Achieving Community Buy-In for Disaster Risk Reduction

Win-Win Approaches

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Natural Hazard Mitigation Association

Content provided by Edward Thomas, Esq. and David Mallory, PE, CFM



Purpose of Module

Discuss how to:

- Use basic principles to address the growing toll of disasters
- Utilize principled negotiation and outreach
- Deliver our message about Safe & Sustainable Development



Learning Objectives

- 1. List examples of harm prevention messages that would appeal to a variety of audiences
- 2. Identify ways of "getting to yes" for safe development through principled negotiations
- **3**. Identify questions that help decide the best project choice to control floods or enhance water resources
- 4. Identify ways to develop a well-thought-out, clear "no" to avoid adverse impacts



Use Basic Negotiation Principles to Address the Growing Toll of Disasters



- Build bridges-links
- Make more friends and allies many have very little knowledge or strong positive feelings about hazards
- Reach out to those who believe in things we do not believe



Reach Out to Those Who Normally Do Not Agree with Us



- Our message of better, safer design must be prepared for delivery to many audiences
- Know and understand what they care about, so we can develop a message rooted in economics and safety they will care about



Know Your Audience

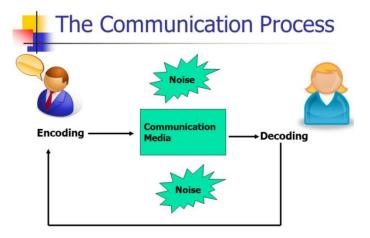






Know Your Audience (cont.)





- Listen at every stage
- Discuss
- Talk
- Learn
- Show you care about what concerns them, so they care about you and your message



Harm Prevention Messaging

Photo by David Valdez/FEMA - Jul 20, 2011 - Location: Minot, ND

SUPPIN



Activity: Harm Prevention Messaging



What are examples of harm prevention messages that would appeal to the following audiences?

- 1) Faith-based groups
- 2) Environmentalists
- 3) Those who fervently believe in the need for carbon emission reductions as "hazard mitigation"
- 4) Those who care about their community's economy
- 5) Those who especially care about the Nation's economy
- 6) Those who deeply care about disaster victims/ survivors



Harm Prevention Messaging to Faith-Based Groups

- Be Stewards of the Earth
- Do unto others...
- Reduce the cost of disasters to our society; save taxpayer dollars
- Protect the land for future generations; estate planning
- Avoid litigation



Activity: Harm Prevention Messaging



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Harm Prevention Messaging to Environmentalists

Safe & Sustainable Development...

- Protects water quality, ground water, wetlands, and other naturally beneficial values of society
- Helps keep "stuff" out of waterways, protecting threatened/ endangered species and ecosystem services at all scales
- Does not waste resources, finances, energy, or time on recovery
- Avoids litigation



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Harm Prevention Messaging to Those Who Believe in Carbon Emission Reductions as "Hazard Mitigation"

- Until the changes in climate are reversed, we need to adapt to climate changes and sea level rise
- Safe & Sustainable Development or No Adverse Impact can help with adaptation implementation
- Economic pressures and externalization of costs/benefits often drive development into dangerous and harmful areas



Harm Prevention Messaging to Those Who Believe in Carbon Emission Reductions as "Hazard Mitigation" (cont.)

• Banning construction in areas that may be subject to climate change and sea level rise in the future has legal and economic issues

Safe construction to higher standards is less likely to be successfully challenged



Activity: Harm Prevention Messaging



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Harm Prevention Messaging to Those Who Care about Their Community's Economy

future projections, climate

- Consider how devastating a natural event can, and unfortunately will, be to your community
- We are not preparing properly for • Consider the growing vulnerability historic levels of disaster, or of our society, the economy, dealing with the uncertainties of and the people

variability, or climate change DISASTER RISK REDUCTION Ambassador Curriculum

Harm Prevention Messaging to Those Who Care about Their Community's Start the long difficult road to a Economy (cont.)

safe sustainable future by

ensuring safe development, not

by preventing development

- Stop making things worse
- ASFPM No Adverse **Impact Committee**

Resource: ASFPM Tool Kit

https://www.floods.org/resource-center/association-of-statefloodplain-managers-nai-no-adverse-impact-floodplainmanagement



Activity: Harm Prevention Messaging



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Harm Prevention Messaging to Those Who Especially Care about the Nation's Economy

- A sustainable economy or effective business continuity needs safe locations for business and industry to occupy, and safe housing for employees
- In locations like Alaska, the Caribbean, Hawai'i, and remote locations, fully operational Port Operations are especially critical for the economy and life itself
- Business and industry must be part of a whole community solution



Activity: Harm Prevention Messaging



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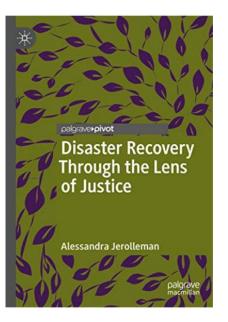


Harm Prevention Messaging to Those Who Deeply Care about Disaster Victims/Survivors The protection of children, the

Our principles:

The protection of children, the elderly, and all people is not just an economic decision

- Help reduce the toll of misery endured by those who are least able to afford recovery
- Place the burden of development/redevelopment on those who make the profits and benefit from the development
- Disaster Recovery Through the Lens of Justice, Dr. Alessandra Jerolleman





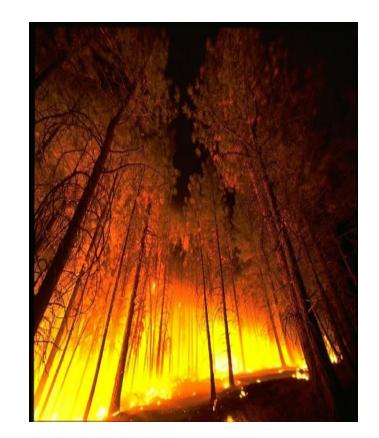
Message: A Crisis Can Be an Opportunity Instead of a Disaster

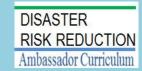
Relate the discussion to climate uncertainty/variability and implications for disasters

EXAMPLE

Wildfire can change the Hydrology & Hydraulics of afflicted portions of a watershed, potentially for many years

- Discuss implications for floods, water quality, economics, etc.
- WUI land-use decision changes





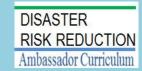
Message: A Crisis Can Be an Opportunity Instead of a Disaster (cont.) EXAMPLE

Concerns about unusual or record **drought** conditions

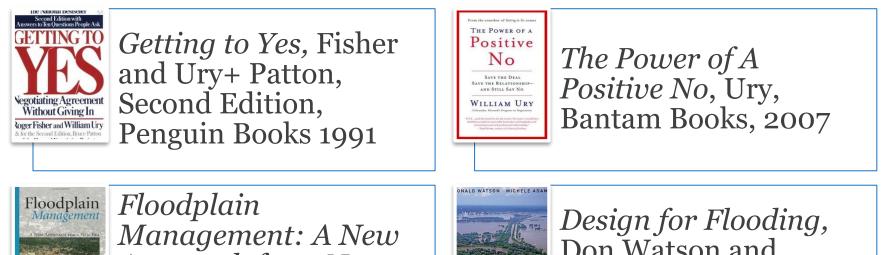
- Discuss the fact that droughts often lead to floods on parched soil
- Lead the discussion around the message of safe development
- Water Storage Discussions







Negotiate Your Way to a Safer Future



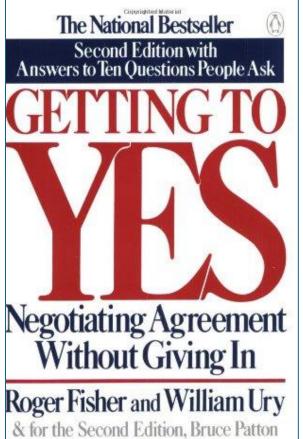
Approach for a New Era, Freitag et al., Island Press, 2009

ESIGN for FLOODINC

Design for Flooding, Don Watson and Michele Adams, Wiley, 2010



Getting to Yes



of the Harvard Negotiation Project

- By Roger Fisher and William Ury (1991, Second Edition has additional material by Bruce Patton)
- Focuses on "Getting to Yes" through principled negotiations
- From our perspective we want the principle to be...



Getting to Safe Development

Can we all agree that safe development must be done in such a manner as to:

- Not result in lawsuits against the municipality and local officials
- Not harm water quality, increase velocities, or flood others
- Consider due process and equal protection of all



https://www.youtube.com/watch?v=UcJ7xPCYUFw



Activity: Steps to "Getting to Yes"



For example, "Separate people from the problem"





Steps to "Getting to Yes"

Separate people from the problem

Be hard on the problem, soft on the people



Steps to "Getting to Yes" (cont.)

Separate people from the problem

Be hard on the problem, soft on the people

Consider the other persons' perspectives

Look for mutual gain



Steps to "Getting to Yes" (cont.)

Separate people from the problem

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Insist on objective, harm-prevention criteria



Steps to "Getting to Yes" (cont.)

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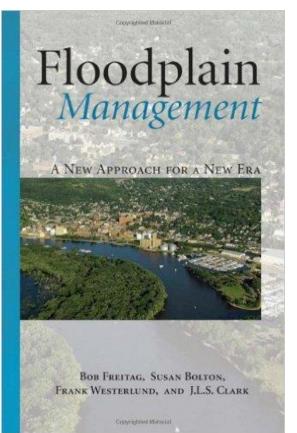
Insist on objective, harm-prevention criteria

Consider what YOUR <u>b</u>est <u>a</u>lternative <u>t</u>o a <u>n</u>egotiated <u>a</u>greement (BATNA) might be

Consider what their BATNA might be



Floodplain Management: A New Approach for a New Era



- By B. Freitag, S. Bolton, F. Westerlund, J. Clark (2009)
- Real world examples
- Six questions to help decide the best project choice to control floods or enhance water resources
- Highly recommended reading



Floodplain Management: A New Approach for a New Era (cont.)

Six Questions

- 1. What **values or assets** do you want to protect or enhance?
- 2. What are the apparent **risks or opportunities** for enhancement?
- **3**. What is the **available range** of risk-reduction or opportunity-enhancement?

Source: *Floodplain Management: A New Approach for a New Era* by B. Freitag, S. Bolton, F. Westerlund, and J. Clark



Floodplain Management: A New Approach for a New Era (cont.)

Six Questions (cont.)

- 4. **How well** does each strategy reduce or enhance the resource?
- **5**. What other **risks or benefits** result from each other strategy?
- 6. Are the **costs** imposed by each strategy too high?

Source: *Floodplain Management: A New Approach for a New Era* by B. Freitag, S. Bolton, F. Westerlund, and J. Clark



The Power of a Positive No

From the coauthor of Getting to Yes comes

The Power of A Positive No

SAVE THE DEAL SAVE THE RELATIONSHIP— AND STILL SAY NO

WILLIAM URY

Cofounder, Harvard's Program on Negotiation

"If I'd...used this book for the last twenty-five years, I would have doubtless avoided innumerable heartaches and headaches and tattered personal and professional relationships." —TOM PETERS, author of In Starkof Excilence

- By William Ury (2007)
- How to Say No and *Still* Get to a Yes
- A must-read!



Safe Development Impact Principles

Identify ALL the impacts of a proposed development

Determine ALL the properties that will be impacted

Notify potentially affected persons of the impact of any proposed development



Implementation of the Safe Development Impact Principles

- Conduct adequate "scoping" for adverse impacts now and in foreseeable possible conditions
- Design or re-design the project to avoid adverse impacts; and require appropriate mitigation measures acceptable to the community and affected members of the community
- Make aware those who may be victimized by improper development, giving them opportunity to have their concerns voiced to community officials



Safe Design & Fair Hazard Regulation is a Winning Concept





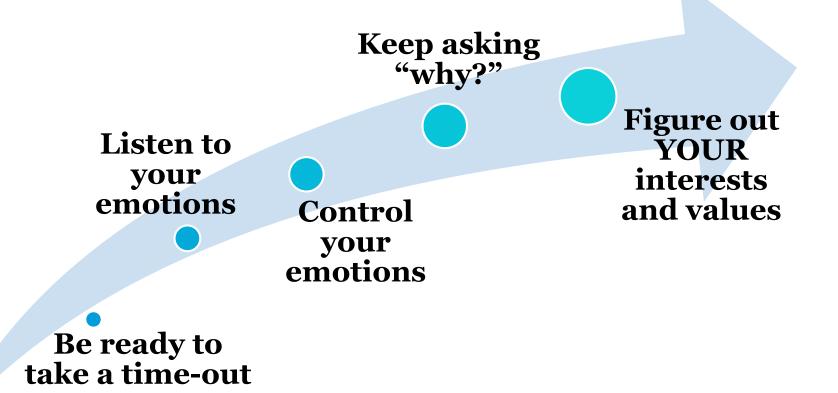
How to Uncover Your "Yes"

Identify ALL the Impacts of a Proposed Development

- Never start with "NO!"
- Start with what we are for
 - "We want your development"
 - "We need the tax revenue"



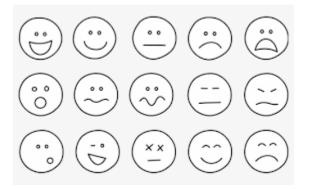
Go from Reactive to Proactive



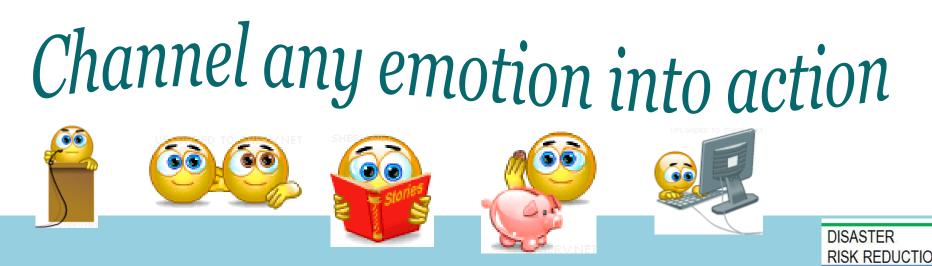


Find a "Yes"

- We are for safe and sustainable development
- We are for safe places for our citizens to live
- We must consider others when we develop



- Inclusion of "Sense of Place"/Historic Preservation
- The Supreme Court states that developers cannot externalize their costs to others



Ambassador Curriculum

Benefits of Finding a "Yes"



What are the benefits of finding a yes?

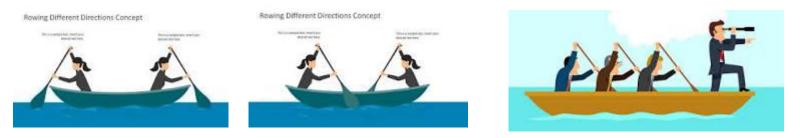


Benefits of Finding a "Yes" (cont.)



The "Bennies...."

- Bases discussion on something positive
- Provides all parties with a sense of direction
- Gives everyone some positive energy





Empower Your No

Design or Re-design the Project to Avoid Adverse Impacts "To Be Prepared is Half the Victory" ~Miguel de Cervantes





If Needed, Develop a Well-Thought-Out, Clear "No"

- Be well informed, or know what is needed to enable evaluation
- Develop a "Plan B"
- Build coalition-partnerships who shares your interests?
- Take away their ability to launch a surprise attack
- Consider the worst case if you have to live with a "yes," when you should have said "no"
- Do the "Mirror Test"



Questions When Considering "No"

1) Do I have an interest in saying no?

2) Do I have the power?

3) Do I have the right?

Next, ask the same questions about saying "Yes"



Respect Your Way to Yes

Turn the Usual Development Process Around!

- Empower the private sector to do what it does best
- Solve problems!



Do Not Burn Bridges with Your "No"

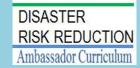
- Be respectful
- Pay attention to your emotions, needs, and interests
- Listen, then listen more to understand to find a "yes"



Work on Finding a "Yes"

- Ask clarifying questions
- Acknowledge the other party – this does not mean agreeing, just understanding

Can you please help me understand why you need this?



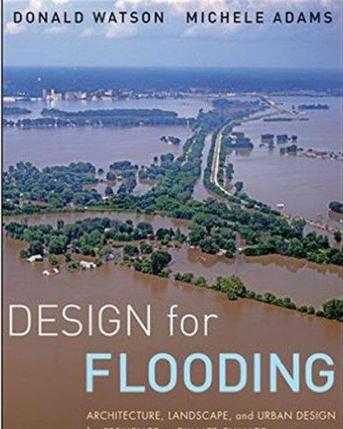
The Power of Kindness

"I am sorry... that we cannot do what you want exactly as you want it..." "This is a lovely proposal... however..."

"I feel your pain...



Design for Flooding



for RESILIENCE to CLIMATE CHANGE

- By Don Watson and Michele Adams (2010)
- A true "win-win" example is on page 208: "Alternative **Development Proposals**"
- Extremely important mustread!



Example of Yes -- No -- Yes

City of Miami, Oklahoma Floods – July 2007



Photo by Gary Crow



Talking Points for Local Officials

- First, explain your desire to help people
- Give a simplified summary of the situation
- Inform them NOT to ignore regulations and NOT to rebuild in the same flood-prone way



Talking Points for Local Officials (cont.)

Explain that:

- Every municipality and individual who does not enforce regulations is putting themselves at risk for liability from future damages
- Failure to enforce floodplain regulations puts the entire community at risk for probation and/or suspension from the NFIP
- Leveraging funding resources is a beneficial way to rebuild the area safely without undue hardship on the residents



Example: Dealing with an Unhappy Developer Whose Land is a Floodway

Two situations:

- A. Land has been identified floodway for years
- B. Land was just purchased for One Million Dollars zoned industrial - new map indicates floodway

- How to proceed?
- Different negotiations in the two situations?
- 2015 Case before South Carolina Supreme Court



Example: How to Proceed as a Local Stormwater Manager

You want the community to adopt higher standards

- How to proceed?
- How would you promote:
 - Low impact development?
 - Green infrastructure?
- Who is your audience?



Remember...



- Be principled and calm
- Be knowledgeable
- Uncover your Yes
- Empower your No
- Respect your way to Yes



Message for Stormwater, Floodplain, and Emergency Managers

Stormwater, Floodplain, and Emergency Managers need to stop being the "Abominable 'No' People"! If it is a good project...

- Yes.
- Yes.
- •Yes!



Message for Community Leaders

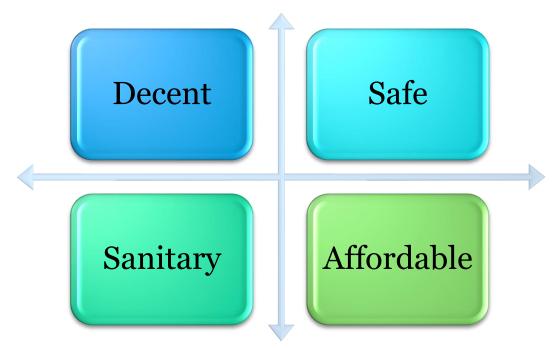
Communities must consider public safety and realize:

- Many areas can flood
- Uninsured victims will likely try to find someone to blame and sue
- Fair harm prevention regulations help everyone



Message for All Involved in Community Development

The fundamental rules of development articulated, by law, envision housing and development that is:



The Housing Acts of 1937, 1954, etc., as amended



Flooded Development Fails Reasonable Vision for a Community's Future

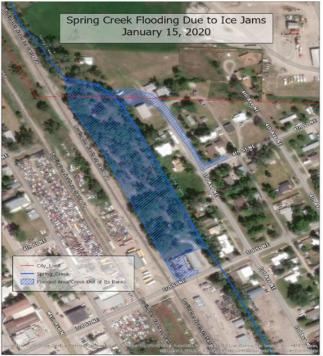


Housing and development that flood are:

- Indecent
- Unsafe
- Unsanitary
- Unaffordable by the flood victims, by their community, by the state, and by our Nation



Photo by Jocelyn Augustino – Oct 17, 2016, Vanceboro, North Carolina, FEMA.gov



Choices and Roles

Fundamentally, our **society** must choose either:

- Better standards to protect resources and people, or
- Standards that inevitably will result in destruction and litigation

As **DRR Ambassadors**, you will play a key role in either:

- Helping create a safe and sustainable future, or
- Failing to prevent actions that will make worse the incredible disaster response and recovery challenges we already face



How to Apply to FEMA GO

- Eligible Applicants must apply for funding using the new FEMA Grants Outcomes (FEMA GO) at the FEMA GO portal: <u>https://go.fema.gov/login?redirect=%2F</u>
- Visit FEMA GO Guides and Resources to view the technical user manuals and support materials: <u>https://www.fema.gov/grants/guidance-tools/fema-go/assistance-firefighters-grants</u>

FEMA FEMA GO Technical Support, contact the Help Desk by calling 1-877-611-4700 or by e-mail at: <u>https://www.fema.gov/grants/guidance-tools/fema-go/assistance-firefighters-grants</u>



HMA Program Support Materials

BRIC

- <u>Mitigation Action Portfolio</u>
- <u>BRIC Building Codes Activities</u>
- <u>BRIC Partnership Activities</u>
- <u>BRIC Project Scoping Activities</u>
- <u>BRIC Mitigation Planning</u>
 <u>Activities</u>
- <u>BRIC Direct Technical Assistance</u>
- BRIC Technical Criteria
- BRIC Qualitative Criteria
- <u>HMA Cost Share Guide</u>
- <u>FY20 BRIC Notice of Funding</u>
 <u>Opportunity</u>

<u>FMA Community Flood Mitigation Project Fact</u> Sheet

FMA

- <u>FMA Community Flood Mitigation Benefitting</u> <u>Area Map Development</u>
- <u>FMA Project Scoping Fact Sheet</u>
- <u>GEOSPATIAL FILE ELIGIBILITY CRITERIA IN</u> <u>FLOOD MITIGATION GRANT APPLICATIONS</u>
- FY20 FMA Notice of Funding Opportunity
- <u>Unified Hazard Mitigation Assistance Guidance</u>
 <u>& Addendum</u>
- Property Elevation and Acquisition Job Aides:
 - <u>Elevation Job Aid</u>
 - <u>Acquistion & Demolition Job Aid</u>
 - <u>Acquisition & Relocation</u>
- <u>HMA Cost Share Guide</u>





First Fundamental Canon of ASCE Code of Ethics

"Engineers shall hold paramount the safety, health, and welfare of the public...."



"This canon must be the guiding principle for rebuilding the hurricane protection system in New Orleans."

"And it must be applied with equal rigor to every aspect of an engineer's work – in New Orleans, in America, and throughout the world."

A Statement by the American Society of Civil Engineers Hurricane Katrina External Review Panel, August 2006



Review of Learning Objectives

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Thank You!



DISASTER RISK REDUCTION Ambassador Curriculum

- Questions and/or comments
- Contact information

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