

DRAFT IAW RELOCATION ASSISTANCE POLICIES

POLICY 1: RELOCATION ASSISTANCE TO COMMUNITIES IN PERIL MUST UTILIZE COMPREHENSIVE INTEGRATED PLANNING AND VIABLE, FUTURE-ORIENTED SOLUTIONS WITH FUNDING THAT ALLOWS FOR SUSTAINABLE RELOCATION.

- 1) **Comprehensive Integrated Planning must include:**
 - a. Suite of Community Emergency Planning Efforts
 - i. Community Evacuation Plans
 - ii. Community Emergency Operation Plans
 - iii. Hazard Analysis and Risk Mitigation Plans
 - iv. Preparedness Activities to include outreach, training, and exercises
 - b. Expansion of Comprehensive Community Plans to encompass Relocation
 - c. Community-based decision making
 - d. Local/Regional, Tribal, State, and Federal partnerships
 - e. Strategies that address incorporated and unincorporated community eligibility for National Flood Plain Insurance.
 - f. A strategy to consolidate various program and grant reporting requirements into a single format that reinforces comprehensive integrated planning.
- 2) **Flexible Funding Streams must mandate:**
 - a. Analysis of projected costs of relocation compared to the projected costs of not relocating imperiled communities.
 - b. Emergency, hazardous and evacuation plans for communities in peril to prevent loss of life when a natural disaster occurs
 - c. Prioritization of funding for communities in peril.
 - d. State funding match to attract federal funds.
- 3) **Formulate a strategy to implement the Relocation policy.** The strategy must define the process for addressing a community's specific needs. Specifically, the strategy must result in a work plan that articulates cooperative working relationships through the specific assignment of roles and responsibilities across agencies, communities, and others along with resources, data and other information needs.
 - a. DCCED will serve as the overall lead agency to formulate and implement the strategy.
 - b. DMVA will serve as the lead agency for the Suite of Community Emergency Planning Efforts.
 - c. DCCED will serve as the lead agency for the Expansion of Comprehensive Community Plans to encompass Relocation
 - d. DCCED will serve as the lead agency to develop and coordinate mechanisms that support community-based decision making.
 - e. DCCED will serve as the lead agency for coordinating and formalizing Local/Regional, Tribal, State, and Federal partnerships.
 - f. DCCED will serve as the lead agency to develop and implement strategies that address incorporated and unincorporated community eligibility for National Flood Plain Insurance.
- 4) **Develop statutes for Statewide Programs to mitigate hazards to enhance community viability and sustainability.**
 - a. Statewide Hazards Analysis and Risk Mitigation Program through DMVA
 - b. Statewide Vulnerability Assessment Program through DMVA
 - c. Statewide Community Flood Insurance Program through DCCED
- 5) **Identify required changes to federal statutes, such as the Stafford Act, that would enhance ability to deal effectively with communities in peril.**

POLICY 2: EFFECTIVE RESPONSE AND ADAPTATION STRATEGIES MUST BE SUPPORTED BY A COMPREHENSIVE STATEWIDE DATA COLLECTION AND EVALUATION SYSTEM.

- 1) **A Statewide data collection and evaluation system must:**
 - a. Include suites of data and indicators needed to support policy and strategy decisions.
 - b. Catalog currently available data and entities collecting the data.
 - c. Create collaborative MOUs among data custodians and data collectors.
 - d. Identify gaps in data and determine which gaps should be funded in order to develop a comprehensive statewide database.
 - e. Establish a central data access website that links collaborators and data collectors/custodians and enables ready access to current information.
 - f. Ensure data is identified, collected, analyzed, and available to users and policy makers.
- 2) **A State lead agency or university must be identified and provided necessary resources to develop an effective data collection and evaluation system.**
- 3) **A State lead agency or university must be identified and provided necessary resources to develop an effective data collection and evaluation system.**
 - a. MOUs shall be developed with appropriate state agencies, and other collaborating entities.
 - b. An evaluation system shall include comprehensive community planning and shall establish a priority system for regions of the state that encompasses communities in peril.
- 4) **Flexible funding must be provided to the State lead agency and appropriate collaborating state agencies that actively engage in identification, collection, analysis and dissemination.**
 - a. Funding must support dissemination of the data to available users and policy makers.
 - b. Funding should prioritize projects that address identified gaps in existing data.
 - c. Data priorities should align with priority communities in peril. Some of these data needs have been identified by the IAW, such as mapping and geologic data needs.

IMPLEMENTATION ACTIVITIES

NOT ALREADY INHERENT IN DRAFT IAW POLICIES

Note: Implementation activities explicitly stated in policy are not duplicated in this summary.

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1) Comprehensive Integrated Planning:

- *Inclusion of native villages, tribal governments, and other land owners in collaboration with agencies during the planning process provides a wide range of benefits from broad-based community support and commitment to specifics such as land relocation issues. Communities take the lead and receive significant support from state and federal entities.*

2) Flexible Funding Streams:

- *No funding sources provide for an expedited funding process. Therefore, it is essential to develop investment guidelines, and designate funding for priority measures including fast-tracked needs to address critical infrastructure for communities-in-peril. Guidelines should include an assessment, similar to the RUBA program, to identify critical needs.*

Current status: Funding sources, such as through AHFC, encompass new construction, but do not include funds to rehabilitate a damaged structure or one that needs to be moved out of imminent danger, even when the costs of doing so may be substantially less than replacement (e.g., less than \$20,000 to save a home).

Required changes: The funding to stage structures, to stabilize and move infrastructures that are in imminent danger, is needed. Identifying secondary and preventative protections can be accomplished through agency coordination with the community. However, specific assessment tools or “recipes,” and the entities most appropriate to apply them must be identified and applied in a coordinated and site specific effort. The tool(s) should identify at-risk facilities appropriate to move and the means to decide on exact relocation measures – how to move, where to move, whether to elevate or relocate away from threat.

Roles and Responsibilities: Each responsible agency shall be charged with identifying barriers to making infrastructure investments in threatened and newly designated communities (relocation sites). This process should result in identifying additional policy, statutory, and regulatory changes required to effectively address communities-in-peril.

Community in Peril: Newtok finds itself in a Catch-22, or a no-win, situation. Plans to relocate, combined with the imminent threat of flooding and erosion, has rendered Newtok ineligible for capital funding for improvements to existing infrastructure (e.g., water and sewer, bulk fuel tanks, power plant, and clinic) to meet needs at the current village until the relocation is complete or substantially complete. The ability to divert designated resources to the new village site is hampered by policies that create barriers to investment in non-existent communities.

- *Investment guidelines shall include changes to AO #224 in light of the serious erosion and likely relocation of several communities. [State of Alaska Administrative Order No. 224](#) provides an example of this conflict through the establishment of the following investment guidelines:*
 - *Absence of imminent environmental threat:* New facilities will be protected against imminent environmental threats, such as flooding and erosion, consistent with [Administrative Order No. 175](#).

- *Needs of existing communities have priority:* Priority will be given to the infrastructure needs of existing communities before consideration of proposals to create new communities, unless there is a congressionally directed relocation of an existing community.

3) **Formulate a strategy to implement the Relocation policy.**

- *Utilize Denali Commission or similar MOU methodology to help address needed collaboration.*
- *Relocation sustainability community principles shall include:*
 - *Alternative Energy, Green Building and Utility Land Use*
 - *Guidelines for ensuring sustainability*
 - *Guidelines for prioritizing strategies and associated funding streams for erosion and relocation, including mitigation and alleviation hazards in proposed location*

4) **Develop statutes for Statewide Programs to mitigate hazards to enhance community viability and sustainability.**

- *DMVA shall develop recommendations for a Statewide Program to proactively address mitigation hazards that is not contingent, directly or indirectly, on the declaration of a federal disaster upon which current funding streams are based.*

5) **Identify any needed changes to federal statutes, such as the Stafford Act, that would enhance ability to deal with communities in peril.**

- *Designated state agencies shall develop similar recommendations for changes to existing federal legislation and seek support from appropriate national organizations.*

Sample Action: DMVA shall develop recommendations for changes to the Stafford Act and seek direct support from NEMA (National Emergency Management Association) and its member states.

POLICY 2: EFFECTIVE RESPONSE AND ADAPTATION STRATEGIES MUST BE SUPPORTED BY A COMPREHENSIVE STATEWIDE DATA COLLECTION AND EVALUATION SYSTEM.

1) **A Statewide data collection and evaluation system must:** Include suites of data and indicators needed to support policy and strategy decisions.

- *Significant research is required to identify both required and available data necessary for informed decision making with regard to communities in peril. The lead agency, as required in Sub-Policy 2, should develop and implement this research effort. This likely involves community-based research and observations.*

2) **A State lead agency must be identified and provided necessary resources to develop an effective data collection and evaluation system.**

- *Capitalize on existing web-accessible Canadian Government climate-change database activities. See Natural Resources Canada: Climate Change Impacts and Adaptation Program at: http://adaptation.rncan.gc.ca/index_e.php*

3) **Flexible funding must be provided to the State lead agency and appropriate collaborating state agencies that actively engage in identification, collection, analysis and dissemination.**

- *Consider existing grant and additional funding sources to conduct data-related research, to the extent that it does not significantly delay implementation of proposed policies. Utilize analysis of current funding streams as rationale for requesting sole or additional supports through a state supplemental /capital budget request, should other sources of funding not prove viable.*

RATIONALE FOR PROPOSED IAW POLICIES

Note: Rationales are italicized. Non-italicized items are the original policies to which each rationale relates.

POLICY 1: RELOCATION ASSISTANCE TO COMMUNITIES IN PERIL MUST UTILIZE COMPREHENSIVE INTEGRATED PLANNING AND VIABLE, FUTURE-ORIENTED SOLUTIONS WITH FUNDING THAT ALLOWS FOR SUSTAINABLE RELOCATION.

Comprehensive planning has multiple benefits identified throughout this document. In addition to other identified benefits, comprehensive planning increases the ability to address complicated land exchanges often with multiple parties involved and permitting such as complying with NEPA requirements. NEPA requires the review of the effects of all federal, federally-assisted, and federally-licensed actions at any proposed new village site, including, but not limited to: Estate permits, endangered species, coastal consistency, essential fish habitat, and a host of other regulations and requirements recognizing agencies with funding or potential projects. Increased collaboration should focus on solutions such as a Programmatic EIS that can be developed which addresses many of the general issues involved in a proposed relocation. Once a lead agency is identified for NEPA some of the challenges the lead federal agency may encounter include, and can be most effectively addressed through coordination and cooperation, are:

- *Identification of coordinating and participating agencies and development of necessary Memoranda of Agreement (MOAs).*
- *Identification of funding to undertake a NEPA analysis if such funding is not in the current project budget.*

1) Comprehensive Integrated Planning must include:

- a. Suite of Community Emergency Planning Efforts
- i. Community Evacuation Plans *and*
 - ii. Community Emergency Operation Plans

Waiting for a disaster event that forces relocation will result in unnecessary risks to life/safety and extraordinarily complex response/relocation/recovery.

- iii. Hazard Analysis and Risk Mitigation Plans

Foundational plans (Mitigation, Evacuation, & Emergency Plans) are critical building blocks for comprehensive community relocation planning.

Adoption of a formal State Mitigation Program would align with Comprehensive Community Relocation Planning to provide a mechanism to help deal with communities in peril.

- iv. Preparedness Activities to include outreach, training, and exercises

Preparedness activities provide opportunities for communities to test and modify plans in non-emergent situations .

- b. Expansion of Comprehensive Community Plans to encompass Relocation

A Comprehensive Community Relocation Plan is essential to informed planning for communities in peril and is anticipated to significantly reduce costs compared to disaster-related response costs coupled with non-comprehensive approaches to mitigation and relocation.

The life cycle cost of not relocating a community in peril, e.g. erosion control at a current site and repair/replacement of essential public facilities should be considered when developing relocation policies and priorities. This analysis should also review projected costs based on different timeframes to relocate.

This can provide policy makers as well as taxpayers better information from which to consider cost effective alternative.

c. Community-based decision making.

Decisions regarding a community's future must be built on community support that derives from collaborative, comprehensive analysis of options and associated costs. Agencies should provide the best possible information in a timely manner for such informed decision-making.

d. Local/Regional, Tribal, State, and Federal partnerships.

Comprehensive community planning relies on local needs and resources, tribal inputs and associated rights and responsibilities, and statutory, regulatory and programmatic issues at the State and Federal level. Success cannot be achieved without collaborative partnerships throughout the planning and implementation processes.

Alaska Native Village and Tribal lands are unique and pose special complex problems when considering community relocations. The State needs to recognize this resource and closely work with Villages and tribes and other land owners to ensure their land issues are appropriately integrated and addressed in a timely way within the community planning process.

State and Federal Governments must work together cohesively along with the community to develop solutions. Ongoing partnerships will ensure the most effective use of resources and attaining desired end results.

e. Strategies that address incorporated and unincorporated community eligibility for National Flood Plain Insurance.

Unincorporated communities are not eligible for National Flood Plain Insurance and the State must address this issue.

f. A strategy to consolidate various program and grant reporting requirements into a single format that reinforces comprehensive integrated planning.

Imperiled communities are overwhelmed with the level of paperwork and documentation required by various agencies for grant and regulatory and other compliance. Alaska's small remote villages have the capability but lack the staff to handle this onerous documentation and reporting requirement for each funding stream.. It would greatly help viability and functionality of a remote village if funding agencies could, wherever possible, collaborate and provide integrated report/documentation that could serve the purpose of all funding agencies.

Comment/Example: *Obtaining and administering government funds can be a challenge for small communities. Local capacity limitations place many rural communities at a competitive funding disadvantage. Because there is no dedicated funding source for erosion and/or relocation, imminently threatened communities must rely upon existing programs to meet erosion/relocation needs, yet few have the expertise to identify, write, secure and administer grants.*

Even when the local capacity and resources of a village are adequate under normal conditions, coping with erosion and flooding places community resources and capacity under tremendous pressure. The situation is compounded when the community attempts to relocate. Most rural communities have limited administrative and technical staff to work with multiple state and federal agencies on relocation activities, while also attempting to maintain basic community services.

2) **Flexible Funding Streams must mandate:**

a. Analysis of projected costs of relocation compared to the projected costs of not relocating imperiled communities

Current funding streams neither require nor allow comprehensive analysis of comparative costs.

AO224 and AO175 present serious investment impediments for possible new locations sites. Other standards and requirements also present barriers to investment in new developing communities. For

example, DOT policy suggests that emerging communities have a minimum of twenty-five residents, a post office, and a school before a project will be considered by the Project Evaluation Board. In addition, there is a minimum population requirement of twenty-five children for construction of a new school. Under these guidelines, the deferment of infrastructure investment can be expected to create hardships on relocating communities. Because village relocation is likely to be an incremental process, there will be populations at both locations (the current village and the new village site) and needs must be met concurrently.

- b. Emergency, hazardous and evacuation plans for communities in peril to prevent loss of life when a natural disaster occurs

A disaster event that forces relocation results in unnecessary risks to life/safety and extraordinarily complex response/relocation/recovery, which carries associated and significant increased costs.

- c. Prioritization of funding for communities in peril, including the development of a Statewide Mitigation Program

Criteria for defining and funding communities in peril should provide consistency while still allowing for flexible strategies unique to each community. A Statewide Mitigation Program allows a proactive approach independent of Federal funding or a Federal disaster declaration.

- d. Utilize coordination/collaboration on projects to affect cost savings by reducing duplicative costs such as mobilization and demobilization of heavy equipment.

- 3) **Formulate a strategy to implement the Relocation policy.** The strategy must define the process for addressing a community's specific needs. Specifically, the strategy must result in a work plan that articulates cooperative working relationships through the specific assignment of roles and responsibilities across agencies, communities, and others along with resources, data and other information needs.

Wherever possible, proven extant strategies should be utilized. Immediately, begin a coordinated system to identify possible resources and actions through a coordinated approach. By scheduling quarterly or semi-annual meetings we can then confidently identify, update and coordinate projects and funding sources from federal, state and regional/local sources to effectively address the most vulnerable needs. Recommend utilizing the Denali Commission's MOU process for this immediate need, which is currently in development and has proven effective in the past.

- a. DCCED will serve as the overall lead agency to formulate and implement the strategy.
- b. DMVA will serve as the lead agency for the Suite of Community Emergency Planning Efforts.
- c. DCCED will serve as the lead agency for the Expansion of Comprehensive Community Plans to encompass Relocation
- d. DCCED will serve as the lead agency to develop and coordinate mechanisms that support community-based decision making.
- e. DCCED will serve as the lead agency for coordinating and formalizing Local, Tribal, State, and Federal partnerships.
- f. DCCED will serve as the lead agency to develop and implement strategies that address incorporated and unincorporated community eligibility for National Flood Plain Insurance.

While there is no designated state lead on coordinating relocation assistance, there is considerable authority dealing with a state lead in coordinating ongoing erosion issues. Admin Order 175 designates the former Department of Community & Regional Affairs (now DCCED) to be state lead on coordinating capital investments where there is a potential for flood and erosion damage. AO231 and AO239 both directed DCCED to be state coordinating agency to propose long-term solutions to on-going erosion issues.

And, while a pure Comprehensive Community Plan as discussed in traditional planner circles is not being advocated, a modified Comprehensive Plan that includes analysis of relocation sites would be a significant integrated planning step forward. Thus, it is appropriate to broaden DCCED planning roles to include relocation. The purpose of the lead agency is to assist the community (or community efforts) by

providing guidance on where to get assistance, how to access resources, and to bring all the players together – which by working together the agencies and communities will then leverage resources for emergency preparedness, community infrastructure – including housing, education, health, environmental and related needs. Designating a lead agency does not preclude each agency from using its experts and expertise and moving its projects forward for which it is responsible.

- g. A Relocation policy will provide non-profit organizations and NGO's such as *Engineers Without Borders* a better sense of how they can play an effective role and augment resources.

4) **Develop statutes for Statewide Programs to mitigate hazards to enhance community viability and sustainability.**

- a. Statewide Hazards Analysis and Risk Mitigation Program through DMVA
- b. Statewide Vulnerability Assessment Program through DMVA
- c. Statewide Community Flood Insurance Program through DCCED

Well-formulated state statutes provide clear guidance and support, with associated funding, for ongoing, comprehensive programs.

5) **Identify required changes to federal statutes, such as the Stafford Act, that would enhance ability to deal effectively with communities in peril.**

Federal statutes relating to mitigation, require onerous cost-benefit analysis which does not really address the Alaska situation. In addition, the cost-benefit analysis does not include the consequence of not providing preventative assistance. Needed changes in the Stafford Act can be identified by DHS&EM and appropriately addressed through the National Emergency Management Association legislative process with companion support from Alaska's congressional delegation.

POLICY 2: EFFECTIVE RESPONSE AND ADAPTATION STRATEGIES MUST BE SUPPORTED BY A COMPREHENSIVE STATEWIDE DATA COLLECTION AND EVALUATION SYSTEM.

Alaska's communities in peril face complex issues that can only be effectively addressed with an understanding of all factors surrounding future planning. The very future of these communities hinges on the availability of accurate, comprehensive data that potentially relates to their at-risk circumstances.