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Builders meet with planners on freeboard issue

January 11, 2013 - Rhode Island

"We're looking at a Rhode Island regulatory policy that goes far beyond what the federal government believes is necessary."

That was the comment from Daniel Paquette, chairman of the Rhode Island Builders Association's green building committee, following a November 26 meeting between RIBA members, state regulators and state planners on the issue of "freeboard."

Freeboard is extra space between the lowest structural member in a building and anticipated storm wave heights. By definition, it exceeds what is required by the National Flood Insurance Program (NFIP). The NFIP requirement, which is considered the federal standard, varies depending on an area's Flood Insurance Rate Map (FIRM).

"We plan to recommend that the state building code require an additional 1 foot of freeboard," said James Boyd, coastal policy analyst with the Rhode Island Coastal Resources Management Council (CRMC).

The state building code currently requires 1 foot of freeboard, so the suggested change would bring the required freeboard to 2 feet and would require action by the state legislature. Freeboard rules do not apply outside inland A and coastal V flood zones.

Along with RIBA members who work in coastal areas, representatives of CRMC, the Rhode Island Division of Planning (DP), the Rhode Island Emergency Management Agency (EMA) and the University of Rhode Island Coastal Resources Center (CRC) attended the November 26th meeting. Presenters included Boyd, Janet Freedman of CRMC and Jared Rhodes of DP. They offered a PowerPoint presentation on the benefits of increasing the freeboard requirements. These include lower flood insurance premiums for homeowners, more protection from floods and storms, better protection from a projected rise in sea levels, and greater housing marketability, according to the speakers.

"We now have storms that exceed levels projected on the FIRMs," said Freedman. "Hurricane Sandy came nowhere near the worst-case scenario."

She also discussed sea-level rise, saying that the average level along the Rhode Island coast has risen 10 inches since 1930.

"We can expect sea-level rise of 7 to 12 inches higher than the global average," Freedman added. The RIBA members present tended to be skeptical.

"I'm the only one in this room who lives and works in a flood zone," stated one member after asking for a show of hands. "I walked the shore of this state, including Block Island, after Sandy. Among the houses that stood up best were the newer ones built in line with the current code. Adding more height will create a number of problems, including neighbors complaining about their views being cut off. And I've never found that an extra foot will accomplish anything."

He noted that there are already problems with stair heights. "People, especially the elderly, are

having problems. Some are putting in elevators."

Another member pointed out that, with new FIRMs reflecting projected sea-level rise, tens of thousands of acres and thousands of homeowners could be affected by the recommendation should it become a regulation, "and somehow I think it will."

Still another member noted, as did Paquette, that the state is "once again trying to go the federal government one better."

"The federal government hasn't even recognized the need for this freeboard increase," he said. "And nobody has done a cost/benefit analysis on this."

Several members stated that the real problem is beach erosion. Planners and regulators, however, said that taking anti-erosion measures, such as revetments and more sea walls at Rhode Island's beaches, would be extremely expensive and would make the shoreline unsightly, ruining tourism.

The group agreed to meet again before action is taken on the proposed freeboard increase.

There has been speculation that Rhode Island's coastal regulations are the nation's toughest, but an inquiry to government affairs staffers at the National Association of Home Builders was inconclusive on that score.

"Unfortunately, NAHB does not track freeboard requirements at the state and local levels," reported Biljana Kaumaya, NAHB's federal legislative director. "We have seen requirements in V zones to adopt 2 feet of freeboard above the base flood elevation (i.e. Florida, Massachusetts). Additional freeboard requirements typically result in discounts to flood insurance. I believe that the Federal Emergency Management Agency commissioned a report claiming that the payback was relatively short - three to five years."

Watch The Rhode Island Builder Report for more information on this issue as it develops.

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