

Meeting Summary
H-GAC REGIONAL FLOOD MANAGEMENT COUNCIL

7/16/2008

MEMBERS PRESENT:

Penny Goode (Brazoria County); Mark Vogler (Fort Bend County); Lisa Krobot (Matagorda County); Andrew Isbell (Walker County); Monica Martin (Wharton County); Troy Toland (City of Conroe); Scott Elmer (City of Missouri City); Dale Rudick (City of Sugar Land); Cathy Dominguez (Brazos River Authority); Blake Kellum (San Jacinto River Authority)

MEMBERS ABSENT:

Sandra Vrabec (Austin County); Sidney Lewis (Chambers County); Ron Chastain (Colorado County); Mike Fitzgerald (Galveston County); Michael D. Talbott (Harris County) represented by Burton Johnson; Louis Bergman (Liberty County); Mark J. Mooney (Montgomery County); Kevin Byal (City of Baytown); Mike Marcotte (City of Houston) represented by Duane Hengst; Sara Metzger (City of Pasadena) represented by Daya Dayananda; Mark Jordan (Lower Colorado River Authority) represented by Roy Sedwick; Steve Stacy (City of Huntsville); Daniel Wong (City of Sugar Land) represented by Shashi Kumar

VACANCIES:

Waller County; City of Galveston; Trinity River Authority; Lower Neches Valley Authority, one "At Large"

H-GAC STAFF PRESENT:

Jeff Taebel; Carl Masterson; Rachel Powers; Erin Anderson

OTHERS PRESENT:

Debbie Cahoon (Texas Water Development Board); Jing Chen (City of Missouri City); Mark Loethen (City of Houston); Zach Toups (Michael Baker)

WELCOME & INTRODUCTIONS

The meeting was called to order at 1:34 PM. Dale Rudick welcomed the Council, followed by self-introductions.

APPROVAL OF JANUARY AND APRIL MEETING SUMMARIES

On a motion by Scott Elmer and a second by Andrew Isbell the meeting summaries were approved by the Council.

PRESENTATION ON THE TEXAS WATER DEVELOPMENT BOARD AND CRS

Debbie Cahoon, of the Texas Water Development Board (TWDB), spoke with the Council about TWDB and how they can assist communities with the National Flood Insurance Program (NFIP) and the Community Rating System (CRS). During the presentation it was stated that at this time the best rating a county can achieve in the CRS is an eight.

Q: How is the program funded?

A: The program was originally funded by the state. The state stopped funding the program when federal funds became available. Now, funding comes from a fee that is collected on every flood insurance policy. This money goes to the Texas Department of Insurers and then to the general revenue of the state. Since the move of the state's NFIP from TCEQ to TWDB, these funds now go directly towards floodplain activities. Half is to be used for coordinating efforts, including staff, and the other half is to be used for mapping.

Q: How the money is spread out?

A: The TWDB had to develop a plan of action to present to legislature. This resulted in increased staff and field offices. To make sure money is spent wisely there are some production standards that must be met, such as certain numbers of visits.

Q: Beginning in September, all residential construction must be inspected by a third party inspector for international building code violations. Will this inspection be taken into account, and will counties be able to achieve a rating lower than an eight?

A: Debbie stated she was unsure and that she will find out.

REPORT OF AD HOC COMMITTEE RE: BEST MANAGEMENT PRACTICES

Rachel Powers began by giving a summary of the structure of the handbook, where the work stands, and where the group still needs to gather information.

Chapter 1 Regulatory: Nine BMPs have been identified and for each there is a description, benefits/justifications, pictures/illustrations, and local examples. This chapter has largely been developed, but some photos and local examples are still needed.

Chapter 2 Planning: This chapter describes the different kinds of plans and how they interact with one another in a community in regards to flood management. Local examples will be used where available. A start has been made on this chapter, but examples, specifically local ones, are needed to enhance the chapter.

Chapter 3 Mitigation: Brainstorming for this chapter was done at the most recent meeting of the ad hoc committee, but nothing has yet been developed. This chapter will describe the projects communities can undertake to reduce flood risk such as detention basins, channels, and maintenance.

Chapter 4 Funding: Work on this chapter has not yet begun.

The general consensus was that the handbook was coming along very well and is something H-GAC and the RFMC can be proud of. It is a resource that is needed and communities will be able to use it as a starting point in their flood management work. The goal is to have the handbook finished by the end of the calendar year.

Suggestions for possible additions included the survey TFMA conducted of the activities communities are doing above minimum NFIP standards (aka the Freeboard Survey), an example ordinance that would qualify a community for NFIP participation and then one that goes a step above, a section on the roles and responsibilities of a floodplain manager, and a checklist for individuals that would explain the types of documents and permits that are needed.

A concern was expressed that the handbook should not be too large. To avoid this from occurring, the version on the website will be hyperlinked so individuals can easily access external websites for additional information.

A suggestion was made that the Texas Municipal League might be a good audience for the handbook. A presentation could be made to them to promote it. Consensus was that the Council would want to make sure the existence of the handbook is known to many groups so that it can be used.

ROUNDTABLE DISCUSSION BY MEMBERS

A question was asked about the regulatory tool in the handbook “no development in the floodway.” Since Houston backed off of this stance recently, will this part be changed?

This question about the City’s regulation sparked a good discussion of the following:

- While everyone appeared to agree that development in the floodway must be carefully considered and probably discouraged, the mapped floodway might not be the best criteria for limits on development, largely because the mapped floodway might not provide the most accurate identification of where flooding will occur. As data and technology are improved, the risk of flood damage in various locations can be more accurately evaluated and regulated. For this reason, the section in the handbook refers to “high-risk flood areas” instead of the floodway.
- The handbook is just a tool box; communities must choose the tools that best fit their needs.
- Just because the City of Houston is modifying its regulation to allow severely limited development in the floodway, instead of no development, does not mean such a prohibition would be inappropriate in another community.
- Development in the floodway doesn’t matter as much in Houston because it is already highly developed. It was countered that it does matter because of the buyout program. Buyout programs should not be implemented in neighborhoods that continue to be developed.
- In the past, the US Supreme court has ruled that government taking to protect public safety can outweigh property rights. The controversy surrounding the City of Houston’s ordinance appears to disregard that decision.
- Public sentiment seems to be much more supportive of individual homeowners (“grandma and grandpa”) than it is of developers whose property is affected by the City’s floodway restrictions. Moreover, developers have in the past adjusted to changes in permitting and regulations and ought to be able to adjust in this instance.
- Elected officials need to understand and support flood management measures so they won’t buckle every time they are challenged. What are methods to inform and educate elected officials? Suggestions included mandatory training, the training program of the V.G Young Institute of County Governments, and, hopefully, the manual being created by the RFMC.

OTHER BUSINESS AND ANNOUNCEMENTS

Roy Sedwick announced that he was working with Debbie and others to offer a four day training course in CRS in February 2009. The NFIP will send a trainer from the national office as long as thirty individuals sign up. The class will be free and TFMA will sponsor the breaks. Roy asked if anyone might be willing to be a sponsor by providing a location for the training. Both the City of Sugar Land and the City of Missouri City expressed interest in hosting the class.

Rachel Powers discussed the idea of a Yahoo group for flood management topics where people can ask questions and others can answer back. Rachel has already set this up and she will send out invitations to everyone.

NEXT MEETING DATE

The next meeting will be October 15, 2008, at 1:30 PM, in Conference Room A of the H-GAC offices.

ADJOURN

The meeting was adjourned at 3:14 PM.