ASFPM  2010 Legislative and Policy Priorities
January, 2010 List

Overarching Issues
1. Promote broad integration of hazard mitigation into federal programs, legislation and regulations
2. continue to monitor progress of draft Principles and Standards and participate in the process to promote comprehensive water resources planning and coordination
3. Closely follow and provide input to Climate change bills in the 111th Congress to ensure flood hazard considerations and adaptations are incorporated--promote needed research on impacts
4. Strengthen FEMA autonomy within DHS and/or FEMA independent agency status

NFIP Reform
1. Support clean extension of program authorization until June 30, 2010 or beyond to allow consideration of significant modifications to the program
2. Monitor any consideration of separating insurance and mitigation components of the NFIP either by legislation or by changes in Congressional committee jurisdiction.
3. Encourage committee review and incorporation of certain recommendations in GAO and CBO studies and the NFIP Evaluation in the possible 2010 NFIP Reform
4. Continue to share with agency and Hill ASFPM perspectives on major issues which should be considered during development of NFIP reform such as NFIP debt forgiveness.
5. Brief Senate and House staff handling NFIP reform on pros and cons of bill provisions
6. Explain danger to NFIP stability associated with adding wind to the NFIP flood policy.
7. Promote importance of improved hazard identification provisions that were in past Senate bill.
8. Reauth Repetitive Loss programs and recommend improvements to Severe Repetitive Loss law and to the Guidance to address problems in program implementation
10. Encourage Congressional acceptance of FEMA improvements. (use of “demolish and rebuild”; removal of state and community caps on RL mitigation funds)
11. Support Mandatory flood insurance in residual risk areas of structural flood control measures
12. Request authority for FEMA to delegate to qualified states the administration of the NFIP-funded mitigation grant programs (similar to current authority to delegate HMGP).
13. Support appropriate movement toward actuarial rates for flood insurance.
14. Support changes to CFR 60.3 by FEMA.
**WRDA (Water Resources Development Act-USACE authorities)**

1. Discuss policy items for the next WRDA with partners and Congressional staff:
   - National Levee Safety Committee recommendations and process for development and governance of a National Levee Safety program with incentives for state delegation
   - Creation of a framework for water resources planning and coordination; by inserting the “Sustainable Watershed Planning Act” draft legislation
   - Sliding cost share for Corps’ programs based on positive State and local action
   - Associated incentives for states and communities that go beyond fed stds
   - Expansion of FPM S to allow for more Corps technical assistance to S & L

**Stafford Act**

1. Provide input to Stafford Act revisions awaiting House floor consideration
2. Evaluate/comment on proposals for a mitigation loan program and for mitigation tax credits.
3. Support re-authorization of Pre-Disaster Mitigation Grant program but urge examination of related issues:
   - Re-examination of PDM in terms of the original intent in DMA 2000
   - Oppose earmarks in relationship to PDM program viability and regulations
   - Oppose expansion of PDM eligible activities that would fund repair or construction of flood control structures
   - Promote block grant type allocation for states to provide technical assistance to communities
   - Allow use of PA for mutual aid when post-disaster demand for substantial damage determinations exceeds local capacity
4. EMAC—Support and expand EMAC. (Also work with EMAC Advisory Committee on use of EMAC mutual aid for permitting officials in post disaster recovery.
5. HMGP
   - Encourage progress on program delegation to states as already authorized
   - Seek reversal of retrograde to HMGP administrative costs.
6. Press for changes on cost-effectiveness requirements to allow for some projects (severe repetitive loss or floodway SD properties) to be automatically “cost-beneficial”, and statutorily enact policy FEMA currently has on substantially damaged building being cost effective for acq/demo.

**Possible New Jobs Bill (this was called Stimulus package in 2009)**

1. Educate Members of Congress on the public safety and long term cost saving aspects of incorporating hazard mitigation in conjunction with investment in infrastructure
2. Encourage inclusion of language requiring consideration of mitigation options
3. Support mitigation tax credit for all mitigation activities eligible under FEMA’s mitigation programs.
4. Support addition of funds for Pre-Disaster Mitigation provided eligible mitigation activities do not include levee repair
5. Promote sustainable infrastructure and the lower O & M costs associated with green infrastructure and non-structural mitigation, while still creating jobs
6. Promote 500 year flood hazard protection level for critical infrastructure
7. Promote jobs funding that would result in long term sustainability for communities and people, such as mitigating all elementary schools in the nation from natural and technological hazards. This would protect children, and build sustainable communities while creating jobs.

8. Assist Federal agencies to make the most effective use of funds for job creation, public safety and hazard mitigation.

**Appropriations/ Budgets**  (drafted prior to release of FY ’11 requests)

1. Study all FY ’11 budget requests for departments and agencies with programs associated with flood insurance and floodplain management; prepare outside witness testimony as needed. (FEMA, Corps, Interior - USGS, RTCA, FWS, EPA, NRCS (EQIP, CRP, WRP, Small Watersheds), Commerce (NOAA, NWS)

2. Support USGS streamgage programs, particularly NSIP (including new technology).

3. Support funding for Risk MAP at least at current level of mapping funding.

4. Urge no earmarks for PDM.

5. Urge substantial funding for Corps’ FPMS and PAS programs and increased emphasis on Corps technical assistance for localities.

6. Support funding for Corps’ levee inventory for the nation

**Flood Risk Management, including Managing Catastrophic Losses**

1. Continue strong participation in the Intergovernmental Flood Risk Management Committee (IFRMC), with USACE, FEMA, ASFPM and NAFSMA.

2. Utilize ASFPM Foundation 2010 Forum findings in national policy/programs

3. Seek opportunities to promote hazard mitigation collaboration among federal agencies.

4. Educate decision makers, media and public on the need for public policy that supports the basic concepts of “those who live at risk should pay for the cost of living at risk” and not externalize that cost to others, esp. the federal taxpayers.

5. Monitor policy discussions and legislative proposals to deal with catastrophic losses

6. Support legislation establishing Presidential blue ribbon commission to study the problem of catastrophic losses from disasters and make recommendations.

7. Follow evolution of legislation from previous Congress intended to establish a federal backstop to state reinsurance funds.

8. Monitor and evaluate legislative activities associated with wind hazards. ASFPM is a member of the Wind Coalition led by ASCE.

9. Promote inclusion of mitigation incentives and disincentives in any legislation providing for catastrophic losses and/or reinsurance.

10. Work with other organizations, including the insurance industry and State Insurance Commissioners (NAIC) to promote good policy and laws on hazard insurance

**Coastal Policy and Programs**

1. Participate in the Coastal Zone Management Coalition led by Coastal States Organization.

2. Advocate legislation to reauthorize the Coastal Zone Management Act. Encourage incorporation of outcomes of NOAA’s “visioning” process.

3. Monitor modernization of CBRS maps and support funding for this as well as appropriate coordination with FEMA’s map modernization.

**Comprehensive National Water Policy**

1. Follow, analyze and comment on legislation addressing water policy including watershed legislation
2. Promote establishment of an entity to foster federal water program and policy integration
4. Continue to urge Congress to clarify federal jurisdiction under the Clean Water Act

**Levee Risk and Levee systems**
1. Continue to actively participate in any possible legislation from the National Levee Safety Committee report of January 2009, and in improving the Committee’s report
2. Urge careful Congressional consideration of the Levee Safety Committee’s report, but urge Congress to seek and include significant added outside input, which is currently lacking.
3. Work to include land use and other more comprehensive aspects of levee safety in the work of the Levee Safety Committee and/or in legislation to establish a levee safety program.
4. Encourage coordination of Congressional committee response to levee and map issues
5. Work to support a national levee inventory and urge rapid progress.
6. Support mandatory flood insurance in residual risk areas behind levees
7. Promote a strategy for retreat of levees (setback from river edge) to relieve pressure on levees and reduce the risk to natural floodplain functions and resources
8. Promote study of any liability exemption for levee design, construction, inspection or certification before any legislation is enacted
9. Follow and comment on any dam safety legislation.
10. Develop position on levee rehab safety legislation, such as USA CE Section 408

**Mapping---Risk MAP (has now superseded Map Mod)**
1. Support Risk MAP funding at least at current levels (about $200 M/yr).
2. Continue to work with and assist FEMA as Risk MAP is developed and refined (internally, as well as through legislation, regulations and guidance).
3. Continue quarterly Map Focus group meetings with FEMA, NAFSMA & map contractors
4. Resist legislative actions to delay issuance and adoption of new maps.
5. Provide leadership in the Flood Map Coalition.
6. Encourage and support integration of Corps levee inventory and condition of levees information with FEMA’s flood mapping data on levees
7. Urge FEMA to delegate long term map maintenance to state, regional and local governments with legislated water management authority. Priority should be to overnments what have higher flood hazard mapping standards (floodway rise less than 1.0’, compensatory storage, channel migration zones, habitat buffers, future conditions hydrology, etc)

**Mitigation**
1. Seek and pursue opportunities to include flood hazard mitigation considerations in other federal programs – such as Transportation, Agriculture, HUD and Interior.
2. Work to elevate the importance of hazard mitigation at DHS and at FEMA.
3. Promote inclusion of mitigation considerations in PA.
4. Work with NEMA on development of a Phase II Mitigation White Paper for FEMA
5. Support and encourage FEMA’s efforts to establish uniformity of mitigation requirements for its grant programs, including the SRL programs.
6. SRL guidance – Urge Congressional review of the legislation and aspects of the FIRA 2004 that interfere with efficient and effective program implementation.
7. Promote a state partnership program for delegation of mitigation programs to qualified states.
**Tax Provisions**

1. Support a hazard mitigation tax credit in the upcoming jobs bill if appropriate.
2. Oppose legislation (if reintroduced) to provide a tax credit to subsidize flood insurance premiums.

**Coalitions**

Continue to participate in a number of coalitions with other organizations with which ASFPM has shared interests or which deal with similar issues:

- Flood Map Coalition
- Stafford Coalition
- USGS Coalition
- Streamgage Coalition
- Congressional Natural Hazards Caucus Alliance
- Rivers and Trails Coalition
- Wind Coalition
- Natural Catastrophe Policy Coalition-(Smartersafer)-not as member, but as allied organization
- ASFPM/Insurance Group*

* ASFPM has held periodic meetings with a group of insurance industry and insurance agent organizations in Washington D.C. to improve communication and understanding on flood, homeowners and catastrophe insurance matters. The group should continue to meet to explore common ground and share information and positions.

**Other Organizations and Associations**

Reinvigorate and expand contacts with organizations with which ASFPM has shared interests or which deal with similar issues. Emphasize contact with groups not as closely allied now, such as Natural Hazard Center, American Bar Association (ABA), National Hazard Mitigation Association (NHMA), ASWA, NACo, APWA, ICMA, NLC, NADO, NGA, APA, ACEC, ICC and many others.