

Recent Floodplain Management Legal Publications Which Are Available on the Internet

A) Mitigating Misery: Land Use and Protection of Property Rights Before the Next Big Flood.
Authors: Edward A. Thomas Esq. and Sam Riley Medlock JD. Vermont Journal of Environmental Law, Vol. 9, 2008.

Law Review Article on the National Flood Insurance Program and the concept of No Adverse Impact Floodplain Management.

Located at:

http://www.floods.org/PDF/Mitigation/ASFPM_Thomas&Medlock_FINAL.pdf

B) The Patchwork Quilt: A Creative Strategy for Safe & Long Term Post-disaster Rebuilding,
Authors: Edward A. Thomas Esq. and Sarah Bowen CFM.

A White Paper on how to develop and fund proper, sustainable post disaster recovery.

Located at:

http://www.floods.org/PDF/Post_Disaster_Reconstruction_Patchwork_Quilt_ET.pdf

A PowerPoint Presentation of the Patchwork Quilt Workshop as presented at the National Floodproofing Conference in New Orleans in November 2008 is located at:

http://www.floods.org/PDF/Patchwork_Quilt/Patchwork_Quilt_Floodproofing_Conference_10908.pdf

C) A Comparative Look at Public Liability for Hazard Mitigation,

Author: Jon Kusler, JD, PhD, ASFPM Foundation, 2009.

Available at:

http://www.floods.org/PDF/Mitigation/ASFPM_Comparative_look_at_pub_liability_for_flood_haz_mitigation_09.pdf

D) “A Perfect Storm of Opportunities to Establish and Fund a Program to Reduce Misery and Protect Water Resources”

Author: Edward A. Thomas Esq., in Louisiana Coastal Law, Vol. 89, April 2008.

Article for the Louisiana State University, Sea Grant Law and Policy Program, which discusses why we should develop a unified program to treat water as a precious resource.

Located at:

http://www.lsu.edu/slegal/pdfs/lcl_89.pdf

E) “Significant Nexus” and Clean Water Act Jurisdiction.

Authors: Jon Kusler Esq., PhD, Patrick Parenteau, Esq., and Edward A. Thomas Esq.

Discussion paper for the Association of State Wetland Managers, March 2007.

Located at:

http://www.aswm.org/fwp/significant_nexus_paper_030507.pdf

F) Audio Recording of “Failed Dams and Levees”

As delivered by: Edward A. Thomas Esq., at the 2008 Association of State Floodplain Managers Annual Conference.

Located on the Georgia association of Floodplain Managers web-site:

http://www.gafloods.org/Audio_Training/Legal_Challenges_Dams_Levees.wav

G) Audio Recording of “No Adverse Impact (NAI) Property Rights - Legally Protecting the Rights of All” As delivered by: Edward A. Thomas Esq., at the 2008 Association of State Floodplain Managers annual Conference.

Located at:

http://www.gafloods.org/Audio_Training/No_Adverse_Impact.wav

H) Failed Dams and Levees: Examining Engineering Liability.

PowerPoint for a Web-Cast for American Council of Engineering Companies May 2007.

Located at:

http://www.acec.org/advocacy/pdf/may07_thomas_presentation.pdf

I) Legal Implications of No Adverse Impact Floodplain Management, PowerPoint Presentation for the National Academies of Science, Disasters Roundtable October 2005.

Available at:

<http://dels.nas.edu/dr/docs/dr15/Thomas.pdf>

J) No Adverse Impact Coastal Handbook, Association of State Floodplain Managers, May 2007. Many Authors including: Edward A. Thomas Esq.

Available at:

<http://www.floods.org/CNAI/index.asp>

K) Brochure Titled: Property Rights and Community Development: A Legal Framework for Managing Watershed Development, an ASFPM staff developed document based on materials developed by Wes Shaw and Edward A. Thomas Esq., and others for the Massachusetts Coastal Zone Management Agency’s StormSmart Coasts Program.

Available at:

http://www.floods.org/NoAdverseImpact/NAI_Legal_Framework_Watershed_Development_2007.pdf

L) Massachusetts Coastal Zone Management Agency Storm Smart Coasts Materials, a series of brochures developed based on materials developed by Wes Shaw and Edward A. Thomas Esq., and many others:

1.) StormSmart Coasts Fact Sheet 1, Introduction to No Adverse Impact (NAI) Land Management in the Coastal Zone, available at:

http://www.mass.gov/czm/stormsmart/resources/stormsmart_nai.pdf

2.) StormSmart Coasts Fact Sheet 2, No Adverse Impact and the Legal Framework of Coastal Management, available at:

http://www.mass.gov/czm/stormsmart/resources/stormsmart_legal.pdf

3.) StormSmart Coasts Fact Sheet 3, A Cape Cod Community Prevents New Residences in Floodplains available at:

http://www.mass.gov/czm/stormsmart/resources/stormsmart_chatham.pdf