

# THE INSIDER



An exclusive publication for ASFPM members

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## ASFPM's analysis of HFIAA finds BW-12 core still there, and narrowly focused improvement to affordability

### Inside this Issue

ASFPM's recent HFIAA analysis....Pg. 1
Medlock accepts W.H. detail.....Pg. 6
Village goes bold on freeboard....Pg. 7
Precipitation satellite launched...Pg. 9
Ingrid's operations report.....Pg. 10
Member shout outs.....Pg. 11
Floodplain mgr's notebook.....Pg. 13
Clean Water Act clarified?.....Pg. 15
Designing for Disaster.....Pg. 16
Chapter & CFM corners.....Pg. 18
ASFPM conference news.....Pg. 19
Members making IMPACT.....Pg. 20
D.C. Legislative Report.....Pg. 21
Editorial guidelines.....Pg. 27

The Homeowners Flood Insurance Affordability Act (HFIAA) is the latest NFIP reform that modifies some of the changes made under the Biggert-Waters Flood Insurance Reform Act of 2012, which were aimed at putting the NFIP on a more solid financial footing.

Unfortunately, one of the predictable outcomes of BW-12 was flood insurance affordability because it did nothing to address this aspect other than calling for a study on the issue. Since passage of BW-12, one provision in particular has garnered a lot of attention – triggering full actuarial rates upon the sale of a subsidized rated pre-FIRM building in a high-risk area (and/or purchase of a new flood insurance policy), resulting in premium increases from 100 percent to more than 1,000 percent higher.

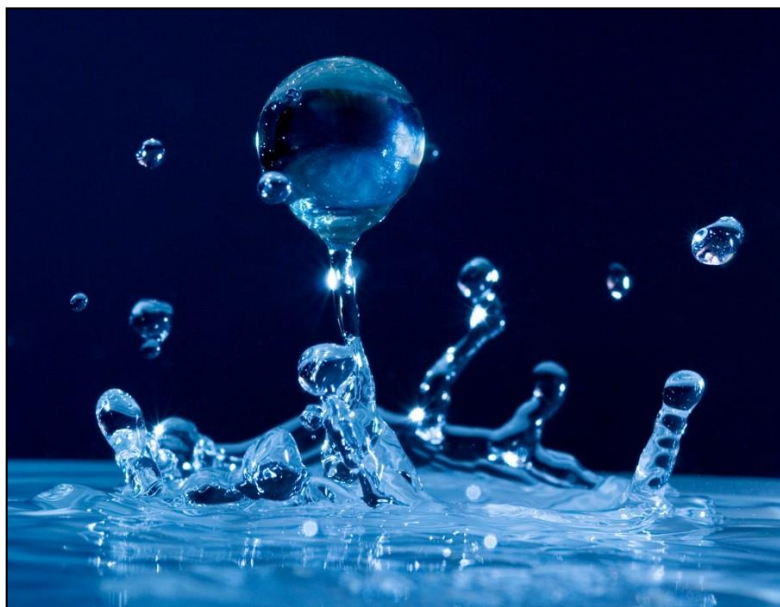
ASFPM has heard stories from different areas of the country about how the effect of these increases were significantly impacting local real estate markets. Floodplain managers from across the country have been fielding calls from panicked property owners seeking assistance or options. At the same time, it appeared BW-12 was working. The strong signals that were sent to owners about the true flood risk of properties via more actuarially sound flood insurance rates led to an unprecedented interest in mitigation options, including mitigation undertaken by thousands of affected property owners in the aftermath of Hurricane Sandy.

The President signed HFIAA March 21, and 22 of 31 sections focus

on insurance changes; six focus on floodplain mapping; and three focus on other provisions. From our analysis, there are two main conclusions that can be drawn from this legislation:

- The core of BW-12 is still there. It should be seen as making additional changes to BW-12 and is not in any way a wholesale repeal of the legislation.
- It makes only small improvements on the issue of flood insurance affordability notwithstanding the elimination of the immediate full-risk rate trigger upon purchase of a pre-FIRM property or new policy. In some cases, the new act will cost property owners *more* for their policies than was the case under BW-12. It calls for several studies and even a framework on affordability but doesn't even authorize a single pilot. Flood insurance affordability will continue to be an issue and ASFPM is disappointed that Congress passed up an opportunity to more broadly address flood insurance affordability through hazard mitigation and other mechanisms.

It is difficult to tell HFIAA's overall impact on NFIP's financial stability. Some provisions create new or on-



going financial liabilities (such as continued grandfathering of existing policies). However, the surcharge collection, while a blatant and overt new NFIP subsidy, may build up the reserve fund faster. This legislation creates new sets of winners and losers. One thing is clear, one of the largest factors currently affecting the financial stability on the NFIP wasn't addressed at all -- the \$24 billion debt of the NFIP. Presently that debt is financed at a very low interest rate (approximately .5 percent) resulting in annual interest payments of around \$110 million. Should interest rates move back to a more typical long term average of 3 percent - the interest payment alone would

exceed \$700 million/year. For a program that only collects \$3.35 billion/year in premiums, this cost alone would cause significant impacts. It is important to remember that the reserve fund established under BW-12 is to pay for future catastrophic losses such as the next Katrina or Sandy, not to service the debt the program already has accumulated.

If the past is a guide, it will take a while to implement this legislation. FEMA has taken several years to implement previous NFIP revisions. Also, any analysis, including this one, will ultimately be superseded by FEMA's official analysis and implementation.

#### Flood Insurance Changes

- Repeals full-risk rate triggers for pre-FIRM properties in high-risk areas (and Zone D):
  - not insured when BW-12 was enacted,
  - buildings purchased after BW-12 was enacted, and
  - lapsed policy due to the property no longer being required to retain flood coverage.
- Requires FEMA to restore pre-FIRM rates and refund excess premiums to policyholders in cases where, after July 6, 2012, full-risk rates were charged on pre-FIRM properties described above.

- To financially balance the rollback and refund, ALL policyholders will receive an annual surcharge until there are no more subsidized rates: \$25 for primary residences and \$250 for all other. Requires surcharge to be deposited in the reserve fund.
- Annual cap on flood insurance increases in a single rate class for any policy decreases from 20 percent to 15 percent.
- Establishes a maximum cap of 18 percent per year in premium increases on any individual property unless:
  - The property is a non-primary residence, business, severe repetitive loss property, cumulative loss property, or substantially damaged/improved property. Those will still see rate increases of 25 percent per year as required by BW-12.
  - There is a policy lapse on a pre-FIRM rated property that was not the result of the property being required to maintain flood insurance or in the situation in the refusal of an offer to mitigate. In these cases the property will immediately go to full-risk rates.
  - Properties within a community that experience a Community Rating System rating retrograde.
  - Properties that experience an increase in premiums due to a decrease in deductible or increase in coverage.
- Pre-FIRM subsidies will continue to be phased out by not less than 5 percent per year until full-risk rates are achieved, subject to the overall premium caps in the bullet above.
- BW-12 section 207 (the elimination of grandfathering) was repealed. However, it was replaced with a new grandfathering section that establishes a new, slower path to full-risk rate for some properties. For flood insurance policies purchased after March 21, 2014 and newly mapped into SFHAs, grandfathering will not be an option. Rather, the first year premium would be equivalent to a Preferred Risk Policy and then phased into full-risk rates by increasing premiums by at least 5 percent per year and not to exceed the limitations in the two previous bullets. The new law seems to preserve existing grandfathered policies/properties and does not address how other remapping effects when the property is already in a high risk flood A or V zone (e.g., Zone A to Zone V; increase in Base Flood Elevation) might impact the grandfathering status or rates.
- Requires FEMA to designate a Flood Insurance Advocate to educate and assist property owners and policyholders on flood insurance issues, mapping issues including the map amendment process, and mitigation techniques. It is unclear if this will be one person, a person with staff, or regionally set up.
- Requires FEMA to clearly communicate “full flood risk determinations” to property owners regardless of premiums being charged. This indicates that some mechanism will perhaps be created to communicate the full flood risk rate for those receiving subsidies, either through a pre-FIRM designation or grandfathering.
- Increases the residential deductible limits to \$10,000, which was \$5,000.



- Requires FEMA to “strive to minimize” the number of policies with annual premiums that exceed 1 percent of the total coverage provided by the policy and report to Congress any exceptions in meeting this goal. It is important to note that this is not a requirement of the program, just a goal.
- Authorizes FEMA to purchase reinsurance coverage (which was previously authorized in BW-12)
- Clarifies that monthly installment payments of NFIP premiums are an option.
- Removes uninhabited structures that are part of a property, but detached from the primary residence from the mandatory purchase of flood insurance requirement so they would not adversely affect the rating if they were at a lower elevation or higher risk flood zone.
- Requires that NFIP rates account for mitigation activities, including land use measures, floodproofing, flood forecasting, and similar measures. Also requires the rates to account for methods other than elevation for certain residential structures.
- Provides for some exceptions and options to escrow flood insurance premiums during a real estate closing.
- Requires FEMA to make rate tables and underwriting guidelines public.
- Adds the term “reconstruction” to what is to be determined by FEMA as adequate progress on of flood protection systems for flood insurance rating purposes, and allows for consideration of projects using all sources of funding, including local sources.
- Modifies the provision of the law pertaining to the availability of flood insurance in communities restoring discredited flood protection systems by clarifying that it is equally applicable to coastal levees, and that it can apply to projects without regard to federal funding or participation by a federal agency. Previously a limitation existed that such systems had been deemed restorable by a federal agency in consultation with the local project sponsor.
- Studies and reports on flood insurance issues:
  - Amends affordability study authorized under BW-12 to include analysis of higher premium scenarios, including options for mitigation and means-tested assistance, effects of establishing catastrophic savings accounts, options to modifying the per-policy surcharge, and increases the authorized funding for the study to \$2.5 million. Study is due Sept. 21, 2015.
  - Requires FEMA to develop an affordability framework due 18 months after the affordability study authorized in BW-12 is completed. The framework is to address affordability issues, including those raised in the affordability study and include proposals for regulatory and programmatic changes. Unfortunately authorization was not given by Congress to implement any changes.
  - Requires FEMA to conduct a study to assess options, methods and strategies for making voluntary community-based flood insurance policies available through NFIP. Study is due Sept. 21, 2015.



- Requires FEMA to report to Congress on the exceptions to the goal of premiums representing no more than 1 percent of the total coverage provided.
- Requires FEMA to report to Congress quarterly on the status of the reserve fund ratio. BW-12 had previously required this annually.
- Requires FEMA to report to Congress the impact of the rate increases of 25 percent per year (due to pre-FIRM subsidy elimination) and the surcharges required by HFIAA on small businesses, places of worship, and low-value residences. Report is due no later than Sept. 21, 2015. If FEMA determines there is evidence of detrimental impacts on affordability, it is required to make recommendations to improve affordability to Congress no later than three months after such determination is made.
- Requires FEMA to report to Congress on the feasibility of releasing property-level claims data and establishing guidelines for the release of such data under the federal Privacy Act, including recommendations for protecting personal information. Report is due June 21, 2014.

#### Floodplain Mapping Changes

- Requires the Technical Mapping Advisory Council to review the National Flood Mapping Program to ensure that the program results in technically credible flood hazard data and produce a report on its findings. Requires FEMA to certify in writing to Congress when such a program has been implemented.
- Allows for the reimbursement of expenses associated with appeals resolved by the Scientific Resolution Panel, eliminates the \$250,000 limitation on implementing the subsection associated with reimbursement of appeals, and specifies that costs can be paid from the National Flood Insurance Fund. The previously existing section of the law required FEMA to promulgate regulations to carry out a program for reimbursing appeals.
- Creates an exemption of flood mapping review and processing fees for flood map changes due to habitat restoration projects, including dam removal, culvert design or installation, or the installation of fish passage structures. The provision seems to limit the exemption to projects involving either state or federal funds only.
- Requires FEMA to work with states, communities, and property owners to identify and map areas protected by non-structural flood mitigation features, and determine the level of protection such features provide. The term “non-structural flood mitigation features” is not defined in the legislation; however, a press release issued in May 2013 by Rep. Cedric Richmond who initially proposed this language said the following: “Currently FEMA only acknowledges levees on flood maps that provide a 100 year level of flood protection. While FEMA is currently drafting rules for how non-accredited (below 100 year protection) levees should be included in flood maps, they don’t fully account for non-structural flood mitigation features like forests, marshland and other natural features.”
- Requires added coordination activities between FEMA and communities before and during mapping activities, including notification and coordination on the engineering model being used, additional period of time for a community to review interim data, and an opportunity to provide additional data.
- Requires FEMA to provide members of Congress in affected districts advanced information on key dates in the mapping update process (schedule of community meetings, publication dates of notices and the beginning date of the appeals process), and data on numbers and types of properties affected by preliminary maps.



### Floodplain Management and Flood Mitigation Changes

- Changes the statutory definition of substantial improvement from 30 percent of fair market value to 50 percent. This was changed to 30 percent under BW-12 for no apparent reason. ASFPM found no champion for the particular issue. It creates a disconnect with the substantial damage definition and if not changed back to 50 percent may have necessitated a nationwide floodplain management ordinance update.
- Requires FEMA to continue to extend exceptions and variance for floodproofed basements consistent with 60.3 and 60.6 of 44CFR. It is important to note that these two sections referred to in the legislation are for floodplain management purposes only and not for flood insurance.
- Requires FEMA to establish guidelines for property owners by March 21, 2015 for alternative mitigation methods, other than elevation, for certain residential buildings that cannot be elevated due to their structural characteristics. By calling these “guidelines for property owners” it does not appear that the legislation directs FEMA to develop new types of development standards under 44CFR60.3 that would have to be subsequently adopted by communities.



### **Medlock accepts temporary assignment with White House’s Council on Environmental Quality**

The association is pleased to announce that Samantha Medlock, ASFPM’s Policy and Partnerships Program Manager, was requested to serve as Deputy Associate Director for Climate Preparedness for the [White House’s Council on Environmental Quality](#) for the remainder of the calendar year. Her detail will support the President’s [Climate Action Plan](#) and efforts to help prepare the nation for the impacts of climate change.

Medlock, a lawyer and career floodplain manager, has been a well-respected voice for ASFPM. A recipient of the ASFPM Foundation’s [Nick Winters Scholarship](#), Medlock has a long history with ASFPM and the ASFPM Foundation, representing the association at all levels of federal, state and local governments, as well as NGOs and other partners.



While Medlock will remain a valuable member of ASFPM staff during the course of this detail, [ASFPM’s national policy initiatives](#) will continue under the leadership of Executive Director Chad Berginnis, Director Emeritus and Senior Policy Adviser Larry Larson, and ASFPM Washington Liaison Merrie Inderfurth. For assistance with national policy matters, please contact Larson at [larry@floods.org](mailto:larry@floods.org), or you may call [608-828-3000](tel:608-828-3000).

## Long Island Village goes bold with a 4-foot Freeboard Standard



*One of Freeport's streets after Hurricane Sandy. Photo courtesy of Village of Freeport, Long Island, N.Y.*

A little village in Long Island decided to go big, or go down with the storm surge. In March, the New York State Code Council unanimously approved Freeport's request for a 4-foot freeboard building standard.

Freeport, New York's second largest village with 55,000 residents in a 4.5-square-mile area, was hard hit by Hurricane Sandy.

Joe Madigan, the village's superintendent of buildings and floodplain manager, said about 3,000 homes suffered damages in the \$80 million range, 135 homes were red-tagged, boats 40- and 50-feet-long were strewn on streets, 13,000 tons of debris have been removed so far, and there were a lot of foundation collapses.

Madigan said Sandy flood elevations exceeded FEMA flood maps of 2009, going approximately 250 feet beyond the boundary. The lifelong Freeport resident said the village is no stranger to flooding; however, the frequency and increases due to sea level rise are definitely being felt.

"During Hurricane Irene, I had 14 inches of water in my house," he said. "During Sandy, I had 4 feet. I don't have a good feeling about where this is going."

Moving to a 4-foot freeboard building standard was borne out of several factors, not just sea level rise, Madigan said. Probably the biggest driving force was BW-12 and the increasing costs of flood insurance.



*One Freeport home during the elevation process. Photo courtesy of Village of Freeport, Long Island, N.Y.*

“That had the most significant impact on our decision,” he said. “One guy on the bay said he received an estimate that flood insurance was going to cost \$23,000 annually. Doing this will make for a more viable community and people will be able to sell their houses.”

Madigan said if Freeport citizens have any hope of selling their houses in the future, they will have to elevate as a way of keeping those insurance costs down. And thanks in part to [New York Rising](#), a state led program funded by the Sandy Relief Act, Freeport residents and businesses are getting a lift.

One architect told Madigan he expects to turn in at least 80 elevation applications to the Freeport building office this year.

So, has the building department gotten any pushback from the citizens or business community about the 4-foot of freeboard?

“There were no objections whatsoever,” he said. Residents know elevating is going to help the community in the long run, and business owners, who used to have to close their doors every time it floods, are grateful to keep their businesses open more.



*The same Freeport home after the elevation process. Photo courtesy of Village of Freeport, Long Island, N.Y.*

Freeport did have a 35 foot maximum height restriction for new construction, which could have affected how high properties could be elevated. But Madigan said, “With mitigated property, we eliminated that restriction.”

Madigan said Freeport has always been pro-mitigation, which is why it became a CRS community in 1993, long before Sandy came crashing through.



“To work for the village, you have to be a resident,” he said, meaning that every village official is dealing with the same issues and concerns that citizens are.

Bill Nechamen, ASFPM’s chair and chief of the Floodplain Management Section, New York State Department of Environmental Conservation, said he hasn’t heard of any other community in the state with such a high freeboard standard, but it makes sense to build higher now so that buildings will be viable...“it’s the wave of the future.”

Nechamen said, “Freeport is a good example of a municipality that looked at the benefits of going to a higher standard. Anyone in a coastal area should look at this as a good example.”

*--Freeport story by Michele Mihalovich, ASFPM’s public information officer*



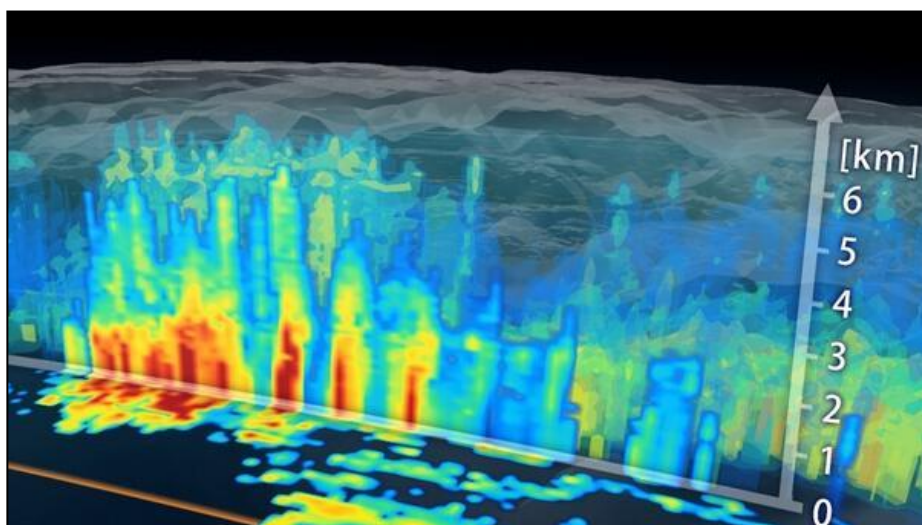
## New satellite provides meaningful precipitation data

[Global Precipitation Measurement](#), an international satellite mission, will provide observations of rain and snow worldwide every three hours. NASA and the Japanese Aerospace Exploration Agency launched the [GPM Core Observatory satellite](#) Feb. 27 (left).

The data provided will be used to unify precipitation measurements made by an international network of partner satellites to quantify when, where, and how much it rains or snows around the world, according to NASA’s website. The GPM mission will help advance our understanding of Earth’s water and energy cycles, improve forecast-

ing extreme events that cause natural disasters, and extend current capabilities of using satellite precipitation information to directly benefit society.

The GPM mission data will advance our understanding of the water and energy cycles and extend the use of precipitation data to directly benefit society. Here is a [video](#) that gives an overview of the GPM.



The first image: 3D view inside an extra-tropical cyclone observed off the coast of Japan March 10 by GPM's Dual-frequency Precipitation Radar. The vertical cross-section approx. 4.4 miles high show rain rates: red areas indicate heavy rainfall, while yellow and blue indicate less intense rainfall. Image Credit: JAXA/NASA

# Operations Report from Associate Director Ingrid Danler

Professionalism: It's NOT the job you DO, It's HOW you DO the job.



ASFPM continues to surprise me with the breadth and knowledge of our staff and members. That enthusiasm is translated into everything we ambitiously take on from the studies, white papers, web-products, training, discussion papers and policy activities, to the running of multiple national conferences per year and a national certification program. Most importantly, the quickness with which we can mobilize action, and our leadership on flooding concerns and issues, makes us a reliable resource of vetted, credible and unbiased science and policy.

This was recently verified by the very prestigious detail that Sam Medlock, our policy and partnership manager, started March 17, as she begins critical climate change task force work in the White House as part of the Council on Environmental Quality. On loan from ASFPM, she will continue the nation's work of flooding and climate change and come back to ASFPM by year's end.

February and March marked our usual busy time for planning with our Board and our Certification Board of Regents meeting here in Madison. With the annual conference coinciding with our fiscal year and elections, the annual conference is a milestone. Annual budget, goals and objectives, regional and chapter director annual reports and policy committee/CBOR status reports are available for conference attendees and our members. Here is a glimpse of last year's information:

<http://www.floods.org/index.asp?menuid=784>.

While the Board moved forward on many traditional items, though the leadership of Chair Bill Nechamen (NY), several new committees were formed. To handle the ongoing [Cooperating Technical Partners](#) issues, a temporary ad hoc group was formed to create a discussion paper. To handle long-term financials and investments, a permanent finance committee was formed. To capture all the varying goals and objectives for 2014/15, a temporary goals and objectives ad hoc group was formed. And there was a proposed schedule and discussion for a reboot of the important [National Flood Programs and Policies in Review](#), which will be done in coordination with all 14 of the ASFPM policy committees.

CBOR, which oversees the CFM exam, has a very heavy load as it finish the Ohio State's Reliability and Validity Study recommendations. Governance has been a focus for several months with updates to charter and policies, as well as marketing and promoting the CFM exam. ASFPM is coordinating the field deployment of E273 in many regions, which has boosted the number of CFMs nationwide. The [CFM Exam Prep Guide](#) will continue to be the one-stop-shop for anyone seeking to take the exam with a guarantee that every question on the exam has a reference on the guide. Feel free to distribute or post the link to your site!

As always, we at the executive office are here to support you and help you.

A handwritten signature in black ink, appearing to read 'Ingrid Danler'. The signature is stylized with a large, looping 'D' and 'I'.

# Shout outs...

## NCAFPM Celebrates 25<sup>th</sup> Anniversary

The North Carolina Association of Floodplain Managers is celebrating its 25<sup>th</sup> anniversary. The association was established in January 1989 to bring together local, state and private sector professionals to share information about the NFIP, as well as set specific guidance regarding the wise use and safe development of the state's floodplains. The first NCAFPM annual conference was held in November 1989 in Boone, N.C. at the Appalachian State University campus. The 65 attendees listened to presentations about computer mapping, greenway planning, regulation changes, enforcement, liability and more. NCAFPM now holds two state conferences each year, and both see more than 200 participants. NCAFPM became an ASFPM chapter in 1990 and was incorporated as a nonprofit organization in 1992.

NCAFPM's creation was the result of the dedication and untiring efforts of Berry Williams, the state NFIP coordinator from 1987 until 1996. Williams remained very involved with the association for many years to ensure it would grow into the successful organization it is today. Lisa Sharrard (now Lisa Jones) served as NCAFPM's first chair. At that time she was a program specialist with the state NFIP office.



(Photo from left) David Haynes, Distinctive AFWS Designs; Sky Conklin, New Hano-ver County; Mark Senior, city of Raleigh; Lisa Sharrard (Jones), N.C. NFIP office; Mike Coughlin, Wake County; Aubrey Heath, town of Nags Head; Druid Roberson, Ocean Isle Beach; and Ed Meyers, Mecklenburg County.

From its inception, the association has worked closely with the N.C. Division of Emergency Management, not only to promote and provide training, but to support numerous other efforts encouraging sound floodplain management across the state. This relationship became even stronger with the creation of the NC

Floodplain Mapping Program in 2000, and the designation of N.C. as the first FEMA Co-operating Technical

State. The responsibility of updating floodplain maps in just a few years for all 100 counties required a massive outreach and education effort. Much of the outreach was accomplished through NCAFPM conferences, newsletters, website, and participation at CTS stakeholders meetings.

The association was instrumental in efforts that eventually led to creating the Certified Floodplain Manager program with its first Home Study Course for floodplain managers in the mid-1990s.



The HSC provided a means for floodplain managers in the state to be recognized for obtaining a higher level of knowledge with passing an exam following review of written and videotaped materials. N.C. is now one of six accredited states with a CFM program recognized by ASFPM. The NC CFM program was chartered in 2000 with 40 people passing the initial exam in Raleigh.

NCAFPM hosted two ASFPM national floodplain management conferences. In 1990, 440 people attended the conference in Asheville. In 2001 the conference was held in Charlotte, and more than 600 people attended.

The association's success can be attributed to it being operated, managed, and directed by dedicated local government and consultant members. After 25 years, NCAFPM is a mature organization in a position to enhance the role in floodplain management leadership in N.C. The last decade has seen increased efforts by some state lawmakers to reduce the authority of local governments to plan, design, and regulate development. There are currently bills that have been passed and others under consideration to reduce the authority of local governments to regulate development to higher standards; protect the air and water quality of their communities; protect natural resources within their jurisdictions; and protect the health, public safety, and welfare of their citizens. Better education of our state leaders is the next challenge for the association.

During the past two and a half decades, local governments in the state have been adopting and implementing better floodplain and storm water management practices. There are success stories to be told! For the next 25 years, NCAFPM looks forward to a continued close relationship with state officials, as well as ASFPM, to educate and encourage others to take responsibility, become even more engaged in flood loss reduction efforts, and better protect our natural resources.

*--John Fullerton, NCAFPM chair, wrote this anniversary piece.*

## **Linn County First and Only Iowa County in CRS Program**

FEMA Region VII Director Beth Freeman presented Linn County officials with their certificate of acceptance in June. Thanks, Rodd Baxter, Linn County's zoning inspector and CFM, for sharing this good news with ASFPM. ***Pictured L-R:*** Linn County Supervisors Linda Langston, Ben Rogers and John Harris; FEMA Region VII Director Beth



Freeman; Linn County Zoning Inspector and Certified Floodplain Manager Rodd Baxter; Linn County Planning and Development Director Les Beck.





## Floodplain Manager's Notebook

*By Rebecca Quinn, CFM*

Time for another grab bag of topics. There are a lot of questions and topics that don't take a full column to answer, so this month I'll share a few of those with you. As usual, let me know your take on these topics.

**Reusing foundations.** I'm all for recycle and reuse, but sometimes the concept just doesn't work. Consider a building in a Special Flood Hazard Area that is so damaged it cannot be repaired and the owner has to take it down to the foundation (similarly, an owner may elect to demolish an old building). Can the foundation be reused? Perhaps, but two key questions must be answered. I used to say the first question is whether the foundation is sound. But these days, I think that's the second question. These days, as more and more communities are getting revised Flood Insurance Rate Maps, I think the first answer you need is about flood zone and Base Flood Elevation. If the remaining foundation is acceptable for the current flood zone and BFE – or it can be modified to satisfy the foundation and the elevation requirements – then you can pursue the second question.

The second question, whether the foundation is sound enough to support a new building, can best be answered by the owner engaging a structural engineer or architect. And by the way, there's no need to do a Substantial Improvement/Substantial Damage determination. A new building built on an existing foundation is just that – new. And it must comply with all of the requirements for new construction. See Section 6.2.2 in [Substantial Improvement / Substantial Damage Desk Reference](#) (FEMA P-758).

**Relocating buildings.** Wouldn't we all like to see more buildings relocated OUT of SFHAs? Sure, but we need to keep in mind that there are plenty of communities that are entirely in SFHAs, and many that have large areas that are mapped SFHA. Recently, I was asked a question about a home that was being moved to a new site that's in the SFHA. The question was whether the cost of physically moving the building has to be added to the cost of the improvement when making the Substantial Improvement determination. I was puzzled because the new foundation is a new structure – and it should already have to comply with the requirements based on the flood zone where it's located. That means an SI/SD determination isn't needed. This is reinforced by the International Existing Building Code, which has a separate chapter on relocated or moved buildings. A specific provision specifies that relocated or moved buildings shall comply with the flood requirements – and the requirement is not triggered by SI/SD.

**Openings in interior walls of enclosures below elevated buildings.** This comes up from time to time, often from people who have large homes who want multiple enclosed areas (that is, multiple rooms) below the elevated building. My first thought is always ... "so just how many storage rooms do you need?" Remember enclosures below elevated building are limited to those used for parking of vehicles, storage, and building access. I've seen plenty of local floodplain management ordinances that do not permit partitions. And I've had local officials tell me they don't approve plans that show partitions creating multiple rooms. Load-bearing walls, sure. Separation of a garage to meet fire safety requirements, sure. And maybe a closet at the bottom of the stairwell. They also require that each area be identified as to its intended use.

The merit of this is if owners make modifications to enclosed areas in the future, it's clear from the permit record that they did so in violation of the conditions of the approved permit.

But let's go back to the question about openings in interior walls. The NFIP regulations require openings to "automatically equalize hydrostatic flood forces on exterior walls." Given that, why does the question about openings in interior walls come up? Sometimes openings in interior walls, especially load-bearing walls, should be provided to ensure a path for water to enter all enclosed areas, even enclosures that do not have an exterior wall. Sometimes, such as when townhomes are built into sloping sites, openings in interior walls may be necessary for water to reach all enclosed areas. If you ever see this, keep in mind that the net open area of openings in interior walls should not be counted towards the total needed to satisfy building code and NFIP requirements for openings in exterior walls. See NFIP Technical Bulletin 1, [Openings in Foundation Walls and Walls of Enclosures](#).

**Can you accept an affidavit from a Registered Design Professional as evidence of compliance?** Some states have a provision that allows local building officials to accept affidavits attesting that submitted plans meet the requirements of the building code. Does that mean local officials don't have to do anything when it comes to determining compliance with flood provisions of the codes that apply in SFHAs? From my reading of the NFIP regulations, communities are responsible for ensuring compliance. To me, that means an affidavit isn't enough. Remember that allowing noncompliant construction not only affects an individual building, but can affect the community's participation in the NFIP.

**Compensatory storage: equal volume or equivalent function?** A number of states and communities with riverine bodies of water (those that flow downhill under the force of gravity) adopt requirements related to preserving the capacity of floodplains to store and convey floodwaters. At first glance, it may seem simple: if someone wants to bring in 100 cubic yards of fill they have to remove an equal volume of dirt. If the floodplain was a "bathtub," that might work. But riverine floodplains are dynamic systems. The effects of encroaching in one place may cause the water surface elevation to go up and it may increase velocities. Encroaching in another place may have little or no measureable effect. Simply digging a hole of equal volume doesn't automatically mean those adverse effects will be offset. While I won't dispute that requiring some excavation may offset some of those effects, it takes a hydraulic analysis to determine whether excavating a compensatory storage area at a specific location will provide equivalent function to offset the effects of a specific encroachment. Currently in revision, [CRS Credit for Higher Regulatory Standards](#), has an explanation of compensatory storage, but your best bet is to talk with an engineer who is familiar with open channel hydraulics.

*Submit your own items or suggestions for future topics to column editor Rebecca Quinn, CFM, at [rcquinn@earthlink.net](mailto:rcquinn@earthlink.net). Comments welcomed!*

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## **Floodplain Management Training Calendar**

**For a full nationwide listing of chapter, state and partner training opportunities, visit [ASFPM Online Calendar](#).** Looking for training opportunities to earn CECs for your CFM? Check out our web calendar with LOTS of training opportunities listed for 2014! Search the calendar by state using the directions below, or use the category drop down menu to search by 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 (training, conferences, etc.) 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 all held in Emmitsburg, Md.



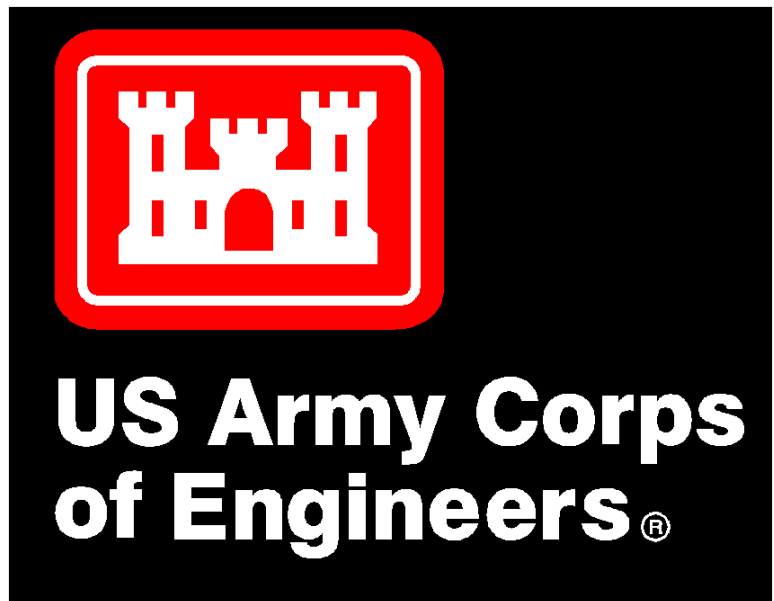
## Two Agencies Propose Rule to Clarify Protection under the Clean Water Act

The Environmental Protection Agency and Army Corps of Engineers on March 25 jointly released a proposed rule to clarify protection under the Clean Water Act for streams and wetlands that form the foundation of the nation's water resources. According to the press release, the proposed rule will benefit businesses by increasing efficiency in determining coverage of the Clean Water Act. [Read the press release.](#)

Determining when the Clean Water Act protected streams and wetlands became confusing and complex following Supreme Court decisions in 2001 and 2006. For nearly a decade, members of Congress, state and local officials, industry, agriculture, environmental groups, and the public asked for a rulemaking to provide clarity. [View a list of who requested a rulemaking.](#)

The proposed rule does not protect any new types of waters that have not historically been covered under the Clean Water Act and is consistent with the Supreme Court's more narrow reading of Clean Water Act jurisdiction.

The proposed rule preserves the Clean Water Act exemptions and exclusions for agriculture. Additionally, EPA and the Army Corps have coordinated with the U.S. Department of Agriculture to develop an interpretive rule to ensure that 53 specific conservation practices that protect or improve water quality will not be subject to Section 404 dredged or fill permitting requirements. The agencies will work together to implement these new exemptions, and periodically review and update USDA's Natural Resources Conservation Service conservation practice standards and activities that would qualify under the exemption. [Read an agriculture fact sheet.](#)



The agencies are launching a robust outreach effort, holding discussions around the country and gathering input needed to shape a final rule. The proposed rule will be open for public comment for 90 days from publication in the Federal Register. Learn more at [www.epa.gov/uswaters](http://www.epa.gov/uswaters).

# Designing for Disaster, an upcoming exhibit at the National Building Museum in D.C., is set to open May 11.

Natural disasters affect everyone, everywhere. In 2012, the financial toll in the U.S. alone exceeded \$100 billion, and the loss of life and emotional toll is immeasurable. No region of the country is immune—112 events in 32 states were declared natural disasters in the U.S. during 2012, which is why ASFPM and the ASFPM Foundation are helping sponsor the National Building Museum's upcoming exhibition, *Designing for Disaster*. The exhibit will examine how we assess risks from natural hazards and how we can create policies, plans, and designs yielding safer, more disaster-resilient communities.

Two primary questions will help guide the museum's approach:

- Where should we build?
- How should we build?



Through unique objects, captivating graphics, and multimedia—including video testimonials—the exhibition will explore new solutions for, and historical responses to, a range of natural hazards, including earthquakes, tornadoes, hurricanes, storm surge, flooding, sea level rise, tsunamis, and wildfires.

*Designing for Disaster* will discuss disaster mitigation as an evolving science and highlight the tools and strategies that today's planners, engineers, designers, emergency managers, scientists, environmentalists, and various business and community leaders are investigating and adopting to build safer, more disaster-resilient communities.



*The Boardwalk after Sandy. Long Beach, NY. Oct. 30, 2012. Photo by Arden Designs, Kristie Arden.*

Because of the importance of housing, the exhibition will feature exemplary disaster-resistant residential design. In addition, it will also highlight a variety of other buildings or facilities: hospitals, schools, airports, public arenas/stadiums, fire/police stations, public transportation networks/systems, commercial buildings, and retail outlets. The selected structures will be geographically dispersed throughout the country and will have been designed to address at least one hazard in an exemplary way. By showcasing innovative research, cutting-edge materials and technologies, and new thinking about how to work with natural systems and the environment, the exhibition will present a range of viable responses that are functional, pragmatic, and beautiful.

The exhibition will be complemented by vigorous education programming and online content. Check out the *Designing for Disaster* blog, [MitigationNation](#).



# ASFPM Foundation needs Silent Auction Donations ASAP

## [ASFPM Foundation Silent Auction](#)

At ASFPM's annual conference in Seattle

Monday, June 2, 3:30 p.m. ---- Wednesday, June 4, 4 p.m.



The ASFPM Foundation holds a Silent Auction each year to raise funds to support their [activities and research](#). It is now accepting donations for the 2014 Annual Silent Auction in Seattle at the conference. Consider making a donation on behalf of you, your chapter, state, agency or corporation. Donations need to be made soon in order to be included in this year's catalog. A list of items already donated for this year can be found on the [Foundation website](#).

### How & Where to Donate

To make a tax-deductible donation to the Silent Auction please email the following information to the Silent Auction Coordinator, Luci Sherwood at [dasherwood@q.com](mailto:dasherwood@q.com):

- Description of Item (and number of each unit donated if applicable)
- Fair Market Value (include any shipping costs, separately)
- Company/Affiliation
- Your phone and email
- Your address
- When and how the item will be available for table placement on site
- Name/address for acknowledgement letter if applicable

You can either bring your donation with you to the conference or ship it in advance. Either way, please send an email to Luci Sherwood at [dasherwood@q.com](mailto:dasherwood@q.com) and let her know.

Information on where to ship your donations (if not bringing them with you to the conference) will be provided soon.

## CHAPTER CORNER

~ SAVE THE DATE ~

### 2014 CHAPTER MEETING

Wednesday, June 4, 2014  
1:30 – 3 p.m.  
Seattle

*Chapters are encouraged to sponsor one Chapter board member's attendance at the 2014 conference as their representative at this year's Chapter Meeting. All Chapter board members and Committee Chairs are invited to attend.*



## Second Annual "Running of the Chapters" 5K

**Wednesday June 4, 2014**

The 2<sup>nd</sup> Annual "Running of the Chapters" Run / Walk will begin at 7 a.m. Wednesday, June 4 of the conference. The 5K road race is designed for a seasoned runner or casual walker.

Registration and Chapter Sponsorship details coming soon.

## CFM<sup>®</sup> Corner

This section will appear in each issue of "The Insider." For suggestions on specific topics or questions to be covered, please send an email to Anita at [cfm@floods.org](mailto:cfm@floods.org).

### **CECs at ASFPM's Conference in Seattle**

CFMs can earn 12 core CECs for attending the ASFPM conference in Seattle June 1- 6. These CECs will automatically be entered in our certification database for each ASFPM CFM attending the conference.

### **CFMs, View Your Submitted CECs Online**

As a reminder, CFMs who are current members can log on to the members site and can view their certification file for continuing education credits (CECs). This site shows how many CECs the person has earned, in what year the CECs were earned, and the type of CECs (Core or Parallel). If you have problems logging on or have questions about your CECs, contact Anita at [cfm@floods.org](mailto:cfm@floods.org)



## Job Corner

Visit [ASFPM Job Corner](#) for more information and the most up-to-date job listings.

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# Conference Website is now Online!

2014 ASFPM National Conference

June 1-6, 2014

Seattle

## Making Room for Floods & Fish ... and golf!



There are just two short months left before the most comprehensive floodplain management conference in the world! Visit <http://asfpmconference.org/> on your computer, mobile device, or tablet for the latest information about the “Making Room for Floods & Fish” conference, which will be held June 1-6 at the Washington State Convention Center in Seattle.

Conference participants may now review the preliminary program, make hotel reservations, and register for the conference – all through the conference portal. Don’t delay – make your plans to attend today.

Our host chapter, the Northwest Regional Floodplain Management Association (NORFMA) has exciting news for the golfers! The 2014 golf outing will be hosted at Chambers Bay Golf Course in Tacoma – the site of the 2015 US Open Championship. An opportunity like this is rare and you certainly don’t want to miss out! Be sure to visit the golf outing page on the conference website and contact Tony Melone at [tonyasfpm@gmail.com](mailto:tonyasfpm@gmail.com) right away to reserve your tee time.

Check back often to see new information as it develops and conference activities are finalized. We look forward to seeing you in Seattle!



# Multiple Members Made an IMPACT this Month

The American Water Resources Association's March ["Water Resources IMPACT"](#) magazine is all about floodplain management, and features four articles written by members of the ASFPM family.

ASFPM Chair **Bill Nechamen** wrote, "The National Flood Insurance Program: History and Future," which discusses how our approach to flood insurance, like our approach to floodplain management, is changing to reflect a more risk-based approach and a more appropriate set of management practices to reduce financial and loss of life impacts of flooding.

Region 4 Director **Terri Turner** wrote, "The Positive Impacts of 'No Adverse Impact' Floodplain Management." She writes about the philosophy of 'No Adverse Impact' floodplain management, which was developed and adopted by ASFPM.

Member **Kevin Coulton** wrote, "Using Soils Data to Map 'Natural' Floodplains." In a comparison of FEMA mapped floodplains and NRCS soils maps described in this article, a high level of agreement was found, suggesting that floodplain soil maps could be used to facilitate and validate floodplain mapping.

Member **John McShane** wrote, "Shifting the Paradigm for the 21<sup>st</sup> Century: Protecting and Restoring the Natural Resources and Functions of Floodplains." The reality that floodplains are much more than a flood hazard delineation is a critical consideration that needs to be given more emphasis if society is to capitalize on the green infrastructure opportunities provided by our floodplain landforms and their rich resource base.

Also from AWRA, just in case you missed it, was its recently released report on Proactive Flood and Drought Management. Flood and drought issues transcend every part of our nation. The case studies in the ["Proactive Flood and Drought Management: A Selection of Applied Strategies & Lessons Learned from around the United States,"](#) report are unusual and outstanding in their success at integrating flood control or drought mitigation with other water resources objectives, and provide usable examples of multiple agencies and public policy objectives being combined to devise a proactive flood or drought management program. Case studies include:

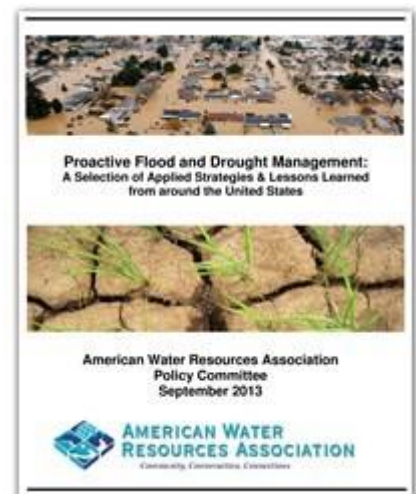
#### Flood Management:

- The Chehalis River Basin in Washington
- The Miami Conservancy District in Ohio
- Easton, Pennsylvania
- Nashville, Tennessee

#### Drought Management:

- The San Antonio Water System (SAWS)
- The State of Oregon
- The State of Hawaii's Drought Plan
- Lone Chimney Water Association, OK

Based on these case studies, the AWRA Policy Committee makes several specific strategy recommendations on how to enable, design, and implement proactive flood and drought management efforts.





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## Washington Legislative Report

*Meredith R. Inderfurth,  
ASFPM Washington Liaison*

### A Month of Legislative Surprise and a New Season of Challenge and Opportunity

March has been quite a month!



**New flood insurance legislation** designed to deal with affordability issues passed the House after by-passing the House Financial Services Committee and its chairman. Various versions were floated. Negotiations and management of the measure were handled by House leadership – a surprisingly unorthodox process. The same bill passed the Senate, after having by-passed the Senate Banking Committee and surviving several “holds” placed on the bill. Despite attempts by some to propose amendments or to suggest a House-Senate conference, the differences between the House and Senate were pre-negotiated before the bill passed the House and its managers were able to bring the House-passed version to the Senate floor. The President signed it and a measure that few expected would succeed intact is now law.

**The President finally released his budget request for Fiscal Year 2015** – a month later than usual. With top line budget numbers already in place for the FY15 budget, appropriations subcommittees in the House and Senate have launched their schedule of hearings on department and agency budget requests. The schedules are compressed, implying earlier action than we have come to expect on marking up individual appropriations bills.

In addition to the regular department/agency budget requests, the President announced his additional budget request of \$56 billion for the Opportunity, Growth and Security Initiative. Half would be for defense programs and half for domestic discretionary programs. Within the latter portion, \$1 billion is specifically targeted to Climate Adaptation, and within that, \$400 million is targeted for the Pre-Disaster Mitigation Program. This kind of budget proposal outside of the official administration requests for the departments and agencies is highly unusual. This budget surprise was announced after the release of the “regular” budget. The initiative would use excess revenue or other offsets, so prospects of fruition are definitely unclear.

As March draws to a close, we are puzzling over interpretation and implementation of the new flood insurance legislation, beginning immersion in the FY15 appropriations process, including preparing Outside Witness Testimony, and wondering how Congress will respond to the administration’s additional, innovative budget request.

#### **Homeowner Flood Insurance Affordability Act of 2014**

The new flood insurance legislation is being called by its official name or its initials – HFIAA - rather than its earlier name: Grimm-Waters. The legislation, H.R. 3370, is now P.L. 113-89. After its speedy and unor-

thodox movement through the House and Senate, there is much speculation about how aspects of the new law will be implemented and what those provisions mean.

ASFPM's analysis and interpretation of the legislation is presented in the article by Executive Director Chad Berginnis. FEMA and its Office of the General Counsel are engaged in their own analysis and interpretation, but those views will take some time to finalize.

In response to questions about implementation during a House Appropriations Committee hearing March 26, FEMA Administrator Craig Fugate said that the first priority is to immediately implement removal of the trigger to full actuarial rates at the point of sale of a property. The second priority is to process the refunds for properties sold between enactment of Biggert-Waters on July 6, 2012 and enactment of the new legislation March 21. The third priority will be development and publication of new premium rates.

### **Water Resources Development Act**

Indications are that House-Senate Conferees have resolved the various differences between the House and Senate passed versions of WRDA (called Water Resources Reform and Development Act – WRRDA – in the House). The two bills are S. 601 and H.R. 3080. Apparently the agreement will be announced after the Army Corps completes its Chief's Report on one final project, which is expected to occur sometime shortly after April 30. The Conference Agreement would then need to be passed by the House and Senate and sent to the President for signature.

This would be the first WRDA to become law since WRDA 2007. Theoretically, Congress has intended to pass WRDA bills every two years, but that hasn't happened in recent memory. Chairman Bill Shuster of the House Transportation and Infrastructure Committee has indicated his determination to get back to the two year cycle, but there is, understandably, some skepticism about whether or not this will happen.

Major Conference issues concerned differences over how projects should be authorized. The Senate bill authorized any project with a completed Chief's Report, while the House bill said that Congress should prioritize among the projects with Chief's Reports – thus preserving a congressional role in project approval.

Of great interest to ASFPM members will be resolution of differences on levee safety and on authorized funding levels for the Corps' technical assistance programs, Flood Plain Management Services and Planning Assistance to States. The Senate bill provides for a Levee Safety Program while the House bill says that states may utilize PAS funds to establish state levee safety programs. The Senate bill significantly increases the authorized funding for FPMS and PAS while the House bill does not.

### **Farm Bill**

After many years in development and a long House-Senate Conference process, the Conference Agreement on the Farm Bill, H. Rept. 113-333, was passed by the House and Senate and signed by the President. On Feb. 7, it became P.L. 113-79.

Unfortunately, overall conservation program authorized funding and support was "fairly significantly" reduced and streamlined into a Regional Conservation Partnership Program. Support continues for the Agricultural Conservation Easement Program at \$2 billion for Agricultural Land Easements and Wetland Reserve Easements. The bill repeals the Farm and Ranch Protection Program, the Grassland Reserve Pro-

gram, and the Wetlands Reserve Program. While it retains many FRPP and WRP requirements, it provides for expiring GRP and WRP lands to have priority for entering the ALE and WRE programs under ACEP. In terms of Crop Insurance Reform, conservation compliance will be required.

### **Other Active Legislation**

#### No Refunds for Second Homes

S. 2137 provides that there be no refunds of actuarial rate premiums paid by owners of second homes purchased between enactment of Biggert-Waters and enactment of HFIAA. The bill was introduced by Sen. Mike Lee (R-UT) and passed the Senate by voice vote on March 13. The bill was sent to the House and referred to the Financial Services Committee.



*Photo above from left: Sam Medlock, Meredith R. Inderfurth, and Larry Larson in front of the White House.*

#### Drought Forecasting

S. 376 reauthorizes NOAA's National Integrated Drought Information System and its monitoring and forecasting activities. It authorizes \$12 million annually through FY18. The measure passed the Senate in February. A similar bill in the House, H.R. 2431, was approved by the House Science Committee last December. No information is available on when the House bill or the Senate-passed version might come to the House floor.

### Tax Credit for Flood Mitigation

H.R. 1268 would provide a tax credit of up to \$5,000 in any given year for flood mitigation expenses. The bill was introduced last year by Rep. Steve Palazzo (R-MS) and referred to the House Ways and Means Committee. Recent “buzz” about the bill puts it, tentatively, into the active legislation category.

### Disaster Savings Accounts

H.R. 3989 (Rep. Dennis Ross R-FL) and S. 1991 (Sen. James Inhofe R-OK) were introduced in February as companion bills in the House and Senate. The measures would establish tax-free savings accounts. Annual tax-free contributions of up to \$5,000 would be allowed to cover qualified expenses, including disaster mitigation and repair as well as uninsured casualty losses. The legislation has an impressive array of supporting organizations, including various insurance organizations, taxpayer organizations, the National Association of Insurance Commissioners and the Federal Alliance for Safe Homes.

### Innovative Stormwater Infrastructure Act

H.R. 3449 (Rep. Donna Edwards D-MD) and S. 1677 (Sen. Tom Udall D-NM) were introduced as companion bills in the House and Senate. The bills would create up to five regional centers of excellence for research, development of recommendations, and training and technical assistance regarding stormwater control and management. It would support the use of innovative solutions through the EPA Office of Water and provide technical assistance to states, local governments and the private sector. These bills have been referred to appropriate committees and have strong support from the American Society of Landscape Architects, American Rivers, Natural Resources Defense Council, National Association of Clean Water Agencies, and Water Environment Federation.

### Coordination and Consolidation of Federal Mapping Activities

H.R. 1604 was introduced by Rep. Doug Lamborn (R-CO) as the “Map It Once; Use It Many Times Act”. It would consolidate mapping activities at the Interior Department, U.S. Forest Service, and NOAA, into a new National Geospatial Technology Administration at the U.S. Geological Survey. It is unclear whether or not this would include Fish and Wildlife Service’s Coastal Barrier Resources Act maps. The bill was referred to the House Natural Resources Committee and a subcommittee held a hearing on the bill this past December. The bill was also referred to several other committees for consideration of elements under their jurisdiction.

### FEMA Reauthorization

H.R. 3300 reauthorizes FEMA through FY16 with funding at \$972 million annually. It provides for modernization of the Integrated Public Alert and Warning System, reauthorization of the Urban Search and Rescue Response System and reauthorization of Emergency Management Assistance Compact grants.

A hearing was held in October. ASFPM filed written testimony supporting the legislation, noting its recognition of the importance of collaboration with state and local partners and focusing on the importance of FEMA’s hazard mitigation programs for assuring that the nation takes necessary steps to reduce loss of life and property due to natural disasters. The bill was marked-up and reported out of the House Transportation and Infrastructure Committee Oct. 29. Indications are that it will be taken up on the House floor this spring.



## **Upcoming Hearings**

### Hazard Mitigation

ASFPM has been asked to testify at a “Disaster Mitigation: Reducing Costs and Saving Lives” hearing. Berginnis will present testimony at the April 3 hearing before the House Transportation and Infrastructure’s Subcommittee on Economic Development, Public Buildings and Emergency Management. That subcommittee has jurisdiction over the Stafford Act (Disaster Relief and mitigation) programs. The Senate Homeland Security and Governmental Affairs Committee has indicated it is likely to schedule a hearing on hazard mitigation later in the spring.

### Proposed Rule on “Waters of the U.S.”

As soon as the roll-out by EPA and the Army Corps of Engineers took place March 25, Chairman Shuster (R-PA) of the House Transportation and Infrastructure Committee said his intent to hold an oversight hearing in the coming weeks. The Water Resources Subcommittee Chairman, Rep. Bob Gibbs (R-OH) said he is “very concerned about the possible jurisdictional overstretch.” On the Senate side, Environment and Public Works Chairwoman Barbara Boxer (D-Calif.) said she was pleased the EPA and Army Corps are taking important steps to provide certainty and clarity to ensure our wetlands and streams are protected and the proposed rule will provide the consistency and predictability needed to safeguard the nation's water resources.

## **Appropriations for FY15**

Although the top line budget limits for FY15 have already been agreed to, thereby facilitating the possibility of actually passing individual appropriations bills this year, there are already hints emerging that the House Budget Committee will again prepare its own budget. When the House and Senate operate under different budget ceilings, it means that the individual appropriations bills in the House and Senate differ in their top line amounts. This, naturally, makes resolving differences between the two bills more complicated. If the House and Senate can proceed to make appropriations ceiling allocations to their subcommittees based on the earlier agreed upon overall spending level for FY15, it will greatly simplify the appropriations process.

Senate Appropriations Chairwoman, Sen. Barbara Mikulski (D-MD), has signaled that she is planning the first mark-up of a subcommittee bill (Military Construction-Veterans) for May 22. She stressed her focus on completing all 12 appropriations bills by the end of the fiscal year Sept. 30. That has not happened since 1996. Since this is an election year, there is significant probability that senators and House members will want to attach policy riders to appropriations bills, which could slow down or derail their progress and passage.

### The Opportunity, Growth and Security Initiative

The regular administration budget requests are geared to the agreed upon budget ceilings. That means the \$56 billion requested for the Opportunity, Growth and Security Initiative (let’s call it OGSi) is over and above that ceiling, although the proposal itself includes a number of proposals to close tax loopholes to “pay for” the added budget request. There seems to be general agreement that the likelihood of Congress taking up and passing those tax measures in an election year is unlikely. It is not easy for Congress to operationally handle a large budget request outside of “regular order.” While Appropriations leaders in the House and Senate have indicated their intent to mark-up to their current budget ceilings, the director

of Office of Management and Budget has expressed hope that a methodology can be developed to act on the proposal.

In the \$1 billion Climate Resilience Fund within the OGIS, the \$400 million for the Pre-Disaster Mitigation Program would support “adaptation planning and projects for cities and communities through hazard mitigation assistance, building on administration efforts to implement the National Mitigation Framework.”

## **FEMA**

The request for RiskMAP is \$84.4 million, about the same as the request for FY14.

Congress provided \$95 million in the Omnibus Appropriations Act for FY14.

The mapping budget also includes what is expected to be more than \$100 million from policy fees. That precise number is not yet available.

The allocation from the Flood Insurance Fund for the Flood Mitigation Assistance grants is \$150 million, a substantial increase over the \$100 million allocated for FY14. The FMA program now includes the previously separate Severe Repetitive Loss Program and the Repetitive Claims Program.

Once again, the regular budget request includes no funds for Pre-Disaster Mitigation. It does specify that \$25 million in carry-over funds will remain available, and this year there is no language about program termination.

The House Homeland Security Appropriations Subcommittee held a hearing on the FEMA budget request with Administrator Fugate March 26. Discussion during the hearing focused on a range of issues from cybersecurity to the proposal to move the Emergency Food and Shelter program to HUD, to the proposal made again this year to consolidate Homeland Security Grants, State and Local Assistance Grants into a National Preparedness Grant program, to wildfire assistance and to FEMA’s Strategic Plan. There was remarkably little discussion of the new flood insurance legislation except for the priorities outlined by Fugate in response to a question.

In the testimony and discussion about the Five Strategic Priorities, priority No. 4 is “Enable Disaster Risk Reduction Nationally.” This outlines FEMA’s efforts to build community resilience, including hazard mitigation. Of three focus areas, a notable one states: “Leading greater federal interagency collaboration around risk reduction and resilience, building on earlier efforts such as establishment of the Mitigation Framework Leadership Group and implementing a consistent federal flood risk standard for federal funds in Hurricane Sandy rebuilding. For example: through the development and adoption of a Federal Flood Risk Reduction Standard under the President’s Climate Action Plan of 2013.”

## **Army Corps of Engineers**

The overall Corps Budget Request for FY15 is a 17 percent reduction from the FY14 budget. During the March 26 hearing of the Energy and Water Appropriations Subcommittee with Army Corps leadership, the chairman and members of the subcommittee expressed disappointment with the reduced budget request.

The request does include funds to support the Water Resources Priorities Study called for in Section 2032 of WRDA 2007. It also includes \$2 million in the Flood Risk Management account to support the Silver Jackets program, which has successfully brought the Corps and other federal agency representatives to-

gether to develop and manage flood risk reduction solutions. Some of the more detailed numbers were delayed in being made available. Further budget information for these and other federal agencies will be provided to ASFPM members as a separate budget summary.

## Coalitions

### USGS Coalition

This group met on March 20 with a representative of the White House Office of Science and Technology Policy. There was considerable discussion about the President's newly announced [Climate Data Initiative](#) which is a public-private partnership.

### Streamgage Coalition

This group has been conducting an active schedule of meetings (in which ASFPM has participated) with Appropriations Interior Subcommittee staff and personal staff of members of the Subcommittee to discuss the importance of long-term streamgage data for multiple water resources and floodplain management, climate adaptation, and other purposes. Members of this coalition say they may hold a briefing for congressional staff about the essential importance of this data and of supporting the federal streamgage network. ASFPM has again joined with some 50 other organizations in the Streamgage Coalition in sending a letter to the Appropriations Committees and to the Secretary of the Interior discussing the importance of the federal streamgage network.

*Legislation referenced can be found by going to [www.Congress.gov](http://www.Congress.gov) and typing in the bill number or title.  
By: Meredith R. Inderfurth, ASFPM Washington Liaison*

This report appears regularly as a Member benefit in "THE INSIDER," ASFPM's member newsletter produced in the odd months. See [ASFPM 2013 Legislative and Policy Priorities](#) on ASFPM's website. This and other documents are also available at [National Policy and Programs > Working with Congress](#).

**ASFPM Editorial Guidelines:** ASFPM accepts and welcomes articles from our members and partners. "The Insider" and "News & Views" have a style format, and if necessary, we reserve the right to edit submitted articles for space, grammar, punctuation, spelling, potential libel and clarity. If we make substantive changes, we will email the article back to you for your approval before using. We encourage you to include art with your article in the form of photos, illustrations, charts and graphs. Please include a description of the art, along with the full name of who created the art. If the art is not yours originally, you must include expressed, written consent granting ASFPM permission to use the art in our publications. If you have any questions, please contact Michele Mihalovich at [editor@floods.org](mailto:editor@floods.org).

## Association of State Floodplain Managers

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