

On Monday, June 13 from 11:30 AM to 3:00 PM, the The Puget Sound Partnership is convening a meeting regarding floodplain management in Puget Sound. The meeting will be held at the Tukwila Community Center:

Tukwila Community Center
12424 42nd Avenue South
Tukwila, WA 98168

The purpose of the meeting is to discuss an important project--regarding the Federal Emergency Management Agency's (FEMA) new requirements for implementing the National Flood Insurance Program (NFIP) consistently with the Endangered Species Act (ESA). The meeting will be facilitated by David St. John, Partnership staff. Below is more information on the purpose of the meeting. Please RSVP to Thuch Mam at Thuch.Mam@PSP.WA.GOV.

September 22, 2011 is the deadline for Puget Sound city, county, and tribal communities participating in the NFIP to be in compliance with new FEMA requirements that protect floodplain resources for listed salmonids. Communities that do not address these FEMA requirements risk losing the certification needed to participate in the insurance program. Certification is important to these communities since the NFIP provides funds to public and private entities for repair of flood damages, and because flood insurance is a requirement for people seeking to buy a home in a mapped floodplain with a federally-backed loan.

The Floodplain Technical Assistance Project (Project) is a public/private effort to help local governments demonstrate if their local land use codes and floodplain programs achieve FEMA's requirements for the protection of existing natural floodplain functions within their jurisdiction.

In response to the National Marine Fisheries Service's Jeopardy Opinion, FEMA is now providing three options for local governments to achieve compliance with more protective standards: adopt the new model ordinance (door 1), demonstrate through completion of the FEMA Checklist (drawn from the Biological Opinion) that the local government's programs protect existing functions (door 2), or require a habitat assessment for any development in the floodplain and approve the development only if it protects existing functions (door 3). The Project is focused on how to provide clarity and hopefully certainty for local governments that want to pursue the door 2 option. If communities do not complete their compliance work by September 22, 2011 they will automatically default to achieving compliance through door 3.

Attached is the work program for the Project. The Project's approach is to work with five local governments (Everett, Sumner, Puyallup, Snohomish County and Jefferson County) to understand how existing locally adopted regulations and programs protect floodplain functions, and to identify and investigate the differences between city and county approaches and FEMA's Checklist of requirements. Project team (Kramer Consulting, ESA Consulting and K and L Gates) is working with staff at FEMA, National Marine Fisheries Service and state agencies to identify ways to evaluate the differences between programs and identify where there are similar or different levels of protection for existing floodplain functions. FEMA will decide how to use to the information to determine if a local government program provides equivalent protection and can be considered consistent with its requirements.

Some of the issues we have identified so far where local governments would benefit from more information from FEMA include:

1. How to evaluate buffer, vegetation and flood storage requirements that differ from the Opinion's Reasonable and Prudent Alternative (RPA), and determine if the local government's offered approaches prevent adverse impacts;
2. Whether and how mitigation can be used to prevent adverse impacts;
3. What low impact development standards are required to meet the RPA and how "where feasible" is defined;
4. How to address rivers that have the potential for migrating channels where there is no study to delineate the migration zone;
5. If a local government believes their cumulative efforts will result in an overall improvement to floodplain functions, what is necessary to demonstrate the improvement;
6. How a local jurisdiction best addresses the cumulative effects of floodplain development where there are a significant number of undeveloped vested lots.

At the June 13th meeting, the Project Team will highlight their findings and potential strategies to address the issues. Your feedback on the potential strategies will be most helpful as the Project works with the pilot local governments, state and federal agencies.

If you would like more information on the project or would like to let us know of other issues that need to be addressed, please contact Jim Kramer at jkramer.consulting@gmail.com (206) 841-2145 or Aaron Booy at abooy@esaassoc.com (206) 789-9658.

Please RSVP to Thuch Mam at Thuch.Mam@PSP.WA.GOV. Please bring a lunch so we can work through the noon hour and adjourn at 3:00 before the traffic.

Thank you so much for your time and attention to this important matter.