

**HEALTH, ENVIRONMENT, AND  
TECHNOLOGY COMMITTEE**

**21-0002R  
TESTIMONY**

From the Office of

# ODETTE RAMOS

Councilwoman District 14



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100 N. Holliday Street, Room 506, Baltimore MD 21202

February 24, 2021

**Testimony**  
**21-0002R Investigative Hearing regarding Inland Flooding**  
**February 24, 2021**

Madame Chair and Members of the Health, Environment and Technology Committee:

Thank you for the opportunity to hold this hearing about an issue that is often overlooked until it happens.

Last summer, on July 17th, a flash flood tore through our City, and feet of water pooled on 35th Street and Hillen Road. The photo below is the bus that got stuck in the intersection of that road during the flooding. It was so scary for those in the bus, and many cars were stuck in the waters. One constituent had to be pulled out of her car before it was submerged, another punched her way out of her van's window to get out and had a bloody hand as a result. It was a very dangerous situation. Constituents living on 35th Street had water up to their porches, and as the waters subsided cars were left on lawns and inoperable. It was like a scene out of a movie.



After the flood, I spoke with constituents who live on 35th street and learned, this is not the first time flooding like this has occurred. In fact, it has been happening for decades. The photo below is from 1957 looking from MERVON onto 35th Street. You can see the flooding occurred even back then. That is water going up to the resident's porches and into their basements/homes.



This area is not labeled a flood plain or flood zone, so often residents were not able to get help from insurance for any damage to their homes or basements when waters were so high that their homes were damaged. Nor do realtors reveal that this is a flood area warning new residents about the issues.

Shortly after the flooding occurred and as we continued to talk with residents, some of whom you will hear from today, the Baltimore City Planning Department held a hearing about the Nuisance Flood Plan. We noticed that the Nuisance Flood Plan only considered flooding in coastal areas only (around the waterfront), as dictated by state legislation, no inland areas were outlined. Thankfully, the Office of Sustainability did include a line that more needed to be done for urban or pluvial flooding. But the issues still remain. [Here is the link to the Nuisance Flood Plan.](#)

I recently learned also about other areas of the City where there is poor stormwater management, flooding in more intersections of the roads, and of course the basement back-ups issues which will be a separate hearing. We are also worried that possibly the foundations of some of the homes on 35th Street are weakening because of these floods.

Knowing that my colleague Councilman Burnett also had flooding on Frederick Avenue, I asked him to join me in introducing legislation to call for this hearing to find out what is the plan for preventing these flooding events, mitigating damage, and how we can work together with relevant city agencies to address these issues.

I am grateful for the Office of Emergency Management for working with us and the residents of 35th Street to possibly apply for the Building Resilient Infrastructures and Communities (BRIC) and Flood Mitigation Assistance (known as the FEMA BRIC grant) to begin exploring a solution to 35th and Hillen Road. I am also grateful to all of our colleagues here today reporting on this issue, I know they are committed to it as much as we are, and I look forward to working with them.

I am looking forward to this hearing to provide more information to the City Council on this issue, and begin the process of coming up with solutions for mitigation and prevention of future dangerous flooding.

Here are some questions for which I am seeking answers, and I may have more as I read the agency reports:

- The flooding on 35<sup>th</sup> Street and Hillen has been consistent for decades. Why were these concerns not address sooner? I realize more storm drains were added recently, and yet that did not solve the problem. (More storm drains did solve the problem on Barclay Street, so sometimes that is the correct solution).
- What is the process for addressing these types of flooding issues? Where can the funding come from for the assessments and who leads this effort?

- What other storm water management strategies is the City planning to implement?
- Knowing that the Nuisance Flood Plan was mandated from state legislation to address only our coastal areas by the waterfront, is there thinking to add an inland flood planning process sooner rather than later?
- The data collected from MyCoast App outlined in the Nuisance Flood Plan can also be used for collect data around inland flooding numbers. What is the City's plan to ensure that residents know about this app? Will the 311 calls for flooding be counted in the data collection and isn't that the better way to go?
- Insurance companies provide coverages for flooding only in flood plains. Many of the areas outlined in the flood plain maps do not cover the areas where there is poor storm water management and flooding outside of the coastal areas. What are the plans for addressing this issue? Do we need state legislation or action from the federal level?

Thanks again for taking the time to address this important topic. I look forward to the hearing.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Odette", is placed over a light blue rectangular background.

Odette Ramos  
Baltimore City Councilwoman, District 14

REGINA T. BOYCE  
Legislative District 43  
Baltimore City

Environment and  
Transportation Committee

Subcommittees  
Environment  
Motor Vehicle and Transportation



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 22, 2021

Chair, Councilwoman Danielle McCray  
Health, Environment, and Technology Committee (HET)  
100 Holliday Street  
Baltimore, Maryland 21202

**RE: 21-0002R Investigative Hearing - Inland Flood Mitigation**

Chair McCray and Members of the Health, Environment, and Technology Committee (HET),

For the record, I am **Regina T. Boyce, Delegate of the 43<sup>rd</sup> District**, and resident of the 14<sup>th</sup> District. I write in support of the resolution for an Investigative Hearing on Inland Flooding Mitigation, or better known as “Urban Flooding” by Councilwoman Ramos.

**Urban flooding**, according to the National Academies of Sciences, Engineering, and Medicine, “**is the inflow of storm water in urban areas that exceeds the capacity of drainage systems to infiltrate storm water into the soil or to carry it away**”. In Baltimore City, the result of urban flooding is the combination of wastewater and storm water added during storms, causing backups in streets, water ways, and homes. For so many Baltimore City residents, living on fear and prayer after a major rainstorm event is the unfortunate consistent reality. For the residents on E.35<sup>th</sup> Street at Hillen Road, this has been **the consistent reality for over 50 years** to date without support from federal, state, or local government. I am hoping this investigative hearing is the first of many discussions that will lead to a **commitment to address this long-standing issue, create goals and action items to manage this issue, and most importantly implement immediate resources to support city residents under the strain of managing this issue alone.**

This investigative hearing is incredibly critical because our federal, state, and local governments, along with appropriate agencies have left urban flooding out of conversations although urban flooding is acknowledged to be an issue. In my own investigations of the process, I found myself confused, frustrated, and annoyed beginning with regulations at being with the **Federal Emergency Management Agency (FEMA)**. The Agency assists communities across the U.S. with flood analyzing and mitigation, preparation, response, and recovery by mapping flood hazards focusing on inundation from riverine and coastal flooding. Since flood

damage can occur anywhere, outside of rivers and coasts, in cities, FEMA acknowledges the need to examine urban flooding more but lacks the resources to define urban flooding at the local level. As a result, FEMA has left the planning and funding of these definitions on communities for local adoption and inclusion on FEMA maps. We are asking affected communities to create this process all the while manage their frequent flooding issue.

The reality is that I have more questions than answers since getting involved with this issue. If I mainly have questions, how many more unanswered questions do those affect for decades have? Why can't FEMA lead the effort of assisting cities to manage this issue? Why is this process put on affected communities to resolve and fund? Why has DPW never acknowledged, resolved, or continuously work on this issue? Why have residents been ignored? Why isn't urban flooding fully addressed in the Consent Decree? How do our current and past zoning codes contribute to this issue? Can we currently address the zoning code to mitigate this issue? Is the city and/or state building codes keeping pace with escalated flood risk? With the assistance of the City, how can we work to determine local flood plan maps using drainage area less than 1.0 square mile (or less than 640 acres) through use of historical data (311), news reports, and past reports to DPW? How does using a 500-year floodplain assist local communities or hurt them since our building permit process uses it to determine elevations? In the case of E.35<sup>th</sup> Street and Hillen Road, how does the construction of Mervo High School possibly play into the flooding? The community was built in 1940, the school was built in 1953. Do we need to create more inlets in the area, or enlarge the piping at this intersection? I have not even touched on homeowner's insurance: the instability and inability to insure property when urban flooding is not recognized Claim after claim creates higher premiums, loss of savings and retirement benefits to cover what insurance will not, or total loss in coverage thereby putting the property at risk structural deterioration or the homeowner potentially without a home. **This is a complex issue and a complex process** that needs stronger close-knit relationships between our federal, state, and local government emergency management agencies.

I am looking forward to the results of this investigation. I stand ready at the state level to assist and work with the City to mitigate urban flooding.

Sincerely,



Regina T. Boyce



# CHESAPEAKE BAY FOUNDATION

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*Environmental Protection and Restoration  
Environmental Education*

**City of Baltimore**  
**COUNCIL BILL 21-0002R (Resolution)**  
Investigative Hearing- Inland Flood Mitigation

Date: February 24, 2021

To: Health, Environment and Technology Committee

From: Carmera Thomas-Wilhite, Baltimore Program Manager, 443.482.2011, [carmerathomas@cbf.org](mailto:carmerathomas@cbf.org)

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The Chesapeake Bay Foundation (CBF) is a regional non-profit organization focused on reducing pollution entering the Chesapeake Bay and its local waterways. For many years, CBF has monitored stormwater and sanitary sewer overflow issues in Baltimore City with the goal of working to develop solutions, mitigating harmful impacts, and engaging with communities dealing with the implications of the overflows and flooding.

Through community outreach and advocacy, CBF was introduced to the residents of 35<sup>th</sup> Street in the Ednor Gardens/Lakeside community. The conversations revealed that in addition to sanitary sewer overflows, residents were suffering from unprecedented and unpredictable urban flooding events. Residents have lost vehicles, pets and many have almost lost their lives. Ednor Gardens/Lakeside Community is an environmental justice community. According to EPA's EJSCREEN tool, the area has a population that is 87% minority and registers above the 80<sup>th</sup> percentile for five of 11 EJ Indices in the State of Maryland and 10 of 11 indices in EPA Region 3.

These historic flood events have resulted in basement overflows in the homes of residents on 35<sup>th</sup> Street. CBF has learned at public hearings about other residents around the City dealing with similar issues.

As part of our efforts, we engage with community members and representatives from multiple City agencies, like the ones represented today from Department of Public Works, Office of Emergency Management, City Council and state representatives as well to understand the full context of the issue and possible solutions to mitigate flooding.

We hope that this hearing continues to provide more information on the issues and provide some insight to prevention and mitigation measures. In the last year, inland flooding has been elevated to a higher priority, gaining momentum and finally equated to an equity issue. This is not just a waterfront issue. There are residents across the City who have sent complaints and requested help from City agencies and it is imperative that ALL voices are heard and responded to.

As a convener at many jurisdictions and a partner to community members, CBF hopes to continue to be considered a partner in the effort to address inland flooding issues and possible solutions.

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*The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.*

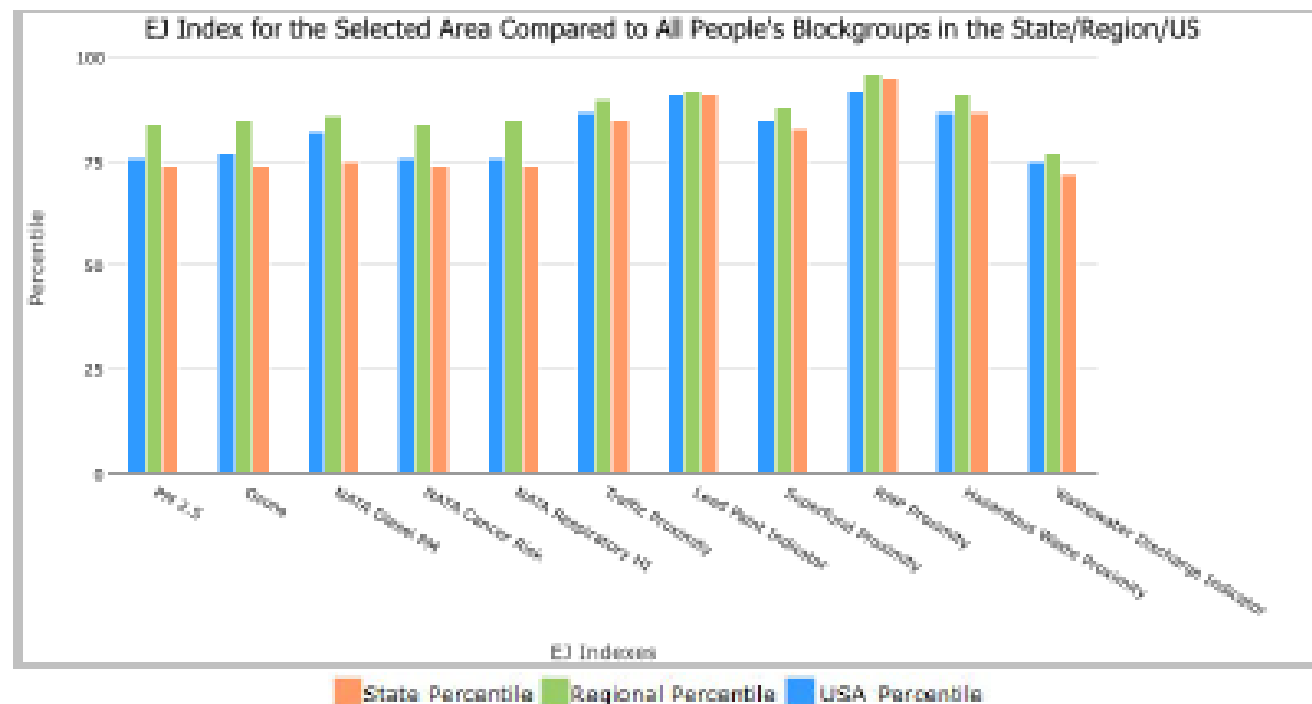


0.3 miles Ring Centered at 39.330934, -76.592291, MARYLAND, EPA Region 3

Approximate Population: 2,399

Input Area (sq. miles): 0.28

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
<b>EJ Indexes</b>			
EJ Index for PM2.5	74	84	76
EJ Index for Ozone	74	85	77
EJ Index for NATA <sup>1</sup> Diesel PM	75	86	82
EJ Index for NATA <sup>1</sup> Air Toxics Cancer Risk	74	84	76
EJ Index for NATA <sup>1</sup> Respiratory Hazard Index	74	85	76
EJ Index for Traffic Proximity and Volume	85	90	87
EJ Index for Lead Paint Indicator	91	92	91
EJ Index for Superfund Proximity	83	88	85
EJ Index for RMP Proximity	95	96	92
EJ Index for Hazardous Waste Proximity	87	91	87
EJ Index for Wastewater Discharge Indicator	72	77	75



This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

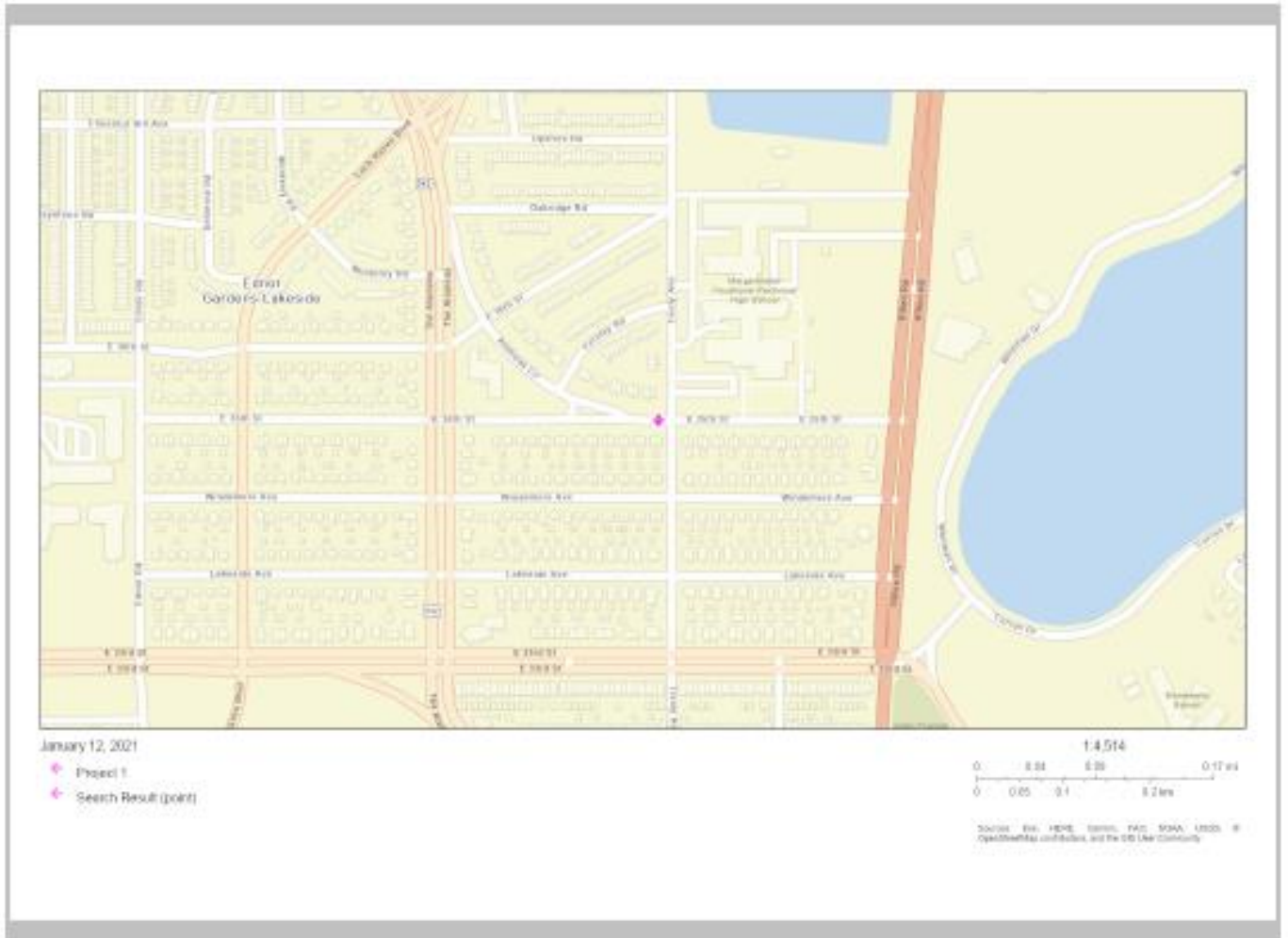




**0.3 miles Ring Centered at 39.330934,-76.592291, MARYLAND, EPA Region 3**

**Approximate Population: 2,399**

**Input Area (sq. miles): 0.28**



Sites reporting to EPA	
Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	0

0.3 miles Ring Centered at 39.330934,-76.592291, MARYLAND, EPA Region 3

Approximate Population: 2,399

Input Area (sq. miles): 0.28

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Environmental Indicators</b>							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$ )	8.52	8.33	63	8.64	54	8.3	56
Ozone (ppb)	49.2	47.2	86	44.9	97	43	88
NATA* Diesel PM ( $\mu\text{g}/\text{m}^3$ )	0.778	0.633	68	0.477	80-90th	0.479	80-90th
NATA* Cancer Risk (lifetime risk per million)	34	32	72	31	70-80th	32	60-70th
NATA* Respiratory Hazard Index	0.48	0.44	67	0.4	80-90th	0.44	60-70th
Traffic Proximity and Volume (daily traffic count/distance to road)	1300	730	82	640	87	750	85
Lead Paint Indicator (% Pre-1960 Housing)	0.82	0.29	92	0.36	90	0.28	93
Superfund Proximity (site count/km distance)	0.17	0.13	82	0.15	78	0.13	81
RMP Proximity (facility count/km distance)	3	0.66	95	0.62	97	0.74	95
Hazardous Waste Proximity (facility count/km distance)	3.1	1.7	84	1.3	88	4	84
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	1.5E-07	0.22	32	30	22	14	37
<b>Demographic Indicators</b>							
Demographic Index	57%	35%	81	30%	87	36%	80
Minority Population	87%	48%	80	32%	91	39%	88
Low Income Population	28%	23%	69	28%	57	33%	47
Linguistically Isolated Population	0%	3%	48	3%	55	4%	45
Population With Less Than High School Education	25%	10%	91	11%	92	13%	85
Population Under 5 years of age	2%	6%	12	6%	14	6%	13
Population over 64 years of age	25%	14%	91	16%	87	15%	88

\* The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

For additional information, see: [www.epa.gov/environmentaljustice](http://www.epa.gov/environmentaljustice)

EJSCREEN is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJSCREEN outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.