



Buzzards Bay Project

October 30, 1991

Dear Municipal Official,

As you know, hurricane Bob caused millions of dollars worth of damage around Buzzards Bay. More than 150 homes, cottages and cabanas were destroyed, and well over 500 boats were beached or sunk. This disaster resulted in catastrophic losses for many individuals around the Bay. As a municipal official in the last two months you may have already faced some difficult re-building decisions in your efforts to uphold local and state environmental and building code laws and regulations.

Since the hurricane, the Buzzards Bay Project has received many requests for advice and guidance by municipal officials regarding what position they should take in the enforcement of state and local regulations for the reconstruction of structures that have been destroyed or experienced substantial damage from the hurricane. The Buzzards Bay Project has consistently encouraged local officials to uphold state and local regulations so that the environment is not threatened.

The purpose of this letter is first to alert you to the fact that the Massachusetts Executive Office of Environmental Affairs (EOEA) has just issued a guidance document to assist municipalities on the application of state environmental regulations in the aftermath of the hurricane. If you have not yet received a copy of the EOEA's "Guidance Concerning the Application of Title 5 of the State Environmental Code and the Wetlands Protection Act in the Aftermath of Hurricane Bob", please call the Buzzards Bay Project office and we will immediately send you a copy.

In this informational letter we not only summarize the contents of the state guidance document, but we also call your attention to some issues not contained in that document.

Since your town is a signatory to the Buzzards Bay Action Compact and has endorsed the Buzzards Bay Comprehensive Conservation and Management plan, we know you are committed to protecting the Buzzards Bay environment and reducing risks to public health. We also know that your municipality is striving for implementing environmental regulations in a manner consistent with your other Buzzards Bay neighbors. Most of the recommendations described below were addressed in the Buzzards Bay Comprehensive Conservation and Management Plan.

It is a fact that much of the catastrophic damage caused by the hurricane would have been avoided if past building practices were carried out according to today's tougher building

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codes and environmental protection regulations. Nearly all of the houses in Buzzards Bay that sustained substantial damage occurred on barrier beaches and other areas within the coastal Velocity Zone. These are hazard prone areas that are not suitable in many instances for permanent human habitation or wastewater disposal systems. It is also a fact that if current regulations are enforced, many of these houses will not be able to be rebuilt as **habitable** structures. Instead, these areas may be suitable only for non-residence structures such as cabanas or other private uses that do not require on-site wastewater disposal systems.

The four specific areas where it will be necessary for you to set local policy in the aftermath of the hurricane are:

- Title 5 permits for onsite wastewater disposal systems,
- permits for reconstruction and the requirements of the state and local building code
- state and local wetlands protection regulations, and
- local mooring regulations.

The state guidance addresses the first three of these areas for structures that have sustained "substantial" damage (repair costs equal or exceed 50% of the pre-storm market value of the structure). The Buzzards Bay Project addresses the fourth area (mooring regulations) in this letter.

With respect to calculating whether or not "substantial" damage has occurred, many building inspectors have determined that separation of the house from its foundation constitutes substantial damage and the Buzzards Bay Project supports this interpretation.

Title 5

This code contains the minimum requirements for the protection of public health and the environment. In fact, because environmental managers recognize that Title 5 does not adequately address the removal and transport of viruses and nitrogen, many towns have adopted their own more stringent local regulations and bylaws. Therefore it is important to realize that granting of a variance to Title 5 could create some element of additional risk to the public or the environment.

For this reason, the state guidance recommends that variances to Title 5 regulations should not be granted *if the variance would result in a potential threat to public health or the environment.* Examples of requirements that should not be varied in these instances include: The 4 foot unsaturated zone, the 50 foot setback to wetlands and watercourses, the 100 foot setback to private wells, and the size of the leach field. **The state guidance also states that mounded septic systems are inappropriate and should not be permitted in the velocity zone and that tight tanks are inappropriate in coastal beaches and portions of barrier beaches subject to erosion or overwash (i.e. within Velocity Zones or primary dunes).** These are environmentally sensitive areas and are also areas where on site sewage disposal systems are

most likely to be exposed after storms. The Buzzards Bay Project further recommends that communities do not grant variances from any **local Board of Health regulations** adopted to enhance protection of public health and the environment. Implementation of these guidelines will in some instances prevent reconstruction of certain structures or allow only certain types of uses (e.g. beach cabanas with portable toilets).

The Buzzards Bay Project also recommends that Boards of Health discourage the installation of garbage disposals and encourage low flow devices be used for all reconstruction and repairs to reduce risks of future failures of septic systems situated near sensitive areas.

Wetlands Protection Act

Conservation Commissions should strongly uphold the state's Wetland Protection Act and any local wetlands bylaws. The Conservation Commission should require filing of a Notice of Intent for all structures that sustained "substantial" damage, if it determines that the structure is within or affects a resource area defined pursuant to the WPA. Major considerations in EOE's guidance document include:

- Re-construction of structures in coastal dune areas but outside of V-and A-zones should have an open pile foundation with the lowest horizontal structure at least 2 feet above normal dune elevation. The Buzzards Bay Project recommends that conservation commissions adopt a 4 ft elevation since this is the height required for other elevated structure such as dune walkovers.
- Alteration of structures on coastal beaches, coastal dunes, and barrier beaches should conform to performance standards in 310 CMR 10.27 (3)-(7), 10.28 (3)-(6), and 10.29 (3)-(4).
- Under regulations 310 CMR 10.37 and 10.59 projects in areas designated as "rare habitat" "shall not be permitted to have any short or long term adverse effects on the habitat of the local populations of that species.
- The Buzzards Bay Project also recommends that setback requirements adopted under any local wetlands bylaws or regulations should be stringently adhered to.

Building Codes

State and local building codes should be strongly adhered to. Structures with substantial damage must conform to all building and environmental codes. **The EOE's guidance states that the lowest horizontal structural member of the lowest floor must be at or above the 100 year flood elevation (as determined by the FEMA Flood Insurance Rate Maps) for all reconstruction or construction in the velocity zone or A-zone.** (Note that the Building Code defines only the "lowest floor" for structures in the A-zone). Because buildings moved from their foundation typically sustain more than 50% damage, these structures, if returned to

their foundations must now be elevated in order to protect the structure from future storms.

To minimize the impact of future catastrophic storms, the Buzzards Bay Project recommends that municipalities consider requiring construction meet higher flood elevations than those mapped by FEMA to incorporate a safety factor that considers sea level rise. Municipalities should also establish tougher coastal construction setbacks that limit construction in areas that are likely to become flooded or experience erosion because of sea-level rise. Contact the Buzzards Bay Project or Coastal Zone Management for additional guidance.

Mooring Regulations

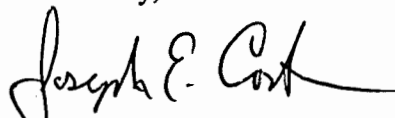
Inadequate anchor weight, hardware, and insufficient scopes contributed to the destruction, sinking and grounding of many boats around the Bay. Some Buzzards Bay municipalities lack mooring regulations and others need tougher requirements. The Buzzards Bay Project strongly urges municipal officials to review their mooring regulations and adopt more strict requirements, particularly with respect to scope and anchor weight. The Massachusetts Office of Coastal Zone Management, in its review of harbor plans, uses Chapman's *Piloting Seamanship and Small Boat Handling* for evaluating mooring regulations. CZM is also currently developing a work group to study these issues and develop recommended mooring requirements. In the interim, although many harbors and embayments in Buzzards Bay may require special mooring regulations, in most instances those requirements described in Chapman's are a good starting point. Towns should also implement inspection programs to enforce their regulations.

To summarize, the Buzzards Bay Project strongly urges you to adhere to the state guidance document as well as your own municipal bylaws. Allowing reconstruction that is environmentally "no worse" than before the hurricane is not sufficient. **It is critically important that your town avoid granting variances to state regulations and local bylaws that have *any* potential to threaten public health or adversely affect the environment.**

As we have always done in the past, the Buzzards Bay Project offers technical assistance to environmental managers around Buzzards Bay. If we are unable to assist you, we will put you in contact with the appropriate state or federal agency representatives.

If you have any questions regarding this informational letter, the state guidance document, or any other issues facing Buzzards Bay, please contact the Buzzards Bay Project office.

Sincerely,



Joseph E. Costa, Ph.D.
Project Manager

**GUIDANCE CONCERNING THE APPLICATION OF TITLE V OF THE
STATE ENVIRONMENTAL CODE AND THE WETLANDS PROTECTION ACT
IN THE AFTERMATH OF HURRICANE BOB**

**COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
COASTAL ZONE MANAGEMENT OFFICE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

OCTOBER 30, 1991

GUIDANCE CONCERNING THE APPLICATION OF TITLE V OF THE STATE ENVIRONMENTAL CODE AND THE WETLANDS PROTECTION ACT IN THE AFTERMATH OF HURRICANE BOB

STATEMENT OF THE ISSUE

Approximately 200 structures in Massachusetts, including seasonal and year-round homes, cottages, beach cabanas, and mobile homes, were substantially damaged as a result of Hurricane Bob. Most of these structures were serviced by on-site sewage disposal systems and private wells that were also damaged or destroyed. Most of the damaged structures and sewage disposal systems were constructed prior to the present day requirements of the state Building Code, on-site sewage disposal system design standards (Title V), or Wetlands Protection Act. Before the hurricane, therefore, these structures were grandfathered in terms of their non-compliance with the newer standards. Since the hurricane, owners of damaged buildings are asking local officials and state agencies for permission to repair and/or rebuild these structures.

Both Title V and the Wetlands Protection Act are state mandates that delegate initial implementation to local officials. Therefore the state has a responsibility to offer guidance to local communities regarding the application of standards for the rebuilding of structures damaged by the hurricane.

This policy will affect actions by local officials who have initial jurisdiction under Title V and the WPA for such rebuilding and, for state agencies who have secondary jurisdiction for the issuance of variances and/or appeals to local decisions.

BACKGROUND

Hurricane Bob made landfall along the Massachusetts coast on Monday, August 19, 1991, at approximately noon. The time of landfall at the Buzzards Bay and Cape Cod coasts--those areas that experienced the most extensive direct coastal damage (defined as damage caused by flood waters and/or wave action)--coincided with low to mid tide.

Preliminary estimates by the U.S. Army Corps of Engineers, based on wave height and storm surge elevations, indicate that Hurricane Bob was on the order of only a 20-year storm. The worst storm of record, or so called "100-year storm", was the Hurricane of 1938. Also, Hurricane Bob fluctuated between a Category 2 and 3 on the Saffir-Simpson Scale, with corresponding damage potential ratings of moderate to extensive. The more severe Category 4 and 5 hurricanes are expected to cause extreme and catastrophic damage respectively.

Therefore, despite its widespread damage and destruction, Hurricane Bob was not as severe as it could have been had it made landfall at a higher tide. As a result, direct coastal damage was not as bad as it could have been. Nevertheless, most of the coastal communities around Buzzards Bay and the south shore of Cape Cod have localized areas where damage and destruction was extensive.

The hurricane event was declared a disaster by President Bush on August 26, 1991. The areas designated in Massachusetts were the counties of Barnstable, Bristol, Dukes, Essex, Middlesex, and Plymouth.

ADHERENCE TO TITLE V AND WETLANDS STANDARDS

The period of time immediately following a disaster such as Hurricane Bob is an extremely emotional one. Homes have been badly damaged or destroyed, personal property lost, and in some cases (luckily not this one), lives have been lost because of the storm surge. The initial reaction to this emotional and social stress is to try and get individuals' lives back in order as quickly as possible. In doing so, significant relaxation of environmental regulations is considered in order to remove possible impediments to the "return to normalcy." But from both a public safety and public health viewpoint, and even a financial responsibility standpoint, this may not be the most prudent course of action. In fact, in some cases, relaxation of environmental standards is a disservice to the citizens of the Commonwealth, allowing for continued pollution of marine waters and private well supply if Title V standards are not met. It would also be a disservice to the very people who rebuild in the same place as well as to rescue volunteers, since such reconstruction would subject them again to future losses and threatened lives.

Historically, when homes have been damaged or destroyed by floods or coastal storms, the taxpayers of Massachusetts, and the nation, have paid for the repairs and/or rebuilding through federally subsidized flood insurance. Currently the federal government covers almost \$2 billion in flood insurance policies in just 62 of the coastal communities of Massachusetts. Even during a relatively "quiet" storm period since 1978, over \$32 million in claims has been paid out in the coastal communities of Massachusetts. It has been estimated by FEMA that close to 2,000 private claims will be filed in Massachusetts as a result of Hurricane Bob.

Given that virtually every structure that was substantially damaged or destroyed by Hurricane Bob was in a FEMA-mapped V-zone, it is clear that once rebuilt, these same structures will again be subject to the risk of flooding and destructive wave action. In fact, given that Massachusetts is experiencing a relative rate of sea-level rise of approximately 1 foot every 100 years, which translates into about 65 acres of Massachusetts coastal upland being permanently inundated every year, the threat to all buildings and inhabitants in the V-zone will continue to increase. In addition, erosion of beaches and dunes will cause houses and/or sewage systems more vulnerable to future wave damage and flooding.

THE PURPOSE OF ADOPTING THE PROPOSED GUIDANCE

The purpose in establishing guidance concerning Title V and the Wetlands Protection Act is not to impose new environmental standards on reconstruction projects, but rather, to enforce existing standards just to the extent that public safety and public health will not be jeopardized. In fact, under the proposed guidance, **state minimum standards** will allow the majority of homes to be repaired or rebuilt. Also, the guidance will not undermine those communities that may have more strict standards (by-laws) and who desire to apply the more strict standards to the reconstruction projects in their communities.

Title V Guidance

The proposed guidance for Title V is designed to provide clear direction to local board of health officials on how to interpret Title V requirements when on-site sewage disposal systems are repaired. The guidance will establish a consistent framework for all communities to apply when considering the **minimum statewide standards** of Title V.

Under the proposed guidance, "tight tanks" would generally not be allowed, and thus a habitable dwelling not built, in areas of the coast that are mapped by FEMA as a V-zone and are also identified as a: 1) coastal beach; or 2) barrier beach. Based on discussions with local building and health officials, it appears that between 25% and 50% (between 47 and 95) of the damaged on-site disposal systems would not be able to meet the four minimum components identified by DEP and would fall into the above categories, and would therefore not be rebuilt.

Wetlands Protection Act Guidance

The proposed guidance for the Wetlands Protection Act will provide clear direction for local conservation commissions to use in their decision making process regarding reconstruction efforts. The guidance will also give applicants a better sense of what to expect (i.e., what's allowable) through the permit process as they attempt to rebuild their buildings damaged during Hurricane Bob. This guidance should allow for a more consistent, efficient and predictable permit process under the Wetlands Act without lessening environmental standards.

ENFORCEMENT OF THE GUIDANCE

DEP will enforce the above requirements for those permitting actions that come through the agency for review or action. For example, all wetlands permits are issued locally and submitted to DEP. During a ten-day appeal period, DEP can choose to intervene and assert jurisdiction in the case if it determines that the local Order of

Conditions is not adequate to protect the interests of the Act. Under Title V, the Division of Water Pollution Control is supposed to receive a copy of all Title V variances issued by a local board of health, and has 30 days to take action on the variance. Lack of any action by DEP constitutes constructive approval. DEP has the opportunity to intervene in the case and overrule the local board of health action if it determines, within the 30-day period, that the variance was not properly issued or does not adequately protect public health and the environment as provided for in Title V. If the local board/commission does not properly exercise its authority in requiring that applicable permits be obtained for storm-related reconstruction, DEP will seek to take necessary enforcement action.

TITLE V GUIDANCE

GUIDELINES TO BOARDS OF HEALTH AND OTHER LOCAL AND STATE OFFICIALS REGARDING THE REPAIR/REPLACEMENT OF ON-SITE SEWAGE DISPOSAL SYSTEMS RESULTING FROM STORM DAMAGE CAUSED BY HURRICANE BOB

Repair of damaged subsurface sewage disposal systems due to Hurricane Bob is a priority for local Boards of Health. Local Boards of Health must strive to approve repairs that can substantially meet the minimum requirements of Title V. Sites that had pre-existing substandard subsurface disposal systems (e.g., cesspools, 55 gallon drums) damaged in the storm must be upgraded in order to alleviate past suspected sources of pollution. In dealing with the damage to existing systems, however, environmental considerations must be tempered with common sense; thus, it must be recognized that Boards of Health have authority to grant reasonable emergency repairs under the provisions of 310 CMR 11.05 of Title 1 and 310 CMR 15.20 of Title V. Boards of Health must rely on their discretion to evaluate if certain repairs constitute a true emergency or if they are not of emergency nature and should go through normal procedures. In addition, local bylaws more stringent than Title V may be applied in accordance with local precedent and policy.

Based on the above, the Department of Environmental Protection offers the following guidelines to local Boards of Health relative to repairs of subsurface sewage disposal systems destroyed or impaired by Hurricane Bob.

1. All repairs and replacement systems should be upgraded to meet the requirements of Title V. Variances may be granted, on a case-by-case basis, if necessary and in accordance with the following guidance.
2. Boards of Health have latitude under emergency provisions granted in 310 CMR 11.05 of Title 1 and 310 CMR 15.20 of Title V to allow reasonable variances without approval from the Department. Only interim activities, necessary to abate an imminent threat to public health or the environment until permanent repairs can be undertaken in accordance with Title V, are considered to be of "emergency" nature.
3. Any variances granted under the above referenced emergency provisions are to be submitted to the Department in accordance with applicable regulations after construction is complete. As-built plans must be provided to the Department.
4. Mounded systems shall be prohibited in velocity zones mapped by the Federal Emergency Management Agency (FEMA), consistent with the Wetlands Protection Act and regulations.

5. The leaching system must be designed to meet the four-foot separation to groundwater. If the four-foot separation and/or other critical environmental standards (including setbacks to surface water or setbacks to private wells) cannot be met, then it will have to be determined through the normal variance procedure whether to approve a system less than these standards or to require a tight tank. If it is necessary to allow continued use of a dwelling, a temporary tight tank may be installed and attempts made to design a conforming Title V system afterward. Under no circumstances will tight tanks be allowed as a permanent solution in velocity zones which are identified as a coastal beach or are in an area of a barrier beach subject to erosion or overwash.
6. The Department will carefully scrutinize, and will only issue in extreme cases, where environmental/public health protection will be adequately protected, variances that establish less protective setbacks from water supplies, groundwater and surface waters.
7. In allowing variances of less than 100 feet to a well, less than four feet to groundwater, and less than 50 feet to Mean High Water, feasible alternatives, such as the granting of easements on adjacent properties, will first be considered. If such alternatives are not feasible and such variances are warranted as described in the very limited types of extreme cases described above, the Department will require the following provisions:
 - a. There is no increase in sewage flow or increase in the square footage of the building served by the subsurface sewage disposal system.
 - b. Any wells within 100 feet of the leaching facility are tested annually and found to be of drinking water quality.
 - c. Replacement systems shall be constructed no closer to the well(s) than existed prior to the replacement and a leaching facility shall be located downgradient of a well whenever possible.
 - d. Allowing less than 4 feet to groundwater should only be considered if drinking supplies are fully protected and the provisions in (a) above are followed.
8. Please be aware of property owners need to comply with the Wetlands Protection Act Regulations and its recently developed Emergency Regulations following Hurricane Bob.

WETLANDS PROTECTION ACT GUIDANCE

GUIDANCE TO CONSERVATION COMMISSIONS AND OTHER LOCAL AND STATE OFFICIALS REGARDING ACTIVITIES SUBJECT TO THE MASSACHUSETTS WETLANDS PROTECTION ACT RESULTING FROM THE STORM DAMAGE CAUSED BY HURRICANE BOB

Buildings that have less than 50% damage, based on pre-storm market value, may be repaired under the Emergency Regulations, 310 CMR 10.62 until November 30, 1991, without the filing of a Notice of Intent (NOI) or an Emergency Certificate provided that the septic system and the well that serviced said building does not need to be replaced. Conservation commissions may require that a NOI be filed if the conservation commission determines that the repair or activity will cause an alteration to a resource area as defined pursuant to the Wetlands Protection Act. The Department of Environmental Protection (DEP) strongly recommends that all residential structures be repaired so that the bottom of the lowest horizontal structural member of the lowest floor is at or above the 100 year flood elevation as determined by the Town's Flood Insurance Rate Maps (FIRM) which were prepared by the Federal Emergency Management Agency (FEMA). It is also recommended that non-residential structures be floodproofed.

Work on buildings that have received equal to or greater than 50% damage as a result of the recent hurricane are required to file NOIs in order to rebuild or replace damaged buildings. All projects that file NOIs (including those that are required to file NOIs by conservation commissions) will be required to comply with current Wetlands Regulations that mandate that:

* All structures re-constructed or constructed in velocity zones are required to have open pile foundations with the bottom of the lowest horizontal structural member of the lowest floor is at or above the 100-year flood elevation. In A-zones the lowest floor elevation be at or above the 100 year flood elevation as determined by FEMA and the Flood Insurance Rate Maps (FIRM). Land Subject to Coastal Storm Flowage (LSCSF) is defined in the wetlands regulations (310 CMR 10.04) as: "land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record or storm of record, whichever is greater." DEP has set as a minimum standard, that all residential structures located within LSCSF, or the 100 year floodplain, be elevated with the bottom of the lowest horizontal structural member of the lowest floor above the 100-year flood elevation established by FEMA in order to prevent storm damage and to control flooding.

* Structures proposed to be re-constructed or constructed in coastal dune areas, but not within a V-or A-zone, be required to use an open pile foundation with the

lowest horizontal structural member at least two feet above normal elevation on the dune surface.

* Any alteration or structure proposed on coastal beaches, coastal dunes and barrier beaches (310 CMR 10.27, 10.28 and 10.29 respectively), in that they are significant to storm damage prevention and flood control, be held to the performance standards located at 10.27 (3)-(7), 10.28(3) - (6), and 10.29(3)-(4). Therefore, "mounded" septic systems in V-zones, that are located in the above mentioned resource areas, are prohibited.

* Projects that are required to file NOIs and are located in wetland resource areas designated as "rare habitat" be held to the performance standard located in the regulations at 310 CMR 10.37 and 10.59, which state, that " ..such project shall not be permitted to have any short or long term adverse effects on the habitat of the local population of that species."

FEDERAL FINANCIAL ASSISTANCE AVAILABLE

A variety of federal assistance programs exist to aid individuals in the aftermath of Hurricane Bob. Those programs include:

Hazard Mitigation Grant Program (Section 404): Makes grants available to state and local governments and private non-profit organizations to fund cost-effective measures to prevent future damage. Ten percent of the total federal cost of repair of permanent public damages for the disaster will be set aside for this program. Grants will consist of 50% federal/50% state funding. The survey of damages by interagency teams will include identification of appropriate hazard mitigation measures that could be taken under this program. Mitigation measures must be consistent with state regulations and state's post-disaster hazard mitigation plan. These measures can include: relocation out of high hazard areas; elevation of structures; set-back requirements for development in coastal high hazard areas; flood warning and preparedness plans.

Section 1362 of the National Flood Insurance Program: This program involves the purchase by the federal government of structures covered by flood insurance. At least one of the following criteria must be met in order for this program to apply: the damaged structure must have been damaged by at least 3 previous floods over a 5 year period, with an average damage of 25% or more of the value of the structure; a single flood has damaged the structure 50% or more of its value or beyond repair to its preflood condition; any single event has left the structure damaged and irreparable, either due to local ordinance limitations or significantly increased building costs. Funding will be available starting October 1, 1991 for purchase of structures, but there is a limited dollar amount nationwide. Communities would have to agree to maintain the land from which the structure is relocated or acquired as open space or for non-development purposes. NFIP claims office will be providing updates to FEMA and OWR on any claims coming in for substantially damaged property that we may want to target for 1362 funds.

Small Business Administration: Providing loans for home/personal property for restoring or replacing underinsured or uninsured disaster-damaged real and personal property. SBA loans are not available for damaged secondary residences (e.g. summer cottages) unless these properties were used for rental. A rental property would be seen as a business - SBA also provides Business Disaster Loans to repair or replace destroyed or damaged business facilities, inventory, machinery, or equipment. As of August 30, these loans were not available in Essex or Middlesex counties.

Farmer's Home Administration: Provides low-interest loans to farmers to restore/repair damages to crops.

Other agricultural assistance: In 1989 and 1990 legislation was passed to provide disaster assistance funds to farmers suffering crop losses. This was federal money given directly to farmers who could document crop losses. It is possible that legislation is being proposed to assist New England farmers but given the small percentage of agriculture use in this region there may not be enough motivation on the federal level to create a bill for this assistance. This kind of assistance does not tie in to the Presidential Declaration of Disaster.

NOTE: Flood Insurance is not available for structures newly built or substantially improved on and after October 1, 1983 in Designated Undeveloped Coastal Barriers.