

# THE INSIDER

A Publication  
for Members

May  
2008

## The Association of State Floodplain Managers

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### Deputy Executive Director's Report George Riedel, CFM

It is a very busy time around the Executive Office right now as staff gets ready for the 2008 National ASFPM Conference in Reno-Sparks, Nevada, at John Ascuaga's Nugget Hotel. The program has been finalized and the complete program can be viewed on the ASFPM website. Rooms are still available at the Nugget Hotel. You can find the hotel's telephone number and other important information at [www.floods.org/reno-sparks](http://www.floods.org/reno-sparks).

ASFPM recently hosted a Community Assistance Program – State Support Services Element (CAP-SSSE) Workgroup Meeting in Madison, Wisconsin, on April 22-24, 2008. The purpose of the meeting was to discuss how FEMA and the states can work together to continue to improve this program. Everyone acknowledged that assisting 20,000 plus communities understand and comply with the NFIP will require FEMA to actively enlist the states in this effort and help build state capability. Additionally, discussions were held to define an effective State Floodplain Management Program and how CAP can be a vehicle to build that state capability. The Workgroup consisted of 10 State Floodplain Coordinators representing each of FEMA's Regions along with FEMA representatives from the FEMA Regions and FEMA National.

Larry Larson and I were in Washington, D.C. the week of April 13<sup>th</sup>. We had meetings that Merrie Inderfurth organized for us (usually just enough time to get from one meeting to the next). I would like to provide you with a brief summary of the topics covered during these meetings:

**FEMA** – Met with FEMA Headquarters' staff and discussed a range of issues on mitigation, mitigation grants, mapping, and policy issues. In addition, we discussed potential projects for FY-09 that ASFPM would conduct to assist in implementation of the NFIP.

**US Army Corps of Engineers (USACE)** – Met with leadership of the Corps of Engineers on levee issues, implementation of National Levee Safety Program, and flood risk issues. The Corps of Engineers are awaiting funding in order to proceed with the National Levee Safety Program.

**NFIP Reform Bill** – Most of the action is now in the Senate since the House passed their version last year. We met with numerous Senate offices, focusing on two major potential negative amendments to the

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bill that would result in bad public policy and jeopardize the NFIP. The first is adding wind coverage to the NFIP and the second would dictate the NFIP could not change insurance rates or mandate insurance purchases based on any new maps until all flood maps in the nation are completed.

**Pre-Disaster Mitigation (PDM) Earmarks** – ASFPM’s opposition to these earmarks were discussed with each congressional visit. The Senate does not favor earmarks as much as the House does. The Senate appears to be aware that earmarks undermine a nationally competitive program. We also met with the Office of Management and Budget (OMB) to discuss the PDM earmarks. OMB is also opposed to PDM earmarks.

I hope to see old friends and make new ones at the upcoming Annual Conference in Reno.

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## **May 18-23, 2008 is Our 32<sup>nd</sup> Annual National Conference!**

ASFPM’s 32<sup>nd</sup> annual conference at Reno-Sparks, Nevada, is just around the corner – do you have your hotel reservation made and conference registration faxed in? This year’s theme, ***A Living River Approach to Floodplain Management***, will focus on sustainable approaches to flood mitigation. Be sure to review the agenda when making your travel plans so you don’t miss out on our incredible array of training options. It is extremely important to check the conference web page occasionally for inevitable program changes; for instance, some of the tours and workshops are already closed. The conference pocket guide with the full program is now available for download on the conference web page. You can download a copy to explore before you head out from the conference website at: [www.floods.org/reno-sparks](http://www.floods.org/reno-sparks)

### **Schedule Highlights**

- Saturday May 17: ASFPM Board of Directors meeting 9:00 a.m. – 6:00 p.m.
- Sunday May 18: 9 training workshops, 3 technical field tours, golf tournament, and Welcome Fest 7:30-10:00 p.m.
- Monday May 19: ASFPM Committee and Membership meetings, 11 training workshops, 2 technical field tours, the CFM exam, Silent Auction for the Foundation, and Exhibits Grand Opening 5:00-7:00 p.m.
- Tuesday-Thursday May 20-22: Technical conference program commences with plenary and concurrent sessions, and features the ASFPM Foundation LIVE AUCTION Tuesday noon and National Awards Luncheon Thursday noon.
- Tuesday May 20: 1 Technical Field Tour, Baker Networking Event 7:00-10:00 p.m.
- Wednesday May 21: Early Bird Discussion Sessions 7:00-8:15 a.m., 1 training workshop, 1 technical field tour, special Map Mod sessions 4:00-5:30 p.m., and Appreciation Reception for Foundation Donors and Corporate Partners 5:30-6:30 p.m. (by invitation only).
- Thursday May 22: ASFPM Region Meetings 7:00-8:15 a.m., 4 training workshops, 1 technical field tour, and the final networking event *Celebrating the Sierra Nevada* in the Nugget Pavillion from 6:00-9:00 p.m.
- Friday May 23: 5 training workshops, 2 technical field tours and the CFM exam.

This year the entire Conference is located at John Ascuaga’s Nugget Hotel in Sparks, 1100 Nugget Avenue, just a few minutes from the airport. The 2008 Team consists of FMA Chapter members led by Local Host Team Coordinator Peggy Bowker and her able Team Captains, Program Coordinator Steve McMaster (Nebraska), Exhibits Coordinator Dan Accurti (Pennsylvania), and of course the entire ASFPM staff – Diane Brown, Chad Ross, Anita Larson, Becky Head, Debbie Pond, George Riedel, Jason Schneeberger, Kait Laufenberg, Jeff Stone, Alan Lulloff, and Larry Larson.

**REGISTRATION:** Sorry, the Early Bird Discount Deadline is past, but the good news is you can still register, so please get both Registration Forms A and B in now!! Several of the technical field tours and training workshops are closed, check the website to see which ones before you send in your forms. You'll find them here: [www.floods.org/reno-sparks](http://www.floods.org/reno-sparks). We must receive your registration no later than Tuesday, May 13<sup>th</sup>.

**HOTEL and TRANSPORTATION INFO:** The reservation cut-off date for our negotiated conference rate is also past, but the Nugget is still accepting reservations, call 1-800-648-1177. They provide a FREE shuttle to and from the airport. You can get the details on that, as well as driving directions, here: [www.janugget.com/downloads/directions.pdf](http://www.janugget.com/downloads/directions.pdf). "Business casual" is the style for attire, but we suggest you pack layers as temperatures drop in the evening.

**SILENT AUCTION:** We are still accepting donations for the Silent Auction to be held Monday-Wednesday at the conference. All proceeds go to ASFPM Foundation's efforts in research and education. Questions? Contact Debbie Pond at [asfpm@floods.org](mailto:asfpm@floods.org). See the current list of items: [www.floods.org/Conferences,%20Calendar/silentauction2008.asp](http://www.floods.org/Conferences,%20Calendar/silentauction2008.asp).

**GOLF TOURNEY:** They still have spots available; please click here to get contact information to sign up. [www.floods.org/Conferences,%20Calendar/golf08.asp](http://www.floods.org/Conferences,%20Calendar/golf08.asp)

*We all hope to see you in Nevada in two weeks!*

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## National Floodproofing Conference IV is Nov. 16 - 20, 2008

November 16-20, 2008 is the date, the Astor Crowne Plaza in New Orleans is the place! The ASFPM Floodproofing and Retrofitting Committee, along with the U.S. Army Corps of Engineers, their National Nonstructural FloodProofing Committee, and FEMA-Mitigation Division are conducting our 4<sup>th</sup> triennial conference to provide focused training and address policy and issues particular to flood protection and loss reduction. The Call for Abstracts will be available in Reno and on the ASFPM Conferences web page under "Add'l ASFPM Events". The Abstract Submittal Deadline is June 13.

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## SAME-ASCE Midwest Levee Conference

If you attended the ASFPM-NAFSMA Levee Safety Summit in February you learned about levee certification, FEMA requirements, and liability. *Now, get the latest tools necessary to tackle those issues!*

Return to St. Louis in June for the SAME-ASCE Conference to find out about design, methodology, and operational practices that you can put to work – how to get ready for recertification and methods to improve your flood protection system for greater security behind your levees.

You can find more information on the conference at: [www.midwestleveeconference.com](http://www.midwestleveeconference.com)

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## **Flood Issues in Prime Time!**

### **Extreme Makeover: Home Edition Highlights Reducing Flood Damage**

Tune in to the May 18, season finale of ABC's Extreme Makeover: Home Edition. The show features a church and home in Westwego, LA, that were destroyed by Hurricane Katrina. Host Ty Pennington and a small army of volunteers have come to the rescue. The rebuilding contractor, Deltec Homes of Asheville, NC, has built many hurricane-resistant homes and understands the NFIP and code requirements for building in floodplains.

SmartVENT, Inc., an ASFPM corporate member, recommended raising the lowest floors to be 1-foot above the Base Flood Elevation and showed how much the family and the church will save on flood insurance every year. To highlight the savings, SmartVENT will pay NFIP flood insurance premiums for both buildings for the next 10 years.

The buildings are on crawlspace foundations. To comply with requirements, SmartVENT prepared the foundation design and donated ICC-ES certified engineered flood vents for both buildings. SmartVENT volunteers pitched in to work on the house - watch closely and you might see a familiar face! [www.smartvent.com](http://www.smartvent.com)

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## **ASFPM New Employee – Kait Laufenberg**

I just wanted to take some time to introduce myself. My name is Kait Laufenberg and I am the new Training and Chapter Coordinator. In this newly created position I will be working closely with Chapters, Members, Committees, and Board Leaders on training initiatives and chapter relations. My background has been in the Human Resources and Social Services sector designing, delivering, and managing training programs. I'm originally from the Wisconsin area, but have lived 12 of the last 14 years in Minneapolis, MN where I received my BA degree in Sociology: Criminology at the U of MN. When I'm not at work, I'm a Quilting and Archery instructor in my community 4H program and am looking forward to moving to Madison this summer. I'm very excited to be a part of the ASFPM team.

Over the next year I will be contacting each chapter to personally introduce myself and determine each chapter's needs, concerns, and ways I can support them. I'll be meeting with chapter boards, participating in conference calls with chapter and committee leaders, and sending out a needs / feedback questionnaire as a way to stay connected and to get to know each chapter better. Our membership is very important to us and the training component is just a part of what we'd like to develop to support our members. I look forward to meeting you at the conference in Reno, NV.

Some of my goals are to develop a chapter relations and communication system, options for developing our training "menu" of choices, investigating web-based training initiatives, and providing input on ASFPM's website development team. I am interested in ideas you may have for these services. As I get to know you in the coming weeks and months, I'll be looking for your suggestions on how ASFPM and I can best support your needs.

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## **WKU Floodplain Management Program**

In 2006 Western Kentucky University launched the nation's first official floodplain management program. The University, in conjunction with KAMM and Associate Professor Warren Campbell, established the program as a floodplain management minor that teaches students not only the engineering of flooding, but also teaches about the many policy issues related to flooding. They are hopeful that the minor will be a stepping stone to someday offer a major in floodplain management

The University released a press release regarding the program earlier this year. You can view a copy of the press release on the web at: <http://www.wku.edu/news/releases08/january/floodplain.html>

For more information about WKU's floodplain management minor, visit their website at: <http://www.wku.edu/engineering/ce/floodplainminor/floodplain.php>

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## **Community Flood Maps: A Tale of Two NJ Cities**

By: Stephen Kempf, Regional Administrator, FEMA, Region II

For professional flood plain managers, Congress's Map Modernization program – the five-year, \$1 billion national initiative designed to produce new flood maps for 92% of the country – was long overdue.

Map Mod's goal is to provide accurate, state-of-the-art, site-specific data on flood risks. The new maps' digital format also serves other vital emergency management functions, such as the identification of viable evacuation routes, and safe sites for emergency shelters, as well as providing town planners with the crucial data they need for responsible zoning and development decisions.

These are truly community maps, developed with state and local officials to serve as both community resources and as community emergency management tools. They provide an essential public service and serve the 'greater good.' But sometimes that 'greater good' is obscured by individual -- and heartbreaking -- hardship. Experiences from two New Jersey towns illustrate Mad Mod's contrasting attributes.

When the new preliminary flood maps were sent to Monmouth County municipal offices in January, flood plain managers were impressed by the LIDAR technology that mapped elevations to within six inches. Likewise, FEMA's determination that the earthen dunes -- which were characterized as "levees" on the 1982 maps -- provided inadequate protection from a flood with a 1% change of happening in any given year was widely applauded by flood plain professionals, who are ever mindful of New Orleans' tragic experience of surviving a Category 3 hurricane only to be inundated when its' levees breached. But while the professionals congratulated us on our realistic and accurate assessment of the risks of flooding in Monmouth County, many residents (more than 3,680 structures have been added to the floodplain countywide) bemoaned that accuracy, as they knew they would now be required to pay flood insurance premiums commensurate with their risk.

At a public meeting in Middleton, where 1,820 structures will be added to the flood plain, residents were angry and suspicious. Some were retirees, living on fixed incomes. Others noted the flood plain was expanding just as the economy was contracting. One said she had been living in her home 25 years and never had a flood, not even after Hurricane Ivan in 1999. Municipal officials decried the timing, noting budgets for next year are already set, with no additional monies earmarked for new insurance.

FEMA experts offered guidance on how to lower the costs of insurance coverage: taking advantage of the National Flood Insurance Program's "grandfather" option on policies; joining the Community Rating Program, which can lower a community's premiums by 40%; undertaking individual mitigation efforts, including elevation of utilities and flood vents.

But it was a tough sell. Without a 'greater good,' big-picture context, residents naturally focused on their bottom line: these changes will cost me money. Unhappily, that's true, but it is also true that the community as a whole will benefit. A more realistic assessment of risk ensures more viable emergency planning, as well as prompting both individual and community flood mitigation efforts.

In contrast, the new flood maps that took effect for Passaic County in September 2007 coincided with the completion the US Army Corp of Engineers' flood damage reduction project along Molly Ann's Brook. The new maps' increased accuracy reflected those flood mitigation efforts, resulting in the removal of 56 homes and 6 commercial buildings from the flood plain in Paterson and Haledon. Those communities are now safer and, as a consequence, many homeowners there have been relieved of the mandatory requirement for flood insurance that is imposed by a federally backed mortgage.

In both cases, flood risk and the protection afforded by flood insurance are linked. This simple equation underpins the whole of the national Map Modernization project. And this is how it should be, for when people are aware of the risks they face, they can take steps to protect themselves and their property – either through insurance or site-specific mitigation efforts.

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## **Update to CELCP Guidelines**

NOAA has announced an update to the Coastal and Estuarine Land Conservation Program (CELCP) Guidelines in the Federal Register (73 Fed. Reg. 19, 193, April 4), inviting interested parties to provide comments or suggestions for revision within a 60-day comment period (available online at: [http://coastalmanagement.noaa.gov/land/celcp\\_indepth.html](http://coastalmanagement.noaa.gov/land/celcp_indepth.html)). NOAA welcomes your comments and invites you to pass the notice along to organizations and individuals that might be interested. Comments are requested by June 9, 2008.

CELCP was established in 2002 to provide state and local governments with matching funds to permanently protect coastal and estuarine lands of ecological, conservation, recreational, historical or aesthetic significance. Administration of CELCP is currently guided by the "Final Guidelines for Coastal and Estuarine Land Conservation Program," published in the Federal Register in 2003. These guidelines establish the eligibility, procedural, and programmatic requirements for the program. After five years of implementing CELCP, NOAA plans to clarify certain provisions and consider improvements based on participants feedback. In addition to comments on specific aspects of the CELCP guidelines, feedback overall on CELCP program implementation, as well as potential improvements to the competitive process, is of interest.

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## **Newsletter Examines Effects of Disasters on Youth**

Volume 18, number 1 of the Children, Youth and Environments Journal is now online. This special issue examines the vulnerability and resilience of children and youth before, during and after disasters. It contains a unique collection of 20 papers from around the world, an annotated compilation of resources, four book reviews, and a media review.

You can find the newsletters and copies of all the papers online at:

[http://www.colorado.edu/journals/cye/18\\_1/index.htm](http://www.colorado.edu/journals/cye/18_1/index.htm)

With readers in over 160 countries, the CYE Journal is a refereed publication with authoritative research articles, in-depth analyses, cutting-edge field reports, and critical book reviews for a multidisciplinary audience.

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## **Indiana Hosts Operation Stay Afloat 2008 – Risks, Roles, and Responsibilities on March 12, 2008**

Sponsored by the Indiana Department of Natural Resources and the Indiana Department of Homeland Security, this was a major outreach effort bringing together local, State, and Federal officials, as well as private sector parties with a common interest in floodplain management, emergency management, flooding, and other natural disasters. Approximately 140 people attended this year's event. Intentionally held during a severe weather month, this conference is now a biennial event in Indiana that began in 2004; on the heels of the devastating 2003 Indiana floods. This outreach effort is geared to provide pertinent natural hazard information to local communities. The conference offers a wealth of information, including personal reflections on lessons learned. Many presentations from this year's conference can be viewed on the Indiana Association for Floodplain and Stormwater Management web site at <http://www.inafsm.net/Pages/2008/opStayAfloat2.html>.

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## **Floodplain Regulations Committee Comments on TB 1-93**

The Association of State Floodplain Managers (ASFPM), Floodplain Regulations Committee provided comments on Technical Bulletin 1-93. These comments were sent to John Ingargiola at FEMA in March 2008. You can view a copy of the comments provided by the Committee on our website at:

[View Letter](#)

For more information on the Floodplain Regulations Committee, and to see what other issues they are currently working on, please visit their page on the ASFPM website at:

<http://www.floods.org/Committees/regulat.asp>

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## **Hearing Examines FEMA Grant Distribution Criteria**

*By: Daniel Fowler, Reporter, Congressional Quarterly, Inc.*

[Reprinted, with permission, from *CQ Homeland Security*, April 30, 2008]

The National Emergency Management Association is pushing Congress to change the way money is allocated under a FEMA grant program from a system that includes a competitive component to a strictly formulaic distribution.

"A competitive program, as is current practice, severely limits the ability of smaller states and those with less frequent disasters to successfully apply for and receive grants," said James Mullen, NEMA's mitigation chairman and director of the Washington State Emergency Division.

Mullen made his comments Wednesday at a House Transportation and Infrastructure subcommittee hearing on the Federal Emergency Management Agency's Pre-Disaster Mitigation Grant Program.

"Science cannot accurately predict where the next disaster may be or what kind of disaster may be faced," he said. "Attempting to prioritize limited pre-disaster mitigation funding on the national level is counterproductive to the establishment of state and local planning, therefore NEMA supports the distribution of pre-disaster mitigation funds by a base plus population formula rather than by competitive grants."

In his written testimony, Mullen explained there is a "distinct possibility that the competitive approach means the end of mitigation funding in many states, territories, local communities."

"The costs of preparing the application and the various reviews are substantial and burdensome to smaller jurisdictions," Mullen said in his prepared testimony. "Smaller communities do not have access to the resources and tools to help them articulate their risks with the same level of sophistication as larger well-funded jurisdictions."

While Del. Eleanor Holmes Norton, D-D.C., chairwoman of the Economic Development, Public Buildings and Emergency Management Subcommittee, wouldn't completely rule out the idea of moving to a formulaic distribution system, she wasn't enthusiastic about the idea.

"I bring some experience from . . . the Homeland Security Committee, which also has jurisdiction over FEMA for other disasters, disasters related to terrorism," she said.

"And, of course, we started out with something of a formula and we still have a legacy of something of a formula and we've had some terrible examples of places where you would not expect al Qaeda to search out on a map receiving funds, while places - according to all the chatter - where terrorists seek cry for funds."

After the hearing, Norton said given her Homeland Security experience "where billions of dollars [were] spent unnecessarily that it is unlikely that we would change from a competitive to a formula process here."

When Norton asked other witnesses what they thought about awarding the funds based on a formula, Brent Woodworth, chairman of the National Institute of Building Sciences' Multihazard Mitigation Council, said his group isn't opposed to it "as long as it impacts the widest possible community as a result of the formula."

Robert C. Bohlmann, the International Association of Emergency Managers (IAEM) governmental affairs committee chairman, told Norton that his group doesn't yet have a solid position on it. But he noted, "We have not had issues in our communities with what's happened in the past by the competitive grant."

Following the hearing, Bohlmann sounded like he opposed the idea. "I happen to like the competitive process and with the peer review and everything they're doing, it has been a good process," he told CQ. "And I've seen small communities come out on top and I've seen large communities come out on top. It's a good process right now and the best project is going to come out on top."

For the past two years, states received a \$500,000 base allocation if they submitted eligible applications for that amount or more. In fiscal 2007, the remainder of the funds in the program were competitively awarded, said FEMA spokesman Butch Kinerney.

However, in fiscal 2008, besides the \$500,000 allocation, there were also congressional mandates for certain projects and the remainder of the money is in the process of being competitively awarded, according to Kinerney.

"The last two years, we've had a blended program," David I. Maurstad, FEMA's assistant administrator of the Mitigation Directorate, told the committee. "We've had a national competitive program and we've also had a minimum set-aside for each state of \$500,000. That's proved to be . . . a very workable process that allows all states to participate in [pre-disaster mitigation] and believe that's a good way forward."

Despite the debate over how the money should be distributed, NEMA, IAEM and FEMA all said they want Congress to reauthorize the program.

"The most important issue is that this program be reauthorized because there is so much good that's being done with the mitigation projects," said Kristin Robinson, NEMA's director of governmental relations.

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## **GAO Report on Federal Flood and Wind Insurance Program**

The Government Accountability Office (GAO) has just released a report entitled "Natural Catastrophic Insurance, Analysis of a Proposed Combined Federal Flood and Wind Insurance Program". According to GAO in this report, FEMA would need to complete certain challenging steps in order to implement a combined federal flood and wind insurance program. Additionally, FEMA would have to make sophisticated determinations in setting premium rates adequate enough to cover all expected costs of flood and wind damages. The report also points out that while legislation would require premium rates to be adequate to cover any exposure and restrict borrowing by the program, the potential exists for losses to greatly exceed expectations.

To view a copy of the full report go to: <http://www.gao.gov/cgi-bin/getrpt?GAO-08-504>

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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!

### **Here's Something You Might Find Interesting . . .**

Let's talk about accessory structures, especially sheds. You know, the ones you buy at Home Depot, Lowe's, and many local hardware stores and garden centers. The ones that Harry Homeowner and his neighbors put way out in the corner of the back yard. The ones that often are placed without regard for zoning setbacks and building codes, much less requirements found in floodplain management ordinances.

First, a little background. The NFIP requires that communities regulate development – and the definition of development is pretty all-inclusive. The NFIP doesn't have exemptions for things that are small (such as small sheds), or things that seem pretty ridiculous to regulate. This brings to mind the opinion of an assistant attorney general in Maryland who, after reading the statute for the state's floodplain regulatory program, said that it could be read that “even a teaspoon of fill” is a regulated activity. Of course, there's lawyer-talk and there's reality. But really, how many communities issue permits for sheds?

We'll get back to the NFIP requirements in a minute. But first, you may have noticed that I regularly refer to building code requirements. The reason is because the *International Building Code* and/or the *International Residential Code* have been adopted by 44 states (and also by many communities in states that don't have a state code). Plus, FEMA has stated that the flood provisions of the 2003 and 2006 editions of the I-Codes are consistent with the provisions in the NFIP regulations (note that some states still use the 2000 editions).

So now let's talk about the building code and accessory structures. The IBC and the IRC both have lists of “work exempt from permit” and those lists include quite a few things. Both codes exempt “one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.” [FYI, the size limit is expected to increase to 200 sq ft in the 2009 editions of the codes.] If your state or community uses the I-Codes, you might want to take a closer look at the list; it includes some fences and retaining walls, some water tanks, sidewalks and driveways, swings and playground equipment, and some other minor work.

As always with codes and regulations, one must be thorough. Note that while the IBC and IRC exempt sheds from a permit – both clearly state that exemption “shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances” of the jurisdiction.

What that means is although a property owner doesn't have to pull a permit to put a small shed in the back yard, the codes still apply. Code officials have told me that while they don't go looking for compliance of these exempted activities, they can take enforcement action if necessary.

And that brings us back to which code requirements or provisions of a community's floodplain ordinances apply to accessory structures, and yes, even those small enough to be exempt from a building permit. Of course, such structures can be elevated to be at or above the base flood elevation, but I think we can all agree it's unlikely that sheds will be held to that standard.

The NFIP regulations don't explicitly address accessory structures. Most communities have adopted language for accessory structures that traces back to the rules for enclosures: limited to parking and storage; elevated electrical, flood-damage resistant materials; and flood openings (in all A zones). Keep in mind that if the shed or accessory structure is to be located in a floodway, a floodway encroachment analysis should be required. I'm pondering what requirements would be triggered for accessory structures in V zones – Technical Bulletin 5 has some guidance, but since I'm running short of space, I won't repeat it here.

There is one more very basic NFIP and code requirement that needs to be addressed: all structures (including sheds) must be "adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy." [44 CFR 60.3(a)(3)(i)]. You can appreciate the importance of anchoring if you've ever seen a dislodged shed jammed under a bridge or plugging a culvert and causing an increase in backwater flooding. And remember, an individual can be held liable for damages due to his or her actions – or, in this case, inactions if they neglected to anchor a shed that washed away and is shown to have worsened flooding. [RCQ]

### **Feedback from Last Issue . . .**

In my last column (*Insider* March 2008), I described a situation that must not happen frequently, because I didn't hear from readers. Years ago, while with Maryland's floodplain regulatory program, I reviewed an application in a community in Western Maryland where the waterways are steep and the water surface elevations drop several feet in a short distance, thus a single site may have multiple BFEs. A developer wanted to put a long, narrow building parallel to the stream, and the BFE at the downstream end of the site was 4 or 5 feet lower than the BFE at the upper end. He tried to convince me that the solution was to have a "stepped" building elevated on pilings, with each stepped part above the BFE.

I hope it comes as no surprise to anyone that I was not persuaded. The discussion revolved around whether each stepped part could be considered a separate building that just happens to be very (very!) close to an adjacent building. While in theory that approach could be taken if each building has a separate foundation, I reminded the developer of three things: (1) that floodplain mapping is not so precise as he'd like to think and mountainous streams typically have heavy sediment and debris loads; (2) that his engineer would have to demonstrate that the flood loads exerted on each "building" would not transfer loads to the others; and (3) that under the NFIP's insurance policies, each "separate building" would require a separate flood insurance policy. It still took a bit of convincing, but at the end of the day he gave up on the project altogether and my office had one less permit application to process. [RCQ]

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## **Washington Legislative Report**

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

### **Lots of Build Up; No Major Action Yet**

As *Insider* goes to press, the Congress seems on the verge of action on a variety of issues of concern to floodplain managers, but no significant action has been taken or finalized just yet. That includes action on a [Budget Resolution](#) to guide the appropriations process. Because of the fall elections, this will most likely be a short legislative session (unless there is a *Lame Duck Session* in November and December). So, there is a considerable amount of



breath holding about whether or not action will be taken on appropriations bills and whether or not action will be taken to reauthorize expiring programs.

The flood insurance reform bill might have come up on the Senate floor by the time you read this --- or it could slip. Rumors are flying about amendments, about prospects for them being offered and about meetings and tactics associated with consideration of the bill. Speculation is rampant with regard to the chances for success of various amendments, about how differences between the House and Senate versions would be resolved and about how extension of the National Flood Insurance Program will be achieved if a bill is not finalized and signed by the President by September 30, 2008, when the program expires.

A hearing was held in a House Subcommittee to consider reauthorization of the expiring Pre-Disaster Mitigation Grant program, but no reauthorizing legislation has yet been introduced. Indications are that the House committee is likely to introduce and act on a bill, but whether or not the Senate will also take action is less clear. Even on the House side, it is not clear if programmatic changes would be included or if a bill would be a simple reauthorization.

A hearing was held to consider items and policy recommendations for inclusion in a new Water Resources Development Act (WRDA). The Subcommittee Chairman indicated her intent to not only develop and take action on a WRDA 2008, but to push for final action on such a measure this year.

## **Appropriations**

The House Appropriations subcommittees may begin to mark-up appropriations bills for Fiscal Year 2009 in mid-May. The process will be facilitated if the House and Senate Budget Committees can agree on a Budget Resolution which will form the framework of assumptions to guide the various subcommittee appropriations bills. Achievement of an agreed upon Budget Resolution is close, but not yet final.

There is considerable speculation, however, about how appropriations for FY '09 will proceed. There could be an omnibus appropriations bill, perhaps during a Lame Duck Session after the November elections, but it seems more likely that the Congress will forego the usual appropriations process and instead pass a long-term Continuing Resolution which would fund government programs at FY '08 levels through February, 2009 when a new Administration and a new Congress will be in place.

In the meantime, the Administration submitted its Supplemental Appropriations request to the Congress on May 2<sup>nd</sup>. That request is primarily for expenses associated with the wars in Iraq and Afghanistan including \$108 billion for the rest of FY '08 and \$70 billion for the first part of FY '09. There is some possibility of other amendments being associated with that Supplemental since it is likely to be the only appropriations vehicle moving during this Congress. Some issues associated with floodplain mapping and the Stafford Act are considered possibilities for amendments to the Supplemental Appropriations bill.

## **Flood Insurance Reform**

As the "Insider" goes to press, the Senate is poised to take up the Flood Insurance Reform and Modernization Act of 2008 (S. 2284). A motion to proceed to consider the bill was approved on May 2<sup>nd</sup> and it will be the next order of business on the Senate floor after completion of a bill dealing with programs of the Federal Aviation Administration. Amendments are still being lined up, so more may be filed. At present there are a number of known amendments and some rumored ones.

The amendment receiving the most attention would add the "wind & flood" optional, actuarial policy to the National Flood Insurance Program. The amendment is expected to be offered by Senator Roger

Wicker (R-MS). It would be similar to the provision in the House bill (HR 3121) added by Rep. Gene Taylor (D-MS) except that it would remove the cap on Treasury borrowing. ASFPM and a number of State Chapters have expressed great concern about the threat to the viability of the National Flood Insurance Program associated with adding such an unknown new exposure. ASFPM's testimony of July, 2007 on Rep. Taylor's bill, HR 920, is posted on the ASFPM website as are letters to Senators from a number of State Chapters. A major concern is that the Congressional Budget Office (CBO) scored the amendment as "revenue neutral", saying it doesn't score as an expense because the NFIP is already in debt. This allows proponents to imply that the proposal is an answer to perceived insurance availability problems in coastal areas without costs to the federal government. ASFPM is concerned that such an unknown, potentially very large, new exposure could threaten the viability of the NFIP itself and has emphasized to a number of Senate offices that there are too many unanswered questions about economic impacts to enact this "wind & flood" coverage without serious study. The White House has threatened to veto a flood insurance reform bill that includes a provision to add "wind and flood" coverage.

Other probable amendments include:

- Add natural catastrophe insurance provisions of S. 2310
- Add provisions for Blue Ribbon Natural Catastrophe Commission
- Remove Senate bill provisions for mandatory purchase of flood insurance in residual risk areas behind levees and substitute House language calling for a GAO report on economic and regulatory feasibility.
- Amend the mandatory purchase provision for residual risk areas to clarify that land use and floodplain management aspects of the NFIP would not apply in such areas.
- Raise coverage limits to reflect increase in home values since 1994.
- Add optional, actuarial coverage for business interruption and replacement cost of contents.
- Amend the provisions for an Office of the Flood Insurance Advocate to strengthen oversight of the Write-Your-Own program.
- Amend the two year phase-in of rates for properties newly mapped as in the floodplain to extend the time frame.
- Amend (to extend) the phase-in period for rate increases on repetitive loss properties, non-residential properties and homes sustaining damage of 50% or more after a disaster.
- Remove repetitive loss properties from those being moved to actuarial rates to allow the new Severe Repetitive Loss program to function.
- Provide that newly issued flood maps not be used to adjust premium rates or to require flood insurance in areas newly mapped as floodplains until all maps are completed in a given Corps of Engineers District
- Provide that all maps in the Corps of Engineers District serving Illinois and Missouri be completed before any changes are made in premium rates or insurance purchase requirements.
- Provide for enhanced outreach associated with newly modernized, updated flood maps to better coordinate with other FEMA outreach programs

### **Pre-Disaster Mitigation (PDM)**

The House Committee's Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on April 30<sup>th</sup> to consider re-authorization of the Pre-Disaster Mitigation Program. The program expires on September 30, 2008. While the program was funded at \$114 million in FY '08, some 94 projects or communities were earmarked to receive PDM monies, some of which apparently would not meet PDM program criteria.

While ASFPM did not testify at the hearing, the Association did submit written testimony supporting reauthorization of the program but objecting to this first-time earmarking of program funds. ASFPM

pointed out that this practice undermines the corollary benefits of the PDM program which engage communities in development of hazard mitigation plans and mitigation activities. At present, states receive a minimum of \$500,000. ASFPM suggested that states be given the option of using a portion of these funds for technical assistance to localities in development of mitigation plans and PDM applications. ASFPM's written testimony is posted on the ASFPM website.

Testifying at the hearing were FEMA, NEMA (National Emergency Management Association), IAEM (International Association of Emergency Managers) and the National Institute of Building Sciences. NEMA supported reauthorization of PDM, but recommended that all program funds be allocated to states. IAEM also supported program reauthorization and provided an explanation for perceived delays in final obligation of funds that has caused some Congressional concern. All written testimonies can be found by going to the committee home page: <http://transportation.house.gov/hearings/hearing.aspx>.

### **Water Resources Development Act (WRDA 2008)**

A hearing on ideas for a WRDA 2008 was held on April 30<sup>th</sup> by the House Transportation and Infrastructure Subcommittee on Water Resources. Former Chair Chad Berginnis (State of Ohio) presented ASFPM's testimony at the hearing.

ASFPM's testimony spoke of the importance of developing an effective Levee Safety Program through activation of the Levee Safety Committee created in WRDA 2007. The testimony also stressed the importance of utilizing a sliding cost share for Corps projects to promote state and local mitigation activities. ASFPM urged increased authorization of funds for the Corps programs (Flood Plain Management Services and Planning Assistance to States) to support Corps technical assistance to localities for development of floodplain management options and small floodplain management projects. The ASFPM testimony is posted on the ASFPM website. The Committee also heard from a Member of Congress, Assistant Secretary of the Army for Civil Works Woodley, the Lake Carriers' Association, The Nature Conservancy, the Waterways Council and the National Association of Flood and Stormwater Management Agencies (NAFSMA). All testimony presented can be found on the Committee website: <http://transportation.house.gov/hearings/hearing.aspx>

### **Floodplain Mapping, Levees and the Corps of Engineers**

On April 2<sup>nd</sup>, the House Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing to explore the connections between the Corps of Engineers, levee certification issues and FEMA's flood map modernization. Larry Larson presented ASFPM's testimony which is posted on the ASFPM website. Others testifying included a number of Members of Congress, Deputy Director of Army Civil Works Steven Stockton, FEMA Assistant Administrator for the Mitigation Directorate David Maurstad and the Executive Director of the East-West Gateway Coordinating Council, Les Sterman. Much of the testimony from Members of Congress discussed economic development impacts of remapping and of levee decertification.

Key points in the ASFPM testimony focused on:

- The importance for public safety of mapping the true flood hazard
- The need for a National Levee Safety Program
- The need for an integrated, unified federal/state/local approach to managing flood losses including levees
- Inclusion of adequate operation and maintenance of levees as a requirement of levee certification
- False sense of security behind levees impedes personal responsibility
- The need for mechanisms to systematically identify options when levees are shown on maps as inadequate

- The need for technical assistance to communities through Corps programs – FPMS and PAS
- The need for a robust toolbox of flood mitigation options
- The need to identify funding options for levee repair, improvement and mitigation

## **Other Pending Issues and Hearings**

### Hurricanes Katrina and Rita

The Senate Homeland Security and Governmental Affairs (HSGAC) Committee reported out H.R. 3247 after amending the House passed version to include Senate substitute language.

### Farm Bill

A House-Senate Conference Committee is expected to begin work on resolving differences between the House and Senate passed versions of the Farm Bill. The House stalled last week on consideration of Motion to Instruct Conferees.

### OCEANS-21

The House Natural Resources Committee's Subcommittee on Fisheries, Wildlife and Oceans reported out OCEANS-21, The Ocean Conservation, Education and National Strategy for the 21<sup>st</sup> Century Act (H.R. 21) on April 23.

### CZMA reauthorization

Two bills are pending in the House Natural Resources Committee and a hearing was held on both February 28th. H.R. 5451 would reauthorize the Coastal Zone Management Act and H.R. 5453 would amend CZMA to assist states in development of coastal climate change adaptation. The Coastal States Organization has taken the lead in organizing a Coastal Zone Management Coalition to urge the long overdue reauthorization of CZMA. ASFPM participated in the Coalition's initial meeting in April.

### Hearings

#### NOAA Oversight:

The Senate Commerce, Science and Transportation Committee's Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard will hold a hearing May 6 on NOAA budget issues and oversight. The Full Committee will hold a hearing on May 8 on Improving the Capacity of U.S. Climate Modeling for Decision-makers and End-users.

#### Financing Infrastructure Investment:

A joint hearing of the House Budget Committee and House Transportation and Infrastructure Committees on May 8 will consider ways to finance infrastructure investment.

#### Department of Homeland Security Transition:

The House Homeland Security Committee held a hearing to consider DHS preparation for transition to a new Administration after the November elections. Deputy Secretary Paul A. Schneider testified. While refusing Congressional requests for detailed plans, he expressed confidence in the preparations for transition. He did acknowledge during discussion that FEMA will face some particular challenges during that time since its leadership is largely political appointees.

(Full text and summaries of all bills referenced can be found at: <http://thomas.loc.gov>.)

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## **CFM® Corner**

Email for certification questions is [cfm@floods.org](mailto:cfm@floods.org). 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 this address in the ASFPM Office.

### **CFM Renewal**

ASFPM CFMs who are up for their biennial CFM® certification renewal July 31, 2008 are being sent a letter and renewal form via snail mail. If you have not received yours in the mail by May 25th, please contact Anita Larson at [cfm@floods.org](mailto:cfm@floods.org) so that your CFM does not lapse. Don't forget if you need a few fast CECs to complete your certification renewal, check our website under Certification- RedVector.com to see list of approved online training.

### **ASFPM Conference – Reno – CFM Activities**

Early Bird Session, Wednesday, May 21, 2008, 7:00 a.m.-8:15 a.m. ASFPM has 26 Chapters, six State accredited CFM Programs, and over 4,800 CFMs! Where is the CFM Program going? What checks and balances are in place to ensure that the National CFM Program fulfills the needs of floodplain managers? How does the CFM Program compare with other certifications? What changes or updates are needed? All of these topics will be covered at the Early Bird Session. Also, stop by the CBOR display table at the conference and pick up the latest information and materials.

### **Training – FEMA's Emergency Management Institute (EMI)**

Are you an experienced floodplain manager looking to get into an interesting and informative course on more advanced floodplain topics? Are you a CFM who could use a year's worth of CEC credit (12 credits) for attending a four day course? Then we've got the course for you.

FEMA's Emergency Management Institute (EMI) located at the National Emergency Training Center in Emmitsburg, MD has openings for the Advanced Floodplain Concepts course, E194 on June 16<sup>th</sup> -19<sup>th</sup>, 2008 and August 18-21<sup>st</sup>, 2008.

This course consists of four modules: Local Floodplain manager Roles and Responsibilities; NFIP Floodplain Rules and Regulations in Depth; NFIP: LOMCs, and Local Floodplain Management; and Preparing for Post Disaster Responsibilities. Each of the four topic areas are designed to be at a higher level of detail than an introductory course. Developed and real life scenarios will be examined and exercises will be conducted in each section to make sure participants not only understand the appropriate rules and regulations, but also why they are in effect and how to apply them. This course is exercise rich and participants can expect to be engaged throughout much of the course.

*Participants must have over three years of full time Floodplain Management experience to be admitted to the course.*

The EMI covers many of the expenses for this training including travel to and from EMI, course materials and housing at NETC. Items not covered by EMI are the cost of a meal ticket while attending the course and the participant's salary.

For more information on this course, to sign up for the course, for information on the application procedure or to get more information about travel reimbursement, please go to <http://training.fema.gov/EMICourses/> or call 301-447-1035.

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## Floodplain Management Training Calendar

Below are just several of the upcoming conferences & training opportunities, for a full listing, visit our online calendar at <http://www.floods.org/Conferences,%20Calendar/calendar.asp>.

<b>May 18 – 23, 2008</b>	ASFPM 32 <sup>nd</sup> National Conference, Reno, NV	<a href="mailto:memberhelp@floods.org">Association of State Floodplain Managers memberhelp@floods.org</a>
<b>May 19 – 22, 2008</b>	2008 Planning Community of Practice Conference, San Antonio, TX	<a href="#">US Army Corps of Engineers</a>
<b>May 27 – 29, 2008</b>	AFMM Spring Conference, Natchez, MS	<a href="#">Association of Floodplain Managers of Mississippi</a>
<b>June 2 – 5, 2008</b>	SAME-ASCE Midwest Levee Conference, St. Louis, MO	<a href="#">Society of American Military Engineers</a>
<b>August 4 – 8, 2008</b>	2008 ESRI International User Conference, San Diego, CA	<a href="#">ESRI</a>
<b>September 2 – 5, 2008</b>	FMA Annual Conference, San Diego, CA	<a href="#">Floodplain Management Association</a>
<b>September 7 – 11, 2008</b>	Dam Safety 2008, Indian Wells, CA	<a href="#">Association of State Dam Safety Officials</a>
<b>September 15 – 18, 2008</b>	Wetlands 2008: Wetlands and Global Climate Change, Portland, OR	<a href="#">Association of State Wetland Managers, Inc.</a>
<b>September 22 – 24, 2008</b>	AFMA Fall Conference, Hot Springs, AR	<a href="#">Arkansas Floodplain Management Association</a>
<b>October 8 – 9, 2008</b>	Illinois Water Conference 2008, Champaign, IL	<a href="#">Illinois Water Resources Center</a>
<b>October 21 – 22, 2008</b>	NJAFM 2008 Conference, Cherry Hill, NJ	<a href="#">New Jersey Association for Floodplain Management</a>
<b>October 28 – 29, 2008</b>	2008 Mississippi-Alabama Bays and Bayous Symposium, Biloxi, MS	<a href="#">Various Sponsors</a>
<b>November 12 – 14, 2008</b>	WAFSCM Annual Conference, Kalahari Resort, WI	<a href="#">Wisconsin Association for Floodplain Stormwater &amp; Coastal Management</a>
<b>November 17 – 20, 2008</b>	ASFPM 4 <sup>th</sup> National Floodproofing Conference, New Orleans, LA	<a href="#">Association of State Floodplain Managers</a>
<b>June 7 – 12, 2009</b>	ASFPM 33 <sup>rd</sup> Annual Conference, Orlando, FL	<a href="#">Association of State Floodplain Managers</a>

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## Job Corner

Below are just a few of job openings currently posted on our website. To view all of the listings, visit our online job corner at <http://www.floods.org/StatePOCs/jobs.asp>.

### Commonwealth of Massachusetts Employment Opportunity

Department of Conservation and Recreation

Flood Hazard Management Program - Regional Planner II

The Massachusetts Department of Conservation and Recreation (DCR) seeks qualified applicants for the position of Regional Planner II.

The successful candidate will carry out assigned duties and responsibilities relative to DCR's flood hazard mitigation activities. The Flood Hazard Management Program is the state coordinating office for the National Flood Insurance Program (NFIP). The candidate will be responsible for providing floodplain management technical information and assistance to community officials and others concerning the NFIP. Primary responsibilities include conducting community assistance visits and contacts; reviewing local floodplain management ordinances and regulations; and providing technical assistance related to the NFIP to local officials, property owners, and others.

The position is located at the DCR Boston office. The salary range is \$46,295.08 to \$61,733.88 annually. A more detailed description of the position, minimum entrance requirements, and information on how to apply can be found online at: <https://jobs.hrd.state.ma.us/>, or by contacting Richard Zingarelli, Flood Hazard Program Manager, at (617) 626-1406. Application Deadline: 05-19-2008

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### AMEC Earth & Environmental

Technical Director for Hazard Mitigation and Emergency Management

AMEC Earth & Environmental is a multi-national North American corporation specializing in emergency management, environmental services, geotechnical engineering, materials testing, and engineering and water resource services. A staff of more than 3,200 professionals operates from more than 120 offices. AMEC's nationwide Hazard Mitigation and Emergency Management (HM&EM) program, based in Lakewood, Colorado, is built upon the multi-disciplinary, multi-hazard expertise of management and staff that have extensive direct experience with the Federal Emergency Management Agency and with state and local emergency management agencies.

AMEC is seeking a technical lead for its successful and growing HM&EM program, and manager of the HM&EM staff in the Lakewood, Colorado, office. The ideal candidate will be widely recognized as a leader in the field and will publish, train, or make presentations at national conferences; and be well networked in order to provide early identification of upcoming project opportunities and future market trends. S/he will have program/project/business/staff development and management experience in a P&L environment, and have a record of successful project wins and very satisfied clients. S/he will be responsible for staying up-to-date technically in the HM&EM arena. providing internal training and mentoring, and providing quality assurance/quality control of HM&EM deliverables.

The successful applicant will have the following:

- Bachelor's degree in planning or other relevant field; advanced degree preferred
- Registration/Certification a plus (CFM, CEM, AICP, PE, etc.)
- 10+ years of progressively responsible experience in HM&EM, disaster assistance, floodplain management, and/or related areas

- Thorough knowledge of and working experience with FEMA programs and understanding of other federal agency HM&EM programs.
- Understanding of multi-objective funding sources for HM&EM.

More details, minimum requirements, and application procedures can be obtained by contacting Bonny Griffith, Human Resources Manager, AMEC E&E, Lakewood, CO, at (303) 975-2193 or [bonny.griffith@amec.com](mailto:bonny.griffith@amec.com).

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## **FEMA – Floodplain Management Branch**

Program Specialist

Job Announcement: DE-08-377-DBV

Series & Grade: GS-0301-09/11

Position Information: Full-Time Permanent, Washington, DC

Closing Date: May 16, 2008

### **MAJOR DUTIES:**

**Organization:** This position is located in the Department of Homeland Security, Federal Emergency Management Agency (FEMA), Mitigation Directorate, Risk Reduction Division, Floodplain Management Branch. The incumbent will serve as a Program Specialist and will be responsible for developing, interpreting and administering floodplain management regulations, policies and procedures for the purpose of establishing and maintaining community participation in the National Flood Insurance Program (NFIP).

**Primary Purpose:** The primary purpose of this position is to serve as a program specialist in the development, interpretation and administration of floodplain management regulations, policies and procedures for the purpose of establishing and maintaining community participation in the National Floodplain Insurance Program.

### **SPECIFIC DUTIES:**

- Develops and maintains knowledge of the NFIP, floodplain management and related regulations and policies.
- Serves as a point of contact and provides authoritative advice to FEMA regional offices, State, territories and local governments on NFIP matters and floodplain management policies and procedures.
- Coordinates program efforts with other organizational elements of FEMA, Federal agencies, State and Local governments, associations and the private sector.
- Recommends national program policy changes to existing program policies and regulations in order to improve current program operations.
- Plans and conducts analyses to evaluate the effectiveness of the NFIP floodplain management criteria in the mitigation of flood losses and floodplain management techniques.
- Interprets existing national policies to resolve ambiguities or inconsistencies.
- Provides floodplain management technical assistance and training to FEMA staff, States and other external groups.

For more information on this position and for information on how to apply, view the full job posting on the USAJOBS website at:

<http://www.fema.gov/career/publicForward.do?action=View%20Posted%20Job%20Listing&from=RepeatGroups&jobId=30673>

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