

THE INSIDER



An exclusive publication for ASFPM members

—July 2016

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ASFPM's 2016 Floodplain Management Rock Stars

Every year at ASFPM's annual national conference, we honor some of the unsung heroes in our profession. And Grand Rapids was no different. ASFPM Executive Director **Chad Berginnis** said, "Every year I am impressed with what individuals, agencies and organizations are doing to promote floodplain management practices and policies that not only keep people and property safe, but also preserve the natural functions of our floodplains for future generations. It's an honor to recognize them for this incredible work, and hopefully it will inspire others as well." Following is a recap of this year's award winners.

Kim Neiman of Pilger, Nebraska received the **Larry R. Johnston Local Floodplain Manager of the Year** for what she was able to accomplish for her tiny village of 400 after an F4 tornado destroyed half the homes and all of the businesses in 2014.



L-R: ASFPM Director Emeritus Larry Larson, Mitch Paine ([Nebraska DNR](#)), Ted Neiman (Pilger, NE), Kim Neiman (Pilger, NE Floodplain Administrator), ASFPM Executive Director Chad Berginnis, Lori Laster ([NeFSMA](#)), Brian Varrella ([CASFM](#)). Photo by Michele Mihalovich.

This award recognizes outstanding individual efforts and contributions at the local level, and honors an individual responsible for the development of a distinguished local program or activity, or one who struggles to implement flood hazard reduction at the local level in the absence of sophisticated programs and support. Neiman's story is impressive in that she showed incredible strength and courage during a very difficult time.

Pilger is almost completely located in the 1 percent annual chance floodplain. Rebuilding is always a challenge, but try telling half people in your community they can't rebuild their homes with basements to escape the next tornado due to federal regulations.

As the emergency manager and floodplain administrator, this woman coordinated the local disaster declaration, worked directly with the state Department of Natural Resources and Federal Emergency Management Agency to conduct damage estimates alongside property owners so that the community could ask questions on site.

Neiman also held workshops on safe rooms to ensure locals knew there were alternatives to basements. When the community was skeptical, this year's award winner put her money where her mouth was and rebuilt her home with a tornado safe room in her garage, and elevated her home on a compliant crawlspace with flood vents. The community, media and others came through to see how she did it.

Seven people, from as close as Nebraska and faraway as Colorado sent letters to ASFPM recommending Neiman for the award. Those who nominated her said it best: "She worked from 6 a.m. to dark, knowing her community's recovery hinged on her ability to be an effective responder, administrator and grants coordinator. I saw her do her job as floodplain manager admirably in the face of serious personal challenges. She is most deserving."

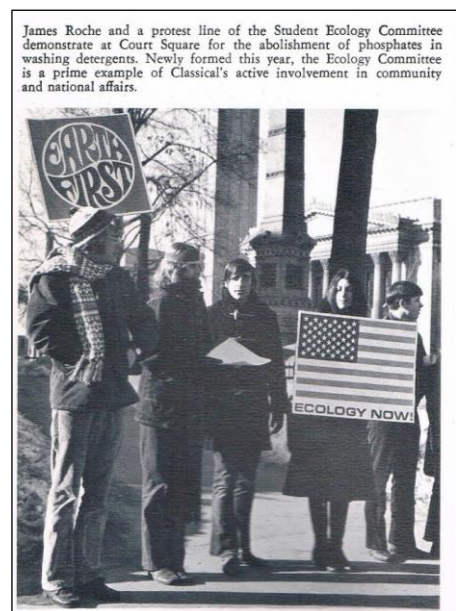
Not only is Neiman Pilger's floodplain manager, but she's also the recovery coordinator, volunteer firefighter, village administrator, grants coordinator and trash truck driver. Allison Hardin, one of the MCs for the awards ceremony, described this dynamo of a woman as an "all around bad ass." After being presented with the award in front of more than 1,000 flood risk professionals attending the conference, she received a standing ovation (high praise indeed from this crowd).

William Nechamen, past ASFPM chair and chief of the Floodplain Management Section of the New York State Department of Environmental Conservation, received the **Meritorious Lifetime Achievement in Floodplain Management Award**.

This award recognizes individuals who, throughout their career, have achieved success in a significant aspect of floodplain management. These efforts can include policy, outreach, implementation, education, government, research, litigation or other actions that demonstrate the advancement of flood loss and risk reduction within the nominee's professional realm.

Nechamen has been making waves about water resources policy since 1971, when he protested the use of phosphates in washing detergents while in high school. From 1983-1986, until he started with NYSDEC, he worked as a water resources policy analyst for the New York State Senate Research Service. And he's a founding member and first chair of the [*New York State Floodplain and Stormwater Managers Association*](#).

Through his work at NYSDEC, Nechamen has several success stories. Based on his recommendation, New York instituted a statewide 2-foot freeboard



1971 high school photo of Bill Nechamen (middle), from his Facebook page.

to keep structures out of harm's way during floods and storm surges. He leads a staff at NYSDEC who work with communities to develop in a way that reduces future flood risk, and to rebuild from recent major floods such as Sandy, Irene and Lee in a more resilient manner. Nechamen also served as the state National Flood Insurance Program coordinator for New York during Hurricanes Irene and Sandy response and recovery efforts.

Nechamen's list of service and accomplishments with ASFPM is long. He has served as a regional director, treasurer, vice chair and chair. Under his guidance, ASFPM adopted 400 recommendations in its most recent [National Flood Programs and Policies in Review](#), and his leadership led ASFPM through the recession successfully.

David Fowler, who just retired from the [Milwaukee Metropolitan Sewerage District](#) after 36 years, received the **Jerry Louthain Award for Distinguished Service**, which was established to recognize individuals who, through their long-term efforts, have clearly influenced the work of the association.



L-R: ASFPM Executive Director Chad Berginnis, Past ASFPM Chair Bill Nechamen, Watershed Pod Facilitator David Fowler and ASFPM Chair Ceil Strauss. Photo by Dan Sherwood.

Fowler, now a senior project manager with Stantec, has been involved in floodplain management for at least three decades. He founded the [Wisconsin Association for Floodplain, Stormwater and Coastal Management](#) (an ASFPM chapter), and is listed as the "initial registered agent" on its articles of incorporation.

He has been vital to ASFPM. Not only did Fowler serve as a committee co-chair, but went on to serve as a regional director, watershed pod facilitator (Fowler often refers to himself as the tallest and best looking pod facilitator) and was a local team coordinator when WAFSCM hosted ASFPM's national conference in Milwaukee.

Beyond his service to the association, Fowler has provided service to our members as well, constantly mentoring new members, providing expertise to committees and establishing new or better relationships with a variety of environmental organizations. He helped bring several professional associations together to form the [Natural Floodplain Functions Alliance](#). And in his spare time (after working at his job and volunteering for ASFPM), he serves on his local planning commission in Franklin – helping to make his community better by participating in the legislative review process.

The [Center for Neighborhood Technology's RainReady program](#), based in Chicago, received the **James Lee Witt Local Award for Excellence in Floodplain Management**. This award recognizes either an overall program or a specific project or activities that epitomize the best in floodplain management. In April 2000, the ASFPM Board of Directors resolved to name this award after former FEMA Director James Lee Witt in recognition of his landmark efforts to support, enhance and encourage local floodplain management capabilities.



CNT created the RainReady program to directly engage communities and homeowners to address and solve urban flood problems at the local level.

The program emphasizes that, as storms become increasingly destructive, homes and businesses face a heightened risk of urban flooding, even when they aren't located in formally-designated floodplains.

Through publications, planning assistance and community involvement the program offers innovative, cost-effective solutions scaled to the individual property owner and community to keep properties dry and help communities stay resilient in the face of a changing climate.

The companion website is rich with resources that are appropriately scaled for the user—be they a homeowner, a neighborhood representative or a contractor. The tools and recommendations show that flood mitigation is just as important at home as it is in the centralized offices of local government.

Trademarked as “RainReady,” the program has been embraced by Chicago-area communities like the village of Midlothian, which adopted the nation's first RainReady plan this January.

The nominating committee applauded the new and unique approach to address the front lines of floodplain management, and selected RainReady to encourage more of these types of programs.



L-R: ASFPM Executive Director Chad Berginnis, CNT Water Program Director Harriet Festing and ASFPM Chair Ceil Strauss. Photo by Dan Sherwood.



L-R: ASFPM Executive Director Chad Berginnis, Randy Behm and ASFPM Chair Ceil Strauss. Photo by Dan Sherwood.

Randy Behm, chief of Floodplain Management Services program in the Army Corps of Engineers' Omaha district since 2001, received the **John R. Sheaffer Award for Excellence in Floodproofing**. This award was created to honor its namesake for his pioneering work in demonstrating floodproofing as a viable flood loss reduction measure, and for his decades of work in promoting and advancing the knowledge of these measures.

For more than 30 years, Behm has advocated reducing flood risk via the use of nonstructural floodproofing measures, with structural methods being implemented only when nonstructural measures are infeasible.

To that end, he has led teams to conduct Army Corps of Engineers feasibility analyses of nonstructural measures to reduce flood risk from Montana and the Dakotas to Pennsylvania and Maryland. Behm also advocates for non-structural methods through providing training workshops and webinars, and has long been an ardent supporter and invaluable national advocate of flood risk management through nonstructural methods.

The [New Jersey Future](#) organization, based in Trenton, received the **Tom Lee State Award for Excellence in Floodplain Management**. This award is given annually to recognize an outstanding floodplain management program or activity at the state level. It preserves the memory of Tom Lee (1935-1976), a visionary floodplain manager responsible for some of this country's finest state-level programs, and for his instrumental work in developing the regulatory framework that we still seek to implement and improve today.



L-R: ASFPM Executive Director Chad Berginnis, Maria DiSalvatore, vice chair of the New Jersey Association for Floodplain Management who accepted the award for New Jersey Future, and ASFPM Chair Ceil Strauss. Photo by Dan Sherwood.

New Jersey Future was selected for the award because of [a report it prepared highlighting steps communities can take to make them more resilient to natural disasters](#). The report contains lessons learned from six Sandy-affected communities. The pilot program involved placing experts in recovery planning in the community to assist in both the short term recovery effort and also to facilitate the decision making process to increase long term resiliency in the community. Funding for the pilot project was provided by the Merck Foundation and the New Jersey Recovery Fund.

The report contains recommendations on how to build upon the pilot program. The biggest recommendation was the need for funding of a longer term engagement (the pilot program only provided a two-year term) by planning expert to help the community to have a more mature risk-based conversation and develop specific strategies to make the community less vulnerable to future disasters.

Scott Gurian, former reporter with [NJ Spotlight](#), received our **Media Award** for his comprehensive national flood policy coverage after Hurricane Sandy. This award was established to acknowledge exemplary efforts on the part of communications media to increase information and/or awareness of flood issues with the general public.

Gurian covered the Hurricane Sandy recovery efforts in his area since the storm subsided, and kept a “spotlight” on local recovery issues such as re-opening flood claims and the struggle to reconcile rebuilding in a vulnerable environment.

He identified topics the public needed to know more about and highlighted them in articles called “explainers.” Some topics included putting FEMA maps into perspective, impacts of Biggert-Waters and the Community Rating System.



L-R: ASFPM Executive Director Chad Berginnis, former NJ Spotlight reporter Scott Gurian and ASFPM Chair Ceil Strauss. Photo by Dan Sherwood.

This brought the topics of flood impacts, flood insurance and future considerations from climate change into thousands of New Jersey living rooms, helping those impacted by the damage from Hurricane Sandy better understand the implications for future inaction.

One of his last pieces for NJ Spotlight was a list of 10 future impacts to New Jersey from climate change. The list included those we typically think of – coastal erosion and increased flooding – to topics the public might not have considered, including impacts to agriculture, wildlife, transportation and public health.

This July, our [media award winner will take seven weeks to drive 11,000 miles with his brother](#) through 19 countries, eight time zones and five mountain ranges in a “ridiculously small car” to raise money for charity.

The [Iowa State University Extension and Outreach](#) and [Iowa Department of Natural Resources](#) received our **Outreach Award** for a series of videos they created to help educate the public and local officials about flooding and the National Flood Insurance Program. This award was established to acknowledge exemplary efforts to increase information and/or awareness of flood issues with the general public.

The winners were nominated for their development of a series of 20 short, web-based videos designed to educate local officials and the general public about floodplain, flood risks and basic floodplain management principles.

The series, called “[Flooding and the National Flood Insurance Program](#),” are divided into categories that include an introduction to the NFIP, understanding flooding, floodplain mapping, floodplain regulation and flood insurance.



L-R: ASFPM Executive Director Chad Berginnis, Gary Taylor with ISU Extension and Outreach, Scott Ralston with Iowa DNR and ASFPM Chair Ceil Strauss. Photo by Dan Sherwood.

The 20 ad-free videos build on each other, reference pertinent state rules, and can be easily shared through social media. In addition, the illustrative drawings created for the videos are comprehensive, high-quality, easy to understand sketches backed up by photo examples.

However, the creators went one step farther by making a second set of videos scrubbed of the Iowa-centric message, which means anyone in the nation or US territories who participates in the NFIP can watch the videos and know that the regulations and principles apply to their areas.

Grant Opps...

Grant opportunities are being offered from the National Science Foundation for “[Interdisciplinary Research in Hazards and Disasters](#).” Just a reminder to bookmark the Florida Climate Institute’s website for a comprehensive list of [funding opportunities](#). It’s a fabulous resource.

The **John Ivey Award for Superior Efforts in Certification** goes to FEMA Program Specialist **Rhonda Montgomery**. This award recognizes exceptional efforts to promote the professional certification of floodplain managers, and was named after John Ivey because he was serving as our Professional Development Committee chair in the mid-1990s and was instrumental in the CFM® exam development and roll out.

There are more than 9,500 CFMs nationwide, in part due to the folks who have won this award. Montgomery has supported the floodplain management certification program from multiple levels of government and served on many influential task force projects.

While serving as the Kansas NFIP state coordinator, the nominee worked to support local officials seeking to receive their CFM certification.

As a former ASFPM Training and Outreach Committee co-chair, she helped lay out training needs for future CFMs to obtain and maintain their certification.

After moving from Kansas to D.C. to work with FEMA, Montgomery was assigned as the national training coordinator for floodplain management training, and appointed to represent FEMA's mitigation directorate on the Certification Board of Regents, serving for eight years.

As a program specialist, she authored newsletter articles in the NFIP online publication [eWatermark](#) outlining multiple resources to assist new floodplain managers with information

When Ohio State University was selected to conduct a Reliability and Validity assessment of the CFM program, Montgomery was appointed to the task force. In addition, you can thank her for helping make the CFM exam more comprehensive, as she served as FEMA's representative on the CFM Exam Work Group.



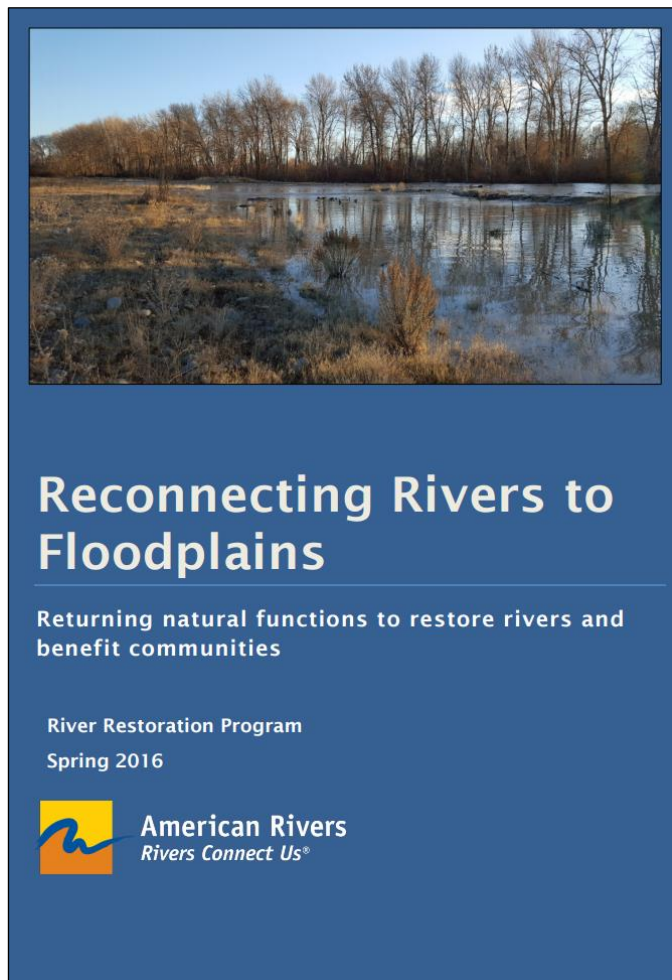
L-R: ASFPM Executive Director Chad Berginnis, John Ivey, Rachel Sears (FEMA's Floodplain Management Division Director who accepted the award on Montgomery's behalf) and ASFPM Chair Ceil Strauss. Photo by Dan Sherwood.

It's never too early to nominate a person, organization, agency or program for ASFPM awards. We already have the online nomination form ready to accept nominations for 2017 [here](#). Oh, and how about a round of applause for this year's MCs: Allison Hardin and Jerry Robinson, and for everyone involved on the awards committee!

“Reconnecting Rivers to Floodplains: Returning Natural Functions to Restore Rivers and Benefit Communities” recently released by American Rivers



The [American Rivers](#) report, “[Reconnecting Rivers to Floodplains: Returning Natural Functions to Restore Rivers and Benefit Communities](#),” was written by **Jonathon Loos** and **Eileen Shader**. Shader, director of American Rivers River Restoration in Pennsylvania, was recently named a co-chair for [ASFPM’s Natural and Beneficial Functions Committee](#).



Below is the Executive Summary of this important report:

Riverine floodplains are dynamic systems that play an important role in the function and ecology of rivers. Where floodplains are connected to a river and periodically inundated, interactions of land, water and biology support natural functions that benefit river ecosystems and people. In this paper we explore the hydrologic and ecological functions that floodplains provide, and how those functions are lost through floodplain disconnection and modification.

We synthesize current river-floodplain science to develop an understanding of the biophysical and river flow attributes that underpin floodplain functions. We characterize four attributes that create and sustain functional floodplains; connectivity, variable flow, spatial scale and habitat and structural diversity.

To best restore floodplain systems, restoration practitioners should look beyond habitat features and focus on restoring floodplain functions. We propose a framework from which to consider process-based floodplain restoration using the four attributes of functional floodplains. Well-targeted restoration can return natural floodplain functions to rejuvenate rivers and benefit people.

Floodplain Management Training Calendar

For a full nationwide listing of floodplain management-related training opportunities, visit [ASFPM Online Event Calendar](#). Looking for training opportunities to earn CECs for your CFM? Check out our event calendar with LOTS of training opportunities listed for 2016! Search the calendar by state using the directions below, or use the category drop down menu to search by event category. Go to the calendar and click on the search feature icon at the top of the calendar. Type your state’s initials in parenthesis (for example (WI)) into the search field and it will pull all the events that are currently listed on the calendar for your state. The only events without a state listed in the event title are EMI courses, which are listed with their FEMA course number and are all held in Emmitsburg, MD.



Lapses Can Be Costly

While lapses in memory can be embarrassing (like standing next to your friend at the ASFPM conference and totally forgetting their name when you go to introduce them to someone during a break!), lapses in flood insurance can be costly! New NFIP rules implemented April 1, 2016 affect what is charged to **pre-FIRM subsidize-rated policies¹ and policies rated using the Newly Mapped procedure** when they lapse (i.e., payment is not received by their renewal date). Spoiler alert: They can't be rated that way anymore. The lapse rule applies, though, **ONLY** if there is a lender requirement. If the policyholder has no mortgage (or the lender no longer requires it), then the lapse rule described below does NOT apply.

While, as with many rules of the NFIP, there are lots of details, here is a high-level summary of how the lapse rule applies to these policies:

- If the premium is received more than 90 days after expiration (even if the lender forgot to pay it!), OR
- If the premium is received more than 30 days after expiration more than once, THEN:

pre-FIRM subsidize-rate policies must be rated using full-risk rates (i.e., elevation-rated) and Newly Mapped procedure-rated policies must be rated using full-risk rates OR built-in-compliance grandfathering (which applies **ONLY** to post-FIRM buildings), whichever is cheaper. Note that if a policyholder switches to a private flood policy (e.g., Lloyds) and then comes back, say, a year later—that counts as a lapse, unless Congress passes a law to count that as continuous coverage (HR2901 has passed, which includes such language. It now sits in the Senate for consideration).

Again, this lapse rule does not apply if there is no lender requirement (and if the community is suspended from the NFIP and the policy is reinstated within 180 days of reinstatement of the community). But keep in mind, that even without a lender, policy lapses could result in losing favorable grandfathering rating options!

Bottom line: While all policyholders should ALWAYS be encouraged to continuously maintain coverage, important cost-saving rating options will be lost if these pre-FIRM subsidize-rated and Newly Mapped procedure-rated policies lapse.

For more details, review the **Rating** and the **Newly Mapped** sections of the [April 2016 Flood Insurance Manual](#). And as always, send us any questions you have and we will help you to find an answer.

Humbly yours,

--Your [Insurance Committee Co-chairs](#)

Bruce Bender and John Gerber

This column is produced by the ASFPM Insurance Committee. Send questions about flood insurance issues to InsuranceCorner@floods.org and they will be addressed in future "Insider" issues.

¹ These include policies on primary and non-primary residences, businesses and other buildings in Zones A, V and D built before the first Flood Insurance Rate Maps were issued.

CFM[®] Corner – Where your career and practice meet

Congratulations on being a [Certified Floodplain Manager](#). With more than 9,500 practicing CFMs in the country, we expect to hit 10,000 by the end of 2016. Having your CFM tells the world you are a qualified professional. PLUS, the training component of your CFM is a statement of your continually-improving skills.



NEW! The [Certification Board of Regents](#) proposed and the ASFPM Board of Directors approved a “CFM-retired” designation. It is a new title that will be conferred on ASFPM members during the annual, membership-renewal cycle to those who have been members for at least 10 years (may be non-consecutive). ASFPM CFM-retired members will be allowed to maintain their title and benefits of being a CFM without needing to keep up with Continuing Education Credits requirements or bi-annual renewals. However, they cannot perform paid floodplain management work. As we get procedures in place for the next renewal cycle, which begins this November, please consider if you qualify for this new membership benefit for 2017.

NEW! And improved online training through Red Vector is now available at [ASFPM’s online university page](#). By clicking this link, not only will you receive a 15 percent discount, but all the courses listed there are pre-approved for CEC credit.

REMINDER! All CFMs, regardless of being an ASFPM member or not, now have access to the [CFM portal](#). If you forgot or need a password, just enter the email address you use for our records and we’ll send one to you. There are links behind the portal to upload CECs electronically and update your information. To help you know what qualifies, refer to the [Guidance for Continuing Education Credit](#) and new [CEC Verification form](#).

CFM stamp. Increase your professionalism with a signature line stamp, or a round stamp. For more information and to order, [click here](#).

Sample Signature Stamp Design:

_____,CFM
Ingrid D. Wadsworth, CFM
#US-11-06161
Certified Floodplain Manager (CFM®)

OR

Sample Round Stamp:



*Not show in
actual size.
Actual size is:
1.5” x 3”*

*Not show in
actual size.
Actual size is:
1.5” x 1.5”*

Please remember to notify cfm@floods.org when you move. CFM renewals and other certification-related material is mailed to your **HOME ADDRESS**. Also, make sure we always have your current employment information with correct email address.



We know you’re busy, so if you have any questions please email us at cfm@floods.org. And if there are specific topics you’d like to hear more about in future articles, please send us an email.



Floodplain Manager's Notebook

By Rebecca Quinn, CFM

While searching through the stack of notes I keep on possible *Notebook* topics, and considering about the many floods in the past months, I kept thinking about Substantial Damage. This column is based on one that ran about five years ago, but it's worth repeating.

State and local floodplain managers and code officials know that dealing with substantially damaged buildings is one of the more difficult parts of their jobs. That challenge is multiplied when widespread flooding occurs and hundreds, if not thousands, of buildings are damaged. But even if only a few buildings in a community are damaged by flood, handling substantial damage can be complicated.

One of the complications is that, all too often, local officials aren't entirely aware of which buildings were damaged, much less which owners should get permits. In a perfect world, all owners (and their contractors) would make the trip to the local permit office. But that doesn't always happen in the post-flood clean-up and repair frenzy. And yes, we all know some owners and contractors skirt the rules deliberately to avoid having to bring substantially damaged (and substantially improved) buildings into compliance. My guess is those property owners won't connect their own choices to avoid SI/SD with high flood insurance premiums as the NFIP continues to increase rates, even on older, nonconforming buildings. Instead, they'll likely just blame it on "the government."

I'll first briefly review the Substantial Damage rule and then touch on Increased Cost of Compliance coverage that's part of NFIP flood insurance policies. Then I'll let you in on a little known source of information that may help in those difficult post-flood periods.

The Substantial Damage Rule. We all know the rule – if a building in the SFHA is damaged such that the cost to repair it to its pre-damage condition equals or exceeds 50 percent of its market value before the damage occurred, then the building is substantially damaged. Community officials must make this determination whenever a building is damaged by any cause – flood, fire, wind, earthquake, explosion, even vehicle impact and deterioration due to neglect. Substantially damaged buildings must be brought into compliance with the requirements for new construction. While elevation to or above the base flood elevation is the most obvious

SI/SD: Market Value and Costs

The SI/SD Desk Reference, Section 4.5, describes four options to determine market value: professional property appraisals, adjusted assessed value, actual cash value and qualified estimates. Actual cash value is "the cost to replace a building on the same parcel with a new building of like-kind and quality, minus depreciation due to age, use, and neglect." Communities should decide the preferred method and be consistent. It's common to use adjusted assessed value (property assessment made for tax purposes that's adjusted by a factor provided by the assessor's office), but allow owners to submit professional appraisals.

Section 4.4 of the SI/SD Desk Reference covers determining costs of improvements and costs of repairs. Section 7.4.1 explains insurance estimates of repair costs are not sufficient for making SI/SD determinations because what's covered by a policy may not include repair of all damage.

NFIP claims adjusters report "probable repair costs," "building replacement cost value" and "building actual cash value" on the *Adjuster Preliminary Damage Assessment Form* when it appears buildings may be substantially damaged. In the insurance world, those terms likely have specific meanings, but they are not defined in the *NFIP Adjuster Claims Manual*.

requirement, it isn't the only part of compliance that must be addressed. To understand the ins-and-outs of making SI/SD determinations and what compliance means, you can't do better than reading the [Substantial Improvement/Substantial Damage Desk Reference](#) (FEMA P-758).

Increased Cost of Compliance. Years ago, Congress authorized ICC coverage as part of NFIP flood insurance policies. When NFIP-insured buildings located in SFHAs are substantially damaged by flood, policyholders can receive ICC claim payments of up to \$30,000 towards the cost of bringing the buildings into compliance with local floodplain management requirements. The ICC claim can be used towards the cost of elevating, relocating (preferably outside the SFHA), or demolishing any building, and it can be used towards the cost of dry floodproofing nonresidential buildings.

Making ICC work has been called a dance of three partners: the policyholder, the local official and the claims adjuster. Each partner has a role, but the problem is sometimes they don't know who has the lead! Learn more by reading FEMA 301, [ICC Guidance for State and Local Officials](#), and search the FEMA website for other materials (some written for policyholders). The Flood Insurance Advocate's [first annual report](#) identified barriers in the ICC process and calls on the Flood Insurance and Mitigation Administration to update FEMA 301 (published in 2003), FEMA P-758 and other information materials that explain ICC.

Lots of communities participate in FEMA-funded mitigation grant programs, which typically require up to 25 percent cost-sharing with non-federal funds. It's important to realize that policyholders can assign their ICC claims to communities to be used as part of the non-federal cost share of most flood mitigation projects. While ICC can't pay for property acquisition, the claim payments can be used for demolition or relocation of buildings that are part of buyout projects. Check out Part III, C.2 in the current [Hazard Mitigation Assistance Guidance](#) to learn more.

Information on NFIP-Insured Flooded Buildings. Now let's turn to the post-flood scenario. Insurance adjusters who handle claims for flood-damaged buildings covered by NFIP insurance policies use the procedures and guidance published in the [NFIP Adjuster Claims Manual](#).

When activated, adjusters are required to inspect assigned properties within 48 hours of receiving the loss assignment. The initial inspection includes preparation of a preliminary scope of damage. Adjusters are instructed that this is also [the] time to complete the [Adjuster Preliminary Damage Assessment Form](#), which is then submitted to the NFIP bureau and statistical agent. The Claims Manual notes "capturing claims data on buildings that will probably be substantially damaged has become increasingly important to FEMA and to the officials of affected communities" and the form should be reported "as soon as possible after it appears that the building is substantially damaged (50 percent of the building's value)" (emphasis added)

The form is very simple. The adjuster fills in the policyholder name, policy number, property address, and three dollar values: probable repair cost, building replacement cost value, and building actual cash value. *Note two important things:* these dollar values are not the same used by local officials to make substantial damage determinations and only local officials are authorized to make SI/SD determinations. However, wouldn't having the reported information be valuable to help state and local officials identify not only individual properties, but areas where uninsured buildings likely sustained similar levels of damage? Wouldn't that help us focus attention shortly after flooding?

Only the community is legally responsible for making SI/SD determinations. Information from insurance claims may help screen for substantial damage, but cannot be used as the basis for final determination. *From FEMA P-758.*

So the big question is how do you get the information reported by adjusters? If knowing which flooded buildings “appear” to be substantially damaged, even if based on different dollar values than used by communities, is important, why doesn’t FEMA deliver reports to state coordinators, or even local officials in affected communities?

I always turn to the SI/SD Desk Reference for answers to my SI/SD questions. Sure enough, the answer to the question is “yes, the information is available,” described in Section 7.4.1:

“Local officials can use this information for screening purposes to help identify those buildings that should be examined more closely. Because federal flood insurance does not cover all damage that local officials must consider when determining substantial damage, the reported Probable Repair Cost may underestimate the total cost to repair. In addition, the Building Replacement Cost Value and the Building Actual Cash Value may not be equivalent to market value. After floods, communities should contact the NFIP state coordinating agency or FEMA regional office to determine if this information is available.”

If you’re successful at getting this information, be sure to ask for periodic updates to get new reports as adjusters continue to submit the *Adjuster Preliminary Damage Assessment Form* data to the NFIP.

Submit your own items or suggestions for future topics to column editor Rebecca Quinn, CFM, at rcquinn@earthlink.net. Comments welcomed!

Sometimes you just never know what’s going to pop up in your Google alerts



Participants in the 6th Annual ASFPM Foundation's Student Paper Competition Impress Again



L-R: ASFPM Foundation President Doug Plasencia, 2nd place winner Qianli Deng, 1st place winner Adnan Rajib, and 3rd place winner Fatemeh Alighalenbabakhani. Photo by Michele Mihalovich.

Adnan Rajib from the Lyles School of Civil Engineering at Purdue University was \$1,000 richer after his presentation at ASFPM's national conference in Grand Rapids, Michigan.

Rajib and two other students competed in [*ASFPM Foundation's 6th Annual Collegiate Student Paper Competition*](#). His paper, "[*Large Scale High Resolution Flood Inundation Mapping in Real Time*](#)," earned him first place in the competition.

And that's not to downplay the other two papers and presentations, which were also impressive.

Qianli Deng, a student in the Department of Civil and Environmental Engineering at the University of Maryland-College Park, won second place and a check for \$500 for her paper, "[*Evaluating Risks of Dam-Reservoir Systems Based on Rare Event Simulation*](#)." **Fatemeh Alighalenbabakhani**, a Department of Civil and Environmental Engineering at Wayne State University-Detroit, won \$250 for her paper, "[*Assessing Sediment Accumulation in Reservoirs Behind Dams in the Lake Erie Watershed from Past to Present*](#)."

For this competition, students are directed to submit abstracts that focus on subjects relating to floodplain or stormwater management. The goals of this program are to encourage student engagement in floodplain management topics and to identify talented individuals with the potential to make lasting contributions to floodplain management's body of knowledge.

Once the competition was narrowed down to three students, the foundation pays for up to \$1,000 in travel expenses for each to come to ASFPM's national conference and give their presentations.

What's happening around the world?

A collection of the most viewed stories on our [Facebook](#) page

Wisconsin—"In a lot of cases, the benefit cost analysis shows that, instead of doing a massive [flood mitigation] project that would cost \$50-70 million, it's more cost effective to look at it house by house." Read, "[La Crosse fighting floodplain battle from multiple directions.](#)"



Mazomanie, WI's investment 15 years ago is paying off as flood damage from heavy rains was prevented by well-planned flood mitigation efforts. Read, "[Flood mitigation saves village from serious damage.](#)"

Louisiana—Louisiana's master plan to rebuild the coast came with a bold goal: to halt the wetlands loss that sees an average of a football field eroding away from the coast every hour. The best-case scenario predicted no net loss of wetlands by 2032 and actual land gains by 2042. But new predictions of increased sea-level rise have scuttled those ambitions. Read [the full article](#) from The New Orleans Advocate.



United States—This is excellent news. The USDA announced July 7 that \$49 million in public-private investment will be used to improve critical wetlands in 12 states. You can read [the full press release](#) here.

As rising seas begin to creep up our shores, we're building walls to try to keep the water out. As much as 14 percent of U.S. coasts are already "armored" — that is, built up with hard infrastructure like concrete seawalls. But it's an imperfect solution. NOAA says that this coastal armor often destroys habitat and causes shorelines to erode even faster. Read "[There's a cheaper, more effective way to protect shorelines.](#)"



Throughout North America the ecological restoration of streams and rivers has primarily focused on increasing habitat heterogeneity, or complexity, in a static fashion. The most common practice in stream restoration has been reconfiguring channels and adding boulders, large wood structures and channel-spanning weirs to enhance habitat and restore biodiversity. However, these approaches have been shown to be largely unsuccessful because they often lack restoration of the natural dynamics of rivers interacting with their riparian zones. Read "[Why river floodplains are key to preserving nature and biodiversity in the western US.](#)"

Oregon—"Lane County has continued to issue permits to build in floodplains; indeed, it routinely grants variances and exceptions to allow construction and the removal of view-obstructing native trees and shrubs in riparian buffers. When a river or creek changes course or floods, the county and state agencies allow the owner to install a riprap dike to protect shoreline formerly stabilized by the vegetation that has been eradicated. When the dike fails — as happened on the McKenzie River a number of years ago, and the house becomes a houseboat — property owners count on Federal Emergency Management Agency flood insurance to bail them out. The cost, one way or another, is borne by all of us." Read this [Register-Guard OpEd here.](#)



Vermont—Doing such a happy dance right now! Check this out: Wetlands and floodplains protected Middlebury, Vermont, from as much as \$1.8 million in flood damage during Tropical Storm Irene, a new University of Vermont study finds. The study is the first to calculate the economic benefits that river wetlands and floodplains provided during the major storms that have struck the US East Coast in recent years. Read the [VermontBiz.com article here](#).



Florida—If you live in South Florida, you've probably come around to the idea of climate change and realized that, like it or not, sea levels are rising. But solutions to the problem are pricey, and there's no clear consensus on how we'll pay for the changes we need to continue living here. Four Miami-Dade commissioners have suggested an idea so new it doesn't appear any other city has implemented it: Create new "impact fees" that would [require developers to basically pay for their portion of the burden of sea-level-rise-related costs](#).



Miami is the canary of the coastline in terms of climate change and sea level rise. City leaders are raising vulnerable infrastructure, but continuing to allow development in flood risk areas. One professor says, "Hey, that's fine. But you need to start warning people about the dangers." Read "[We as a people will become afraid of the ocean](#)," from MSNBC.

West Virginia—We were pretty shocked to read this quote from Fayetteville. "If residents rebuild on their property, FEMA will pay for flood insurance for three years, explained Ballard. After that, residents will need to carry it themselves. If they don't, they will never again be eligible for federal disaster relief funds in future floods." Read the full article, "[Fayette plans meeting to help residents rebuild](#)."

Two REALLY BIG annual conference announcements!



One: Wish you had access to a presentation you saw during #ASFPM2016 plenary or concurrent sessions? No problem. Most are available [here](#). Conference plenary and the ASFPM awards ceremony videos are currently being edited, and some have been uploaded. Check [it out here](#) and be sure and watch our social media sites to see when more are available.

Two: If you can believe it, our "call for presenters" for our annual conference next year will go out mid-September. Again, be sure and check out our [Facebook](#) and [Twitter](#) pages for that information.

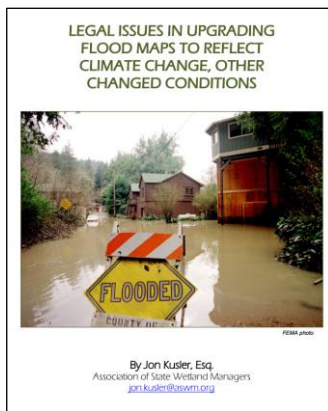


*Managing Flood Risk in the Heartland
ASFPM's 41st Annual National Conference
Kansas City, MO
April 30-May 5, 2017*

Mark Your Calendars for our Upcoming National Conferences.

Kansas City, Missouri, April 30 - May 5, 2017
Phoenix, Arizona, June 17 - 22, 2018

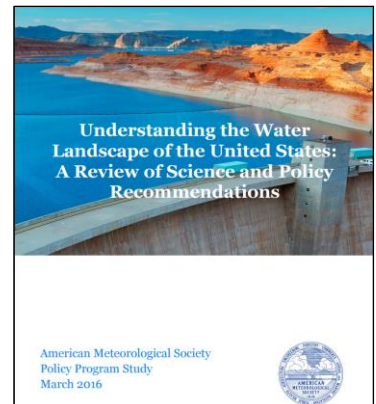
Legal Issues in Upgrading Flood Maps to Reflect Climate Change & Other Changed Conditions



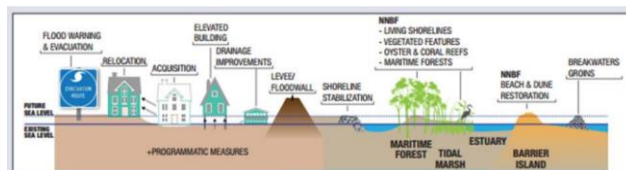
Governments will, over time, need to upgrade flood hazard maps to reflect climate change, urbanization, erosion and sedimentation and other watershed changes, according to Dr. Jon Kusler, Esq. with the Association of State Wetland Managers and author of “[Legal Issues in Upgrading Flood Maps to Reflect Climate Change, Other Changed Conditions](#).” In the paper, he answers important questions like: Will governments face legal problems with such upgrading? How can governments avoid legal problems? This paper provides an overview of the types, uses and limitations of existing floodplain maps, examples of court cases dealing with floodplain maps and recommendations for avoiding problems with upgrading floodplain maps to reflect climate change and other changed conditions.

Understanding the Water Landscape of the United States: A Review of Science and Policy Recommendations

There is an ongoing national dialogue on water, which has produced a vast number of reports, studies, and analyses containing hundreds, if not thousands, of recommendations for water science and policy. There is great opportunity in understanding the assessments and recommendations that have come before, in order to inform the future – we can build on existing knowledge, and identify common priorities and unmet needs. A review of 30 reports on hydrologic science and management reveals twelve common recommendations. The review also identified six topics that are not well covered in the national dialogue on water: 1) Increasing public knowledge and understanding, 2) Planning for “big data,” 3) Increasing public-private engagement, 4) Preparing for hydrologic extremes, 5) Understanding and managing surface and groundwater interactions, and 6) Understanding international dimensions. Read the [full 22-page report here](#).



Restoring Natural Defenses to Help Communities in Coastal Floodplains Adapt to Climate Change



Oyster and coral reefs, dunes and mangroves act as speed bumps and shock absorbers to reduce the impacts of rising seas and coastal storms. These natural defenses are cost effective and provide myriad benefits to coastal communities. This report, written by **Shannon E. Cunniff** with the [Environmental Defense Fund](#), explains how natural defenses can complement traditional approaches to floodplain management, such as building and zoning codes and hardened engineered solutions, to create multiple lines of defense against storms. Expanding engineering design literacy for natural defenses will hasten their acceptance as key features for building coastal community resilience. Read [the full report here](#).

ASFPM Chair Testified at Senate Committee Hearing

ASFPM Chair **Ceil Strauss** testified June 30 on the National Flood Insurance Program at a hearing before the Senate Committee on Small Business and Entrepreneurship.

The hearing, titled "No More Hikes: Small Business Survival Amidst Unaffordable Flood Insurance Rate Increases," gave ASFPM the opportunity to comment on [S. 1679—Flood Insurance Market Parity and Modernization Act](#), as well as discuss ASFPM's 2017 NFIP reauthorization priorities that were unveiled at our annual conference in Grand Rapids, Michigan. It was streamed live and can be [viewed here](#). ASFPM's [written testimony can be found here](#).

Introduced last summer, the private flood insurance bill is meant to make private flood insurance more widely available and interchangeable with NFIP policies by addressing continuous coverage problems and facilitating the determination as to what is an acceptable private flood insurance policy under the mandatory purchase requirement by delegating the decision to state insurance offices.

Unfortunately, there are several other consequences of the bill that have the potential to affect flood mapping, floodplain management and flood mitigation elements of the NFIP as well as overall community participation in the program. We had previously written about these impacts in [The Insider last May](#).

ASFPM's priorities for NFIP reauthorization and reform in 2017 can be found in our [principles](#) and [priorities](#) documents. The principles document identifies six high level areas where ASFPM leadership feels need attention: flood mapping, debt forgiveness, the role of private flood insurance, flood insurance affordability, mitigation (including Increased Cost of Compliance) and mandatory purchase. The priorities document further elaborates on the principles with more detailed policy proposals for Congress to consider.



L-R at the table: Domain Homes CEO Kevin Robles, ASFPM Chair Ceil Strauss, Broker and Owner of Coldwell Banker One David McKey, and Vice Chairman of the National Association of Homebuilders Randy Noel. ASFPM Executive Director Chad Berginnis can be seen sitting behind the panelists.

Member news

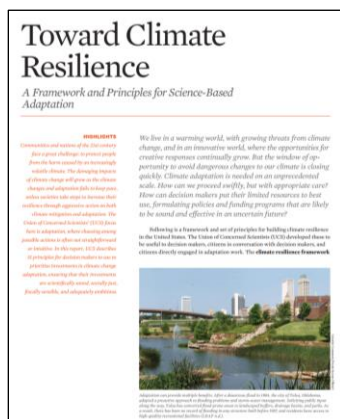
Congrats to CFM and ASFPM member **Krista Rand** (Dewberry). She has been selected by the National Science Foundation to receive a fellowship with its 2016 Graduate Research Fellowship Program. Read [the announcement here](#).



Job Corner

ARCADIS in New York is hiring a project water/coastal resources engineer. Atkins is hiring a senior project manager in its Orlando, Florida office and AECOM is seeking a hydrology/hydraulics engineer in LaJolla, California. These are just a handful of the great job listings on ASFPM's job board. Visit our [job postings here](#), and if you're an employer and you want to [post an opening](#), it's **FREE!**

Toward Climate Resilience: A Framework and Principles for Science-Based Adaptation



The [*Union of Concerned Scientists*](#) developed this [*framework*](#) for decision makers, citizens in conversation with decision makers, and citizens directly engaged in adaptation work.

We live in a warming world, with growing threats from climate change, and in an innovative world, where the opportunities for creative responses continually grow. But the window of opportunity to avoid dangerous changes to our climate is closing quickly. Climate adaptation is needed on an unprecedented scale. How can we proceed swiftly, but with appropriate care? How can decision makers put their limited resources to best use, formulating policies and funding programs that are likely to be sound and effective in an uncertain future? By checking out this framework and principles for science-based adaptation.



FEMA News you can use...

FEMA Issues Bulletin W-16041: Waiver of Elevated Building Coverage Limitation Only in A Zones

Bulletin W-04091, dated Nov. 19, 2004 provided guidance regarding the waiver of the elevated building coverage limitation. [*This bulletin*](#) clarifies that the waiver described in Bulletin W-04091 only applies to buildings located in Special Flood Hazard Area zones beginning with the letter A where a BFE is available.

Buildings located in SFHAs beginning with the letter V do not qualify for this waiver. The waiver is available in instances where the lowest floor of a Post-FIRM elevated building in an A zone is at or above the Base Flood Elevation, but where the lowest adjacent grade next to the building is below the BFE.

The NFIP permits this waiver because although a Letter of Map Amendment or a Letter of Map Revision is not available, the building complies with floodplain management ordinances that require the lowest floor of the building to be at or above the BFE.

ASFPM Comments on HUD's Modernizing the Consolidated Planning Process to Narrow the Digital Divide and Increase Resilience to Natural Hazards

The [*U.S. Department of Housing and Urban Development*](#)'s "consolidated plan" is a planning mechanism designed to help states and local governments assess their affordable housing and community development needs, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from HUD's formula block grant programs. The proposed rule amends HUD's consolidated plan regulations to **require that jurisdictions consider two additional concepts in their consolidated planning efforts: natural hazard risk to promote resilience and broadband access**. ASFPM provided comments on the requirement that community's consolidated plans include assessment and consideration of the vulnerability of housing occupied by elderly, minority and low-to moderate-income households to natural hazards risk to promote community resilience to natural hazards. Read [*the full comments here*](#).



INTERESTING FLOOD FACTS FOR JULY

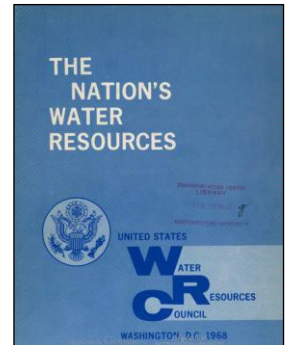
July 6, 2012: President Obama signed the Biggert-Waters Flood Insurance Reform Act of 2012.



This month in flood history: Amendments in July 1960 to the Flood Control Act contained in PL 86-645 authorize the Corps to compile and disseminate information on floods and flood damage at the request of a state or responsible local agency. As a result of the Act, the Corps established a Floodplain Management Service to promote the use of non-structural measures for dealing with floods.

The Water Resources Planning Act of 1965 (PL 89-90) created the Water Resources Council, an independent agency composed of the secretaries of federal agencies with responsibilities for water resource management. Its purpose was to study, coordinate and review water and related land resource requirements, policies and plans. In fact, check out the nation's very first comprehensive water report from 1966 here:

<http://on.doi.gov/29RQFti>



And so it begins. In July 1972, the NFIP's subsidized rates for flood insurance are lowered by 37.5 percent to encourage increased participation in the program.

The Big Thompson Canyon Flood of 1976: This Colorado flash flood only lasted one day, July 31, 1976, and left 144 dead, according to The Denver Post, and cost \$35.5 million in damage.



Deputy Director Report – Ingrid D. Wadsworth

ASFPM is a safe haven. It continues, as it has for the past 40 years, to be filled with positive colleagues who still believe in protecting people and property. We are ASFPM. And we are now more than 17,395 members strong across the United States, even more worldwide. And as of May 1, we can boast 9,594 active CFMs.



About 1,100 of us gathered in Grand Rapids in June for our 40th annual conference, and took walks down memory lane. Not to be missed is this [40th Anniversary video](#). Leave comments under the video, especially if you are featured in the video and/or have great memories to share! A nice summary of the conference can also be found on Twitter by using #ASFPM2016. And as we are already planning next year's conference, scheduled for April 30 – May 5, 2017 in Kansas City, MO, now is the time to start bugging your boss to approve your training requests. You will not regret it and if you've never had the opportunity to attend one of our conferences, here's a nice [ASFPM Conference 2016](#) video to submit along with your training request.

The annual conference is also the annual meeting for leadership, who come early to meet on Sunday. Of biggest note is the [FY17 Goals & Objectives](#) (dramatically trimmed to reflect only our top priorities). Now the 14 policy committees (and the executive office) will tackle these at the committee retreat in August and throughout the next year. Also approved was the FY17 budget, which reflects our ongoing plan to eliminate debt and increase reserves. This is year four of that five-year plan and again shows us in the black.

All and all, a productive summer so far. Hope you have a great month.



Comments Requested on Draft Interagency Concept for Community Resilience Indicators and National-level Progress Measures

FEMA, National Oceanic and Atmospheric Administration and their federal partners in the Mitigation Federal Leadership Group (MitFLG) Disaster Resilience Indicators Subcommittee released a "[Draft Interagency Concept for Community Resilience Indicators and National-Level Progress Measures](#)."

This concept is the result of a year-long effort to identify potential indicators of community resilience capacity building that align with the Mitigation and Recovery Core Capabilities under the National Preparedness Goal. Learn more details about this joint FEMA/NOAA initiative here www.fema.gov/community-resilience-indicators.

The document, compiled in response to broad public interest in identifying key factors of community resilience nationwide in order to promote better-informed capacity building strategies, is intended to start a broad conversation among public- and private-sector stakeholders on how best to define and track improvements in community resilience capacity across 28 key indicator categories.

ASFPM Mitigation Pod Facilitator **Tim Trautman** is urging flood risk professionals and all interested stakeholders to submit comments. You can send Trautman a copy of your comments for consideration in ASFPM's submittal no later than **Aug. 5** at tim.trautman@mecklenburgcountync.gov. Or submit feedback directly to the MitFLG subcommittee at FEMA-CommunityResilience@fema.dhs.gov by **Aug. 15**.

Washington Legislative Report

*Meredith R. Inderfurth,
ASFPM Washington Liaison*

Congress Has Left Town for Seven Weeks!

After a flurry of activity, but with much business left unattended to, Congress has adjourned until Sept. 6. The Republican and Democratic Conventions necessitated the early departure.



When combined with the annual August recess, Congress will be out for seven weeks, leaving only a short three weeks before the end of the fiscal year. Congress is then scheduled to recess for all of October and into November to allow members of the House and Senate to return home to campaign before the November elections.

No appropriations bills for Fiscal Year 2017 have yet been finalized, meaning that a major agenda item for September will have to be passage of a Continuing Resolution (CR). Generally CRs continue funding for the federal departments and agencies at the current level. Important debate has emerged over the length of CR. Some factions are urging a six-month CR so that the next Congress (and next President) would finalize the FY17 budget. Other factions prefer a three-month CR so that appropriations for FY17 could be finalized in December during a lame duck congressional session – whether in individual bills or in an omnibus appropriations bill.

With very little time left for regular authorization bills, committees are feeling pressure to push out legislation that has been in development to finalize as much as possible during this congressional session. Notable in this category are the Water Resources Development Act, the comparable, but different House and Senate bills on FEMA programs and management and legislation to facilitate development of a private market for flood insurance.

FY17 Appropriations

With all the best intentions, leadership of the House and Senate Appropriations Committees were focused on moving all 12 regular appropriations bills out of committee, and hopefully to passage by the House and Senate. It has been many years since Congress has been able to pass even a majority of its appropriations bills, instead resorting to CRs and Omnibus appropriations bills.

For the second year in a row, the goal of reporting out all 12 bills in both houses was achieved. However, disputes between the parties over spending levels as well as disputes among various factions over the so-called “poison pill” policy provisions have stymied the passage of bills. Poison pill provisions have ranged from prohibitions of implementation of Administration rules and regulations (notably the Waters of the U.S., Federal Flood Risk Management Standard and Clean Power rule) to the nuclear arms deal with Iran and LGBT issues. Pressure to hold votes on gun control amendments and funding for response to the Zika virus threat have also played into the drama.

Interestingly, none of the Senate appropriations bills contain language prohibiting implementation of FFRMS. Two House bills do: Financial Services & General Government and Transportation-HUD.

The Senate has passed only three bills. Floor action has been virtually non-existent since mid-May for the kinds of reasons stated above. The House delayed action on appropriations bills because a significant number of Republican members wanted to pass a new budget resolution with lower numbers than the two year budget resolution passed last year. However, the House was able to pass five bills before the long recess. House leadership decided to limit amendments by having the Rules Committee decide which amendments would be in order. That meant abandoning a previously touted policy of openness to any amendments offered.

Appropriations – Energy & Water

This bill is in a state of limbo due to the poison pill problem. The House brought its bill to the floor (H.R. 5055 and H.Rept. 114-532), but failed to pass it May 26 by a vote of 112 yeas to 305 nays. Expectations are that the bill will probably be brought up again, but that is impossible to predict. On the other hand, the Senate passed its bill (S. 2804 and S. Rept. 114-236) May 12.

The overall amounts for the Army Corps of Engineers Civil Works are \$6 billion in the Senate bill and \$6.089 billion in the House bill. Both are more than \$1 billion over the Administration's budget request.

For Flood Control and Coastal Emergencies, the House provides \$34 million and the Senate provides \$30 million. The request was \$30 million.

For Planning Assistance to States, the House provides \$7.5 million and the Senate provides \$6 million. The request was \$5.5 million.

For Flood Plain Management Services, the House provides \$15 million and the Senate provides \$16 million. The request was \$15 million.

For the National Flood Risk Management Program, the House provides \$6 million and the Senate provides \$5 million. The request was \$5 million. The House report notes that the increase over the budget request is to support addition work under the Silver Jackets program.

The House provides \$0 for the Water Resources Priorities Study (authorized in WRDA 2007) and the Senate provides \$1 million. The request was \$1 million.

Appropriations – Homeland Security

This bill provides appropriations for FEMA along with the many other component parts of the Department of Homeland Security. The Senate version (S. 3001 and S. Rept. 114-264) was reported out of committee May 26. The House bill (H.R. 5634 and H. Rept. 114-668) was reported out of committee June 22. Neither bill has yet been considered by the full Senate or House. The committee report will not be available until after full committee mark-up. During subcommittee mark-up the Ranking Democrat on the full committee, Rep. Nita Lowey (D-NY) observed that there were areas in the bill that should have been funded at higher levels and specifically named flood risk mapping and Pre-Disaster Mitigation.

For flood risk mapping, both bills provide \$177.5 million. The budget request was \$177.5 million. The FY 16 funding level was \$190 million. The lesser amount requested, according to the Administration, anticipates additional mapping funds from the NFIP policy fee due to an increase implemented on April 1, 2016. The authorized amount for mapping (as opposed to appropriations) is \$400 million.

For Pre-Disaster Mitigation, the House provides \$54.5 million and the Senate provides \$100 million. The request was for \$54.5 million. The FY16 funding level was \$100 million.

For Flood Mitigation Assistance, both bills provide \$175 million from the National Flood Insurance Fund. Both bills provide \$350 million for Emergency Management Preparedness Grants, and both bills again reject the Administration proposal to consolidate several grant programs into a National Preparedness Grant Program. Neither bill contains language pertaining to implementation of the FFRMS.

The report accompanying the Senate bill contains language directing FEMA and the Mitigation Federal Leadership Group to create a strategy to guide federal agency and Congress in prioritizing resources to enhance disaster resilience. It also includes language allowing construction of earthen levees on deed-restricted, FEMA buyout land. Since this is a one year appropriations bill, the language can only take effect for FY17. Additional language notes that the Community Assistance Program “is essential to effective implementation of the NFIP.” Language also notes that the committee “is pleased that the Cooperating Technical Partners effort within the mapping budget contributes to supporting the mapping activities and fosters local confidence in map products. Community buy-in on flood maps often leads to local public and private risk reduction actions. This cooperative fiscal approach benefits all levels of government.”

Active Legislation

The following legislation “has legs” and could possibly see more action when Congress is in session in September or in the lame duck session in November and December. Although the NFIP does not require reauthorization until next year, the House Financial Services Committee has indicated its intent to produce a draft reauthorization bill this fall. This would facilitate early action in the new Congress, which will convene in January.

Flood Insurance Market Parity and Modernization Act

Identical bills were introduced in the House (H.R. 2901) by Reps. Dannie Ross (R-FL) and Patrick Murphy (D-FL) and in the Senate (S. 1679) by Sens. Dean Heller (R-NV) and Jon Tester (D-MT). They are designed to facilitate lender acceptance of private market flood insurance policies and to allow portability between private policies and NFIP policies for the purpose of continuous coverage. The legislation passed in the House April 28 by a vote of 419-0. The Committee Report accompanying the bill is H. Rept. 114-524.

Because of concerns about some aspects of this legislation, ASFPM has developed suggested amendments. In February, [*ASFPM sent a letter to leadership of the House Financial Services Committee*](#) recommending that the bill include language providing for a policy fee equivalent to the NFIP policy fee to be associated with private flood insurance policies. This would ensure sufficient on-going support for the essential floodplain management and flood risk mapping activities funded by the NFIP policy fee. ASFPM noted in the letter that while expanding the private insurance market, it will be important to maintain a viable national flood insurance program that provides floodplain management, mapping and hazard mitigation functions.

Other amendment recommendations are under development. One in particular would require that private policies be sold only in NFIP participating communities. This would alleviate the concern that if property owners could buy private flood insurance to meet the mandatory purchase requirement, then some communities might decide not to participate in the NFIP, thus losing the flood loss reduction benefits of having local flood loss reduction standards.

Because the bill passed the House unanimously before these and other issues were recognized, there is significant pressure from proponents to bring up the bill on the Senate floor under a “unanimous consent” or UC procedure, which does not allow amendments. ASFPM is urging that the bill not be taken up under UC, but instead be studied by the Senate Banking Committee.

ASFPM Executive Director Chad Berginnis has studied the various issues and potential worrisome impacts. While ASFPM supports aspects of this legislation and is not opposed to expansion of the private market, any such expansion should also ensure that the other beneficial aspects of the NFIP are not weakened. The association is in a position to understand potential impacts on the future of the NFIP and its multi-faceted framework designed to not only provide insurance, but to provide for floodplain management, mapping and mitigation.

Water Resources Development Act

Different versions of WRDA 2016 are under consideration in the House and Senate. The Senate bill (S. 2848) was introduced April 26 and reported favorably out of the Senate Environment and Public Works Committee April 28. It has not yet been taken up on the Senate floor. The bill authorizes 25 new projects vetted under the procedures established in the Water Resources and Reform Act of 2014 (WRRDA2014). Additionally, it includes major clean-up and restoration initiatives – including Lake Tahoe, the Great Lakes and Long Island Sound. It includes a provision to assist Flint, Michigan and other municipalities with lead-tainted water problems. It also authorizes FEMA to provide assistance in a cost-shared grant program for rehabilitation or removal of high hazard potential dams. This largely incorporated legislation introduced by Sen. Jack Reed (D-RI) to address the problem of high hazard small dams. According to the committee, the bill “updates the Corps emergency rebuilding authority for flood control projects (PL84-99) to allow the Corps to rebuild projects stronger than originally designed if it will reduce risk of loss of life and property and minimize life cycle rehabilitation costs. The bill also allows the Corps to implement nonstructural alternatives, including wetland, stream and coastal restoration.” ASFPM worked with committee staff on these latter issues.

The House bill (H.R. 5303) was introduced May 23 and referred to the House Transportation and Infrastructure Committee and the House Natural Resources, each for the provisions that fall within their jurisdiction. The House Transportation and Infrastructure Committee marked-up the bill and reported it out of committee May 25. It authorizes 28 new projects and updates language from WRDA07 on the inventory and inspection of levees. For non-structural alternatives under PL84-99, it strikes “if requested” by the project sponsor and replaces that language in several places with “after consultation with the non-federal sponsor and if requested and agreed to.” ASFPM worked with committee staff on the latter point. This bill includes an amendment that requires a written notice to potential non-federal project sponsors and local officials about the opportunity to submit project proposals. This is intended to assure better outreach to bring more project ideas into the pipeline. The amendment also directed the Corps to report on the use of natural and nature-based solutions in projects. During mark-up, an amendment was offered and then withdrawn that would have added the clean-up and restoration provisions in the Senate bill for Lake Tahoe, the Great Lakes and Long Island Sound.

A colloquy took place about possibly accepting the Senate language in a House-Senate Conference on the bill. An amendment offered by Rep. Garret Graves (R-LA) was agreed to that would establish an environmental bank to aggregate dollars to facilitate funding of larger projects.

FEMA Disaster Assistance Reform Act and Disaster Management Act

The FEMA Disaster Assistance Reform Act (H.R. 1471) passed the House on a voice vote Feb. 29. It has been sent to the Senate and referred to the Homeland Security and Governmental Affairs Committee. The Senate has its own bill, the Disaster Management Act, which contains some of the elements of this bill. That measure (S. 2969), the Disaster Management Act, was set to be marked-up May 25, but was pulled from the line-up of bills to be marked-up.

The House bill authorizes appropriations for FEMA for two years. It provides authorizations for the National Urban Search and Rescue Response System and for the Emergency Management Assistance Compact. It defines public

broadcasting facilities as private nonprofit facilities for eligibility for disaster assistance, places a three-year statute of limitations on reclaiming disaster relief funds and permits waiver for collection of some disaster-related debts. It changes the eligibility threshold of certain small projects for expedited disaster assistance payments from \$35,000-\$1 million. Rates for reimbursing states and local governments for direct and indirect administrative costs associated with disaster recovery projects are established. Hazard mitigation assistance for areas affected by fire is authorized regardless of whether or not a major disaster is declared as long as a Fire Management Assistance Grant has been declared.

Importantly, the bill authorizes a study leading to a report on comprehensive disaster costs to the nation. FEMA's National Advisory Council is tasked with directing the study. ASFPM expressed support for H.R. 1471.

The Disaster Management Act provided for the study described above. Other elements of H.R. 1471 were introduced in the Senate as separate bills. A mark-up for more than 20 bills, including those was held May 25. Apparently because of concerns about amendments, which would add some additional elements from the House bill, the Chair of the Senate Homeland Security and Governmental Affairs Committee Sen. Ron Johnson (R-WI) pulled the bill from the line-up. Future action remains unclear.

Reform, Streamline and Make Improvements to the Department of Homeland Security

S. 2976 was reported favorably out of the Senate Homeland Security and Governmental Affairs Committee May 15. Among its elements was language giving the secretary authority to establish various joint task forces to assist in coordinating activities of the many parts of DHS. ASFPM joined with the International Association of Emergency Managers, National Emergency Management Association, National Association of Counties and International Association of Fire Chiefs in working to clarify that, while FEMA could be included in such arrangements, it would not interfere with the authority or mission of FEMA.

National Mitigation Investment Act

This bill (H.R. 5177) was introduced May 10 by Rep. Carlos Curbelo (R-FL) and Rep. Albio Sires (D-NJ). A related bill, the Safe Building Code Incentive Act (H.R. 1478), was introduced in April by Rep. Mario Diaz-Balart (R-FL). Both measures were referred to the House Committee on Transportation and Infrastructure. H.R. 5177 includes most of the provision of H.R. 1478 but adds other provisions. Both bills provide for 4 percent additional mitigation assistance for adoption and enforcement of approved state building codes. In an analysis of both bills, ASFPM agrees with much of the content, but has some recommendations for improvement and some serious concern with a section that would attempt to list activities that are eligible under the Hazard Mitigation Grant Program. No action has been scheduled on the bills.

Digital Coast Act

Bills to codify the Digital Coast program and partnership at NOAA have been introduced in the House and Senate with bipartisan cosponsors. House bill (H.R. 4738) was introduced by Rep. C.A. Dutch Ruppersberger (D-MD). That bill has been referred to the House Committee on Natural Resources. Senate bill (S. 2325) was introduced by Sen. Tammy Baldwin (D-WI) and was reported favorably out of the Senate Committee on Commerce, Science and Transportation April 27. ASFPM, and other organizations that are members of the Digital Coast Partnership, support this legislation.

Waterfront Community Revitalization and Resiliency Act

This legislation was introduced by Sen. Tammy Baldwin (D-WI) and passed the Senate July 14. The bill (S.1935 and S. Rept. 114-272) “will support community efforts to make the most of water resources by attracting water-dependent industries and investments that leverage water sustainably, revitalizing neighborhoods and enhancing recreation and tourism” according to the senator’s press release. She noted that it will help communities plan for the future and attract private and non-profit investment. The measure now moves to the House for committee consideration.

Coastal Zone Management Act

This bill was reported (unanimously) out of the Senate Commerce, Science and Transportation Committee June 15. It reauthorizes and updates a 40-year-old law that provides states with authority to require federal projects to adhere to state coastal policies. The measure would “update the law, putting new emphasis on coastal resilience, sea-level rise and regional coordination,” according to an article in *E&E News*.

The Legislation discussed in this article can be reviewed by going to www.Congress.gov and typing in the bill number or title.

<p>This report appears regularly as a member benefit in “The Insider,” ASFPM’s member newsletter produced in the odd months. See ASFPM’s Goals and Objectives for FY17 here.</p>

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