

Action Plan

Category 6 - Regulations, Legislation, Compliance and Permitting

Action 6.6 – Process Improvements for Floodplain Review



Overview and Implementation Strategy:

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP) to help communities reduce flood risk. Communities that join and remain in good standing with the NFIP receive mapping assistance, federally backed flood insurance, disaster assistance and funding for flood reduction projects. The District joined the NFIP in 1976, and in doing so adopted the federal minimum standards for regulating development in mapped floodplain areas. Today the federal minimum standards are incorporated within two separate District regulations, the Flood Hazard Rules and 2017 Construction Codes. The Department of Buildings (DOB), the Code Official, is responsible for enforcing the 2017 Construction Codes. The Department of Energy and Environment (DOEE), the Floodplain Administrator, is responsible for enforcing the Flood Hazard Rules. Both regulations are enforced through a permitting process that includes reviewing construction plans and conducting inspections. The goal of this action item is to make improvements in how DOB and DOEE coordinate and execute the local floodplain regulations, so that the District can remain in good standing with the NFIP.

Impacted City Ward/ANC:

- All

Lead Agency:

- DOEE
- DOB

Supporting Agencies, Roles/Commitments:

- HSEMA
- FEMA

Background:

Impact of this Effort on Task Force Goal:

This action provides recommendations for improving the coordination and resources between DOB and DOEE for regulating development in specified floodplain areas. This is consistent with the Task Force's goal to provide action items in accordance with Category 9 (Regulations, Legislation, Compliance and Permitting).

Historical Context:

FEMA's 2016 Community Assistance Visit

In 2016, the Federal Emergency Management Agency conducted a Community Assistance Visit (CAV) audit to determine the District's compliance as a National Flood Insurance Program (NFIP) participating community. The CAV highlighted the need to improve the permitting

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process to ensure that all plans for development in the regulated floodplain are properly reviewed.

What Actions have already been taken?

To address issues brought up in the CAV as well as further solidify interagency coordination, DOEE and DCRA updated a Memorandum of Agreement (MOA) outlining the responsibilities of each agency, recently renewed on August 23, 2021. On May 6, 2021, DOEE and DOB began holding bi-weekly coordinating meetings to identify opportunities to enhance efficiency in the permitting process for development in the Special Flood Hazard Area.

What Still Needs to be Completed?

Together, DOEE and DOB have identified the following internal process changes that could make the permitting process more efficient and effective, and ensure that construction in the District is more flood resilient. Changes include better integration of floodplain requirements into the certificate of occupancy process (C of O) and improving the permit intake process to better capture interior work permits, specifically work to repair or install mechanical, electrical, and plumbing components, when they occur in buildings in a floodplain. The C of O process can be instrumental in helping to verify the construction meets the required and protective building elevations. The interior work permits will likewise be instrumental in ensuring residents are installing equipment in ways that are flood resilient. These important improvements will also require an increase in DOB's capacity to inspect construction as it occurs to ensure it is designed according to the floodplain standards, and in a way that can keep residents and businesses safe.

Equity

How does this action assist vulnerable communities?

This action will increase flood safety and reduce flood mitigation costs in the District's most vulnerable communities by improving the efficiency of permitting within the Special Flood Hazard Area (SFHA). The SFHA is also known as the 100-year floodplain; it is the only area where development must meet floodplain design standards. Many of the residential and commercial buildings within the SFHA are in the most vulnerable communities. For example, approximately 99% of single-family residential structures in the SFHA are in Wards 7 and 8. The median SVI Score for Census tracts in Wards 7 and 8 intersecting the Special Flood Hazard Area is 0.8295, which indicates a high level of vulnerability. For comparison, the SVI Score for the District overall is 0.5965. As DOB and DOEE continue to improve permitting processes for development in the SFHA, the goal is for flood resilience of buildings in the most vulnerable communities to also increase.

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Timeline:

Fiscal Year	Responsible Agency	Action
2023	DOEE & DOB	<p>Coordinate and identify fixes in permitting process to be implemented.</p> <p>Implement fixes in DOB permitting system software</p> <p>Train permit intake staff to support the floodplain review process for interior work, specifically mechanical, electrical, and plumbing work.</p>
2024	DOB	Hire and train a new inspector to enhance capacity to conduct floodplain inspections.

Budget:

Total Estimated Cost: Onetime payment of \$200,000 in FY23.

Long Term Budget Requirements: Will require a new employee in perpetuity to add capacity to the DOB inspection team, to ensure buildings in the floodplain are properly constructed and have necessary documentation.

Fiscal Year	Responsible Agency	Funding Source	Amount to be Requested	Description
2023	DOB	Local	\$200,000	Funding to pay for upgrades to permit intake programs such as Accela Citizens Access and the residential permit wizard. Training for staff and applicants, which will allow process improvements described above.
2023 and beyond	DOB	Local	\$225,000	New permanent staff to increase, project screening, plan review and site inspection capacity

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Public Outreach and Input:

Public outreach & engagement approach/actions:

Not Applicable.

What were the Public Comments of relevance to this Action?

Not Applicable.