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**ASSOCIATION OF STATE FLOODPLAIN MANAGERS, INC.**

## **ANNUAL CONFERENCE BIGGER, BROADER, BETTER**

The Association of State Floodplain Managers' 29th annual conference was held June 12-17, 2005, in Madison, Wisconsin, also the site of the ASFPM's first national conference (in 1982). This time, almost 950 participants from around the United States and the world attended (compared to just under 150 at the inaugural meeting). The 2005 conference showed not only that the enthusiasm and dedication of the floodplain management community has become even stronger over the years, but also that the field itself has broadened and deepened considerably. The week overflowed with expert technical presentations, small-group discussions, training sessions, technical field trips, and exhibits.

The opening plenary session set the theme for the whole conference: "No Adverse Impact—Partnering for Sustainable Floodplain Management." Chad Berginnis, Ohio Department of Natural Resources and Chair of the ASFPM, explained how local handling of extreme natural events (like floods) requires both cooperation among diverse partners in the public and private sector and looking ahead to anticipate future development and related problems. Steve Fontana, State Representative from Connecticut, relayed the process of self-education, coalition-building, and perseverance that he endured over the past few years in getting "no adverse impact" legislation passed in his state. Meg Galloway, President of the Association of State Dam Safety Officials, described the interactions—both in Wisconsin and nationally—among floodplain management and dam safety initiatives and programs.

Welcome updates on the programs of three key federal partners were offered at the second plenary session. It featured Steve Blanchard, U.S. Geological Survey; Vice Admiral Conrad C. Lautenbacher, Jr., Administrator of the National Oceanic and Atmospheric Administration; and Dave Maurstad, Acting Federal Insurance Administrator and Director of Mitigation for FEMA, all of whom highlighted both new and ongoing initiatives to foster sound floodplain management at all levels.

The Wednesday plenary session asked, "Where are we going and how are we doing in Map Modernization?" Different perspectives were given on the goals, implementation, and benefits of this massive nation-wide program to improve flood maps. A question-and-answer interlude clarified some murky areas and shed light on new concerns. The able speakers were Michael Howard, FEMA; Roslyn Trojan, Michael Baker, Jr., Inc.; Bill Brown, DuPage County, Illinois; Jim Williams, Nebraska Department of Natural Resources; and Bill DeGroot, National Association of Flood and Stormwater Management Agencies and Urban Drainage and Flood Control District, Denver.

The final plenary panel was a thoughtful one, juxtaposing sweeping questions of disaster mitigation policy in the aftermath of the four 2004 hurricanes (explored by Todd Davison, FEMA) with the need for intimate stewardship of the landscape and watersheds (as fostered by the restoration programs of the Sand County Foundation, represented by Brent Haglund, and the conservation programs of the Natural Resources Conservation Service, represented by Patricia Leavenworth).

Numerous small group sessions dealt with the various issues of Map Modernization; floodplain delineations with GIS; integrated watershed management; technology and its applications; public awareness; the National Flood Insurance Program; and many others.

The ASFPM held its annual membership and committee meetings, elected new Board members [*see back panel of this issue*], and administered the Certified Floodplain Managers

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## Conference (cont.)

examination. The exhibit halls provided a place to get acquainted both with other people and with new activities, products, and programs in all aspects of floodplain management. The ASFPM Foundation held another successful silent auction. Regions, chapters, and state associations held breakfast gatherings to exchange news and ideas, and there were also early-bird roundtables centered on NAI in coastal areas, issues related to tsunamis, severe repetitive flood losses, and coordinating the International Code Series with local floodplain ordinances. At the Thursday luncheon annual awards were presented [see below].

Before and after the conference there were training workshops on hydrology and hydraulics for floodplain managers; integrating risk management and resource management; applying for a Pre-Disaster Mitigation Program grant; using the building elevation certificate; sources and strategies for funding mitigation; digital map production; and others. Technical field trips examined stormwater projects and rain gardens; management measures in the Menomonee River watershed; and the flood recovery/restoration project done in historic downtown Darlington, Wisconsin. The annual golf tournament and other chances to socialize and network rounded out the gathering.

For an updated participant list, photos, and other information, see <http://www.floods.org>. The technical papers presented at the conference will be released as proceedings this fall. □

*Yet again the ASFPM is indebted to the over-the-top efforts of those who helped this bigger and better Madison event take place. We thank the Conference Host, the Wisconsin Association for Floodplain, Stormwater and Coastal Management (led by Dave Fowler, CFM; Susan Josheff, Roxanne Gray, Gary Heinrichs, Miriam Anderson, and Mike Klitzke, CFM); Program Chair Ricardo Pineda, CFM; Exhibits Coordinator Dan Accurti; and the ASFPM staff.*

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## FLOODPLAIN MANAGEMENT AWARDS

*These outstanding individuals, projects, and programs in floodplain management were honored at the ASFPM's annual conference in Madison, Wisconsin.*

### **The James Lee Witt Award for Local Excellence in Floodplain Management**

(Three James Lee Witt Awards were presented this year.)

The City of **Lincoln, Nebraska**, has completed a comprehensive watershed master plan through a collaborative process with stakeholder and public involvement. This exemplary management approach incorporates higher regulatory standards (also applying to areas outside the identified floodplain), infrastructure, detailed mapping, no net rise, compensatory storage, minimum-width riparian corridors and creek buffers (to minimize impacts on water quality and stream stability), cluster development, open space, and buyouts of floodprone property.

The **Texas Colorado River Floodplain Coalition**, based in Austin, Texas, combines the efforts and interests of over 50 localities into basin-wide solutions to floodplain management. Through meetings, committee work, its website, model regulations, and cooperation with federal agencies such as the National Weather Service and FEMA, the Coalition is working on basin-wide map modernization, no-net-loss storage, a 2-foot freeboard requirement, an all-hazards mitigation plan, a prohibition on floodway development, and identifying funding for mitigation efforts.

**Jefferson County, Alabama**, was honored for its comprehensive local floodplain management program. Among its components are outreach to multiple communities, focusing on people and property at risk from floods; the institution of higher regulatory standards with a 3-foot freeboard requirement; and digitization and upgrade of the Flood Insurance Rate Maps with additional locally pertinent information. The County has allocated \$4 million for implementation of mitigation strategies. A mitigation priority rating system is in place for acquisition and buyouts. Part of the County's success is due to its regular use of public hearings, advertisements, mailings, and property owner meetings.

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## **The Tom Lee State Award for Excellence in Floodplain Management**

The Floodplain Management Division of the Nebraska Department of Natural Resources received the 2005 Tom Lee State Award. Long a force on the Midwestern floodplain management scene, the Division has strong statutory authority for implementing flood protection standards throughout the state, including measures for preserving natural resources and functions of floodplains as well as minimizing flood damage. An ongoing project is the Division's large-area mapping and geographic information system (GIS) initiative, which is being done in conjunction with FEMA. Besides tending to in-state matters, the Division staff contributes its considerable expertise at the national level to share the lessons it has learned and to help promote effective floodplain management in other states.

### **Media Awards**

(Two Media Awards were made this year.)

One went to the *Sacramento Bee* of Sacramento, California, for a three-part series that examined how state budget cuts and haphazard development have contributed to flood threats in the Sacramento Valley. The articles used detailed graphics to show where levees faced serious erosion problems. They also examined how recent court decisions have increased state liability for flood control works. The series helped focus public attention on the problems of aging levees and the challenges of maintaining them while still protecting environmental values and keeping within a budget.

Another Media Award was presented to the *Houston Chronicle* of Houston, Texas, for its coverage of the Tropical Storm Allison Recovery Project, one of the largest floodplain map re-studies in the nation. The *Chronicle* provided balanced and accurate reporting about flooding and Flood Insurance Rate Maps, helping to educate residents of the region about both the flood hazard and the programs and techniques available for coping with it. Over 40 articles were issued, targeted especially to citizens, and these spawned additional coverage by other media outlets.

### **The Larry R. Johnston Local Floodplain Manager Award**

Thomas Rodrigue of Jefferson Parish, Louisiana, was named Local Floodplain Manager of the Year. Although he had over 30 years of emergency preparedness experience through the National Guard, since he became the floodplain manager for the Parish in 2000, Rodrigue has sharpened his skills by taking both the National Flood Insurance Program and Community Rating System courses at the Emergency Management Institute, and obtaining Certified Floodplain Manager status. Last year he was honored by the Louisiana Floodplain Managers Association with a certificate of achievement for his active support of that group's work throughout the state, as well as his work in the Parish. One of his pet initiatives has been finding ways to resolve repetitive flood problems. As a member of the Louisiana delegation helping formulate the guidance on implementation of the Flood Insurance Reform Act of 2004, Rodrigue was instrumental in having the "demo/rebuild" provisions incorporated. Under his direction, Jefferson Parish has advanced in the Community Rating System to a Class 7 community, one of only two in Louisiana.

### **The John R. Sheaffer Award for Excellence in Floodproofing**

The Sheaffer Floodproofing Award was presented to the Lexington-Fayette Urban County Government (based in Lexington, Kentucky) which, since 1992, has administered a cooperative floodproofing program geared toward helping homeowners prevent flooding problems. Local funds are used to assist residents whose homes flood from overland flow—a problem often are not addressed in larger public works projects. The program reimburses up to 50% of the cost of structural changes homeowners make to keep out surface floodwater, as recommended by the County. The average cost outlay per property is about \$4,000. More than 340 residents have been assisted through the program, at a cost of over \$1.2 million.

# COURTS ISSUE GOOD NEWS FOR FLOODPLAIN MANAGEMENT

by **Edward A. Thomas, Esq.**  
**Michael Baker, Inc.**  
“Challenge US”

Over the past few years there has been a considerable amount of discussion about when a regulation—such as those used to manage floodprone areas—goes so far in restricting a property owner’s ability to develop his or her property that it becomes a “taking” of that property in contravention of the property rights guaranteed in the Constitution of the United States. Recent decisions by the U.S. Supreme Court, the New York Court of Appeals (the highest court in New York State), and the Massachusetts Supreme Judicial Court have clarified the law on takings in ways that are extremely favorable to hazard regulators in general, and floodplain managers in particular.

## Background

The Fifth Amendment to the U.S. Constitution states “nor shall private property be taken for public use without just compensation.” Some famous court cases clarified this guarantee, notably *Pennsylvania Coal Company vs. Mahon*, 260 U.S. 293 (1922), which stated that a government regulation that restricts a property owner’s freedom to use his or her property to such an extent that such regulation can constitute a “taking.” In such instances, courts rule that compensation must be awarded to the property owner. After such a ruling, the regulation in question is often rescinded or watered down.

## Recent U.S. Supreme Court Cases

### *Tests for a Taking*

The United States Supreme Court recently issued a ruling in the case of *Lingle v. Chevron*, No. 04-163, decided May, 23, 2005. The case itself involved a Hawaii law that set up rent control for gas stations. The significance for floodplain managers is that the unanimous opinion of the Court clearly sets forth the bases for ruling in favor of a property owner’s claim of regulatory taking.

- (1) **Physical invasion of the property**, as in *Loretto v. Teleprompter Manhattan*, 458 U.S. 419 (1982). The *Loretto* case involved a New York City requirement that all residential buildings must permit a cable company to install cables, and a cable box the size of a cigarette pack. The Court held that any physical invasion must be considered a taking.
- (2) **A total, or near-total regulatory taking**, as exemplified by the case of *Lucas v. South Carolina Coastal Council*, 505 U.S. 1003 (1992). In this case, plaintiff Lucas was completely prohibited from building a home on the only vacant lots left on an otherwise fully developed barrier beach just outside Charleston.
- (3) **A significant, though not nearly total taking**, as exemplified by *Penn Central Transportation Company v. New York City*, 438 U.S. 104 (1978), where historic preservation regulations prevented the railroad

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## Court Cases (cont.)

from building above Grand Central Station in New York City to the full height permitted by the overlay zoning. The company was provided transferable development rights, and the Court held that this historic preservation regulation was not a taking.

- (4) **Land use exactions not related to the articulated government interest**, as in *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987). The Coastal Commission conditioned a permit to expand an existing beachfront home on the owner's granting an easement to allow the public to cross his beachfront land. The articulated government interest was that the lateral expansion of the home would reduce the amount of beach and ocean visible to the public from the road. The Court indicated that preserving public views from the road really did not have an essential connection (or nexus) with allowing folks to cross a beach. The Court also cited *Dolan v. Tigard*, 512 U.S. 374 (1994), a case in which someone wanted to expand a plumbing store and the community wanted the store to give the community some adjacent floodplain property and an easement for a bike path in return for the possible increase in traffic caused by the store's expansion. As in *Nollan*, the court in *Dolan* had basically indicated that there was really no relationship between the government's interest (in reducing traffic) and the exaction it attempted to impose (space for a bikepath).

An important omission from the newly approved "tests" for a taking was an earlier test used in *Agins v. City of Tiburon*, 447 U.S. 255 (1980). In that case, the Court had established a two-part test for determining a taking: (1) whether the regulation substantially advances a legitimate state interest, and (2) whether the regulation denies the owner an economically viable use of the land. In the recent *Lingle* ruling, the Court specifically indicated that it will no longer use the first part of that test. The removal of the "substantially advances a legitimate state interest" takings test is a huge help to floodplain managers, and to planning in general. In essence, the question of whether an action by a legislative body "substantially advanced a legitimate state interest" had been providing a mechanism by which courts could second-guess the relative merits of enacted laws. In this opinion, the Supreme Court is indicating that it will defer to legislative decisions unless there is no real relationship between what the legislative body desires and the action taken, or there is some other due process or equal protection issue. This is explained in the *Nollan* and *Dolan* decisions and also in Justice Kennedy's concurring opinion in *Lingle*.

The Court summed up its reasoning in *Lingle* by stating that the four tests it listed "... all aim to identify regulatory actions that are functionally equivalent to a direct appropriation of or ouster from private property." This clear statement by the highest court in the nation tremendously supports both the principles of the National Flood Insurance Program (NFIP) and No Adverse Impact floodplain management. Both the NFIP and NAI strive to help communities and property owners develop safely and properly without causing harm to others. Neither the NFIP nor NAI principles cause or support a government's ouster of owners from their land (or appropriation of that land), so regulations or policies that follow those principles would not be considered takings.

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## **Court Cases (cont.)**

### ***Economic Development as a “Public Use”***

*Kelo v. New London*, U.S. Supreme Court, No.04-108, decided June 23, 2005, involves condemnation, that is, a “paid taking” of residences. The case has to do with whether economic development in a community is considered a “public use” for purposes of a taking as described in the Constitution. The five-to-four decision that, yes, economic development can be considered a public use, shows how much deference the majority of the Justices are willing to give to local decision makers who, in this case, had decided to condemn private land so that commercial redevelopment could take place. Pro-government and planning associations cheered the decision. However, it was also greeted by widespread public concern, outrage, and proposed legislative correction of the decision from groups concerned about the rights of minorities as well as property rights advocates. This widespread concern illustrates the extreme sensitivity of issues involving property rights. For floodplain managers, the primary lesson of this case is that the Court was willing to give enormous deference to local decisions about what is best for a community, thus offering support to the concepts and principles of No Adverse Impact floodplain management.

### ***State Court Decisions Final***

*San Remo Hotel v. City and County of San Francisco*, U.S. Supreme Court No. 04-340, decided June 20, 2005, was a unanimous decision in a case involving fees charged to permit the change of use of a hotel. It does not directly relate to hazard regulation. Nevertheless it is important to floodplain managers because it indicates that takings claimants who have already litigated in state court do not get another “bite at the apple” in federal court.

## **Recent State Cases**

### ***Identifying Hazards and Impacts***

In *Gove v. Zoning Board of Appeals of the Town of Chatham*, Massachusetts Supreme Judicial Court, decided July 26, 2005, the Town of Chatham zoned several areas, including its Special Flood Hazard Areas (the area identified by the Federal Emergency Management Agency as being subject to at least a 1% annual chance of flooding), in such a way that a variance was required to build. Gove sold a 1.8-acre parcel of land on the condition that a building permit for a single-family home would be issued. The Town declined to issue the permit, and Gove sued, alleging a taking. In this decision, Massachusetts’ highest court emphasized that the Town of Chatham had identified unique hazards on this erosion-prone coastal A-Zone property. The court found that the plaintiffs had not sufficiently shown that they could construct a home in this area without potentially causing harm to others.

The Town made a good case that this is not just any A-Zone property in an SFHA. It is on the coast adjacent to the V Zone, in an area that has experienced major flooding and is now exposed to the open ocean waves due to a breach in a barrier beach just opposite the site. Further, it is subject to both accelerated “normal” erosion and storm-related erosion.

This decision by the Massachusetts Supreme Judicial Court very much validates and supports the NFIP, the concept of No Adverse Impact floodplain management, and hazards-based regulation in general. While the decision is binding only on Massachusetts courts, it should have persuasive effect in other jurisdictions.

### ***Conservation Easements***

*Smith v. Town of Mendon*, 4 No. 177 New York Court of Appeals, decided December 21, 2004, involved a requirement by a town that, as a condition of issuance of a building permit,  
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## Court Cases (cont.)

the property owner must grant a conservation easement for some portions of the site, including flood hazard areas, on which the Town had imposed conservation overlay zoning that severely restricted development. The owner did not propose to build on these environmentally sensitive areas, but at the same time did not want to limit any future activity by granting a conservation easement. New York's highest court issued a sharply divided (4-3) opinion that upheld the Town's requirement.

From a floodplain management perspective, the interesting thing is that there was no real argument in the case that the Town's restriction on building in flood hazard areas was a taking. The plaintiff only argued against an easement that would restrict future development on other parts of the land, yet the court still upheld the community's requirement aimed at protecting environmentally sensitive and hazard-prone areas.

### Summary

Floodplain managers can be heartened by the decisions and opinions in three Supreme Court cases and those in two states, all of which support the concept of government management of areas prone to flooding.

- Four tests for a "taking" have been clearly delineated by the Supreme Court, all of which tend to restrict takings to fairly narrow circumstances.
- The Supreme Court has indicated that deference will be given to local decisions in matters of land use and community development—a stance helpful to floodplain management because it underscores the responsibility and prerogatives of localities for management of land within their jurisdictions.
- The high courts in two influential states have supported communities' zoning, regulations, and other management techniques intended to protect development from hazards, to prevent development from having adverse impacts on other property, and to preserve environmentally sensitive areas.

>>> For additional information on legal aspects of floodplain management, see <http://www.floods.org>.

#### **Author's Note**

*This article is a pro bono presentation on behalf of the Association of State Floodplain Managers. It reflects the personal views of the author. The statements and views contained in this article are not legal advice, but rather a statement of general principles of law. The law, especially property law, is enormously driven by the individual facts of a situation as well as state and local law. For legal advice, see an attorney licensed in your jurisdiction.*

*This article is dedicated to my friend and mentor, attorney Jon Kusler, Ph.D., whose research and partnership served as the foundation of this work.*

*My thanks also to Michael Baker, Inc., which is providing generous financial support to enable me to conduct the research necessary to develop this article as well as the ongoing series of lectures on behalf of the ASFPM, which explains in more detail the concepts set forth here.*

## Halfway through Hurricane Season . . .

### Coastal Residents Flunk Hurricane Test

A recent poll conducted by the Mason-Dixon Polling and Research group shows that coastal residents lack sufficient knowledge of tropical storm dangers.

According to the poll, "When asked a 20-question test about hurricane-related facts and issues, the average coastal state adult was only able to answer 8 correctly, with an overall average of 42 on a 100-point scale. Only 22% were able to answer more than 10 of the 20 questions correctly, and only 2% got a "C" grade or better by answering 14 or more correct (70 on a 100-point scale). An additional 9% passed with a "D" (60-69 on a 100-point scale). Overall, 89% failed the test." The poll continued, "Of more concern is that adults who lived within 10 miles of the coast did not score higher than those who lived inland. Both groups of adults averaged 8 correct answers out of 20. Those who had experienced a hurricane before only scored marginally higher than those who have not."

Three of the important questions that a large majority of adults got "wrong" dealt with the most dangerous components of hurricanes. Only 20% correctly identified storm surge as the greatest threat to human life from a land-falling hurricane, and only 15% knew that the majority of hurricane fatalities from drowning have occurred in inland counties. Only 29% knew that tornadoes associated with hurricanes are spawned in rain bands hundreds of miles from the eye of the storm—the large majority thought these tornados were generally limited to within three miles of the eye.

On the brighter side, those who live within 10 miles of the coast appear to be somewhat more prepared, as 63% have a hurricane plan, 54% feel vulnerable, and 26% could have their homes secured in a few hours. Of those who have experienced a hurricane, 70% have a plan, 51% feel vulnerable, and 28% could have their homes secured in a few hours. However, even among the most directly threatened or hurricane-experienced adults, many do not feel vulnerable and are not prepared.

The poll, commissioned by the National Hurricane Survival Initiative, a public-private partnership, highlights the importance of redoubling efforts to educate residents about tropical storm safety.

> > > For more of the poll results, and the questions it asked, see

[http://hurricanesafety.org/mediakit/masonDixon\\_poll.pdf](http://hurricanesafety.org/mediakit/masonDixon_poll.pdf).

*[excerpted from **Aware**, Spring 2005, pp. 7-8]*

### NOAA Updates Hurricane Predictions

On August 2 the National Oceanic and Atmospheric Administration (NOAA) announced an increase in the number of storms predicted for the 2005 Atlantic hurricane season, already a very active one. NOAA expects an additional 11 to 14 tropical storms from August through November, with 7 to 9 becoming hurricanes, including 3 to 5 major hurricanes. In all, this season is likely to yield 18 to 21 tropical storms, with 9 to 11 becoming hurricanes, including 5 to 7 major hurricanes.

An average Atlantic hurricane season runs from June 1 to November 30. Atmospheric and oceanic conditions that favor an active hurricane season are now in place, as was predicted in the pre season outlook. The 2005 season is likely to become the ninth above-normal Atlantic hurricane season in the last 11 years.

> > > For the complete hurricane season outlook, see [http://www.cpc.](http://www.cpc.ncep.noaa.gov/products/outlooks/hurricane.html)

[ncep.noaa.gov/products/outlooks/hurricane.html](http://www.cpc.ncep.noaa.gov/products/outlooks/hurricane.html).

# Washington Report

## LEGISLATIVE REPORT

### Before the Recess . . .

Congress has recessed for the month of August and will reconvene on September 6th. A major focus will be appropriations measures since Fiscal Year 2006 starts on October 1st.

The appropriations bills are further along at the end of July than has been the case for a number of years. The first two bills to be approved by the Congress—Interior and Legislative Branch—were agreed to on July 29th and have been sent to the White House for the President's signature. Three other bills, Homeland Security, Energy and Water, and Foreign Operations, have passed both the House and Senate and are in or ready for conference. All of the other bills have passed the House. With the lone exception of the Defense Appropriations bill, all have been reported out of the Senate Appropriations Committee and are awaiting Senate floor consideration.

Among the bills that were finished and sent to the White House was, at long last, the highway bill (H.R. 3). That major piece of legislation had been held up during the previous Congress as well as during this Congress over a number of issues, but particularly the overall funding level. The President had played a role in the delay by insisting that he would not sign a bill that exceeded his cost expectations. Unfortunately, during the House-Senate Conference, the provision for a 2% set-aside for mitigation of stormwater runoff caused by highways was eliminated. The provision was included in the Senate bill, but not the House version. A strong objection to set-asides on the House side clearly won out. House Committee staff did indicate, during a meeting with ASFPM representatives, that the Committee might be interested in looking into the extent to which states actually use Highway Fund money for stormwater runoff mitigation. The Department of Transportation apparently maintains that all states already mitigate stormwater impacts of new and existing highways, which seems questionable.

A number of other bills are in an active status, having passed either the House or Senate or been reported out of committee. Those include the Coastal Zone Management authorization, the National Oceanic and Atmospheric Administration Organic Act (H.R. 50), the Integrated Ocean Observing System (IOOS) authorization (S. 361), the Water Resources Development Act (H.R. 2864), and others listed below.

### Appropriations

**Homeland Security**—Despite more than a week of staff-level negotiations over differences between the House- and Senate-passed versions, there were still outstanding issues that prevented agreement on a Conference Report before the August recess. Major differences in the FEMA portions of the bill need to be resolved (H.R. 2360; H.Rept. 109-79; and S. Rept. 109-83).

Pre-Disaster Mitigation is funded at the budget request of \$150 million in the House bill, but at only \$37 million in the Senate bill. The Senate report cites \$117.5 million in available carryover funds. FEMA has indicated that those funds are, in fact, already committed to FY '05 projects although they have not yet actually been obligated, so no funds are actually available for carryover to FY '06.

This misunderstanding may have created some concern about the continued commitment of these funds for FY '05 grants, but FEMA would like to clarify that those funds remain dedicated to the FY '05 competitive cycle.

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## Washington Report (cont.)

Another major difference is that the House provides \$99 million for the existing Flood Mitigation Assistance program and the newly authorized programs to deal with repetitive flood losses. The Senate provides only \$28 million for the existing FMA. There was some concern on the Senate side about the Treasury borrowing status of the Fund. The NFIP has an excellent track record of repayment to the Treasury with interest. The repetitive loss programs would substantially reduce an estimated annual loss to the Fund of \$200 million for repetitive claims.

Neither the House nor Senate bill acted on the Administration's request to reduce the Hazard Mitigation Grant Program's 20% for Enhanced Plan states to 12.5%. Enhanced Plan HMGP will remain at 20%.

Map Modernization funding, \$200 million in both bills, is not a conference item.

**Energy and Water**—This bill (HR 2419; H Rept. 109-86; S Rept. 109-84) passed the House on June 30. In it, the Corps of Engineers' Flood Plain Management Services (FPMS) program was funded at the budget request of \$5.62 million (down from a program level of \$6.81 million for FY '05). The Senate provided \$8.9 million for FY '06 with earmarks. This will be a conference item.

Section 22 Planning Assistance to States (PAS) was funded by the House at the budget request of \$4.65 million (down from \$8 million). The Senate bill brings the funding level to \$7.5 million with earmarks. This will be a conference item as well.

**Environmental Protection Agency**—Overall funding for EPA is \$7.7 billion (\$294 million below FY '05). Targeted Watersheds are funded at \$16.8 million (down from \$20 million). National Estuaries Program/Coastal Watersheds are funded at \$24.4 million (up from \$20 million). The Land and Water Conservation Fund is funded at \$30 million (down from \$91.2 million, but a substantial increase over the budget request of \$1.57 million). The Wetlands Conservation Fund is funded at \$40 million (up from \$38 million but less than the budget request of \$49.9 million).

**Agriculture**—For the Natural Resources Conservation Service, the Senate recommended \$819.5 million; the House included \$773.6 million; the budget request was \$767.7 million. Last year's funding was \$830.6 million.

Watershed Surveys and Planning was funded by the Senate at \$5.1 million, the same as the budget request, and by the House at \$7 million. FY '05 funding was \$7 million. Watershed and Flood Prevention Operations was funded at \$60 million by both the House and Senate. FY '05 funding was at \$74.9 million but the budget request for FY '06 was \$0. The Watershed Rehabilitation Program was funded by the Senate at \$27.3 million or slightly over the FY '05 level. The House provided \$47 million. The budget request was \$15.1 million.

**Interior and Environment**—The final bill and conference report (H.R. 2361; H. Rept. 109-188) were sent to the White House on July 29. The U.S. Geological Survey will receive \$976 million (\$40.6 million over FY'05). This actually exceeds the amounts appropriated in both the House and Senate bills. There had been some erroneous reporting indicating a lower funding level, but the figure above is the amount agreed to. Earlier major cuts to the USGS Minerals program were restored. Funds for streamgages, both the federally funded National Streamflow Information System and the cooperative gage program, were the same in both the House and Senate bills. The Conference Report did significantly soften language in the House Report that "strongly discourages WRD from providing commercially available services to Federal and non-Federal entities through its cooperative water program" by simply making an expression of concern.

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# Washington Report (cont.)

## Other Legislation

The House Financial Services Committee's Subcommittee on Housing and Community Opportunity held a hearing on FEMA's Flood Map Modernization program on July 12. Jim Williams, Co-Chair of the ASFPM Mapping and Engineering Committee, testified for the ASFPM. Others testifying included David Maurstad, FEMA's Acting Director for Mitigation and Insurance, William Jenkins of the U.S. General Accounting Office, Michael Bullock of Intermap, Scott Edelman of Watershed Concepts, and Cheryl Small of the National Flood Determination Association. The ASFPM testimony can be found on the its website. Other testimony can be found by going to <http://financialservices.house.gov/hearings.asp?formmode=detail&hearing=403>.

The House passed H.R. 804 on July 12. This bill was introduced by Richard Baker (R-LA) and clarifies that disaster mitigation funds should not be considered as income for the purpose of means-tested programs such as Medicaid or student loan assistance. A similar bill has been introduced in the Senate (S. 1386) by Mel Martinez (R-FL).

The House Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings and Emergency Management marked up two bills. H.R. 3208, introduced by Bobby Jindal (R-LA), clarifies that private, non-profit religious institutions are eligible for disaster assistance. This bill is likely to be acted on quickly. The other is H.R. 2338, introduced by Barbara Cubin (R-WY), which creates a Small State Advocate office for FEMA and requires a study of disaster declarations for states with small populations.

Earl Blumenauer (D-OR) has drafted the Safe Communities Act. The legislation would provide funds for DHS to make grants to local governments for developing or updating natural hazard mitigation plans, land use planning documents, and "regulations to reduce community risk and mitigate against the debilitating social and economic impacts of natural and man-made disasters, to promote more thorough, long-term comprehensive planning for emergency preparedness, risk reduction, sustainable economic development and environmental stewardship."

Both the House and Senate banking committees are developing major regulatory relief legislation and hearings have been held. Banking regulators have made recommendations for provisions that would affect the NFIP. The ASFPM has commented on those recommendations to the staff of both the House Financial Services Committee and the Senate Banking Committee. The House Committee has dropped its bill in the "hopper" without any flood insurance provisions, based on comments it received.

The House had considered the following three recommendations:

(1) Increase the maximum dollar amount qualifying for the "small loan" exception to the requirement to purchase flood insurance and adjust that maximum loan amount periodically based on the Consumer Price Index.

(2) Eliminate the 15-day gap between the 30-day grace period during which flood insurance coverage continues after policy expiration before a lender can purchase insurance on the borrower's behalf.

(3) Provide discretion to the federal entity responsible for lending regulation to impose civil money penalties in findings of patterns or practices of violations of flood insurance requirements.

The Senate Banking Committee has those three under consideration along with:

(4) Allow lenders to rely on information from licensed surveyors as to whether a property is in a flood zone, if the flood map is more than 10 years old.

(5) Streamline and simplify flood insurance requirements and allow exceptions to flood insurance requirements for agricultural real estate where the value of most of the collateral is represented by land rather than permanent structures.

*[continued on page 12]*

# Washington Report (cont.)

## Upcoming Legislative Activity

**FEMA's Future**—Homeland Security Secretary Michael Chertoff announced his reorganization plans pursuant to the Second Stage Review (2SR). One change would be the separation of Preparedness from Response and Recovery. Some elements of the reorganization affecting FEMA and natural disaster programs will require legislative approval. A legislative package has been submitted to the Congress and will be considered by the House Homeland Security Committee and the Senate Homeland Security and Governmental Affairs Committee.

It appears that under the new framework FEMA would become more independent, and report directly to the DHS Secretary's office. Mitigation programs are slated to remain within FEMA, as is the NFIP. The Emergency Management Institute will also remain within FEMA's jurisdiction.

**Mitigation and PDM Reauthorization**—The House Transportation and Infrastructure's Subcommittee on Emergency Management is likely to hold a hearing in September on mitigation programs. The hearing would include consideration of recommendations for reauthorization of the Pre-Disaster Mitigation program. The current authorizing legislation, the Disaster Mitigation Act of 2000, expired a year ago. PDM was reauthorized for one year in the FY'05 DHS appropriations bill. The FY '06 DHS appropriations bills do not, at present, contain a reauthorization.

**Flood Insurance**—The House Financial Services Committee's Subcommittee on Housing and Community Opportunity will hold a field hearing in New Philadelphia, Ohio, on August 17th. The hearing will be fairly broad in scope and will cover state and local implementation matters, map modernization, and consumer complaints—largely with an Ohio focus. Subcommittee Chairman Bob Ney is an Ohio Representative. The ASFPM will testify at the hearing.

—Meredith R. Inderfurth, Washington Liaison  
Rebecca Quinn, CFM, Legislative Officer

All referenced legislation and committee reports  
can be viewed at <http://thomas.loc.gov>.

## FLOOD INSURANCE MATERIALS IMPROVED

Among the measures it is implementing pursuant to the National Flood Insurance Reform Act of 2004, the Federal Insurance Administration is producing and distributing materials to help educate National Flood Insurance Program policyholders. Unfortunately, few consumers carefully read their insurance policies of any kind, but with additional care and more streamlined information, agents should be able to help their clients achieve at least a basic understanding of the limits, exclusions, and claims procedures involved. This summer Write Your Own companies received for their use a new "Summary of Coverage" designed to be easy to understand and clarify some of the basic facts about flood insurance coverage.

For example, some of the Summary's several short sections are titled "What is a Flood?" "Three Important Facts about Your Policy," and "Choosing Deductibles." There are illustrations of foundation types, a description of Increased Cost of Compliance coverage, and an explanation of the common methods for making flood damage valuations. The "Three Important Facts" section includes two concise statements that clearly explain that the flood insurance policy is not a valued policy, nor is it a guaranteed replacement cost policy. That is, flood insurance pays only for damage incurred, up to the limits of the policy. This should clarify the types of misunderstandings held by some policyholders in the mid-Atlantic states after Hurricane Isabel, who thought the policy should make them "whole."

>>> The new materials can be viewed at <http://bsa.nfipstat.com/wyobull/w-05033.pdf>.

## NOAA seeks Coastal Learning Specialist

The Coastal Services Center of the National Oceanic and Atmospheric Administration office in Charleston, South Carolina, is recruiting a program manager for its Coastal Learning Services program. The successful applicant will have experience in adult education and the facilitation, development, and evaluation of educational products and services. Duties will include leading training and education efforts across the Center and providing advice to senior management on complex technical matters relating to process and content training. The applicant must have practical experience in team leadership and management (including personnel, budget, strategic planning, and multiple project management); strong communication skills; and the ability to develop, implement, and facilitate innovative strategies for integrating training and educational techniques. Knowledge of coastal communities or coastal natural resources management and their policies is desired. Ability to travel is required.

Series/Grade: GS-1701-14

Salary: \$85,123.00 to \$110,662.00

Application deadline: August 26, 2005.

>>> For more information on the position, and to apply, go to ACES (<http://www.jobs.doc.gov>) or USAJOBS (<http://www.usajobs.opm.gov>) and find announcement number NOS-CCOS-2005-0055 or contact the Human Resources Specialist at (757) 441-3618 or [recruitment.easc@noaa.gov](mailto:recruitment.easc@noaa.gov).

## Executive Director wanted for Coastal States Organization

The Coastal States Organization (CSO), a small not-for-profit organization based in Washington, D.C., is seeking an Executive Director. CSO represents the interests of the governors of the nation's 35 coastal states and territories on issues relating to coastal and ocean programs and policies.

Candidates should be able to effectively develop a strategic vision and a consensus among the diverse interests of the states and territories, and advocate for CSO's legislative, regulatory, and policy goals. Proven leadership and organizational ability, and a personal management style to supervise and motivate a small staff of professionals and contractors, coordinate multiple tasks, and meet deadlines are all necessary. Experience in governmental affairs and advocacy and an advanced degree or equivalent experience in law, natural or coastal resource policy, and familiarity with state resources management issues preferred. CSO's Executive Director is responsible for sound fiscal and financial management, fundraising, and grants management. Salary is competitive, based on experience, and a full benefits package is provided.

>>> For details, see <http://www.coastalstates.org>. To apply, send a cover letter, brief statement of interest and relevant experience, and salary requirements by August 18, 2005, to CSO Executive Director Search, fax: 202-508-3843; [csosso.org](mailto:csosso.org).

# Publications, Software, AV & the Web

A new watershed discussion board offers an online platform for floodplain managers to exchange information with watershed managers whose main focus is on water-quality issues. The Environmental Protection Agency's Office of Water is hosting the forum in hopes that innovative solutions and ideas can be easily shared among watershed protection practitioners and citizens in (near) real-time cyberspace. The Forum currently includes discussions on community involvement, smart growth/low impact development, source water protection, stormwater best management practices, sustainable financing, and watershed planning tools. See <http://www.epa.gov/owow/watershed/forum/forum.html> to join in. Anyone can view the discussion, but one must register to post messages and receive customized updates.

“Downstream Economic Benefits from Storm-Water Management” assesses the downstream economic consequences of incorporating onsite water retention development designs. The authors conclude that onsite retention provides valuable downstream services, including flood mitigation and water quality protection. These services increased downstream floodplain property values—by up to 5% for flood mitigation and up to 15% for improved water clarity. The authors estimate the total average benefits to floodplain property owners to be 2–5% of property value. John B. Braden and Doug M. Johnston. *Journal of Water Resources Planning and Management* 130: 498 (November/December). Abstract available at <http://ascelibrary.aip.org/wro>.

A new website sponsored by the Natural Hazards Center and the University of Colorado is dedicated to the work (and incomparable *persona*) of Gilbert F. White, known to many as the “father of floodplain management” but in fact a geographer whose seven-decade career has spanned a very broad range of work geared toward improving the human condition and preserving the environment of the earth. The site provides a brief biography, curriculum vitae, a complete index of publications (along with a list of publications about White), an inventory of the many honors he has received, and more. Its purpose is to document his extraordinary career, to provide a portal through which scholars and other interested persons can access White's work, and simply to honor the man. Visit at <http://www.colorado.edu/hazards/gfw/>.

“The Eight Tools of Watershed Protection in Developing Areas” was a seminar conducted via webcast on June 22, sponsored by the Environmental Protection Agency's Watershed Academy. More than 550 participants from 40 states, the Virgin Islands, and Puerto Rico, participated via streaming audio or phone lines, and viewed the PowerPoint presentation on the internet. The presentation explained the effects of impervious cover and offered tools that communities and others can use to minimize its effects on water resources, such as buffers and conservation design strategies. The entire seminar, complete with audio, can be viewed along with other archived seminars at the Clu-In website at [http://www.clu-in.org/conf/tio/watershed\\_tools\\_062205/](http://www.clu-in.org/conf/tio/watershed_tools_062205/). For more information, including other training opportunities on watershed management topics, and future webcasts, please visit the Watershed Academy website at <http://www.epa.gov/owow/watershed/wacademy/>.

*State Wetland Program Evaluation: Phase I* is the first part of a multi-phased study of state wetland programs in a cross-section of states (Arizona, Arkansas, Colorado, Georgia, Maine, Michigan, Missouri, New York, North Carolina, Ohio, Pennsylvania, and Washington). These states represent various approaches to wetland protection and regulation, as well as geographic diversity. The study, funded by the Environmental Protection Agency, analyzes seven core areas of state wetland programs, including regulations, water quality standards, monitoring and assessment, restoration projects and initiatives, public/private partnerships, education and outreach, and coordination with state and federal agencies. Environmental Law Institute. 2005. 162 pages. Download free from [http://www.elistore.org/reports\\_detail.asp?ID=11079](http://www.elistore.org/reports_detail.asp?ID=11079).

## Dam Safety Scholarships Awarded

The Association of State Dam Safety Officials has announced the winners of its 2005-2006 Dam Safety Scholarships for Senior Undergraduates. The scholarships have been awarded annually since 1992 to outstanding undergraduates who plan to enter the dam safety profession.

This year's recipients, Theresa L. Andrejack (Drexel University, Philadelphia, Pennsylvania) and Keith M. Thole (Southern Illinois University, Edwardsville, Illinois), were chosen from a field of 29 well-qualified applicants representing universities across the United States. Each will receive \$2,500 for educational expenses incurred in the 2005-2006 school year.

Andrejack is a student in Drexel's BS/MS program, which allows her to receive both Bachelor's and Master's degrees in Civil Engineering after five years of study. Her undergraduate and graduate studies have focused on geotechnical courses. For her senior design project, Andrejack collaborated on the redesign of the Upper Aetna Dam, one of several New Jersey dams that failed in July 2004. The project goal was to develop a design that restores the original function of the dam, while increasing its safety during the Probable Maximum Flood (PMF) and minimizing project costs as much as possible.

Keith M. Thole is an outstanding Civil Engineering student at Southern Illinois University, where he has particularly enjoyed coursework in geotechnical engineering and fluid mechanics. Positions with the U.S. Army Corps of Engineers in Carlyle, Illinois, and St. Louis, Missouri, fueled his interest in dam safety. As a civil engineering student trainee in the dam safety division, Thole's duties include instrumentation testing, layout and placement of drainage structures, and dam maintenance.

>>> Applications for the 2006-2007 Dam Safety Scholarships will be available at ASDSO's website, <http://www.damsafety.org>, in late fall 2005.

## Calendar

*See more flood-related meetings, conferences, and training  
at <http://www.floods.org/calendar.htm>.*

**August 29—September 3, 2005:** THE COMMUNITY RATING SYSTEM OF THE NATIONAL FLOOD INSURANCE PROGRAM (E278), Emergency Management Institute, Emmitsburg, Maryland. Call (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.

**August 31—September 1, 2005:** SEVENTH ANNUAL OHIO STATEWIDE FLOODPLAIN MANAGEMENT CONFERENCE, Columbus, Ohio. Sponsored by the Ohio Floodplain Management Association. See <http://www.dnr.state.oh.us/water/floodpln/>.

**September 6–8, 2005:** THIRD INTERNATIONAL CONFERENCE ON RIVER BASIN MANAGEMENT: HYDROLOGY, ECOLOGY, ENVIRONMENTAL MANAGEMENT, FLOOD PLAINS AND WETLANDS, Bologna, Italy. Sponsored by the Wessex Institute of Technology. Contact Rachel Green at [rgreen@wessex.ac.uk](mailto:rgreen@wessex.ac.uk) or see <http://www.wessex.ac.uk/conferences/2005/rm05>.

**September 6–9, 2005:** FLOOD RISK MANAGEMENT: STRUCTURAL AND NONSTRUCTURAL SOLUTIONS, HOW MUCH IS ENOUGH? ANNUAL CONFERENCE OF THE FLOODPLAIN MANAGEMENT ASSOCIATION, Sacramento, California. See <http://www.floodplain.org/>.

**September 11–16, 2005:** NATIONAL FLOODPROOFING CONFERENCE III AND COOMMUNITY EXPO, Charleston, West Virginia. Sponsored by the Association of State Floodplain Managers, the Corps of Engineers, and FEMA. Contact the ASFPM Executive Office at (608) 274-0123 or see [http://www.floods.org/Conferences,% 20Calendar/nfpc3.asp](http://www.floods.org/Conferences,%20Calendar/nfpc3.asp).

**September 14–15, 2005:** SECOND ANNUAL CONFERENCE OF THE MINNESOTA ASSOCIATION OF FLOOD PLAIN MANAGERS, Moorhead, Minnesota. See <http://www.mnafpm.org/annualconf2005.htm>.

**September 19–21, 2005:** FIFTEENTH ANNUAL FALL CONFERENCE OF THE OKLAHOMA FLOODPLAIN MANAGERS ASSOCIATION, Lone Wolf, Oklahoma. Contact OFMA, P.O. Box 8101, Tulsa, OK 74101-8101; or see <http://www.okflood.org>.

**September 21–22, 2005:** SEVENTH ANNUAL CONFERENCE ON WATERSHED PROTECTION AND 2005 NEW YORK CITY WATERSHED SCIENCE AND TECHNICAL CONFERENCE, Fishkill, New York. Contact William C. Harding, Executive Director, Watershed Protection and Partnership Council at [wharding@dos.state.ny.us](mailto:wharding@dos.state.ny.us) or see <http://www.dos.state.ny.us/watershed/abstracts2-05.htm>.

**September 25–28, 2005:** DAM SAFETY 2005, New Orleans, Louisiana. Sponsored by the Association of State Dam Safety Officials. Contact ASDSO, 450 Old Vine St., Lexington, KY 40507 or see <http://www.damsafety.org>.

**October 3–6, 2005:** MANAGING FLOODPLAIN DEVELOPMENT THROUGH THE NATIONAL FLOOD INSURANCE PROGRAM (E273), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.

**October 5–7, 2005:** TRI-STATE FLOODPLAIN MANAGEMENT CONFERENCE, Glendive Montana. Sponsored by the Association of Montana Floodplain Managers, the State of North Dakota, and the State of South Dakota. Abstracts are due August 26, 2005. Contact the AMFM at [mtfloods@mtfloods.org](mailto:mtfloods@mtfloods.org) or see <http://www.mtfloods.org>.

**October 17–20, 2005:** NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM (E278), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.

**October 20–21, 2005:** IBHS ANNUAL CONFERENCE ON PROPERTY LOSS REDUCTION, Lake Buena Vista, Florida. Sponsored by the Institute for Business & Home Safety. Contact IBHS at 4775 E. Fowler Ave., Tampa, FL 33617; (813) 286-3400; [info@ibhs.org](mailto:info@ibhs.org) or see <http://www.ibhs.org/congress/>.

**October 25–28, 2005:** ADVANCED TECHNICAL SEMINAR ON DAM FAILURE ANALYSIS, Salt Lake City, Utah. Sponsored by the Association of State Dam Safety Officials. Contact ASDSO, 450 Old Vine St., Lexington, KY 40507 or see <http://www.damsafety.org>.

**October 27–28, 2005:** ECOSYSTEMS: RESTORATION & CREATION, Tampa, Florida. Sponsored by Hillsborough Community College. See <http://www.hccfl.edu/depts/detp/ecoconf.htm>.

**October 31—November 2, 2005:** SUSTAINABLE BEACHES CONFERENCE, St. Petersburg, Florida. Sponsored by the Clean Beaches Council. See <http://www.cleanbeaches.org/events/summit/2005/>.

**November 4–5, 2005:** EIGHTH ANNUAL SOUTHEAST WATERSHED ROUNDTABLE, Bowling Green, Kentucky. Sponsored by the Southeast Watershed Forum and Kentucky Watershed Roundtable. Contact Claudia at [CS@southeastwaterforum.org](mailto:CS@southeastwaterforum.org) or Judy Petersen at [director@kwalliance.org](mailto:director@kwalliance.org) or see <http://southeastwaterforum.org/index.asp>.

**November 11–13, 2005:** URBAN WATERFRONTS 23: GATHERING BY THE WATERS, Savannah, Georgia. Sponsored by the Waterfront Center. See <http://www.waterfrontcenter.org>.

- November 13–17, 2005:** ACTION ON CLIMATE CHANGE, Melbourne, Australia. Sponsored by the Commonwealth Scientific and Industrial Research Organisation (CSIRO). Abstracts are due August 15, 2005. For more information, contact [info@greenhouse2005.com](mailto:info@greenhouse2005.com) or see <http://www.greenhouse2005.com/>.
- January 30—February 2, 2006:** DIGITAL HAZARD DATA (E234), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.
- January 30—February 3, 2006:** MANAGING FLOODPLAIN DEVELOPMENT THROUGH THE NATIONAL FLOOD INSURANCE PROGRAM (E273), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.
- March 27–21, 2006:** RESIDENTIAL COASTAL CONSTRUCTION (E386), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.
- April 2–6, 2006:** EIGHTH FEDERAL INTERAGENCY SEDIMENTATION CONFERENCE AND 3RD FEDERAL INTERAGENCY HYDROLOGIC MODELING CONFERENCE, Reno, Nevada. Sponsored by the Subcommittees on Sedimentation and Hydrology of the Federal Advisory Committee on Water Information. Contact Doug Glysson, USGS, 412 National Center, Reston, VA 22092, (703) 648-5019; [gglysson@usgs.gov](mailto:gglysson@usgs.gov) or see [http://water.usgs.gov/wicp/acwi/sos/conf/call\\_papers\\_extended\\_42005.pdf](http://water.usgs.gov/wicp/acwi/sos/conf/call_papers_extended_42005.pdf)
- May 13–18, 2006:** CHARTING A NEW COURSE: SHAPING SOLUTIONS FOR THE COAST, St. Pete Beach, Florida. Sponsored by The Coastal Society. Abstracts are due September 23, 2005. See <http://www.thecoastalsociety.org/conference.html>.
- July 31—August 3, 2006:** MANAGING FLOODPLAIN DEVELOPMENT THROUGH THE NATIONAL FLOOD INSURANCE PROGRAM (E273), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.
- August 14–17, 2006:** NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM (E278), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.
- August 21–25, 2006:** RETROFITTING FLOODPRONE RESIDENTIAL BUILDINGS (E279), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.
- August 26–27, 2006:** ENGINEERING ESSENTIALS FOR WETLANDS AND WETLAND REGULATIONS (NCES 8271), Denver, Colorado. sponsored by the University of Colorado at Denver Continuing Engineering Education Center. Call 303-556-4907 or see <http://www.cudenver.edu/engineer/cont>.
- September 10–14, 2006:** DAM SAFETY 2006, Boston, Massachusetts. Sponsored by the Association of State Dam Safety Officials. Contact ASDSO, 450 Old Vine St., Lexington, KY 40507 or see <http://www.damsafety.org>.
- September 18–20, 2006:** SIXTEENTH ANNUAL FALL CONFERENCE OF THE OKLAHOMA FLOODPLAIN MANAGERS ASSOCIATION, Norman, Oklahoma. Contact OFMA, P.O. Box 8101, Tulsa, OK 74101-8101; or see <http://www.okflood.org>.
- September 18–21, 2006:** NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM (E278), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.training.fema.gov/EMIweb/>.



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