



# ASSOCIATION OF STATE FLOODPLAIN MANAGERS, INC.

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November 20, 2007

Ms. Kelly A. Bronowicz, Project Engineer  
Engineering Management Branch Mitigation Directorate  
Federal Emergency Management Agency  
500 C Street S.W.  
Washington, D.C. 20472

Dear Ms. Bronowicz:

The Association of State Floodplain Managers (ASFPM) wholly supports the Federal Emergency Management Agency's (FEMA's) efforts to provide *proper and accurate* risk information on updated Flood Insurance Rate Maps (FIRMs) and believes that the language describing residual risk areas behind levees and other flood control structures is *entirely appropriate* and must be published when a FIRM reflects an area behind a levee that is certified to protect against the 1% chance flood level.

After Hurricane Katrina, individuals who were affected by the storm surge, often miles from the nearest identified flood hazard area, were impacted by flooding and lost everything. This storm made it abundantly clear that we do have many types of flood risk; catastrophic events do happen; and that at a minimum people should be informed of their risk. Had such storm surge prone areas been identified on the FIRMs, individuals could have at least made a decision whether or not to purchase flood insurance or take other measures to protect their properties.

The issue is exactly the same behind levees and other flood control structures. While such areas may be protected from flooding during some storms if the structure is built and maintained to protect to the 1% chance flood, the reality is that should the structure overtop, fail, or be compromised in any way, while infrequent, the results could be catastrophic. Risk is often defined as probability times consequence. Although the probability of flooding may be lower because the levee exists, the consequence to safety and property is much, much higher when the levee fails or is overtopped.

### Proposed Language

*Note: This area is shown as being protected from the 1-percent-annual-chance flood hazard or greater by levee, dike, or other structure. Overtopping or failure of this structure is possible. Therefore, to mitigate potential risks, communities should develop and issue evacuation plans and, while not required by Federal law, encourage property owners protected by these structures and not within the special flood hazard areas to purchase flood insurance. See "Accredited Levee Note" in notes to users.*

'Accredited Levee Note' Notes to Users:

*For more information on flood insurance, interested parties should visit the FEMA Website at: <http://www.fema.gov/business/nfip/index.shtm>.*

*For more information regarding the levee system(s) shown on this map panel, please contact your local community officials.*

**Dedicated to reducing flood losses in the nation.**

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ASFPM has reviewed the new proposed language for the FEMA flood maps and has the following comments:

1. The proposed language states "...while not required by Federal law, encourage property owners protected by these structures and not within the special flood hazard areas to purchase flood insurance." Is this language technically correct? If a property owner received a Small Business Loan in a post-disaster situation, doesn't the federal law require the property owner to carry flood insurance, regardless of the flood zone designation? ASFPM recommends revising the language to the following: "To mitigate potential risks, communities should develop and issue evacuation plans. Property owners and residents protected by these structures are encouraged to purchase flood insurance."
2. The proposed language which includes adding a web site for more information may be a good idea. However, FEMA must realize that the web address must remain static and accessible and not be changed or revised since the proposed language will be on the maps for the next several years.
3. ASFPM suggests removing the proposed language "or greater" from the phrase "1-percent-annual-chance flood hazard or greater". In most cases it is not accurate and will be confusing to the public.

ASFPM believes that the new proposed language for the maps is more confusing than the current language found in the Revised Procedural Memorandum 43. ASFPM believes that the note FEMA has been including on flood maps where levees are certified to provide 1% chance flood protection is responsible and does convey an accurate statement of risk. Furthermore, it encourages personal responsibility. Finally, it encourages sustainable economic development. Therefore, ASFPM recommends that FEMA continue to use the language in Revised Procedural Memorandum 43 on updated flood maps.

*This is the note in the attachment to Revised Procedural Memorandum 43:*

*WARNING! This area is shown as being protected from the 1-percent-annual-chance flood hazard by levee, dike, or other structure. Overtopping or failure of this structure is possible, which could result in destructive flood elevations and high-velocity floodwaters. There is a chance that large floods will occur that are greater than the level of protection provided by the levee. Communities should issue evacuation plans and encourage property owners behind these structures to purchase flood insurance, even if the structure is currently shown as providing protection for the 1-percent-annual-chance flood.*

Regardless of the final language for the flood maps, FEMA must communicate the potential residual risk in areas protected by levees. Far too many citizens believe a levee protects them from all flooding events, which is not true, and has been vividly demonstrated time and again. For FEMA, whose mission is public safety, to not inform people of their true risk, is not acceptable public policy.

ASFPM commends FEMA for taking steps to communicate the residual risk to people with language on new flood maps and strongly encourages FEMA to continue to do so.

Sincerely,

Al W. Goodman, Jr., CFM  
ASFPM Chair

cc: David Maurstad  
Doug Bellomo