MORE THOUGHTS ON SUBSTANTIAL DAMAGE INSPECTIONS

Mary Sampsel, P.E.
Chair
Ohio Floodplain Management Association

Many of us read about and watched the news broadcast of how Hurricane Ivan caused millions of dollars of damage in Florida and then headed north, causing damage in other states, including Ohio. Washington County in Ohio was hit particularly hard, causing 900 structures in Marietta and 300 structures in the outlying areas to be flooded and damaged. I talked to Connie Hoblitzell, Washington County Flood Plain Manager, to find out what it was like to deal with a flood disaster of this magnitude.

One of the problems Connie found herself in was trying to get help to make the SDEs (substantial damage estimates) of the 1200 structures—an evaluation of the damaged structure. If the amount of damage is greater than 50% of the structure’s pre-flood value, then the structure will need to be elevated or otherwise floodproofed to comply with the National Flood Insurance Program and with state and local flood protection regulations. The purpose of making this evaluation is to keep structures from having repetitive losses. The NFIP was designed to allow for the correction of existing at-risk structures when they are either damaged or improved beyond the 50% market value threshold. Makes sense, doesn’t it?

Traditionally, FEMA has not provided this kind of substantial damage determination support; however, following the Midwest floods of 1993 they did so briefly. Connie was left with trying to deal with a volume of inspections in short order with only local resources. FEMA attempts to distribute disaster assistance and flood insurance claims within days or weeks of the event. This means people want to repair their homes and businesses as soon as the checks arrive. The substantial damage determinations and development permits must be done quickly to capitalize on the NFIP mitigation value. This left the local resources, Connie and staff, feeling overwhelmed.

Because flooding is the most frequent natural hazard in Ohio, this problem had surfaced and a creative solution for helping to meet the demand for quick substantial damage determinations was shaping up. The Ohio Building Officials Association has been a strong partner with Ohio Emergency Management Agency and Ohio Department of Natural Resources to develop a group of trained code officials available for disaster response. Fortunately, the OBOA had 22 inspectors that could go to the community to help out with the SDEs. Connie said the OBOA team was wonderful and without their assistance she would have been unable to make these assessments. Even with OBOA’s help, however, Washington County was unable to evaluate all of the structures that may have been damaged.

FEMA was so eager to cut checks to the owners with claims (or damage) that there was a total lack of communication between the inspectors making the SDEs and the FEMA agent writing claim checks. This is a good example of how the improvements made by FEMA in distributing aid to those impacted by disasters more quickly need to be [continued on page 4]
In my previous From the Chair column, I recounted the accomplishments from the last year. So naturally, I would like to devote my first column in 2005 to sharing some opportunities for the year ahead.

First, this year should bring the completion of our multi-year Executive Office staffing expansion. For the last few years, we have been adding office staff so members could be served effectively. The final (at least for now) piece of this expansion is creating the position of and hiring a Deputy Executive Director [see notice on page 3]. This position will be important for the long-term continuity of the ASFPM. In addition to the Executive Office expansion, we are upgrading our information technology and accounting infrastructure to be more effective, efficient, and provide better member service.

Several exciting new publications that will be produced between now and the annual conference in June. The NAI Case Studies document is in final production. It details NAI activities undertaken by 11 communities across the nation. We also have produced two important publications in cooperation with the Federal Emergency Management Agency: Floodplain Management 2003: State and Local Programs, and Effective State Programs [see News & Views, December 2004, p. 1]. They will be distributed to states and others and are available on our website. Finally, the ASFPM Foundation will be releasing the report and findings from the first Gilbert F. White Foundation Forum, which was held in Washington D.C. last fall and examined the sufficiency of the 1% annual chance flood standard in floodplain management.

Now that we have over 2,300 Certified Floodplain Managers (CFMs) in the nation, we will have the challenge of helping make sure adequate training opportunities exist for them to obtain continuing education credits (CECs). The ASFPM is trying to address this issue on several fronts. First, CFMs need to have a directory of CECs available. This is being worked on now. Second, the ASFPM has created a new standing committee: the Training Committee. Led by ASFPM Secretary Rhonda Montgomery, the Training Committee is working on developing and implementing a training strategy as well as leading an inter-organizational coordination group of other providers of floodplain management training to ensure that all essential training needs are being met and that we are not duplicating efforts as training opportunities are developed. Also, the ASFPM’s Certification Board of Regents is pursuing several activities to continually refine and improve the CFM program to help reduce flood losses in the nation.

No Adverse Impact (NAI), a major ASFPM initiative, is continuing to help change the face of floodplain management. In the year ahead, the NAI Steering Committee will continue to refine and implement its plan and there is an effort to work with our corporate partners to further develop materials based on the NAI “building blocks” in the NAI Toolkit.

Of course, there are two big conferences in 2005! The ASFPM annual conference will be held June 13–17, 2005, in Madison, Wisconsin—one of the most beautiful natural settings for a state capital that I have ever seen! One of the important traditions of the conference is the presentation of national floodplain management awards; however, this cannot be successful without members’ submitting award nominations. The deadline is March 1, 2005, so please take a little time and send in a submission for an award. If you are on the fence about whether to go to the national conference, hop off of it and get your registration in! Consistently I hear feedback that it is the best floodplain management conference in the nation and that it is among the best technical conferences as well.

The other major conference in 2005 will be the third National Floodproofing Conference, being held in September in Charleston, West Virginia. What do inland folks know about floodproofing? Plenty! In particular, the Corps of Engineers has been active in West Virginia implementing non-structural floodproofing measures.

Finally, there are plenty of national policy issues ahead for us to tackle. Priorities for 2005 include FEMA’s Map Modernization and mitigation programs; eliminating the “mitigation tax” that the IRS recently enacted via a letter ruling; ensuring that the nation’s stream gauging system has the necessary resources; and helping to maintain visibility for smaller programs like the Corps’ Floodplain Management Services and Planning Assistance to States programs. We are always working on policy integration and coordinating with other groups to support important matters. There are more issues than there are hours to deal with them, so if you have ever wanted to work on some of them, get involved in one of ASFPM’s policy committees.

There is one other thing I want to mention about national policy. From time to time a “call to action” is issued to our members and Chapters, or a notice from the Executive Office that some important deadline is looming. Unfortunately there isn’t enough time to thank everybody that responds to these notices but I want to

[continued on page 3]
from the Chair (cont).

say thank you to all of you that do respond. Last year, we issued perhaps a half dozen such calls and many of you took action! Policy makers are much more willing to pay attention to our message when chapters, states, communities, and individuals from their districts take this initiative.

Whew! It looks like 2005 will be yet another busy year, but with a little hard work and continued contributions from ASFPM members, we will undoubtedly be successful.

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Watershed Management Cooperation Cinched

The U.S. Environmental Protection Agency’s Office of Water and the Corps of Engineers’ Civil Works Directorate have agreed to a collaborative watershed partnership. The agreement, signed in November, is aimed at facilitating communication, enhancing data exchange, and promoting innovative approaches to water resource and watershed management. To manage watersheds holistically, the EPA and Corps will work together to resolve conflicts and seek consensus, not just among the agencies but also among the numerous other interests within a watershed.

These approaches will touch upon all aspects of watershed management: flood management, navigation, recreation, infrastructure and environmental stewardship, safe drinking water, aquatic resources, economic and recreational activities, and habitat for fish, plants, and wildlife.

> > > For a copy of the partnership agreement and more information on wetlands management, see http://www.usace.army.mil/inet/functions/cw/cecw/reg/ or http://www.epa.gov/owow/wetlands/.

ASFPM Seeks Deputy Executive Director

The Association of State Floodplain Managers (ASFPM) has created a new position of Deputy Executive Director to assist the Executive Director in overseeing policy, administration, project management, the Certified Floodplain Manager Program, and member services. The position is located in the Executive Office in Madison, Wisconsin.

The primary responsibilities of the new Deputy Executive Director will be to
• Manage the ASFPM’s office space and staff;
• Oversee financial and records management;
• Support work planning, conferences, workshops, and meetings;
• Supervise publications, projects, professional certification activities, and contracts; and
• Assist the Executive Director in liaison with other groups and national policy initiatives.

Required qualifications are
• Strong written and oral communication skills;
• Bachelor’s degree in a field related to floodplain management;
• Minimum five years experience in progressively responsible management positions;
• Direct experience in floodplain management, Certified Floodplain Manager preferred;
• Demonstrated proficiency with personnel as well as financial management;
• Knowledge of and direct network experience among floodplain management industry players and issues;
• Experience in project development and completion; and
• Understanding and support of the ASFPM mission and goals.

The ASFPM is a national, nonprofit, professional membership association with 7,000 members and 20 chapters throughout the United States, and an annual operating budget of over $600,000.

> > > The application closing date is April 1, 2005. More details and application instructions are displayed at http://www.floods.org/files/depexdir.pdf.
Substantial Damage Inspections (cont.)

coordinated with the local process to assess damage and issue permits for actions in flood hazard areas. There are opportunities for better coordination between the assistance programs and the National Flood Insurance Program so that will they will be less susceptible to future floods. Connie received letters, after the fact, from FEMA asking for reports on repetitive loss structures that she didn’t even know about, because the property owners proceeded to make improvements with FEMA’s money without the SDE inspection! Washington County is also finding out that the SDEs may not be reimbursable by FEMA. This support tallied $27,000 for the inspectors’ time, lodging, meals, and mileage that local communities will have to cover if disaster assistance will not reimburse them. As an organization to promote better floodplain management, OFMA hopes our legislators and FEMA will make some policy changes.

- There should be better communication and support for the local community flood plain manager who is trying to mitigate repetitive loss structures. It makes no sense for FEMA to cut checks to property owners without some verification that the SDE is complete and has determined if improvements to elevate or floodproof are necessary.

- FEMA should pay for the SDE inspection service just as they do for other health and safety inspections and relief. Local communities lack the resources to make the SDE inspections by themselves for major disasters. It is unreasonable to assume that a local community can afford to absorb the expense of the SDE inspection cost. This is not an area in which FEMA should try to cut corners to save money. A properly funded, thorough SDE inspection will actually save FEMA money in the long run by reducing the number of repetitive loss structures when local flood plain managers are able to enforce their regulations and force property owners to elevate or otherwise floodproof their structures.

- A policy change by FEMA to support enforcement and compliance with the flood damage reduction standards of the NFIP will help apply the mitigation elements of the NFIP. By determining which structures are subject to elevation, floodproofing, or retrofitting as part of the recovery and repair process, FEMA will be helping the local community to use the NFIP to correct flood risk structures and avoid future flood damage.

---reprinted from The Ohio Water Table 2004 (Fall)
What not to do
When the Road is Flooded

This letter to the editor appeared in the Washington, Pennsylvania, Observer-Reporter on January 10, 2005—a first-person testimony to the consequences of failing to understand and respect flood waters, no matter how shallow or harmless they appear.

Let me introduce myself: I am the most foolish man in Washington County.

While driving to work last week, I saw a barricade blocking one of the traffic lanes on the road. I decided to take the other lane and drive around it. I soon found myself staring at what looked like a shallow pool of water in the roadway that stretched as far as I could see. Not wanting to be late for work, I cautiously drove into the water where I soon found myself submerged up to the top of my wheels and my engine gasping for life.

Not to be discouraged by these obvious warnings I plowed ahead and then found myself, my vehicle and a few thousand dollars worth of contents in my vehicle hopelessly stranded in thigh deep flowing water.

As the water began to rise to my seat I decided that the contents in my vehicle were essential to my very existence so I began carrying the items to dry land, making several trips. Then, as I felt the current begin to really show me who was boss, I suddenly realized that this situation was more serious than I could have ever imagined. So I waded back to dry land and finally called 911 from my cell phone.

The response was swift, professional and outstanding.

I ended up missing work altogether, I put other people at risk, I lost a vehicle and a few thousand dollars. Why? I can only think of one reason. As I said, I am the most foolish man in the county.

Many people, whose names I didn’t even get, risked so much for a foolish man. The Amity fire chief, the young man who was with him, the PENNDOT worker with the large truck, the state police, the Washington County 911 dispatcher and the wrecker drivers. Let’s do them all a favor and follow a few simple rules:

1. Don’t drive around a barricade, even if you can.
2. If you see water, go home and get your boat. Your car just isn’t made for it.
3. If you do get stuck in water and make it to dry land, don’t go back for anything that isn’t living.
4. Don’t try to fight a flooded creek, it will win every time.

After all, do you want to be an idiot like me?

Robert N. Hall
Marianna, Pennsylvania

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NATIONAL RESPONSE PLAN FINALIZED

Early in January the Department of Homeland Security announced the completion of the National Response Plan, which fulfills one of the DHS’s founding directives and supersedes and consolidates the Initial National Response Plan [see News & Views, February 2004, p. 7], the earlier Federal Response Plan, and other security-related procedures.

The NRP establishes a comprehensive all-hazards approach to enhance the ability of the United States to manage domestic incidents. It incorporates best practices and procedures from the fields of emergency management, law enforcement, firefighting, public works, public health, and emergency medical services and integrates them into a unified structure. It dictates how federal departments and agencies will work together and coordinate with state, local, and tribal governments and the private sector during incidents. It establishes protocols to help

- protect the nation from terrorist attacks and other natural and human-caused hazards;
- save lives;
- protect public health, safety, property, and the environment;
- reduce disruption and adverse psychological effects;
- enable the federal government to conduct law enforcement investigations, apprehend the perpetrators, and collect and preserve evidence for prosecution;
- mitigate damage and impacts to individuals, property, communities, and the environment; and
- facilitate recovery of people, businesses, governments, and the environment.

The Plan identifies “catastrophic incidents” as high-impact, low-probability events, including natural disasters and terrorist attacks that result in extraordinary levels of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale, and/or government functions.

The stated goal of the NRP is to enable response to be handled at the lowest possible organizational and jurisdictional level. It identifies police, fire, public health and medical, emergency management, and other personnel as responsible for incident management at the local level. Further specifications ensure the seamless integration of the federal government when an incident exceeds local or state capabilities.

Multi-agency Coordination Structure

The NRP establishes multi-agency coordinating structures at the field, regional, and headquarters levels, through which appropriate federal departments and agencies carry out their response activities. This structure is intended to embrace both site-specific incident management and broader regional or national issues, such as impacts to the rest of the country or multiple incidents.

- Under the NRP, a Homeland Security Operations Center will serve as the primary national-level multiagency hub for domestic situational awareness and operational coordination.
- The National Response Coordination Center will be a multiagency center to provide overall federal response coordination, as a component of the HSOC.
- The Regional Response Coordination Centers will coordinate regional response and implement local federal program support until a Joint Field Office is established.
- The Interagency Incident Management Group is a tailored group of senior federal interagency experts who provide strategic advice to the DHS Secretary during an emergency.
- The Joint Field Office is a temporary federal facility that will be established locally to provide a central point to coordinate resources in support of state, local, and tribal authorities.
- A Principal Federal Official may be designated by the Secretary during an incident to coordinate overall federal management efforts.

The NRP will be updated by DHS Emergency Preparedness and Response/FEMA to incorporate new laws and policies and make procedural changes based on lessons learned from exercises and actual events.

For more information or to download the NRP, see http://www.dhs.gov/dhspublic/interapp/editorial/editorial_0566.xml.

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WASHINGTON REPORT (cont.)

NATURAL DISASTER INSURANCE RAISED AGAIN

Interest continues in the formulation of a national program for disaster insurance that could cover losses homeowners suffer due to hurricanes, earthquakes, volcanoes, or other natural hazards, or provide a safety net for the private insurance companies if a catastrophic event should threaten their solvency. Last fall Congressman Brad Sherman (D-CA) encouraged Congress to authorize a study that would investigate the private market’s ability to cover natural disaster insurance risks. The study would be undertaken by the Secretary of Treasury. Sherman’s suggestion came after the withdrawal of his amendment to include natural disaster insurance coverage in legislation to extend the Terrorism Risk Insurance Act.

The National Conference of Insurance Legislators (NCOIL) has expressed strong support for a Congressional study into the most feasible approach for managing natural disaster insurance risks. NCOIL’s concern is that a significant natural disaster anywhere in the nation could bankrupt insurance markets throughout the country. The group has focused in recent years on other ways of providing relief to the insurance industry in such a scenario, such as tax-deferred catastrophe reserves or federal reinsurance programs. Combining a national natural disaster program with either the Terrorism Risk Insurance Act or the National Flood Insurance Program now is being eyed as another possible avenue, as is a national catastrophe fund established through some combination of state, federal, and private contributions. The National Association of Realtors® and the National Association of Professional Insurance Agents also are on record as being in favor of further investigation of an all-hazards insurance or re-insurance scheme, to culminate in appropriate insurance legislation.

LEGISLATIVE REPORT

The 109th Congress technically convened in early January, but really got down to business after the President’s Inauguration on January 20th. Some House and Senate committees have held organizational meetings. The leadership of both political parties is completing committee and subcommittee assignments.

DHS Oversight

Although confirmation hearings for Secretary of State designate Condoleezza Rice and Senate floor consideration of her nomination have dominated the news, the newly created Senate Committee on Homeland Security and Governmental Affairs held its first hearing on managerial and organizational issues at the Department of Homeland Security (DHS). A panel of analysts and academics presented their observations and recommendations. The testimony can be found at: http://www.hsgac.senate.gov. Some panelists referred to FEMA and the role of emergency preparedness and response, but it is interesting to note how little mention was made of natural disasters.

New Secretary for DHS

In addition to this fast start on its new oversight responsibilities for the Department of Homeland Security, the Committee will soon consider the nomination of U.S. Appeals Court Judge Michael Chertoff to be the second Secretary of Homeland Security. The hearing was scheduled for February 2. Chertoff has been a judge on the U.S. Court of Appeals for the Third Circuit, an Assistant Attorney General of the United States, the U.S. Attorney for New Jersey, a federal prosecutor in New York City, and a law clerk to Supreme Court Justice William Brennan.

Other

Action is proceeding in other Senate committees considering Cabinet nominees. In addition, some organization issues have not been fully resolved. The extent to which the new Senate Homeland Security and Governmental Affairs Committee and House Committee on Homeland Security will absorb authorizing legislative jurisdiction for the multiple elements of DHS is not clear, although it does appear that responsibility for the National Flood Insurance Program will remain with the two banking committees.

Budget

The Administration announced on January 25 that it would soon be submitting a Fiscal Year 2005 Supplemental Appropriations request of about $80 billion needed for efforts underway in Iraq and Afghanistan, which will likely affect domestic program budgets.

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The President’s Budget Request for Fiscal Year 2006 was released February 7th. The appropriations committees were due to take up the supplemental request shortly thereafter. Subsequently, the many appropriations subcommittees will hold hearings over the next two months to examine budget requests and hear from department and agency officials defending and explaining their requests.

Some Key Issues

Mitigation and the IRS
Legislative action will be necessary to clarify that disaster mitigation grants should not be taxable as income to individuals or businesses [see News & Views, December 2004, p. 5]. Bills were introduced to that effect at the end of the last Congress, but efforts to get the legislation attached to other measures were not successful. It is expected that Senator Kit Bond (R-MO) and Representative Mark Foley (R-FL) will introduce their bills again. Discussions with the Senate Finance Committee staff and the House Ways and Means Committee staff have led to some not-yet-finalized alterations to “tighten” the language of the bills.

The Treasury Department, FEMA/DHS, and the White House are supportive of such legislation. And while there is broad support among those members of Congress who are aware of the issue, there are many who do not yet know about the looming problem if this matter is not clarified before tax returns must be filed for 2004. It is important that ASFPM members and Chapters with knowledge about the problem and its adverse impact on disaster mitigation in their states or communities make that information available to their members of Congress. Further, the urgency of action before April 15th should be made clear.

The Internal Revenue Service ruled on June 28, 2004, that disaster mitigation funds used for certain types of projects on property that remains in private ownership should be considered income for tax purposes. When the ruling came to the attention of the Department of the Treasury, the adverse implications for the success of disaster mitigation programs was understood and an active effort began during the fall to get legislative clarification. While Treasury has worked with the Senate Finance and House Ways and Means Committees, FEMA has worked with the committees that oversee mitigation programs. In October, 2004 FEMA issued official guidance on the application of the ruling. Between June and October, many individuals and businesses participated in mitigation programs without realizing that the funds would be taxable. Since the information about the ruling has been made public, ASFPM has become aware of numerous situations where individuals, businesses, and communities have declined to participate in mitigation activities as a direct result of this ruling.

FEMA and DHS
The question of how FEMA is faring within the Department of Homeland Security will receive some Congressional attention this spring. As mentioned above, the Senate Committee on Homeland Security and Governmental Affairs has already initiated its series of hearings on DHS organizational and managerial issues. The new Secretary of Homeland Security will, no doubt, have some organizational ideas and it is likely that the subject will be explored during his confirmation hearing. The new standing Homeland Security Committee in the House and the House Committee on Transportation and Infrastructure’s Subcommittee on Emergency Management are both actively interested in the subject as well.

Last summer the ASFPM Board adopted a resolution recommending that FEMA be removed from DHS and allowed to function again as an independent agency reporting directly to the President. In ASFPM discussions with Congressional committee staff, it seems unlikely that such a step will be taken. There is, however, considerable interest in finding a way to give FEMA more autonomy within DHS. Various reports have been produced recently making a range of recommendations. Many seem to suggest separation of preparedness and response, however, with response authority not being part of FEMA. One interesting report was done by the Heritage Foundation and the Center for Strategic and International Studies, which recommends more autonomy for FEMA. It is entitled “DHS 2.0” and can be found on the Heritage Foundation website at http://www.heritage.org.

Reauthorization of PDM
The Pre-Disaster Mitigation Grant program (PDM) requires reauthorization this year. It was set to expire in December 2004, but was extended for one year in the Omnibus Appropriations Bill passed in December. This provides an opportunity to address restoration of the Hazard Mitigation Grant Program (HMGP) to 15% of declared disaster costs from the current 7.5%.

The House passed a bill during the last Congress reauthorizing PDM and restoring the 15% HMGP level, but the Senate did not take action.

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Washington Report (cont.)

Repetitive Flood Losses

Although Congress has passed legislation authorizing $90 million/year by transfer from the National Flood Insurance Fund (NFIF) through 2009, it was not passed in time to be included in the Administration’s FY 2005 budget request. It is hoped that it will be included in the President’s FY ’06 budget. It will be important to launch this key mitigation program this year since only four years remain of what was intended to be a five-year program. Focusing newly authorized program elements and funding on the repetitive flood loss problem will significantly reduce the $200 million annually paid out of the NFIF in repetitive loss claims.

Flood Map Modernization

Continuity of funding is essential now that the map modernization effort is underway. Monitoring its implementation is also critical to the program’s success. The ASFPM is actively engaged in working with both FEMA and the National Service Provider (NSP) in this effort.

Strengthening the USGS Streamgage Network

Despite what appears to be a level budget for the U.S. Geological Survey’s Streamflow Information Program, it is actually shrinking due to salary increases and across-the-board cuts. At the same time, more and more of the cooperatively funded gages are being dropped due to local budget constraints. Particularly worrisome is the loss of the long-term gages that provide consistent reporting over time. Attention should be called to this issue.

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

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

MORE PROGRESS ON GREAT LAKES

In December, dozens of government officials and tribal representatives signed a Great Lakes Declaration and a framework document for the Great Lakes Regional Collaboration to restore and protect the Great Lakes ecosystem. The declaration is a pledge by the signatories to work together to ensure a healthy ecosystem for future generations.

The Great Lakes Regional Collaboration Framework establishes strategy teams, made up of government, quasi-governmental, and other regional stakeholders, as the working bodies responsible for drafting action plans that will be used for the draft Great Lakes strategy. The teams will use the nine priorities identified in October 2003 by the Great Lakes Governors and since adopted by the Great Lakes Mayors and ratified by the Great Lakes Commission as their organizational foundation. The collaboration is working toward a December deadline for presenting a plan that will focus the efforts of all toward making the Great Lakes cleaner.

The collaboration is a followup to Executive Order 13340, issued in May 2004, which created a Cabinet-level Task Force to accelerate the coordination for protection and restoration of the Great Lakes system. The President’s FY 2006 Budget requests $50 million to implement this and related Great Lakes work—an increase of nearly $28 million from the level funded by Congress in FY 2005.

The Great Lakes constitute the largest freshwater system on earth, containing roughly 20% of the world’s fresh water supply. In addition to their natural beauty, the Great Lakes serve as a source of drinking water for more than 30 million people, support the culture and life ways of native communities, form the backbone for billions of dollars in shipping, trade, and fishing and provide food and recreational opportunities for millions of American and Canadian citizens.

>>> For additional information see http://www.epa.gov/greatlakes/collaboration.
State & Local Report

Alaska Changes Coastal Management Program

The State of Alaska has submitted to the Office of Ocean and Coastal Management (OCRM) of the National Oceanic and Atmospheric Administration a request to amend the Alaska Coastal Management Program (ACMP) under 15 C.F.R. 923.81. The State has recently made changes to the governing statutes and implementing regulations of the ACMP, including (1) the elimination of the Coastal Policy Council and the transfer of duties to the Alaska Department of Natural Resources; (2) the revision of all implementing regulations and state enforceable policies; and (3) clarifications on the consistency review process. The state has produced a comprehensive program description for the ACMP covers not only the changes to the programs but also all the requirements of a state coastal management program under 16 U.S.C. 1455 and 15 C.F.R. 923. The description was prepared to give OCRM and the public a full understanding of the application and operation of the ACMP. This will allow meaningful comment during the National Environmental Policy Act process on the recent changes and also enable all stakeholders to grasp the program that will govern coastal management in Alaska for the foreseeable future. The amendment and supporting documents may be viewed at http://www.alaskacoast.state.ak.us/OCRM/program/amend12-16-04.htm.

excered from CSO Weekly Report January 7, 2005

California Looks for Action on Levees

A new report issued by the California Department of Water Resources recommends assessing fees from those who own property in Central Valley floodplains or on higher ground that drains into floodplains in order to repair the region’s aging flood protection levees. Specifically, the report says the state should

• Require all homes and businesses at risk of flooding to have some form of flood insurance;
• Create a Central Valley Flood Control Assessment District with the authority to assess fees to provide adequate flood protection for participants; and
• Exempt local flood control districts from Proposition 218’s requirement that new or higher assessments be approved by two-thirds of affected property owners.

The DWR report, Responding to California’s Flood Crisis, explains why the state’s flood-control network of levees, channels, and weirs is inadequate and failing, including its age (in some spots, over 100 years); population growth, which causes development of more vulnerable areas; and state budget woes, which have diminished funding for maintenance and upgrades.

Unfortunately, recent improvements to some local levees are expected to result in the Federal Emergency Management Agency’s issuance of new maps soon that show much of Sacramento no longer in the 100-year floodplain, where federal insurance is required. Some local officials and experts are concerned about the absence of the insurance requirement, because the risk of flooding in the capital still is relatively high.

The state has a vested interest in making sure people are adequately insured against flood losses. A state Supreme Court decision last year put the liability for flood losses squarely on the shoulders of the state in a case in which a levee needing repairs collapsed, resulting in flooding along the Feather River.

A proposal incorporating action on some of the report’s recommendations is being readied for the state legislature, but it is not clear whether any bills will be introduced during this session.


Michigan Project Advances Ecological Corridors

Michigan’s Coastal Management Program is continuing its long-standing support of Wild Link, a project to counter the impacts of habitat fragmentation in the northwestern Lower Peninsula. Through the Wild Link project, the Conservation Resource Alliance (CRA) helps private property owners establish, manage, and protect corridors of wildlife habitat that join large expanses of forests and wetlands under public ownership. Most of the private lands mapped and targeted by the CRA for landowner contact and ecological corridor establishment are riparian lands or wetlands. Protecting wide bands of natural vegetation along rivers, streams, and adjacent uplands has obvious water quality benefits and is directly aligned with a number of Coastal Nonpoint Program

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management measures. Though wildlife protection is the main “hook” for drawing landowners to participate in Wild Link, CRA biologists consider water quality and other objectives when developing property-specific management plans. For more information, contact Matt Smar at smarm@michigan.gov.

HAWAII GETS NEW OCEAN AND COASTAL COUNCIL

Hawaii Governor Linda Lingle signed an Executive Order creating an Ocean and Coastal Council that will bring together directors of various state agencies and their partners to proactively address ocean and coastal issues. The new Council will provide advice and recommendations on protecting and managing the state’s ocean and coastal resources. A key activity this year will be to develop an agenda for the Hawaii Ocean Summit to be held in October in concert with the All Islands Coastal Zone Management meeting. The Council will not limit its scope to Hawaii, but will network and share ideas and initiatives with similar groups across the country, such as the Coastal States Organization. The council is expected to provide a framework to more cooperatively and efficiently address Hawaii’s ocean and coastal concerns, provide maximum leveraging and coordination of existing state funding, and reduce or eliminate unnecessary duplication of efforts. For more information, visit http://gov.state.hi.us/.

WEST VIRGINIA HISTORY SAFE AFTER FLOODS

When Hurricane Ivan passed through last fall, communities in the panhandle of West Virginia were among the hardest-hit areas of the state. Repairing and restoring the damage was a especially sensitive and important issue because of the historical significance of many of the region’s buildings. State and local governments are placing increasing emphasis on preserving their historical heritage, not only for its own sake but also as a way to attract tourist dollars.

As is usual after a flood (or other) disaster, local officials worked with both the state and FEMA historical preservation officials to find a way to restore all public historic properties to their undamaged condition as soon as possible, while at the same time satisfying regulatory requirements. After Ivan, that process was in play in several instances. In New Martinsville, the Wetzel County Courthouse needed to replace basement windows. The Lincoln Theater, also in New Martinsville, suffered flood damage to its floor tiles. In both cases the historic preservationist researched suppliers to help the community obtain historically accurate reproductions. In Brooke County, damaged historical sites requiring the services of a historical preservationist included Millers Tavern in Wellsburg (now home to the Brooke County Historical Society), and the County’s first log cabin, now serving as a museum. Wheeling, West Virginia, is one of only 23 congressionally delegated National Heritage Areas in the United States. Wheeling Island (in the Ohio River), flooded many times over the past two centuries, has over 1,000 historic buildings on the island, none of which was lost during Ivan.

GOVERNMENT BUILDINGS GET GREENER

The Environmental Protection Agency’s Federal Triangle complex in Washington, D.C., is being re-landscaped to serve as a “low-impact development” demonstration site. The EPA and the General Services Administration have been working on a plan to exhibit stormwater management techniques and sustainable design at the site, which includes several office buildings and courtyards, as well as landscaped areas along Constitution Avenue. The efforts will combine low-maintenance and native plants, cisterns to collect and re-use runoff, bioretention cells, “green” roofs to detain and treat runoff, and permeable pavers. Recycled and locally produced materials will be used as much as possible. The EPA and GSA are also working on a design to collect rainwater for landscape irrigation and to add rain gardens to the current planting beds.

It is hoped that site will serve as a model for the federal community and will demonstrate many of the practices that can be employed to mitigate the effects of stormwater runoff and reduce combined sewage overflows into rivers, streams, and coastal waters. It will also demonstrate that sustainable design and low-impact development techniques can be used in high profile, urban sites that are subject to rigorous aesthetic design reviews.

> > > For more information about the project, see http://www.epa.gov/owow/nps/lid/stormwater_hq/.
MOA on Smart Coastal Growth

The National Oceanic and Atmospheric Administration and the U.S. Environmental Protection Agency signed a Memorandum of Agreement detailing their commitment to work together to help coastal communities grow in ways that benefit the economy, public health and the environment.

Through the partnership, the agencies will deliver the latest information and technology to communities for reusing previously developed land and providing more housing and transportation choices, while preserving critical natural areas and limiting air and water pollution. They will provide training for local government staff and officials; outreach and education on successful policies, ordinances, and initiatives; and assessments of the impacts of management actions on sensitive coastal areas.

The partnership was announced at the Fourth Annual New Partners for Smart Growth conference held in Florida in January, at which over 1,000 local elected officials, real estate developers, government agencies, and citizen leaders eyed a nationwide range of cutting-edge growth issues.

Coastal watersheds are growing rapidly, with 55% of the U.S. population now living within 50 miles of a coast. In the past 20 years, the rate of all land development nationwide has grown 30%, twice the rate of population growth. This rapid growth presents coastal communities, which are hosted by sensitive and critical landforms and ecosystems, with serious challenges.

>>> For more information on the MOA and coastal community development in general, visit http://www.epa.gov/smartgrowth/noaamoa.html.

Publications, Software, AV & the Web

Nation on Edge examines the history, current status, and future of building in disaster-prone areas and other vulnerable places in the United States. A compilation of resources from scholars and practitioners from a number of disciplines gives snapshots of the nation’s settlement patterns and governmental policies regarding management of at-risk areas (and management of the disasters that result from their development); the move toward integrated federalism with clear roles assigned to various levels of governments; and identifies and discusses how to remove the remaining obstacles. Important perspectives and conclusions on several topics are presented in this volume, including state comprehensive planning, weather disasters; the relationship between sprawl and drought; population density; coastal hazards; and environmental laws at the local level. It contains extensive excerpts from the ASFPM’s recent reports, Floodplain Management 2003 and Effective State Floodplain Management Programs. 2005. Land Use Law Center, Pace University School of Law. Download from http://www.law.pace.edu/landuse/Nation%20Handbook.pdf.

Coasts: Form, Process and Evolution gives the background in geomorphology necessary for those studying coastal systems. It describes the landforms that occur on the coast, their responses to the processes that shape them, and the pattern of evolution that can be determined for different types of coasts over thousands of years. Numerous examples from around the world illustrate the variety of environments. Particular attention is paid to coastal morphodynamics: the co-adjustment of process and form on rocky, reef, sandy, deltaic-estuarine, and muddy coasts. Colin D. Woodroffe. 2003. Cambridge University Press. ISBN # 0521011833. $70.00. See http://cet-dec-2004.c.topica.com/maac0qlabcLrAaIaV0oe/.

The 2004 State of the Bay Report is the latest in the Chesapeake Bay Foundation’s series of comprehensive measures of the Bay’s health. This year’s report grades the Bay a “D,” with a health index rating of 27, the same as last year’s score. To create the report, CBF evaluates 13 indicators in three major categories: pollution, habitat, and fisheries. Monitoring data serve as the primary foundation for the report, supplemented by in-the-field observations and professional judgement from Foundation and other scientists. The unspoiled Chesapeake Bay seen by early European explorers around 1600—with its extensive forests and wetlands, clear water, abundant fish and oysters, and lush underwater grasses—serves as CBF’s benchmark. For more information, visit http://www.cbf.org/site/PageServer?pagename=sotb_2004_index.
“Permitting for Environmental Results” compiles the profiles of 33 state permitting programs under the National Pollutant Discharge Elimination System (NPDES). The Environmental Protection Agency has been implementing a nationwide assessment to improve permits. Stormwater management is one of several NPDES programs covered in the profile. The states conducted self-assessments and EPA combined those with national data to develop a detailed assessment of each state’s NPDES program. Each profile describes the state’s administration of its NPDES program, permitting procedures, enforcement, environmental outcomes, record-keeping, local assistance, and other features. Not only can successful techniques be shared with other states by means of the profiles, but also the states and EPA will be using them as a benchmark for program improvements. The remaining profiles will be released in early 2005. The NPDES profiles can be viewed at http://www.epa.gov/npdes/PER.

Urban Flood Management comprises a global, multidisciplinary survey of recent developments in the field of urban flooding. Over the last decades the world has witnessed a growing number of floods in urban areas. Climate change and rapid urbanization will exacerbate this trend. Flooding incidents in urbanized catchments and low lying areas, such as polders, can lead to great public concern and anxiety, as well as serious economic impacts. Apart from well-known flood prevention strategies, new approaches to the accommodation of floods are needed to create sustainable solutions that enable people to cope with ever-increasing urban pressure on flood-prone areas and the uncertainties created by climate change. In this book, topics such as spatial and urban planning, flood insurance, flood resilience, floodproofing techniques, risk perception, preparedness, and flood forecasting are examined by authorities from Brazil, India, the United States, and Europe. Andrew Szollosi-Nagy and Chris Zevenbergen. 2004. ISBN #0-415-35998-8. 160 pp. $ 69.00 from A. A. Balkema Publishers. An order form is at http://www.nwp.nl/objects/UrbanFloodMgmt.pdf or contact Thomson Publishing Services at book.orders@tandf.co.uk.

The Urban Stream Repair Practices Manual offers constructive ideas on practices to enhance the appearance, stability, structure, or function of urban streams. The manual provides guidance on stream cleanups, simple repairs, and more sophisticated comprehensive repair applications. It describes the powerful and relentless forces at work in urban streams, which must be carefully evaluated during the project design phase, and tells how to set appropriate restoration goals for a stream and choose the best combination of stream repair practices to meet them. A list of methods is provided to help users assess stream repair potential at the subwatershed level, including basic stream reach analysis, more detailed project investigations, and priority screenings. Center for Watershed Protection. 2005. Download from http://cwp.org.master.com/texis/master/search/+form/USRM_DL.html

“Stormwater Case Studies” is a collection of 17 examples of successful municipal approaches to the six minimum measures for controlling stormwater pollution that are outlined in the Phase II regulations of the National Pollutant Discharge Elimination System (NPDES). The Environmentl Protection Agency has gathered the illustrations to help the 5,000 municipalities that are currently building programs to prevent and control stormwater pollution. The local programs feature public education, control of construction-site runoff, stormwater management for new developments, and other tools. Most of the case studies are drawn from local governments that implemented the Stormwater Phase I requirements in the 1990s. The stormwater case studies can be viewed at http://www.epa.gov/npdes/stormwater/casestudies.

“Growth and Water Resources” is a distance-learning training model recently added to the U.S. Environmental Protection Agency’s Watershed Academy website. It explains how changes in land use affect water resources, and presents national data on trends in development patterns and activities on land that have become increasingly significant challenges for achieving water quality standards. The module, developed by EPA’s Office of Wetlands, Oceans and Watersheds Smart Growth Team, describes a combination of approaches to accommodate future growth in a way that benefits the economy and the environment while protecting water resource. A “tools” section has links to on-line resources. Check it out at http://www.epa.gov/watertrain/smartgrowth/.
Calendar

The Association of State Floodplain Managers maintains a list of flood-related meetings, conferences, and training at http://www.floods.org/calendar.htm.


February 23–24, 2005: PARTNERSHIPS—WORKING TOGETHER TO IMPROVE FLOODPLAIN AND STORMWATER MANAGEMENT, Peoria, Illinois. Sponsored by the Illinois Association of Floodplain and Stormwater Management. Contact IAFSM at (708) 747-5273 or IAFSM@aol.com or see http://www.illinoisfloods.org.

March 13–16, 2005: EIGHTH ANNUAL EDUCATIONAL CONFERENCE OF THE SOUTH CAROLINA ASSOCIATION FOR HAZARD MITIGATION, North Myrtle Beach, South Carolina. Contact Joni Rennhack at (843) 202-6940 or jrennhack@charlestoncounty.org.


April 18–21, 2005: MANAGING FLOODPLAIN DEVELOPMENT THROUGH THE NATIONAL FLOOD INSURANCE PROGRAM (E273), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see http://www.fema.gov/EMIWeb/.

April 19–21, 2005: SIXTEENTH GLOBAL WARMING INTERNATIONAL CONFERENCE, New York, New York. sponsored by the Global Warming International Center. Contact James A. Roberts, P.O. Box 5275, Woodridge, IL 60517; jroberts@globalwarming.net or see http://www.globalwarming.net/.


May 5–6, 2005: SPRING MEETING OF THE ARIZONA FLOODPLAIN MANAGEMENT ASSOCIATION, Safford, Arizona. Contact AZFMA, P.O. Box 18102, Phoenix, AZ 85005-8102 or see http://www.azfma.org.

May 8–11, 2005: SOLUTIONS TO COASTAL DISASTERS 2005, Charleston, South Carolina. Sponsored by the Coasts, Oceans, Ports and Rivers Institute of the American Society of Civil Engineers. See http://www.asce.org/conferences/ed05/.


May 19–20, 2005: URBAN FLOOD CHANNEL DESIGN AND CULVERT HYDRAULICS (NCES 8221), Denver, Colorado. Sponsored by the University of Colorado at Denver, Continuing Engineering Education. Contact (303) 556-4907 or visit http://www.cudenver.edu/engineer/cont; click on Course Information.
May 22–25, 2005: THE WATERSHED PROGRAM AT 50: REFLECTIONS ON THE PAST AND FORECASTS FOR THE FUTURE, NINTH NATIONAL WATERSHED CONFERENCE, Ft. Mitchell, Kentucky. Sponsored by the National Watershed Coalition. Contact Dan Siebert at (405) 627-0670 or nwchdqtrs@sbcglobal.net or visit http://www.watershedcoalition.org/PaperCall.htm.


May 31—June 3, 2005: NATIONAL FLOOD INSURANCE PROGRAM NATIONAL FLOOD CONFERENCE, Marco Island, Florida. Contact Catherine King at (301) 918-1439; fax: (301) 918-1498.


June 12–17, 2005: NO ADVERSE IMPACT: PARTNERING FOR SUSTAINABLE FLOODPLAIN MANAGEMENT, 29TH ANNUAL CONFERENCE OF THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS, Madison, Wisconsin. Contact the ASFPM Executive Office, 2809 Fish Hatchery Rd., Ste. 204, Madison, WI 53713-3120; (608) 274-0123; fax: (608) 274-0696; asfpm@floods.org or see http://www.floods.org.

June 27–30, 2005: MANAGING FLOODPLAIN DEVELOPMENT THROUGH THE NATIONAL FLOOD INSURANCE PROGRAM (E273), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see http://www.fema.gov/EMIWeb/.

July 10–13, 2005: THE CHANGING FACE OF DISASTER MANAGEMENT, 15TH WORLD CONFERENCE ON DISASTER MANAGEMENT, Toronto, Ontario, Canada. Sponsored by the Canadian Centre for Emergency Preparedness. Contact Adrian Gordon at (905) 331-2552 or agordon@ccep.ca or see http://www.wcdm.org.


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


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 18–20, 2006: ANNUAL 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.