NEW FUNDING FOR SEVERE REPETITIVE FLOOD LOSS PROPERTIES

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The Federal Emergency Management Agency’s Mitigation Directorate now has five grant programs available to states, local communities, federally recognized Indian tribes, and territories. Until now, local governments trying to protect their communities against severe, repetitive flooding had to apply for funding either through the Hazard Mitigation Grant Program (after a disaster declaration) or through the Pre-Disaster Mitigation, Flood Mitigation Assistance, or Repetitive Flood Claims grant programs. The new Severe Repetitive Loss (SRL) Pilot Program targets a narrow group of insured residential structures that are repeatedly flooded and are a consistent drain on the National Flood Insurance Program (NFIP). The goal of the SRL Program is to reduce or eliminate the long-term risk of flood damage to these structures.

Repetitively flooded structures make up only 1% of all NFIP policies nationwide, yet account for 25–30% of the claims paid under the program. To address this imbalance, the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (P.L. 108-264) amended Section 1361A of the National Flood Insurance Act of 1968 (U.S.C. 4030). The Reform Act authorized up to $40 million for the SRL Program for each fiscal year from 2005 through 2009. As this is the first year to apply for the program, about $160 million is available for this grant cycle—the largest amount of money to date to specifically target property owners suffering from severe, repetitive flooding.

SRL properties are defined as residential properties that are covered under an NFIP flood insurance policy and (1) have at least four NFIP claims payments (including building and contents) of over $5,000 each, where the cumulative amount exceeds $20,000; or (2) for which at least two separate claim payments (building payments only) have been made where the cumulative amount

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New Funding for Severe Repetitive Loss Properties (cont.)

exceeds the market value of the building. For either of these SRL definitions, at least two of the referenced claims must have occurred within any 10-year period, and must be more than 10 days apart.

Currently, 95% of the properties that meet one of the SRL criteria are located in 17 “target” states around the country. During the fiscal year 2008, each of these states will receive a funding allocation based on the national percentage of SRL properties present in each state. FEMA has also set aside 10% of appropriated SRL grant funds for states with fewer than 51 SRL properties, or for target states that have applications exceeding their target allocation. Local communities will compete nationally for the 10% set-aside, with eligible applications ranked by FEMA-validated benefit/cost ratios.

With the funding dedicated to the SRL Program in fiscal year 2008, FEMA and our state and local partners are able to accelerate the mitigation of severe, repetitive loss in the United States. State and local governments are critical partners in the SRL Program. Unique aspects of the SRL Program, such as the consultation process and the mitigation offer process, insist on a strong partnership at all levels of program implementation. The consultation process is a required notification and information-gathering meeting (or series of meetings) that a local government official (the subapplicant) will have with the SRL property owner. This is the beginning of the SRL application process and is not the final offer of mitigation assistance. During these consultation meetings, the subapplicant will discuss the tenets of the SRL Program, the mitigation activity types available to the property owner (including acquisition, elevation, mitigation reconstruction, dry-floodproofing, or localized flood reduction projects), the benefits of mitigation, and the ramifications of not accepting a final offer of mitigation assistance should funding be awarded. During this process, the subapplicant will also gather all technical data that is needed for their SRL subapplication.

If FEMA awards funding for the subapplication, the local government official (now the subgrantee) will inform the property owner that funds are available for mitigation through a “mitigation offer letter.” This is the final offer of mitigation assistance and at this time the property owner must either accept or decline the mitigation project being offered. If the property owner declines the offer of assistance after the subgrant has been awarded, his or her chargeable flood insurance premium rate for the property will increase upon the next policy renewal. The increases will stop once the property’s insurance premium has reached the actuarial rate. This rate will be the chargeable premium that most accurately reflects the risk to the property. A property owner may contest the insurance premium rate increase based on one of six statutorily permitted grounds for appeal. He or she may reconsider an offer of mitigation assistance at any time after declining or during the appeals process. An offer made under the SRL Program remains open and available to the property owner, subject to the availability of funds.

The SRL Program is an exciting new tool for mitigation grant staff around the country, offering a way to help property owners who suffer from chronic, repetitive flood problems. FEMA staff members are currently providing training and outreach on the SRL Program, focusing efforts on the 17 target states where most SRL properties are located. The application period opened on January 14, 2008, and will run through April 30, 2008, for non-target states and through May 30, 2008, for target states.

For more information on the SRL Program please see its web page at http://www.fema.gov/government/grant/srl/index.shtm.

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Target States for Severe Repetitive Loss Funding
(listed alphabetically)

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Equipoise between Floodplain Management and Disaster Recovery—Can it exist?

So, here I am, once again deployed with the State Emergency Response Team (SERT). This time it is to my home town of Caledonia, which a few hours ago suffered a strike by an EF3 tornado. Floodplain considerations don’t apply, the town isn’t a member of the NFIP. Ironically, the only flood zone is found on my own family’s land. [Consider the fact that the building block of physical existence is the atom. The majority of its mass is energy or just empty space. Therefore, all existence appears to be primarily . . . nothing. So why did a vortex of wind destroy so much, when it should have just passed through other non-objects without notice? Thoughts like these keep me awake on the night shift.]

The weeks since my last column saw a national blur of actions needed, taken, and sometimes missed. A canal breached by animals resulted in the flooding of hundreds of homes in Nevada (all in the C zone of course), rivers overflowed in the Northwest and Midwest, tornadoes left paths of destruction and injury—the list is too long.

So what brings on the above dark and introspective prelude? Perhaps it was the tornado that missed my parent’s home by a mere 250 yards on January 10th. Maybe it was the combination of the late night e-mails from Greg Main and Paul Osman from their respective disaster areas compounded by the “they don’t include me in planning and response” comments from students in a simultaneously occurring NFIP workshop. We could serve and volley the reasons at length; however, the question is, “Why doesn’t a better balance exist between floodplain management and disaster recovery plans and programs?” Who lost the coordinates, who was fettered to old ideas that led to tunnel vision and stove-piped programs, who? [Hmmm, I think it could have been . . .all of us.]

John Keats’ poem A Song of Opposites comes to mind; it describes the true emotional state of a floodplain manager in a post-event environment. Keats’ prose, concerning the alarming and simultaneous opposing metaphysical hammer blows to the human psyche, rings true. My favorite three lines are:

I love to mark sad faces in fair weather;
And hear a merry laugh amid the thunder;
Fair and foul I love together.

Does that mean that I enjoy the misery and the chaos found in the aftermath of weather’s caprices? Not at all, that would be crazy talk on my part. What I am trying to say to you is that events can become very personal and very subjective, very quickly. There is always the demand to get everyone back home or back in business as quickly as possible. Staring out at floodwaters and/or destroyed homes can lead to an epiphany or literal blow from the hand of truth. As John Lennon said, “Life is what happens while you are busy making other plans.” You realize that it’s [continued on next page]
Musings from the Chair (cont.)

too late to put your back to the wind and properly plan, to exercise the plan, and then modify the plan. Complacency or simply a lack of hands-on experience can be the precursor of a true disaster. *Been there, done that, got the t-shirt.*

I present this question because there are gaps between the many emergency management disciplines that MUST be closed. For any mitigation strategy to be successfully accomplished, all post-event follow up MUST include the local floodplain manager. This simple concept is generally lost by local, state, and federal officials. It's an area of awareness, planning, and training that MUST be addressed. All too often, floodplain management is considered an obstruction to other program initiatives. This mindset often begins at the federal level and quickly is emulated at the local level. *Al, say it ain’t so!*

As I learned in the army, “Prior Planning Prevents Poor Performance,” or something like that, eh? Remember, all disasters are local. When established procedures are not in place, the difficulty of performing post-flood tasks is multiplied. Here is some advice: First, coordinate with the local emergency management agency staff and link up with the damage assessment team. While in the field, document high water marks (if applicable) and record damaged structures with digital cameras and GPS units. Next, implement your plan to conduct site-specific damage assessments with a focus on the Special Flood Hazard Areas. Consider the use of intra and inter-state emergency assistance compacts to fill any gaps in personnel. Simultaneously, use your public outreach plan to inform the citizens of the pending assessments and the requirement to obtain repair permits. This must be done quickly to head off any repairs by the owners or volunteers who might not know of your ordinance’s requirements. The use of your repetitive loss or substantially damaged structure list (if there are any) can focus your efforts. The floodplain administrator or manager must be an integral part of the community’s team from the get go. Failing in this, you become the late-arriving player who is seen as a speed bump on the road to recovery.

Not all events receive a Presidential or even a Small Business Administration declaration. It might be just you and whatever insurance carrier the citizen had. If the event is of such a magnitude that the Federal Emergency Management Agency becomes involved, you should be aware of the following. Unfortunately, the most powerful opponent to floodplain management often arrives in the form of Department of Homeland Security-FEMA Public Assistance Program representatives. Their charge is to distribute funds as quickly and as cheaply as possible to the local governments. Repairing and replacing infrastructure and public buildings speedily often equates to putting things back as they were found, which is far too often a building below the base flood elevation or perhaps a culvert that is too small to pass flood waters. This group can best be described as an “army of occupation” that is intent on imposing its will. *My post-Katrina experiences in this scenario are numerous.* The only way to combat this is to have a strong floodplain management presence in city hall, the county’s commission/board office, and the federal Joint Field Office/Area Field Office/Transitional Recovery Office. Your NFIP State Coordinator must be the “voice of reason” here.

A flood in your community is truly a time of crisis. There will be adverse impacts upon the citizens, local governments, and state government from both physical and financial damage. You must be prepared to respond to ensure that all post-flood reconstruction within your community’s floodplain is compliant with your local regulations. By enforcing your Flood Damage Prevention Ordinance, you can help reduce your community’s future flood damage. Let’s do some “In Your Face FPM.”
FPM Law

Part of Katrina Flooding Lawsuit Dismissed

A federal judge has dismissed several counts of the consolidated class action lawsuit against the U.S. Army Corps of Engineers for the failure of the Orleans Parish outfall canals that resulted in a large proportion of the flooding in downtown New Orleans in the wake of Hurricane Katrina (In Re: Katrina Canal Breaches Consolidated Litigation, No. 05-4182 E.D. La.). In his written decision, U.S. District Judge Stanwood R. Duval, Jr., criticized the Corps for “gross incompetence” and its “byzantine funding and appropriation methods,” and Congress for its failure to “oversee the building of the [Lake Pontchartrain and Vicinity Hurricane Protection Plan].”

However, he noted that the 17th Street, London, and Orleans Avenue outfall canals are federal flood control projects (as opposed to federal navigation projects) and therefore “there is no provision in the law which allows this Court to avoid the immunity provided” to the federal government by the Flood Control Act of 1928. He went on to say that, “while the United States government is immune for legal liability for the defalcations alleged herein, it is not free, nor should it be, from posterity’s judgment concerning its failure to accomplish what was its task.”

The decision was not unexpected, and plaintiffs’ counsel has indicated that an appeal will be filed. Meanwhile, the suit proceeds with the remaining defendants—the Orleans Parish Levee Board and the New Orleans Sewerage and Water Board. Other suits against the Corps are still pending, for damage resulting from failures of navigation projects, notably the Mississippi River Gulf Outlet. There are a large number of other Katrina-related lawsuits in process as well.


Request for 2008 Applications
– The Mary Fran Myers Scholarship –

Applications are now being accepted for the Mary Fran Myers scholarship, which funds travel expenses for one or more deserving hazards managers to participate in the Natural Hazards Research and Applications Information Center’s annual invitational workshop in Boulder, Colorado, and thereby further their research or career paths.

The scholarship is supported by contributions from the ASFPM and others, and is awarded in memory of Myers, a dedicated floodplain manager and former Co-Director of the Natural Hazards Center. She worked to foster the integration of scientific research and its application to real-world problems and was particularly concerned that financial need not preclude qualified and enthusiastic professionals from participating in the workshop, the most significant gathering of both scientists and research users in the hazards field.

Each year, the scholarship recipient or recipients are recognized at the workshop and may be asked to serve as panel discussants, where they can highlight their research or practical experiences in the hazards and disasters field. All hazards researchers, students, and practitioners are eligible for the Mary Fran Myers Scholarship. However, preference is given to individuals with demonstrated financial need and those who have not previously attended the Hazards Workshop.

>>> Applicants must complete the 2008 application form, available from the Hazards Center’s website at http://www.colorado.edu/hazards/awards/myers-scholarship.html or by calling the Hazards Center at (303) 492-6818. Applications are due April 4, 2008.
This month I’ll cover some activities of the ASFPM Board of Directors, so that readers can get a sense of the kinds of issues the Board debates and decides. The ASFPM Board of Directors met a few weekends ago in Biloxi, Mississippi, to consider a number of external flood policy issues as well as internal matters. The Board is an all-volunteer group of floodplain management professionals from all public and private sectors, representing various parts of the nation (or groups of Chapters) along with the national officers. There are 19 voting members on the Board.

This meeting addressed national flood policies that affect flood loss reduction, including federal agency programs and policies of the Federal Emergency Management Agency, the U.S. Army Corps of Engineers, the Environmental Protection Agency, and others, as well as specific floodplain management issues that communities and states are facing with regard to flood maps, levees, residual risk, mitigation programs, the Community Rating System, and wetlands regulation. Several ASFPM committees are developing white papers on current flood policy issues, which the Board will ultimately approve, so the Board was brought up to date on the status of those papers. We expect to see some final white papers at our annual meeting in Reno this May.

Considerable time was spent examining current legislative issues, such as the National Flood Insurance Program reform bill, the Levee Safety Program that is to be set up as outlined in the recently passed Water Resources Development Act, and others. There is major concern with the “set asides” for specific projects in the Pre-Disaster Mitigation (PDM) program that were in the statements from Congress that accompanied the FEMA FY08 budget, recently passed. The Board voted to have the ASFPM send FEMA a letter expressing strong support for FEMA to require that those set-aside projects meet the PDM criteria that must be met by all other projects submitted by communities who follow the rules and the PDM application process. That letter has been posted on the ASFPM website at http://www.floods.org/PDF/ASFPM_Letter_FEMA_PDM_FY08.pdf.

The ASFPM’s involvement with our partners was discussed, including the important work of the Interagency Flood Risk Management Committee, where we work with the leadership of the Corps, FEMA, and the National Association of Flood and Stormwater Management Agencies (NAFSMA) on flood risk issues. The Interagency Committee has been focusing on levee safety (mapping, inspection, operation and maintenance, etc.) as a first key issue, as well as risk communication associated with levees. These issues will be explored further at the Levee Safety Summit in St. Louis on February 26–27. Registration information is available at http://www.floods.org/leveesafety.

The Board addressed a number of internal issues also, including CFM® certification and floodplain management training. There was considerable discussion about enhancing the means of communicating with our members and the profession, including our newsletters, the website, and others. Look for these enhancements over the next three to nine months. The ASFPM is also adding some staff to help improve our services to members and to the profession. The Board reviewed and approved key approaches to all of these endeavors.

Whenever you get a chance, thank the ASFPM Board members, who are dedicated and professional in all their work. If there are questions about the governance of the ASFPM, please let me know.
Is “floodplain management” (however defined) a profession? Almost all readers would say “yes.” However, is floodplain management also a DISCIPLINE? If not, then there is no need to extend this dialogue. If the answer is yes, then it renders itself to scholarly treatment. What is the status and direction of that treatment?

A recent survey under the auspices of Bob Freitag, University of Washington, revealed that floodplain management courses are being offered at only four universities in the United States. They vary among disciplines (engineering, planning, natural sciences) and purpose (course enhancement, Certified Floodplain Manager® preparation). The instructors are to be complimented for their expertise and initiative in offering this specialized academic insight.

Why aren’t more universities offering courses that have floodplain management elements? There are two possible answers. One, if viewed as a discipline (which many in academia would argue it is not), floodplain management is a highly specialized component of an academic program in water resources engineering, land use planning, geography, ecology, botany, geology, or other sciences—not directly within the university’s purview. Second, and perhaps more relevant, few university faculty have an adequate understanding of floodplain management principles and practices to feel capable of serving as instructors.

Is there appeal within the profession for a scholarly approach to foster an interest in “floods” in a classroom environment, thereby equipping the next generation of “floodplain managers,” whether as a full-time profession or frequent involvement in matters pertaining to flood loss reduction and natural resource protection? There does not seem to be a groundswell, or even a noticeable tremor. OVERALL, WE HAVE DONE A VERY POOR JOB OF PROMOTING FLOODPLAIN MANAGEMENT AS A DISCIPLINE TO THE ACADEMIC COMMUNITY.

Historically, classroom endeavors outside academia have almost exclusively focused on carrying out floodplain management practices within the National Flood Insurance Program (NFIP), and assisting in becoming certified as floodplain managers. Resources of the Association of State Floodplain Managers and the Federal Emergency Management Agency principally through its Emergency Management Institute (EMI), have been largely devoted to these causes.

To move floodplain management more into the university classroom will require overcoming a number of barriers. The first is selling it as a discipline to academia through greatly increased efforts by the ASFPM and its members, and by the private and public sectors that employ graduates to work in this profession. The latter is particularly important as there is a connection between academic exposure and career interest and preparation. Financial incentives may be required to further stimulate academia involvement. Employers—private and public—would benefit from exposure to floodplain management principles and practices in the academic classroom and are a logical provision of financial support to establish more university courses.

Even if all of this were to happen, perhaps the greatest barrier, as mentioned above, is the absence of qualified university staff to develop and teach floodplain management courses. There are a number of ways to overcome this formidable barrier. One would entail the development of model courses and instructional materials within disciplines that typically provide graduates who become floodplain management professionals, such as engineering, planning, and the natural sciences. Such templates do not presently exist, but some initial efforts have been carried out as described below. Courses offered by FEMA’s EMI and others focusing on the NFIP and for floodplain manager certification, although important for those purposes, are not scholarly based. Another possibility would be to utilize all or part of the above-developed model course materials in summer courses sponsored by EMI to train potential instructors. EMI presently employs this approach for other disciplines.

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Scholarly Floodplain Management (cont.)

There are a few individuals associated with academia that are trying to address some of the above issues and who serve on a Floodplain Academic Discussion Group formed by the ASFPM. Several of them have contributed course materials for the FEMA Higher Education Project. They are available at http://training.fema.gov. Click on “Higher Education,” then on “Free College Courses” from the box on the left, then on the “Completed Courses” and “Course Treatments” bullets. The primary purpose of these postings is to allow college and university faculty to add these courses to their curricula, drawing in whole or in part from the materials provided. This has not yet spurred additional floodplain management course offerings.

These individual measures are just a small beginning. Further commitments and resources will be needed if their efforts and others are to be successful. As stated earlier, the ASFPM, its members, potential employers, and possibly even FEMA, need to become much more heavily involved in this endeavor if the present and long-term benefits of scholarly floodplain management are to be realized.

SUSTAINABILITY PRIZES OFFERED

Because many communities manage their growth and development with a dual focus on environmental stewardship and economic competitiveness, and because such innovative management is crucial to a sustainable future in the United States and elsewhere, Siemens and the U.S. Chamber of Commerce’s Business Civic Leadership Center have teamed up to provide national attention to those localities. The new Siemens Sustainable Community Prizes will be awarded to communities that demonstrate several characteristics of a sustainable community, including include partnership and stakeholder involvement, as well as demonstrable improvements to the local environment, business community, and quality of life.

A committee of external experts with backgrounds in environment, business, academics, government, and economic development will judge the submissions. The three winning communities (one small, one midsize, and one large) will be announced at BCLC’s national conference in April.

>>> Nominations will be accepted until February 29, 2008. For application information, see the BCLC’s website at http://www.uschamber.com/bclc/default.

FOR 2008, EXPECT ANOTHER ACTIVE HURRICANE SEASON

The hurricane forecasting team at Colorado State University is predicting an above-average Atlantic hurricane season for 2008, with 13 named storms, seven hurricanes, and three intense hurricanes (category 3, 4, or 5) for the Atlantic coast. That prediction compares with an average of 9.6 named storms, 5.9 hurricanes, and 2.3 intense hurricanes for the last half of the 20th century. The researchers, marking their 25th year of forecasting, believe that the Atlantic basin is in an active cycle that will continue for at least another decade.

>>> See the entire forecast at http://hurricane.atmos.colostate.edu/.
Letter to the Editor

CLIMATE CHANGE & THE FUTURE OF FLOODPLAIN MANAGEMENT—WITH A GRAIN OF SALT

Dear Editor:

I sit in amazement over the concerns about climate change. It amazes, and saddens, me so many people do not understand the climate of the Earth is a dynamic, ever-changing system and not some static entity that can be predicted based on 30 years worth of weather records. Perhaps it is time to mandate that our schools teach some basic geology and Earth history. The notion of climate change tends to invoke the reaction of “no duh” from geologists. We know simply by looking at the rock record that the climate changes all the time, sometimes abruptly.

As a young boy in northeast Texas in the mid 1970s, I was excited to hear the planet was cooling down and the next Ice Age was coming. To me it meant more snow days from school and the prospect of the reappearance of some mammals like wooly mammoths and saber tooth tigers. Alas, 30 years and two college degrees later, I know the mammals will not return, at least not by themselves. However, the climate story now has been reversed to “global warming.”

I hate to have to say it, but the truth of the matter is the physical sciences are some what fad driven, and right now global warming, or climate change, is the latest fad, regardless of whether you believe it is happening or that humans are causing it. In the geological sciences, the idea the continents moved across the surface of the Earth was once considered ludicrous, and Alfred Wegner something of a laughingstock for suggesting it. It wasn’t until half a century later the tide began to turn under the weight of overwhelming evidence, and the concepts of continental drift and plate tectonics gained acceptance. Physics swings from quantum theory, to string theory, to M theory, and so on. The problem is that when a fad grips a science, getting funding to study something else (let alone contradictory ideas) is nigh on impossible, and findings that cut against the new grain have a tendency not to get published. I see the same symptoms in climate change. The statement that “the scientific community is unified that climate change is imminent and protections of temperature rise are solid, with regional variability...” is so preposterous as to be more suited to a National Lampoon movie punch line [see page 11 of the December 2007 News & Views, quoting a recent National Academy of Sciences report]. At this time the majority of the scientific community is on the bandwagon, but there are those who were never on, and some that seem to be jumping off. Just this week a report indicated that part of the global-warming model may be wrong. Not only that, but the study authors are referred to as global-warming “skeptics.”

Don’t get me wrong. Your mind would have to be set in concrete not to understand that the climate of the Earth changes. The real question is whether WE causing the change. Ice core records indicate that the past 10,000 years have been abnormally stable in the recent climate history of the Earth. This stability has fostered development of our cultures and civilizations. Now, it appears we are leaving this stable period. A number of natural, geologic features play a direct role in our climate. The Himalaya Mountains redirect the northern upper atmospheric jet stream; the sub-aqueous terrain of the Northern Atlantic controls how much of the Gulf Stream makes it into the polar ocean, determining its temperature and salinity; the motions of the Earth’s plates move the land masses around, and can even affect sea level. Any geologist could go on and on about this, but the point is that the Earth’s climate is variable, and the number of variables affecting it is very, very large. The safe bet is that we still do not fully comprehend how the climate works, and the effects humans are truly having is debatable.

However, we would be remiss in our responsibilities if we did not consider what the impacts of our variable climate are to flooding. Unfortunately, our understanding of flooding is more based on statistics than anything else. Yes, stream gauges and observations are thrown into the mix, but when you get right down to it, a detailed hydrologic model is based on a number of statistical numbers, among [continued on next page]
which is rainfall data. In many parts of the country, the precipitation frequency values used to determine
the 100-year flood are based on 30 to 50 years of records, at most. To predict a 100-year flood from
rainfall intensities based on that is akin to predicting the outcome of a baseball game after three to four
innings. In flooding, it seems the discharge of the 100-year event on a given river system increases after
every major flood. This alone should tell us we are doing something wrong. During a flood, how many
engineers and floodplain managers hope the discharge is larger than the predicted/designed 100-year
event when damage occurs? Cynical, yes, but that does not change the factual basis of the cynicism. But
let’s face it, the detailed mapping is only as good as the statistical numbers going into it, and it has been
said that statistics can be made to reveal whatever you want. In fact, you would be accurate in saying that
detailed mapping is obsolete the instant it is done. To consider it correct, you have to assume none of the
physical characteristics of the watershed or channel ever change, which really means no construction, no
plant growth or death, no erosion, no deposition, no grading, no nothing occurs. In other words the
system has to be static, which violates everything we know about the reality of our planet.

Basically I am calling for, or challenging everyone to change their way of thinking. Not only do
we have to change the way people perceive and build in the floodplains, but we ourselves have to change
our own perceptions and understandings and evolve into a new paradigm.

It is time to shift the paradigm of floodplain management. This does not mean we should prohibit
any construction in the floodplain, although that is the only way to guarantee a reduction in damage and
costs. No, we need to relearn what the floodplain is. Let us move away from the idea that the real world is
a static, predictable setting, and start taking our cues from that real world. The geologic floodplain is
really the best and ultimate delineator of flood hazards, and it is not something that can be changed by
simply tweaking the numbers a bit. In riverine systems, the geologic floodplain leaves an indelible
imprint in the topography of the land, and can be identified with a little work. It is the area where flowing
water has been active over the past 10,000 plus years, and accounts for the inevitable migration of the
channel throughout the floodplain with time.

Imagine mapping the entire geologic floodplain as the Special Flood Hazard Area, and then
dedicating zones of risk within that hazard, from low to severe or extreme. We could use our statistical
deductions to map out the boundaries of the zones of risk, but unless you are in a highly geologically
active area, the geologic floodplain is not going to change radically with time. Imagine a flood hazard
designation that is not subject to change every few years because another flood has occurred. Imagine a
flood hazard designation that actually has a life expectancy greater than the longest-lived structures of any
recent civilization. Imagine not having to pump billions of dollars into a mapping program purported to
update the maps, but mostly only changes their format. Imagine having to explain to homeowners that
their flooded homes are not in the mapped floodplain because the area either was never mapped, or the
flood was bigger than expected for whatever reason, or the mapping was just plain inaccurate. Would this
system be perfect? No, nothing would, but it would be better.

Ten thousand years ago, portions of the Earth were much wetter than they are today. If (really,
WHEN) climate change brings us back to this type of climate, should we not be prepared for the possibility
that today's 200-, 500-, 1000-year flood is tomorrow’s 100-year flood? If we do not consider this, are we
not remiss in our duty to protect the public from flooding?

This is a radical shift in what we are currently doing, but if what we are doing is correct, then
why do the annual flood losses continue to rise? Insanity has been defined as doing the same thing over
and over and expecting a different result. Do we need Mother Nature to provide us yet another major
disaster on a par with Katrina before we change how we do things? I hope not. I hope that the floodplain
management community takes the lead, says, “enough is enough,” drops the notion of the 100-year flood
as the end-all, be-all of floodplain determinations, and moves to using the geologic floodplain as a basis
for management. I have done so wherever I can. We cannot, and should not, wait for the bureaucratic
gears to be greased and start to turn. If we do, then we only set ourselves up for further and greater
flooding disasters.

John Hays, E.I.T., CFM
Floodplain Coordinator
Santa Cruz County, Arizona
INTERNATIONAL EMERGENCY MANAGEMENT COMPACT SIGNED INTO LAW

In late December President Bush signed into law the International Emergency Management Assistance Memorandum of Understanding (Senate Joint Resolution 13). Developed and adopted by the New England Governors Conference and the Eastern Canadian Premiers in 2000, the Memorandum was entered into by the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut and the provinces of Quebec, New Brunswick, Prince Edward Island, Nova Scotia, and Newfoundland. The IEMAMOU would allow for the possibility of mutual assistance among the participating states and provinces in managing any emergency or disaster when an affected jurisdiction requests such assistance.

This was the second international emergency management mutual aid agreement to be ratified by Congress and the President. In 1998, Congress granted its consent to the Pacific Northwest Emergency Management Arrangement between the states of Alaska, Idaho, Oregon, and Washington, and the province of British Columbia and the Yukon Territory.

> > > See http://www.scics.gc.ca/cinfo00/85007918_e.html.

GAO LOOKS AT FEDERAL ROLE IN DISASTER INSURANCE

As Congress and the insurance industry reevaluate the role of the federal government in insuring for natural catastrophes, Congress is faced with balancing the often-competing goals of limiting taxpayer exposure and ensuring that citizens are protected. In a recent study, the U.S. Government Accountability Office identified seven options for changing the role of the federal government in natural catastrophe insurance, including a mandatory all-perils homeowners insurance policy, federal reinsurance for state catastrophe funds, a federal lending facility for state catastrophe funds, and several tax-based incentives to encourage greater participation by insurers and homeowners in managing natural catastrophe risks. The study weighed each of the options against four public policy goals for federal involvement in natural catastrophe insurance: (1) to have premium rates fully reflect actual risks, (2) to encourage private markets to provide natural catastrophe insurance, (3) to encourage broad participation in natural catastrophe insurance programs, and (4) to limit costs to taxpayers before and after a disaster. The GAO’s report discusses the advantages and disadvantages of each of the options. It makes no specific recommendations, but this is a thorough, understandable analysis of this multi-faceted problem.


LEGISLATIVE REPORT

New Congressional Session Busy Already

Although the Representatives and Senators checked in briefly to officially open the second session of the 110th Congress on January 3rd, the House actually reported for legislative business on January 14th and the Senate began on January 22nd. All legislation introduced or in some stage of action in the first session is carried over into the second session, so there is no need to reintroduce bills or to deal with new bill numbers. While the Congress and the White House have started off with a major focus on an economic [continued on next page]
stimulus package, the rest of the agenda remains to be clarified by leadership and by committee business meetings. The President’s State of the Union message was January 28th and the Fiscal Year 2009 Budget Request was released February 4th.

There is a possibility that the Flood Insurance Reform bill could come up on the Senate floor very early in the session. It is also possible that objections or “holds” could significantly delay the measure’s being brought to the floor. A hearing is being scheduled on the Corps of Engineers’ involvement with FEMA’s flood map modernization for mid-February and the ASFPM has been asked to testify. Additionally, the ASFPM will be analyzing the budget requests for the many federal programs that affect floodplain management and preparing written testimony for the appropriations subcommittees as they begin their consideration of the federal department and agency requests.

Budget and Appropriations

A flurry of budget briefings by federal agencies accompanied the release of the FY ‘09 budget. Early impressions are that there are some significant reductions in funding of programs important to floodplain managers but some are either flat funded or increased. A variety of state and local programs in the Department of Homeland Security are significantly reduced (such as Emergency Management performance Grants and Pre-disaster Mitigation), but some will be about the same as last year. Budgets at the Corps of Engineers and the Environmental Protection Agency are down somewhat. While the overall budget for the Department of the Interior is funded at about the same as the FY ‘08 request, some areas within it are reduced (Rivers, Trails and Conservation Assistance; Wetlands Conservation; and Coastal Conservation) while others (National Streamflow Information Program) show an increase. The budget for the National Oceanic and Atmospheric Administration shows a substantial increase and the National Weather Service’s is also increased. More budget analysis will be provided in the March issue of Insider.

Budget Highlights

DHS—The Pre-Disaster Mitigation request includes $75 million (half of the FY ‘08 level of $114 million). The request for mapping includes $150 million (down from $200 million requested in FY ‘08 and the $220 million enacted). For Flood Mitigation Assistance, $34 million is sought via transfer from the Flood Insurance Fund (the same amount as in the FY ‘08 budget). The budget requests $80 million for Severe Repetitive Loss and $10 million for repetitive losses. The requests for FMA plus both repetitive loss programs represent an increase of about $24 million for mitigation activities, but the exact numbers require further analysis.

Corps of Engineers—The request for Section 22 Planning Assistance to States is for $7 million, an increase over the FY ‘08 level of $4.65 million. Requested for Flood Plain Management Services (FPMS) is $8 million, an increase over the FY ‘08 level of $5.62 million. A $10 million request was made for a levee inventory, the same amount requested for FY ‘08 but not provided by Congress. Funds requested for beginning implementation of the new Independent Peer Review procedure were $1 million.

USGS—The budget request includes $23.8 million for the National Streamflow Information Program, an increase over the $20 million provided in FY ‘08. For the Cooperative Water Program, the budget includes $62.3 million, down from the $62.8 enacted for FY ‘08.

Budget Notes

With regard to the FEMA budget, there are significant elements that do not readily show up in the numbers. For example, FEMA officials have indicated that there will actually be a mapping budget of $248 million, $150 million from general funds and $98 million in funds derived from flood policy fees. Budget plans call for portions of those funds to be allocated to coastal mapping, levee mapping, and unmet mapping needs under a new framework called “RiskMAP” or Risk Mapping, Analysis, and Planning.

The Corps’ budget involves many new account configurations, making it difficult in some instances to make ready comparisons with funding from earlier years. Funding for the new Levee Safety Committee established by the Water Resources Development Act of 2007 will come from the $10 million for the levee inventory. No funds are provided for levee assessments. The budget includes $2 million for water resources priorities research, which is expected to improve federal interagency coordination of mitigation efforts.

[continued on next page]
Expectations for this Session

This session’s schedule is likely to be “front-loaded” for significant legislation. Since the focus of many Members of Congress will shift to the national elections in the fall, there will be an effort to hold hearings and move legislation as early as possible. Many pundits are anticipating a fairly lackluster year legislatively. Although that may prove to be the case, there are a number of programs that will require reauthorization, creating an opportunity for re-examination of them. Additionally, it is very likely that there will be active development of legislation on key subjects of interest to floodplain managers, even if final action is not taken. There are many pieces of legislation already in the works, carried over from the last session, which may be finalized.

Some educated guesses on legislative activity important to floodplain managers follow.

Reauthorizations
Action is expected on the following programs, all of which require reauthorization: the National Flood Insurance Program; FEMA’s Pre-Disaster Mitigation grant program; the Coastal Zone Management Act; and the Sea Grant Program of the National Oceanic and Atmospheric Administration.

Flood Insurance Reform
Final action is likely on reforms to the NFIP. The Senate Banking Committee tried to bring the bill (S.2284) to the Senate floor on February 7th. The effort failed because objections to considering it under “unanimous consent” rules were raised by at least one senator. Some senators have indicated their interest in adding the same “wind-and-flood” optional policy to the NFIP that was included in the House bill. Reportedly, informal meetings are underway to address the wind-and-flood issue. Even if the bill were to pass the Senate early in the session, significant differences between the House and Senate versions of the bill are likely to result in a lengthy House-Senate Conference negotiation.

The ASFPM has compiled its comments on the pending bills, posted on the website at http://www.floods.org/PDF/ASFPM_Comments_NFIP_Reform_2008_S2284_013008.pdf.

Stafford Act
There is likely to be reauthorization of PDM, but there are indications of interest in considering amendments to the Stafford Act. The ASFPM has expressed concern about the earmarking of a significant portion of PDM FY ’08 funds and will work to explain the problems for effective use of the PDM program that are created when funds are earmarked outside of the regular application prioritization.

Farm Bill
The Farm Bill has been ready to be taken up in House-Senate Conference Committee for some time, but various problems have delayed a conference. The Senate finally appointed its conferees this past week, so there are indications of movement.

Catastrophic Losses
A variety of bills are in active status. Most are listed in the December News & Views. The issue is a very “live” one and is somewhat tied to the debates about wind and flood insurance and about a catastrophe reserve within the NFIP. Inclusion of mitigation in the discussions is an important education focus for ASFPM during hearings and meetings on the subject of catastrophic losses.

Climate Change
Many pieces of legislation are active, as listed in the December News & Views. Many different Congressional committees are holding hearings on various aspects and potential impacts of climate change. Even the Senate Foreign Relations Committee is involved. That committee held a hearing January 24th on “International Climate Change Negotiation: Bali and the Path Toward a Post-2012 Climate Treaty.”

Coastal Issues
In addition to reauthorization of CZMA and NOAA Sea Grant programs, there may be legislation introduced pursuant to the coastal “visioning” process under NOAA.

[continued on next page]
Washington Report (cont.)

Levee Safety
If the Levee Safety Committee established under the Water Resources Development Act (signed by the President at the end of December) completes its recommendations for a national levee safety program, the relevant Congressional committees could begin to develop a new WRDA. Although it is likely that that work will begin, it is doubtful that it would be fully accomplished this session.

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

Publications, Software, AV & the Web

The website of the National Flood Risk Management Program of the U.S. Army Corps of Engineers provides a range of information of particular interest to floodplain managers. One section, “Guidance and Policy,” gives access to existing and newly released Corps policy and guidance on levee certification, inspections, and other flood risk management matters, including links to guidance documents issued by the Federal Emergency Management Agency on levee accreditation and mapping for the National Flood Insurance Program. A “Frequently Asked Questions” page addresses some of the thornier issues related to the policies and guidance. “Current Issues and Topics in the News” describes current events and provides access to media stories pertinent to flood risk management. Proceedings from periodic meetings involving the Corps districts and FEMA regions can be found under “Regional Coordination Activities.” “Presentations, Talking Points and Fact Sheets” gathers in one place all those items that are found elsewhere on the website. Check it out at http://www.iwr.usace.army.mil:80/nfrmp/index.cfm.

“A Local Ordinance to Protect Wetland Functions” is the latest release in the six-part Wetlands & Watersheds Article Series from the Center for Watershed Protection. This entry introduces a new type of model ordinance for local protection of wetlands. Existing federal and state wetland permitting programs address some direct impacts to wetlands, such as filling, but are not designed to regulate inputs of stormwater or other pollutants. Local development regulations can fill this gap in wetland protection since local governments typically have control over local land use regulations and decisions. An adaptable model Wetland Drainage Area Protection Ordinance is provided to protect wetlands from indirect impacts by regulating land development within areas draining to them. Center for Watershed Protection. 2007. Article 4 in the Wetlands & Watersheds series. The article can be downloaded free at http://www.cwp.org/wetlands/articles.htm.

The Stream Barrier Removal Monitoring Guide presents a standardized framework for monitoring the ecological changes that occur when dams, culverts, and other stream barriers are removed. Developed collaboratively by more than 70 people from government agencies and non-governmental organizations, the framework is based on eight critical monitoring parameters. An overview of the scientific context of stream barrier removal is provided, along with methods for monitoring critical parameters. M. Collins, K. Lucey, B. Lambert, J. Kachmar, J. Turek, E. Hutchins, T. Purinton, and D. Neils. 2007. 48 pp. Gulf of Maine Council on the Marine Environment. Available for download at http://gulfofmaine.org/streambarrierremoval/.

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“Differences in Phosphorus and Nitrogen Delivery to the Gulf of Mexico from the Mississippi River Basin” observes that, although the increased availability of the two reactive nutrients benefits society via food and energy production, the environmental consequences are severe. Concerns over nutrient enrichment are of particular importance in coastal waters, where increased nutrient loads have caused eutrophication and the degradation of estuarine water quality on a global scale. In the United States, elevated riverine nitrogen has contributed to degradation of the ecosystems in the majority of the estuaries, including the shallow coastal waters of the Louisiana shelf in the northern Gulf of Mexico, where the increased occurrence of seasonal hypoxia has been attributed to the rise in riverine nitrogen flux. The study on which this article is based was undertaken to deepen understanding of the sources and transport of both nitrogen and phosphorus and their complex interactions, with an eye toward developing effective nutrient management plans in coastal waters. Among the findings reported in the article are that agricultural practices in nine states contribute the majority of nitrogen and phosphorus to the Northern Gulf of Mexico. These states make up only one-third of the 31-state Mississippi River drainage area, but contribute more than 75% of the nutrients to the Gulf. Corn and soybean cultivation is the largest contributor of nitrogen to the Gulf. Animal manure on pasture and rangelands and crop cultivation are the largest contributors of phosphorus. Richard B. Alexander, Richard A. Smith, Gregory E. Schwarz, Elizabeth W. Boyer, Jacqueline V. Nolan, and John W. Brakebill. 2008. *Environmental Science and Technology* 42 (3), 822–830. Available on the U.S. Geological Survey website at [http://water.usgs.gov/nawqa/sparrow/gulf_findings/](http://water.usgs.gov/nawqa/sparrow/gulf_findings/).


Calendar

See more flood-related meetings, conferences, and training at http://www.floods.org/Conferences,%20Calendar/calendar.asp.

February 25–28, 2008: 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/.


March 6–7, 2008: SUSTAINING THE NEXT 100 MILLION: 17TH ANNUAL LAND USE CONFERENCE, Denver, Colorado. Hosted by the Rocky Mountain Land Use Institute, University of Denver Sturm College of Law, with numerous sponsors. See http://www.law.du.edu/rmlui/.


National Flood Risk Management / Levee Safety Summit

February 26-27, 2008

St. Louis, Missouri

Hosted by the Association of State Floodplain Managers and the National Association of Flood and Stormwater Management Agencies

This meeting will solicit feedback from and provide updates to local, state, regional, and federal officials and the private sector on flood risk management policies being considered by the U.S. Army Corps of Engineers and the Federal Emergency Management Agency. The summit will address levee issues such as certification and decertification, operations and maintenance, vegetation management, flood insurance and mapping, and residual flood risk in levee-protected areas.

Get more information at http://www.floods.org/leveesafety.


April 7–9, 2008: Annual Conference of the Missouri Floodplain and Stormwater Managers Association, Osage Beach, Missouri. Contact Pam Huhmann at (573) 526-9115.

April 7–11, 2008: Annual Conference of the Kentucky Association of Mitigation Managers, General Butler State Park, Kentucky. See http://www.kymitigation.org/.

April 7–11, 2008: Basic Hazus Multi-Hazards (E313), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see http://www.training.fema.gov/EMIweb/.

April 13–16, 2008: Solutions to Coastal Disasters, Oahu, Hawaii. Sponsored by the Coasts, Oceans, Ports, and Rivers Institute, American Society of Civil Engineers. See http://content.asce.org/conferences/cd2008/.


June 16–19, 2008: ADVANCED FLOODPLAIN MANAGEMENT CONCEPTS (E194), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see http://www.training.fema.gov/EMIweb/.

June 16–19, 2008: ADVANCED HAZUS FOR FLOODS (E724), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see http://www.training.fema.gov/EMIweb/.


June 23–26, 2008: MANAGING FLOODPLAIN DEVELOPMENT THROUGH THE NATIONAL FLOOD INSURANCE PROGRAM (E273), Emergency Management Institute, Emmitsburg, Maryland. Contact EMI at (800) 238-3358 or see http://www.training.fema.gov/EMIweb/.


July 7–10, 2008: RESIDENTIAL COASTAL CONSTRUCTION (E386), Emergency Management Institute, Emmitsburg, Maryland. Contact EMI at (800) 238-3358 or see http://www.training.fema.gov/EMIweb/.

July 7–10, 2008: RETROFITTING FLOOD-PRONE RESIDENTIAL BUILDINGS (E279), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see http://www.training.fema.gov/EMIweb/.

July 14–17, 2008: BASIC HAZUS MULTI-HAZARDS (E313), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see http://www.training.fema.gov/EMIweb/.


August 11–14, 2008: 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 18–21, 2008: **ADVANCED FLOODPLAIN MANAGEMENT CONCEPTS (E194)**, Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see [http://www.training.fema.gov/EMIweb/](http://www.training.fema.gov/EMIweb/).

August 27–28, 2008: **OHIO STATEWIDE FLOODPLAIN MANAGEMENT CONFERENCE**, Columbus, Ohio. Sponsored by the Ohio Floodplain Management Association. Abstracts are due February 18, 2008. Contact Alicia Silverio at (614) 265-1006 or Alicia.Silverio@dnr.state.oh.us or see [http://www.ofma.org/education/conference.html](http://www.ofma.org/education/conference.html).

September 7–11, 2008: **DAM SAFETY 2008**, Indian Wells, California. Sponsored by the Association of State Dam Safety Officials. Contact (859) 257-5140; info@damsafety.org or see [http://www.damsafety.org](http://www.damsafety.org).


September 15–18, 2008: **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/](http://www.training.fema.gov/EMIweb/).

September 21–23, 2008: **MANY WATERS, MANY LANDS: 2008 SYMPOSIUM ON RIVER MANAGEMENT AND ECOSYSTEM SERVICES**, Chicago, Illinois. Sponsored by the University of Illinois at Urbana-Champaign. Contact Michelle Chappell at (217) 333-2880 or conferences@uiuc.edu or see [http://www.conferences.uiuc.edu/conferences/conference.asp?ID=423](http://www.conferences.uiuc.edu/conferences/conference.asp?ID=423).


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