implementing the project. Funds may be used to protect either public or private property or to purchase property that has been subjected to, or is in danger of, repetitive damage.

FEMA examples of projects include, but are not limited to:

Acquisition of real property for willing sellers and demolition or relocation of buildings to convert the property to open space use

Retrofitting structures and facilities to minimize damages from high winds, earthquake, flood, wildfire, or other natural hazards

Elevation of flood prone structures

Development and initial implementation of vegetative management programs

Minor flood control projects that do not duplicate the flood prevention activities of other Federal agencies

Localized flood control projects, such as certain ring levees and floodwall systems, which are designed specifically to protect critical facilities

Post-disaster building code related activities that support building code officials during the reconstruction process

FEMA regulations state that there are five issues that must be considered when determining the eligibility of a proposed project.

Does the project conform to your State's Hazard Mitigation Plan?

Does the project provide a beneficial impact on the disaster area, i.e. the State?

Does the application meet the environmental requirements?

Does the project solve a problem independently?

Is the project cost-effective?

OFMA Position:

For decades, Oklahoma planners and engineers have been trying to promote the position and encourage communities to perform comprehensive Master Drainage Planning, rather than building structural projects to address individual flooding problems. Good planning leads to the best solution to reduce flood damage. As an example, it may be better and more economical to construct an upstream stormwater detention facility to reduce the stormwater runoff, than to reconstruct a bridge. The use of funds of a safe room under the HGMP program does not cause an adverse impact. The funding of a structural change in a floodplain or floodway, such as a bridge replacement, could cause a significant downstream adverse impact by opening a restriction in a floodway that will cause floodwaters to accumulate quicker at a downstream location, thus causing higher Base Flood Elevations. Therefore, it is OFMA's position that good planning of structural remediation projects is absolutely necessary prior to proceeding with any construction implementation. The cost-benefit may be more advantageous to an alternate project than an immediately obvious solution. Master Planning of stormwater and floodplain issues provides the evaluation tool to determine the best project solution with minimal or no downstream adverse impact.

Through the HMGP Planning Process, Oklahoma planners and engineers have made significant headway in getting communities, floodplain managers, and emergency managers to take a holistic, comprehensive approach to their hazards, including flooding. The communities and their staff are finally convinced to do a comprehensive analysis in the following steps – feasibility analyses, design, and construction program, rather than just going out and building a new bridge, or channel (which may cause more problems that it solves).

For example, in their FEMA approved HMGP Plans, the Cities of Bartlesville and Lawton, Oklahoma identified the need for "Master Drainage Planning" as the first step in a three (3) step process:

1. Feasibility Analysis
2. Design
3. Construction

These projects were approved, detailed drainage plans were developed, subsequent projects were designed, and those projects are under construction.

The City of Tulsa, over the last 35 years has developed a Capital Improvements Project Drainage Program/Plan for all drainage basins within the City of Tulsa. The City of Tulsa has spent hundreds of millions of dollars in implementation through bond issues and sales tax revenues, and removed over 13,000 buildings from the floodplains. The first step for the City of Tulsa was the planning process to determine economical projects. When this step was completed and based on the results of the master drainage plans, projects were strategically implemented based on flooding reduction priority and economic benefits. Currently, the City of Tulsa has applied for funding under HMGP to update the feasibility of high priority flood projects for implementation in upcoming bond and sales tax issues.

#### Conflict Issue:

The current position of the Oklahoma Emergency Management office, which is the State of Oklahoma agency that receives and distributes HMGP funding from FEMA following a Federal Disaster Declaration, is that the request for funding for a Master Drainage Plan or similar planning activity is not eligible for funding under HMGP, because it is not a "brick and mortar" project, and as a Plan, it is not a FEMA eligible "Project."

The State of Oklahoma State Hazard Mitigation Officer has requested that this issue be forwarded to FEMA for resolution, or confirmation of interpretation of the FEMA HMGP regulations.

#### Summary of OFMA Position:

It is OFMA's position that good planning should be the first step in the development of a HMGP project. OFMA believes that Master Drainage Planning or similar planning investigations should be required to be a part of the HMGP process. OFMA further believes that Master Drainage Planning or similar planning investigations should be eligible for HMPG funding by FEMA as the first step in resolving flooding issues and reducing loss of life and property damages.

It is further OFMA's position that structural mitigation projects (channel modifications, bridge replacements, stormwater detention facilities) shall not be

funded with HMGP grant funds without an approved Master Drainage Plan/Feasibility Study for the watershed or drainage basin in which the project is located in addition to other requirements of the HMGP. The Master Drainage Plan/Feasibility Study shall be required to include all watershed and stream segments likely to be impacted by the proposed mitigation improvement or project.

There is an established precedent with Federally-funded projects to require planning/feasibility studies as part of the funding process. For example, to qualify for Drinking Water State Revolving Fund loans, the applicant's engineering report must include the elements of a water system master planning study, including items such as comprehensive evaluation and identification of problems to be solved, and development and selection of economical alternatives based on effectiveness in solving the problem.

OFMA requests FEMA's written interpretation of the current HMGP requirements relating to the OFMA position in this document. If Master Drainage Plans or Feasibility Studies are not currently eligible, it is requested that the HMGP requirements be modified to include such planning efforts.

Respectively Submitted,

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