

ASFPM's Impact up to November 2018: Details on each of the Issues

ASFPM works with federal agencies and decision makers in getting these programs either initiated or better implemented. We spend a lot of time working with agencies to improve program implementation, as well as working with Congress to properly fund them. Congress reauthorizes programs like the NFIP only every five years or so, but improving agency interpretation of the law and implementation of these programs goes on every day. We push these programs and policies in order for floodplain management to work at the most important level—the local level.

Here are more details of what ASFPM has accomplished for the nation over the last 42 years:

- **Flood Map Funding.** This is the number one issue mentioned by ASFPM members nationwide (quality of maps, maps needing updating and never done soon enough), and we continue this push from many directions. The only funding to produce flood maps from the mid-1980s until 2000 was part of the policy fee from each flood insurance policy. We worked with FEMA, Administration and the Hill to explain how critical up-to-date accurate maps were in order for communities to properly guide development to reduce flood losses. FEMA and Office of Management and Budget agreed, but it always ended up on the cutting floor in the final proposed budget.

In 2001, when **President George W. Bush** was looking for “green” items for his first budget, an alert White House staffer we worked with for years suggested \$200 million for flood mapping. There has been some direct appropriated funding for flood mapping since then, and there is broad support for flood map funding on the Hill and beyond. Budget threats to flood mapping continue at a time in which national support for better maps continues to grow. And improving mapping technology allows for the development of more interactive and informative mapping tools.

Of course ASFPM is active in ensuring adequate funding. For example, in 2017 **President Trump's** budget zeroed out flood map funding, so ASFPM mounted an unprecedented effort to educate Congress on the importance of flood mapping. Our members, along with other organizations, convinced Congress to provide record funding despite the Administration's budget request. ASFPM is also working with the National Association of Realtors to reactivate the Flood Map Coalition (almost 20 organizations) to once again point out the need to get flood maps for all communities in the nation. The ASFPM "[Flood Mapping for the Nation](#)" report has helped open the eyes of federal agencies and Congress of the importance of, and need for, a continuing strong flood mapping program.

- **Making mutual aid work for floodplain managers.** For nearly 20 years ASFPM has been trying to get FEMA to overturn a policy that specifically prohibited substantial damage determinations and building inspections that were not for immediate health and safety from being reimbursed under public assistance when mutual aid was requested. The ramifications of the policy is that in a post-disaster setting, mechanisms like the Emergency Management Assistance Compact could not be used to request CFMs from elsewhere to assist flood-ravaged communities. FEMA ultimately concluded it did not have the authority to overturn the policy under existing law. In October 2018, Congress passed the Disaster Recovery Reform Act that included an ASFPM-authored provision that would give FEMA the authority to rescind this policy and allow assistance to be provided to state

and local governments for building code and floodplain management ordinance administration and enforcement, including inspections for substantial damage compliance.

- **Hazard Mitigation Grant Program Authorization.** This was included in the 1988 authorization of the Stafford Act, while we (notably then ASFPM Chair **French Wetmore**) worked to get the authorization.

Prior to the 1993 Great Midwest Flood, the nation was very much focused on structural flood control with the NFIP floodplain regulations being the primary nonstructural flood-risk reduction approach. ASFPM, in partnership with the Association of State Wetland Managers, hosted a series of meetings in the Midwest that included states, NGOs, communities and top federal executives and appointees. These meetings created momentum for buyouts and flood proofing; policy decisions by FEMA that nonstructural measures were their primary focus for post-disaster funds; integration of the [National Park Service Rivers, Trails, and Conservation Assistance program](#) to provide community assistance in multi objective solutions; and laid the groundwork for a number of nonstructural laws and programs including [PL84-99](#), the Rehabilitation Assistance for Non-federal Flood Control Projects, and USACE planning and integration of non-traditional recovery dollars from other federal agencies.

- **HMGP Funding.** It was clear the funding level was not adequate (10% of only part of disaster costs and 50/50 cost share) to incentivize communities and states to promote and use HMGP. We worked with FEMA Director **James Lee Witt** after the 1993 floods to change the funding formula to 15% of all disaster costs and cost share 75/25 fed/non fed. This resulted in more than 14,000 buyouts after the 1993 Great Midwest Flood, proving people would volunteer to be bought out if given the opportunity. This was the first full-scale use of Acquisition/Relocation—proving it to be a viable mitigation option. FEMA focused almost totally on buyouts, and we worked to get them to add other mitigation projects, like home elevation, to the mitigation toolbox. At one point there was an effort to eliminate HMGP funding entirely, and to instead provide similar funding to an appropriated pre-disaster mitigation program. This would have cut the formula-based funding to rely on yearly appropriations—a bad idea ASFPM successfully fought so mitigation funding for local communities could be assured.
- **Pre-disaster Mitigation.** ASFPM supports PDM, and worked with others to obtain some funding for mitigation in a pre-disaster setting, since some states go decades without a federally-declared disaster. Funding for the program has been wildly variable, and ASFPM led the fight to keep it from being eliminated entirely. **President Obama** and Trump budgets eliminated it for three years running, but we have convinced many in Congress of its importance and they have kept it alive at a maintenance level. In the FY18 budget it received nearly \$250 million.
- **Increased Cost of Compliance Authorization and Funding.** It was clear flood insurance alone was not enough for home owners to mitigate their home—it did not even cover the full cost of damage in most cases. Community officials were logically reluctant to enforce substantial damage on homes because people could not afford to rebuild to new standards. We worked with Congress to add a provision to the flood insurance policy that covered the added cost to comply with new regulations. FEMA added a cap on premiums (\$75 max—with \$15 average premium) and a cap on the ICC amount (\$20,000 originally—now \$30,000). We continue to push FEMA and Congress to increase those limits as costs to mitigate go up and newer studies show an even greater benefit for

mitigation of flooding—now 6:1 or 7:1. Recent legislation proposes upping the limit to \$60,000 or \$100,000 and includes other ASFPM-supported ICC reforms.

- **Certified Floodplain Manager Program.** In 1994 ASFPM started discussions of the need for a certification program aimed specifically at the local floodplain manager. Many worked in a vacuum, had little training and were often assigned the floodplain permit workload, in addition to other duties they may be doing. That year a task force was created under the guidance of ASFPM member **John Ivey**. The procedures and exam were developed and piloted in 1998. This has been one of the most effective means of improving flood-risk management in the nation and helped communities comply with the NFIP. This past year, the 10,000th CFM was certified.
- **Community Assistance Program.** We worked with leaders of the Federal Insurance Administration (in HUD until 1979) to help them understand that the NFIP did not have adequate staff bandwidth, nor the community relationships to work with the thousands of communities in the nation to implement the NFIP. Furthermore, many of the states either had a specific Floodplain Management law that directed how mapping and FPM had to occur in that state. Additionally, the state needed to get a variety of state agencies and programs to work together to effectively provide assistance to communities to reduce flood losses. NFIP leaders realized the most effective thing they could do to help communities was to build state capability to help all their communities. This resulted in a program called the State Assistance Program that provided funding to states to add staff to help communities implement the NFIP. At one point our relationship with FEMA lagged and a few leaders in FEMA felt doing away with SAP would silence ASFPM. Through ongoing discussions, we arrived at a compromise where FEMA created the Community Assistance Program that would continue cost-share funding with the state in order for the state to provide assistance to their communities.
- **No Adverse Impact.** Studies show that communities that only adopt the NFIP minimum standards will not reduce disaster costs in their community over the long term. Higher regulatory and mapping standards are needed. It was clear to ASFPM that FEMA was continuing to drag its feet on upgrading NFIP regulatory standards, which have not been changed since 1986, with the excuse that it would take years to get through the rule-making process. Since changes in national minimum standards were apparently not going to happen, ASFPM decided in 1999 we would instead develop tools that progressive communities could adopt that would actually reduce their flood risk and losses. The [NAI Toolkit](#) was developed with broad member input to explain and outline how communities could implement better approaches in seven key areas to guide development to not only be safer, but to ensure the community was not permitting development that would result in adverse impacts on other properties or communities. This would greatly reduce the community's liability for future flood damage. ASFPM now has a suite of [NAI How-to Guides](#) for communities.
- **CRS.** ASFPM urged FEMA to develop a program that would reward communities that go above and beyond in their local FPM programs. FEMA pondered on that for a few years, then put forth the Community Rating System, which we supported and worked with them to implement. This program has broad community and congressional support. ASFPM has been a member and advisor on the CRS program since inception. We continue to urge increased standards and monitoring and enforcement of CRS actions that are credited.
- **Protecting the natural functions of floodplains** is part of the ASFPM mission. ASFPM has a [Natural and Beneficial Functions Committee](#) and we work with partners like the Association of State Wetland Managers and others to support the Natural Floodplain Functions Alliance. The NFFA

produces webinars and workshops, as well as supports research into key issues like determining the benefits of open space and ecosystems when analyzing the BCA of mitigation of an ecosystem. [ASFPM's Flood Mitigation Committee](#) produced a white paper that demonstrated how added natural ecosystem benefits should be counted in BCA calculations. This helped convince FEMA to automatically conclude that structures valued at less than \$276K were eligible for buyouts.

- **NFIP.** ASFPM has provided input on every NFIP reform act since the 1980s. Most of the reform acts contain ideas originating from ASFPM. For example, in 1994 ASFPM offered up ideas that led to the creation of the Flood Mitigation Assistance Program, Community Rating System and Increased Cost of Compliance. In 2004, ASFPM worked on efforts to create mitigation programs focused on repetitive loss properties, as well as small technical changes to the law, for example, to trigger ICC and recognize communities that established substantial damage thresholds under 50%. In 2012, based on several years of work with **Sen. Jack Reed's** office, ASFPM's idea for an authorized National Flood Mapping Program was created. And in 2014, as Congress was searching for answers to quickly rising flood insurance rates, Congress adopted several ASFPM recommendations provided in testimony leading up to the passage of the NFIP reform that year, including those that helped with flood insurance affordability.
- **Open space deed restrictions are required on lands bought under HMA.** Some legislators proposed to eliminate these restrictions because some communities want to reuse the property for development or to build structures like levees. In 2012, we mobilized a coalition to oppose this provision, which proponents hoped to sneak in as "noncontroversial." We were able to force a floor vote and it was defeated. This is a continuing problem, and eliminating the open space requirement will mean taxpayer funds will have to be used for multiple disasters on the same property. The open space requirement makes this mitigation technique a "one and done" for federal taxpayers.
- **USGS Streamgauges.** We were part of the task force that developed the standards for the National Streamflow Information Program and supported its adoption and funding. The task force was created in 1998 and the report presented in 2000. Since then we have been part of a coalition of organizations submitting comments to Congress annually on the benefits of fully funding all the gauges identified in the report and providing sufficient funding to ensure stations are not lost. This effort that has been somewhat successful, but remains a battle.
- **ASFPM Foundation.** The association created a foundation in 1996 to be the charitable entity to seek additional funding to support key products and policy that helps ASFPM members and chapters better manage flood risk for the nation. The foundation work is directed by a Board of Trustees with extensive experience in flood-risk management. Examples of the work funded by the foundation include development of the CFM program, No Adverse Impact tools for local officials, holding key flood policy forums to promote wise use of floodplains, scholarships for students to obtain college degrees and also to attend the ASFPM conference, and support other worthy ASFPM activities. The foundation has been a major force in examining flood policy and practice and advancing the profession of flood-risk management. It is a separate non-profit organization that helps support common missions and goals. Every three years the foundation hosts a [Gilbert F. White National Flood Policy Forum](#) to explore a key policy issue, and works with states and chapters to host a symposium to determine how that state can improve its flood-risk management, as well as a speaker series to explore current cutting-edge policy issues.
- **USACE Technical Assistance for Communities and States.** For decades we worked the U.S. Army Corps of Engineers HQ and staff, urging them to think beyond structural projects like levees, dams

and channels. If a structural project was not feasible or cost effective, the Corps might simply walk away from the community with no other program solutions provided. We urged them to provide technical assistance to help the community explore their other options, or to map the floodplains at least, since FEMA could not map all communities with a limited budget. In addition to technical expertise through some of their technical assistance programs, the Corps developed the Silver Jackets program; where they lead the federal family to work with state agencies to address and develop mitigation options for communities that ask for help to address their flood problems. Part of the focus is to also build state capability so the state can better serve its communities. The Corps now has Silver Jackets programs in at least 49 states and it is considered so successful the Chief of the Corps is often asked about it in congressional testimony.

- **HUD 203(k), a Low-Cost Loan for Homeowners to Accomplish Flood Mitigation.** After Hurricane Sandy, ASFPM heard reports of creative uses of an existing mortgage loan program in New Jersey, the FHA 203(k) loan program. After extensive consultation with HUD and FHA officials, ASFPM convinced HUD that a huge increase in flood insurance premiums (post [Biggert-Waters Act 2012](#)) might also make the home unaffordable (meeting HUD definition of not habitable), and therefore eligible for a low-cost loan to mitigate the home (elevate or acquire/relocate). HUD then clarified that several flood mitigation options could be financed under the 203(k) loan program. That clarification should be very beneficial to low-income people who own homes in high-hazard floodplains with costly flood insurance premiums.
- **National Flood Barrier Testing and Certification Program.** [ASFPM's Nonstructural Flood Proofing Committee](#) worked on standards for flood barrier products in the early 2000s based on manufacturer requests that flood-fighting products should perform as advertised. This volunteer effort culminated into the National Flood Barrier Testing and Certification program, which is a partnership among ASFPM, FM Approvals (the certifying entity) and USACE (the water testing entity). The program now tests and certifies four types of flood barrier products, based on what is now the FM Approvals/ANSI 2510 standard.
- **TMAC.** ASFPM was instrumental in getting Congress to include a provision in the 1994 budget requiring FEMA to create the original Technical Mapping Advisory Council. TMAC's recommendations led to funding for the \$1 billion mapping initiative called Map Modernization.
- **Post-disaster Coordination between FEMA and USACE.** ASFPM, National Association of Flood and Stormwater Agencies, USACE and FEMA embarked on points of a joint coordination just days before Hurricane Katrina. This intergovernmental FPM task force stayed in place for several years and was used to evaluate recovery issues, levee standards and liability issues. And other related discussions that were then documented as part of USACE and FEMA guidance in Katrina and future recovery/mitigation efforts.
- **Risk and Uncertainty.** ASFPM, now a cautious supporter of risk and uncertainty methodologies of USACE, advocated strongly for the creation of boundary conditions that would guide the certification of flood control works in floodplains. This led to an interim standard that ensured standards would not erode due to unbounded interpretation of risk and uncertainty results, but also gave birth to a National Academies study looking specifically at these methods, including steps for improvement. As the data behind the methods improved, ASFPM has been increasingly comfortable with the direction.
- **Cooperating Technical Partners Program.** This program was first developed by the NFIP to provide map funding to progressive communities (called cooperating technical communities).

ASFPM worked with NFIP staff to point out the need to add other partners like states, and it was then later expanded to states and regional partners. It provides an effective mechanism to have those with knowledge of local mapping needs and issues working directly with communities to develop the flood maps and better mitigation strategies.

- **Map Initiative Project.** The first versions of flood maps were Flood Insurance Rate Maps for insurance purposes, and Flood Boundary/Floodway Maps for floodplain management purposes. The two-map system led to all sorts of problems. When a FIRM was revised, the FBFW wasn't unless there was also a change to the floodway boundary. Cities were mapped first and the unincorporated county mapped later, sometime years later after the cities annexed lands. Those annexed lands didn't show up on either the city map or the county map. The floodway was unshaded, leading to the issuance of permits for new buildings and entire subdivisions within the floodway. ASFPM convinced FEMA to undertake the MIP, which led to a single map system and the beginning of countywide maps in the mid-1980s.

This detailed list of ASFPM impacts was created in November 2018.