

THE INSIDER

A Publication
for Members

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The Association of State Floodplain Managers

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Deputy Executive Director's Report - George Riedel, CFM

The 2010 Annual National ASFPM Conference in Oklahoma City, Oklahoma, is less than two weeks away. The ASFPM staff is busy putting together final preparations for this year's conference. This year's conference again appears to be the most comprehensive floodplain management conference in the world. All week, over 1000 participants from non-profit, government, business, and academic sectors will hear from experts in plenary and concurrent sessions regarding ways for improvement in flood risk management, flood damage reductions, and national policies. Participants at this year's conference will be able to interact, exchange ideas, make contacts, form partnerships, and prepare for an improved and sustainable future for flood damage and risk reduction. The conference program has been finalized and can be viewed and downloaded from the ASFPM website at:

[View 2010 Conference Pocket Guide.](#)

Have you sent in your registration for the 2010 ASFPM Conference yet? If not, its not too late to register, and a limited number of hotel rooms are still available in our room blocks. For more information on registration and hotel rooms go to the conference page on our website at: <http://www.floods.org/index.asp?menuid=381&firstlevelmenuid=181&siteid=1>.

ASFPM continues to be very busy providing testimony to Congress, most recently testifying on Flood Insurance Reform and Reauthorization and also at a hearing titled "U.S. Mayors Speak Out: Addressing Disasters in Cities." In addition, ASFPM recently provided comments to the U.S. Army Corps of Engineers concerning their proposed Levee Vegetation Variance and to the Council on Environmental Quality regarding proposed revisions to the U.S. Army Corps of Engineers "Principles and Guidelines." All of these documents can be found on the ASFPM website.

Last year, the Association entered into an agreement with Ohio State University to conduct a Reliability and Validity Test of the Certified Floodplain Manager (CFM) Program. The testing is complete and a final report has been issued. The Certification Board of Regents (CBOR) will be reviewing the final report with recommendations and will move forward with the recommendations where appropriate.

See you in Oklahoma City!

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ASFPM Testimony on NFIP Reform

On April 21st, ASFPM Executive Director Larry Larson presented testimony on behalf of ASFPM before the House Committee on Financial Services, Subcommittee on Housing and Community Opportunity. The hearing was on Legislative Proposals to Reform the National Flood Insurance Program.

You can view a copy of ASFPM's full written testimony on our website under 'ASFPM Testimony':

www.floods.org/index.asp?menuID=334&firstlevelmenuID=187&siteID=1



Photo: ASFPM Staff on a recent trip to Washington, DC. Pictured from left to right: Greg Main, ASFPM Chair; Sally McConkey, ASFPM Vice Chair; Larry Larson, ASFPM Executive Director; Sam Riley Medlock, ASFPM Policy & Partnerships Manager.

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October 2010 Sees More Changes in Flood Insurance Program

FEMA has released the October 2010 changes for the flood insurance program and there will be an average increase in premium of about 4%. The bigger changes will be seen in Post-FIRM V zones (9%), A99 and AR zones (9%), Standard X, B, C zone rates (7%), and Post-FIRM A# and AE zones (6%). Also, the ICC premiums will be decreasing for the most part to "better match premium with expected payments." They also have identified 27 pieces of information that must appear on all WYO and the NFIP-Direct declaration pages. This ensures consistency and sufficiency of information for insureds, lenders and agents when reviewing a policy. A complete listing and description of the changes can be found at: <http://bsa.nfipstat.com/wyobull/w-10046.pdf>.

A change that did NOT occur was the proposed 2-year extension of the Preferred Risk Policy (PRP) for areas going through a mapping change (i.e., allowing the policyholder to retain the PRP rates for two renewal periods after being mapped into a high-risk zone). This has been postponed to at least January 2011 or later as FEMA is forming a work group to look more closely at this option and the processes involved.

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FEMA Accepting Comments on CRS Program

FEMA recently release a request for comments on the application process for the Community Rating System program. Any comments must be submitted by June 14, 2010. If you are interested in submitting comments please follow the instructions listed in the Federal Register announcement at:

<http://edocket.access.gpo.gov/2010/2010-8496.htm>

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News from CSO

The following is information from the April 23, 2010 issue of The CSO Weekly Report

CSO Welcomes New Staff

CSO welcomes a new staff member, Chris Riggio, who started as CSO's Administrative Coordinator on April 15. Chris is a native of Virginia Beach, Virginia and received his Bachelors of Science in Finance, with a minor in Economics, from Old Dominion University in 2007.

Clean Estuaries Act Passes House

On April 15, the *Clean Estuaries Act of 2010* (H.R. 4715) was passed in the House by a 278 - 128 vote. The bill, introduced by Rep. Timothy H. Bishop (D-NY), would amend the *Federal Water Pollution Control Act* (commonly known as the Clean Water Act) to reauthorize the National Estuary Program. The bill would revise the purpose of management conferences convened with respect to estuaries to expand requirements governing a comprehensive conservation and management plan by requiring such a plan to: (1) identify the estuary and its associated upstream waters to be addressed by the plan; (2) consider sustainable commercial activities in the estuary; (3) address the impacts of climate change on the estuary; (4) identify and assess impairments coming from outside of the area addressed by the plan and the sources of those impairments; (5) include performance measures and goals to track implementation of the plan; (6) monitor (and make results available to the public regarding) water quality conditions in the estuary and its associated upstream waters, habitat conditions that relate to the ecological health and water quality conditions of the estuary, and the effectiveness of actions taken pursuant to the plan; and (7) provide information and educational activities on the estuary's ecological health and water quality conditions. The bill is co-sponsored by Rep. Frank LoBiondo (R-NJ). To read the bill: <http://www.thomas.gov/cgi-bin/query/z?c111:H.R.4715>.

Clean Water Act bill Introduced in House

On Wednesday, Representatives James Oberstar (D-MN), John Dingell (D-MI) and Vernon Ehlers (R-MI) introduced *America's Commitment to Clean Water Act*, H.R. 5088. This bill restores Clean Water Act jurisdiction to be consistent with the interpretation of the Act prior to the decision of the United States Supreme Court in *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers* (SWANCC) and the consolidated cases of *Rapanos v. United States* and *Carabell v. United States Army Corps of Engineers*. These decisions restricted the scope of the *Federal Water Pollution Control Act* and limited the statutory protections for waters of the United States. The bill has been referred to the House Committee on Transportation and Infrastructure. For more information visit: <http://transportation.house.gov/>.

Digital Coast Inundation Toolkit Update

Coastal communities rely on the Coastal Inundation Toolkit to better understand and address coastal inundation issues. Recent toolkit additions include state setback requirements ("Assess" section); tips for managing floodplains using a "no adverse impact" approach ("Communicate" section); a resource for finding local low impact development projects, and new case studies from the Association of State Floodplain Managers and The Nature Conservancy ("Discover" section). A publication by the National Association of Counties that helps county officials address coastal flooding, habitat conservation, and land use issues is also available.

The Coastal Inundation Toolkit is part of NOAA's Digital Coast. Sponsored by the NOAA Coastal Services Center, the Digital Coast is administered by Digital Coast Partnership, which includes the Coastal States Organization. To explore the Coastal Inundation Toolkit:

<http://www.csc.noaa.gov/digitalcoast/inundation/index.html>.

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News from CSO, Continued

The following is information from the April 30, 2010 issue of The CSO Weekly Report

PEW Releases Report on Adapting to Climate Change

This week, the Pew Center on Global Climate Change released a report, *Adapting to Climate Change: A Call for Federal Leadership*. The report, authored by Joel B. Smith, Stratus Consulting, Inc., Jason M. Vogel, Stratus Consulting, Inc., Terri L. Cruce, Stephen Seidel, Pew Center on Global Climate Change, Heather A. Holsinger, Pew Center on Global Climate Change, focuses on the importance of federal leadership in climate change adaptation. This report highlights the important role of the federal government in reducing the vulnerability and strengthening the resiliency of our economy and natural resources in the face of these changes. In addition to managing a significant amount of land and infrastructure that will be affected by climate change, the federal government is uniquely positioned to provide the necessary leadership, guidance, information, and resources. While many efforts to adapt to climate change will occur at the state and local level, the federal government is a critical player in an effective and coordinated approach to climate change adaptation in the United States. To read the report: <http://www.pewclimate.org/docUploads/adaptation-federal-leadership.pdf>.

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Section-by-Section Analysis of NFIP Bill H.R. 5114

A new bill was recently introduced on the Flood Insurance Reform Priorities Act of 2010, it is bill H.R. 5114. The full bill can be found on the Library of Congress website at <http://thomas.loc.gov>, but there is now also a document available that provides a section by section analysis of the bill. It gives a really useful summary of the bill and the changes it would make to the NFIP.

The NFIP is currently operating under an extension that will expire on May 31, 2010, so either a new bill will have to be passed or another extension will need to be filed in order to continue the NFIP after that date.

You can view a copy of this summary document on our website at:

http://www.floods.org/ace-files/documentlibrary/National_Policy/HR_5114_Section_by_Section.pdf

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USDA Seeking Proposals for Conservation Grants

Agriculture Secretary Tom Vilsack today announced that the U.S. Department of Agriculture is seeking proposals from eligible partners for projects to help owners and operators of agricultural and nonindustrial private forest lands improve their natural resources through the Cooperative Conservation Partnership Initiative (CCPI) in fiscal year 2010. Producers can use CCPI to achieve conservation benefits such as clean air and water, productive soils and abundant wildlife.

"Partnerships with America's producers are an effective way to address environmental concerns related to agriculture," said Vilsack. "Through CCPI, we are employing a voluntary approach with landowners and operators to help reduce sediments and nutrients, increase carbon sequestration and build a healthier environment across the country."

About \$5 million will be made available through CCPI in fiscal year 2010. USDA's Natural Resources Conservation Service (NRCS) will use this initiative to enter into agreements for up to five years with eligible partners interested in enhancing conservation on agricultural and non-industrial private forest lands in specific areas.

CCPI helps agricultural producers and forest landowners address conservation priorities at the local, state, multi-state, or regional levels; meet federal, state, and local regulatory requirements related to production; cooperate in installing and maintaining conservation practices; and develop and demonstrate innovative conservation practices and delivery methods, including practices associated with specialty crop and organic production as well as precision agriculture.

Potential partners include federally recognized tribes, state and local units of government, farmer cooperatives, producer associations, institutions of higher education, and nongovernmental organizations with a history of working cooperatively with agricultural producers. The Request for Proposals can be found at <http://edocket.access.gpo.gov/2010/pdf/2010-8244.pdf>. Individual landowners and operators cannot submit a partner proposal. An agricultural producer or nonindustrial private forest landowner can receive financial and technical assistance for soil, water, plant, air and animal-related concerns if their land is located within an approved CCPI partnership project area.

To participate in CCPI, potential partners must submit their proposals by close of business (Eastern Time) on May 27, 2010 to Financial Assistance Division, NRCS's National Headquarters in Washington, D.C. Proposals should identify the project area, conservation priorities in the area, the conservation objectives of the project, the number of producers likely to participate, the capabilities and resources offered by the applicant, and a monitoring and reporting plan, among other factors.

Detailed partnership proposal requirements are located at www.nrcs.usda.gov/programs/ccpi. Once a partnership proposal is selected, interested eligible agricultural producers and nonindustrial private forest landowners within the project area should apply directly to NRCS for funding under the appropriate conservation program—EQIP, CSP, or WHIP. Applicants must meet the eligibility requirements of the program for which they are applying. Please visit www.nrcs.usda.gov/programs for more information on each program, including eligibility requirements.

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Conference on Implementing a Sustainable Coast for Louisiana

On June 8-10, the Louisiana Coastal Protection and Restoration Authority, the U.S. Army Corps of Engineers, and the Coalition to Restore Coastal Louisiana will host *State of the Coast: Implementing a Sustainable Coast for Louisiana*, in Baton Rouge, LA. The conference will include government leaders, business and industry leaders, the scientific and engineering community and non-profit organizations dedicated to finding solutions and implementing a sustainable coast for Louisiana.

The State of the Coast (SOC) conference's mission is to provide a forum to learn from recent advances in science and engineering as they relate to hurricane protection and ecosystem restoration in coastal Louisiana, to ensure that relevant and current knowledge is applied to existing and future coastal restoration and protection efforts, and to effectively inform policy and decision making.

To register online or find more information on this conference, visit: www.stateofthecoast.org.

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DRF & Mitigation Planning Grants Funding Shortage

FEMA Administrator Craig Fugate recently sent a letter to the Chairman of the Appropriations Committee, Subcommittee on Homeland Security regarding a request to add an additional \$1.5 billion dollars for FEMA's Disaster Relief Fund (DRF). In his letter, Mr. Fugate stresses that these additional funds are essential to ensuring the Nation is ready and able to respond to any catastrophic events or disasters.

A lack of DRF funds has and will continue to impact the implementation of mitigation across the country. Many projects are currently on hold awaiting appropriation of DRF funds, and this problem will only continue to get worse without this additional funding. Enclosed with Mr. Fugate's letter is a list of the cost of all projects currently waiting for DRF funding broken down by state, demonstrating that there is already a large backlog of projects waiting for funding.

You can read the full letter sent by Craig Fugate at:

http://www.floods.org/PDF/Letters/fugate_senate_drf_letter_byrd.pdf

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

Here's Something You Might Find Interesting . . .

In my last Floodplain Manager's Notebook (March 2010), I wrote about the flood-resistant provisions of the International Code Series (I-Codes) and the advantages and challenges having those requirements part of the codes presents. I ended that column with a note that I'd highlight some of the differences between the NFIP requirements, the codes, and ASCE 24. ASCE 24, *Flood Resistant Design and Construction*, is a standard that is referenced by the codes.

But the first question might be – what is a “standard”? In the context of building codes, the Merriam-Webster Online definition that applies is “something established by authority, custom, or general consent as a model or example.” Standards are developed and published by standards organizations such as the American Society of Civil Engineers (ASCE). Perhaps the best known standard is ASCE 7, *Minimum Design Loads for Buildings and Other Structures*.

Knowing that definition is good, of course, but it doesn't really explain why a code would reference a standard. The short answer is that standards tend to deal with very specific aspects of design and construction and they are developed by committees of experts. The committees operate according to a prescribed process that assures the results are based on a consensus. One of the most important aspects of that process is the composition of the committee itself – it must be a “balanced” committee. This means that all interests

The committee that will produce the next edition of ASCE 24 will hold a “kick off” meeting on May 18 during the ASFPM Conference in Oklahoma City (1:30 pm - 5:30 pm, Huckins Room, Renaissance Hotel, across from Convention Center). The meeting is open to observers.

(designers, regulators, manufacturers, general interest) are well-represented on the committee and no single interest can control the process.

The consensus process is a formal structure that requires the committee members to submit proposals that are then voted on by the committee. After several rounds of balloting, the near-final standard is made available for public comments. Thus, the final standard can truly be characterized as a consensus document that represents the best formulation of requirements.

The consensus process also explains why ASCE 24 does not precisely line up with the NFIP regulations. It was the consensus of the committee that produced the 2005 edition, supported through the public balloting, that certain minimum requirements should be strengthened or that additional detail is necessary provide clear guidance to designers and builders. Below I'll highlight a couple of the places where ASCE 24 "exceeds" the NFIP minimums.

When you look at the flood provisions of the International Building Code (or any state or local codes that are based on the IBC), you won't see all of the details that are so familiar to floodplain managers. You won't see a provision that specifies how high lowest floors have to be elevated. You won't see a provision that calls for flood openings in enclosures below elevated buildings in A zones or breakaway walls for enclosures in V zones. (You will see familiar provisions in the International Residential Code, which applies to one- and two-family homes and townhomes. The IBC applies to all other buildings, the ones floodplain managers refer to as "non-residential.")

What you will see when you check out the building code is Section 1612, Flood Loads. Sec. 1612.4 specifies that "The design and construction of buildings and structures located in flood hazard areas, including flood hazard area subject to high-velocity wave action, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24." Chapter 5 of ASCE 7 is where structural engineers and architects turn to understand flood loads and learn how to compute flood loads. Flood loads include hydrostatic loads (associated with the standing or slowly moving water), hydrodynamic loads (due to fast moving water), wave loads (due to breaking waves), and impact loads (caused by floating debris and ice).

Now let's take a closer look at a few requirements in ASCE 24. I recommend that floodplain managers and code officials in communities that enforce building codes that include flood provisions get a copy of ASCE 24. Short of purchasing the standard (<http://www.asce.org/>), the best source of more information is FEMA's "Highlights of ASCE 24," which you can download from the ASFPM website at: www.floods.org/PDF/ASCE24_Highlights_1008.pdf.

- **Freeboard.** ASCE 24 specifies freeboard as a function of building occupancy and flood zone. Dwellings and most other buildings have 1-ft of freeboard, and certain essential facilities have 2-3 ft. Freeboard is perhaps already the most-adopted higher standard. As reported in the August 2008 News & Views, ASFPM's information at the time indicated that more than 60% of communities that participate in the NFIP require freeboard. Additionally, I've heard the insurance folks at the NFIP say that a majority of post-FIRM buildings are "risk-rated" at BFE plus 1-ft or more.
- **Engineered Openings.** ASCE 24 provides specific requirements and procedures for calculating the size of engineered flood openings required in enclosures below elevated A zone buildings.
- **Fill.** ASCE 24 has specifications for fill, requiring fill to be stable under conditions of flooding. Compaction is specified and side slopes are to be no steeper than 1:1.5.
- **Coastal A Zone.** ASCE 24 treats the Coastal A Zone like the V Zone, requiring open foundations, designs that account for erosion and scour, and breakaway walls. All new coastal studies started after December 2008 will define the Limit of Moderate Wave Action (LiMWA),

which is the point at which wave heights drop below 18". ASCE 7, ASCE 24, and the I-Codes (and many FEMA publications) refer to the area between the V Zone boundary (3-ft waves) and 1.5-ft waves as the Coastal A Zone.

- **V Zone Foundation Design.** ASCE 24 has lots of specifications for pile design and other foundation elements, including footings, mats, rafts, grade beams, bracing, and shear walls.
- **Dry Floodproofing.** ASCE 24 limits use of dry floodproofing in several ways, including where flood velocities exceed 5 ft/sec and where conformance with certain human intervention limits cannot be achieved, including having at least 12 hours of warning time.

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Washington Legislative Report

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



Plenty of Legislative Activity

This past month and, in particular, the past two weeks, has been a busy time for a number of issues of interest to floodplain managers. A hearing on flood insurance reform was held on April 21st, followed the next week with a mark-up of three bills including that one, a bill to add a wind and flood policy to the National Flood Insurance Program (NFIP) and a bill to create a federal catastrophe reinsurance backstop. A bill to reauthorize the Pre-Disaster Mitigation (PDM) program was marked up. A Supplemental Appropriations bill to replenish the Disaster Relief Fund (DRF) passed the House in March, but stalled in the Senate. A hearing was held on legislative proposals for a Water Resources Development Act of 2010.

All of this legislative work will continue next month with the marked-up bills likely proceeding to the House and Senate floors. Hopefully, there will be some action in the Senate on the Disaster Relief Supplemental. A Stafford Act revisions bill could be considered on the House floor and a Stafford Act reform bill is likely to be introduced in the Senate. Hearings are already scheduled for the first week in May on FEMA budget priorities with respect to disasters and on WRDA proposals. Work continues on development of levee safety (or flood risk management) legislation as well as sustainable watershed planning legislation. Mark up of FY 2011 appropriations bills could begin at any time, particularly if the House takes action on a Budget Resolution.

The Three “Weather” Bills

Dubbed the “weather” bills by committee staff, the flood insurance, wind and flood and catastrophe reinsurance bills were all marked up on April 27th in the House Financial Services Committee and reported favorably to the House of Representatives. Each will be discussed separately here. Time for consideration on the House floor has not yet been scheduled, but action in May is likely.

Flood Insurance Reform Priorities Act - HR 5114

A Discussion Draft of the bill was provided to those invited to testify at an April 21st hearing about a week before the hearing took place and introduced a few days before the hearing as H.R. 5114. ASFPM was invited to testify. Executive Director Larry Larson presented the testimony which was developed with contributions from several members and is posted on the ASFPM website at: <http://www.floods.org/index.asp?menuID=334&firstlevelmenuID=187&siteID=1>. ASFPM’s testimony

noted that this bill is not a full scale reform bill and recommends that significant reform legislation be considered when FEMA completes its substantial review of input from the NFIP Listening Session last November, the AIR NFIP Evaluation and many GAO and Congressional Research Service Reports. That effort is being called, “Re-Thinking the NFIP” and is expected to report its recommendations in 18-24 months.

The bill includes a number of provisions from the version of flood insurance reform passed in the last Congress, but, significantly, does not include the section authorizing the mapping program. Map Modernization, and now RiskMAP, has never had an authorization because Map Modernization was a Presidential Initiative. The earlier provision would have provided an ongoing foundation for the program in statute, expanded some of the mapping tasks and re-established the Technical Mapping Advisory Council.

Included in this bill:

- 5 year reauthorization of the NFIP and of the Severe Repetitive Loss Pilot program
- Increase in maximum coverage limits to \$335,000 (from \$250,000) for residential, \$135,000 (from \$100,000) for contents, and \$670,000 (from \$500,000) for non-residential
- Phase-in of actuarial rates for commercial and non-primary residential pre-FIRM properties (Does not apply to multifamily rentals or primary residence (for tenant) rentals)
- 5 year delay in mandatory purchase requirement for areas newly mapped as Special Flood Hazard Areas (SFHAs). Does not delay effective date of maps, notification of flood hazard, availability of flood insurance or eligibility for mitigation
- 5 year phase-in of actuarial rates at 20% per year after end of 5 year delay in mandatory purchase
- Increase in annual cap on premium increases from 10% to 20%
- Requires equal treatment of non-federal and federal flood control projects with regard to flood insurance mapping and rating
- Directs that there be no mandatory purchase requirement in areas behind a flood control project which was built using federal data and designs but does not meet FEMA’s accreditation standards.
- Eliminates waiting period if policy is purchased within 30 days of property purchase or transfer
- Increase in penalties to federally regulated lenders to \$2,000 for each failure to enforce mandatory purchase with an increase in the annual cap in fines for institutions to \$1 million.
- Requires landlords to advise tenants of location in SFHA and availability of contents coverage
- Establishes a competitive grant for communities to conduct outreach programs to encourage purchase of flood insurance
- Requires disclosure under the Real Estate Settlement Procedures Act (RESPA) that flood insurance is available whether or not a property is in a SFHA
- Authorizes additional FEMA staff
- Requires FEMA and HUD to develop plans to verify compliance with flood insurance purchase requirements associated with Homeowner Assistance Grants in Mississippi and Road Home Grants in Louisiana
- Creates an office of the National Flood Insurance Advocate within FEMA to be funded by up to \$5 million from the National Flood Insurance Fund
- Requires a GAO study on extension of the mandatory purchase requirement to all properties in a SFHA
- Requires GAO study of ways to increase participation of low-income households in the NFIP
- Requires FEMA to conduct a 6 month study regarding inclusion of building codes in floodplain management criteria

During full Committee mark-up of the bill, seven amendments were offered, five were agreed to. Those are:

1. Manager's Amendment (by Subcommittee Chair Maxine Waters, D-CA)
 - a. expands notification requirements to include annual notification to those who reside in SFHAs, description of the flood insurance purchase requirement in SFHAs and a general estimate of actuarial rates in the area.
 - b. provides optional coverage for additional living expenses and business interruption
 - c. establishes minimum deductibles for pre and post-FIRM properties
 - d. provides that the new Office of the Advocate assist homeowners with interpreting, implementing and appealing flood insurance maps and determinations
 - e. makes demolition and rebuilding an eligible activity under the Flood Mitigation Assistance program (FMA)
 - f. requires FEMA to submit to Congress in 6 months a plan for repayment of the NFIP debt to the U.S. Treasury within 10 years
 - g. requires a GAO study of the impact of the phase-in of actuarial rates for pre-FIRM non-residential and non-primary properties, including impact on program participation

2. Rep. Garrett (R-NJ)
 - a. adds pre-FIRM properties purchased after date of enactment of this bill to the categories of properties moving to phase-in of actuarial rates (ie. non-residential and non-primary residences)

3. Rep. Scott (D-GA)
 - a. provides that a household with income below 200% of the poverty line may pay for flood insurance on a monthly installment basis

4. Rep. Speier (D-CA)
 - a. provides that lenders may not require the purchase of flood insurance coverage in excess of replacement cost

5. Reps. Maffei (D-NY) and Speier (D-CA)
 - a. makes the 5 year delay in mandatory purchase for areas newly mapped as SFHAs retroactive to September 1, 2008; clarifies that no refunds are authorized for policies purchased during the retroactive period.

Multiple Peril Insurance Act - HR 1264

This bill, introduced by Rep. Gene Taylor (D-MS), would provide for an optional flood and wind coverage policy to be offered by FEMA at actuarially sound premium rates. The bill was favorably reported, without amendment, by a recorded vote of 40-25.

Representative Taylor had introduced this bill in the last Congress as well. It was then included in the flood insurance reform bill (HR 3121) that passed the House. A similar provision was defeated in the Senate.

ASFPM has opposed the measure because it would add an unknown, significant new exposure to the NFIP. Further, it is designed to assist those properties exposed to both storm surge and wind, but could have much broader application and exposure to coverage of costs due to wind damage alone.

Homeowners' Defense Act - HR 2555

This bill was introduced last year by Rep. Ron Klein (D-FL) and has 77 cosponsors. Discussion of the bill consumed almost the entire morning of the mark-up. After considering 15 amendments and accepting 6, the bill was favorably reported out of the House Financial Services Committee by a vote of 39-26.

The bill establishes a National Catastrophe Risk Consortium, a non-profit, non-federal entity to act as a repository for state risk information, to establish a database for research and analysis on standardization of the risk-linked securities market, maintain an inventory of catastrophe risk obligations held by state reinsurance funds and others as well as other duties. Importantly, the measure provides for federally backed catastrophe reinsurance for eligible state reinsurance funds and establishes a Federal Natural Catastrophe Reinsurance Fund in the Treasury. It also sets up a \$15 million per year grant program at HUD to support mitigation of losses from natural catastrophes. Further, it requires a study of the need for and impact of expanding the programs in the Act to include coverage of losses from commercial insurance policies providing coverage for residential rental units.

ASFPM has expressed concern that a federal catastrophe reinsurance backstop could have the unfortunate effect of encouraging unwise development. Although the criteria for state reinsurance fund eligibility do include some provisions requiring mitigation efforts, ASFPM has also expressed concern that these are not sufficiently rigorous. Further, ASFPM has pointed out that the mitigation grant program to be operated by HUD establishes no connections to FEMA's mitigation program eligibility requirements, nor does it establish any connection with the state and local hazard mitigation plans required under the Disaster Mitigation Act of 2000. ASFPM made these points in a letter to the Chairmen and Ranking Minority Members of the Subcommittees of jurisdiction. That letter is posted on the ASFPM website at: <http://www.floods.org/index.asp?menuID=334&firstlevelmenuID=187&siteID=1>.

The adopted amendments include:

1. Manager's amendment by Rep. Klein
 - a. provides that the Secretary of the Treasury is authorized to set the point at which the federal reinsurance coverage is made available
 - b. provides for the Secretary to invest a portion of the Fund
 - c. provides that no less than 35% of investment proceeds be used to support funding of the mitigation grant program
 - d. directs that the GAO analyze risk based pricing to determine the use of actuarially sound pricing and rates for state insurance, reinsurance or residual market program that fail to cover exposure
2. Rep. Putnam (R-FL)
 - a. a consumer protection amendment to provide for disclosure on a website for state insurance programs, information on estimated assessments and surcharges for a range of natural disaster or catastrophic events
3. Rep. Minnick (D-ID)
 - a. provides that eligible state reinsurance programs may not cover losses from flood damage in Special Flood Hazard Areas.
4. Rep. Campbell (R-CA)
 - a. adds language on eligibility of state reinsurance programs to clarify that "actuarially sound" means "cover the expected value of all future costs associated with insurance policies or reinsurance contracts written by such program".
5. Rep. Bachmann (R-MN)
 - a. provides that the Consortium may not make any political contributions or hire a lobbyist
6. Rep. Campbell (R-CA)
 - a. provides for somewhat reduced amounts under the debt guarantee program for state catastrophe insurance programs

Pre-Disaster Mitigation Reauthorization - S.3249

The Senate Committee on Homeland Security and Governmental Affairs marked-up and favorably reported a bill to reauthorize the Pre-Disaster Mitigation (PDM) grant program on April 28th. The measure codifies the program as a competitive grant program, reauthorizes it for 5 years and authorizes \$180 million in FY 2011, \$190 million in FY 2012 and \$200 million annually for the remaining 3 years.

The program will expire if not reauthorized before September 30, 2010. It has been reauthorized for the past two years as a part of appropriations bills. The House did pass a bill last year which is similar to this one, but it was not taken up in the Senate. At present, HR 3377, a bill revising the Stafford Act and including a reauthorization of PDM, has been reported out of committee and is awaiting consideration on the House floor.

Amendments

The only amendment accepted during mark-up was one offered by Senator Tom Coburn (R-OK). It prohibits the use of PDM funds for earmarked projects. It does include a requirement that if any funds are provided outside of the competitive process, the FEMA Administrator must report to Congress as to the reason.

Another amendment was offered by Senator Mark Pryor (D-AR) which would have included flood control projects as eligible for PDM funds. He withdrew his amendment but made clear his concern that the cost of levee certification, repair and improvement associated with updated flood maps is a serious, unresolved problem. He was seconded in expression of this concern by Senator Jon Tester (D-MT).

Stafford Act Revisions and Reform

In the House, HR 3377, mentioned above, makes a number of revisions to the Stafford Act. The bill has been reported out of the House Committee on Transportation and Infrastructure and is awaiting consideration on the House floor, which could occur in May. A Manager's amendment (Committee Chairman's amendment) is likely to be offered on the floor, making some further revisions to the Act.

In the Senate, Senator Mary Landrieu (D-LA), Chairman of the Disaster Recovery Subcommittee of the Homeland Security and Governmental Affairs Committee, is developing a more comprehensive Stafford Act Reform bill. She is likely to introduce the bill in May. Her staff has consulted with the Stafford Coalition (of which ASFPM is a member) on its planned contents and has asked for recommendations.

Water Resources Development Act 2010

Progress towards a Water Resources Development Act of 2010 (WRDA 2010) is continuing in the House. Plans still call for introducing a draft bill in late May or early June. Two hearings have been held by the Water Resources and Environment Subcommittee of the House Transportation and Infrastructure Committee. ASFPM submitted Testimony for the Record associated with a hearing held on April 15th. That testimony is also posted on the ASFPM website at:

<http://www.floods.org/index.asp?menuID=334&firstlevelmenuID=187&siteID=1>.

Pursuant to ASFPM's comments for the National Committee on Levee Safety's Review Committee developed by Vice Chair Sally McConkey, the ASFPM testimony reflects the view that a "levee safety" program should take a broad flood risk management approach to include both structural and non-structural options for dealing with flood risk in the nation.

The subcommittee has been working its way through many projects recommended by various Members of Congress as well as working to develop a section of the bill on levee safety and flood risk management.

The Senate Environment and Public Works Committee has asked Senators for their project recommendations and has scheduled a hearing on development of a WRDA 2010 and its relationship to jobs and economic development for May 6th.

Appropriations

Disaster Supplemental Appropriations - HR 4899

HR 4899, making a supplemental appropriation of \$5.1 billion to replenish the Disaster Relief Fund (DRF), passed the House on March 24th. Because the measure also included funds for a summer jobs program, it has encountered problems in the Senate because of the view of some senators that the cost of the summer jobs portion should be offset by savings elsewhere. At present, it seems likely that the Senate leadership will associate the Disaster portion of the bill with the War Funds Supplemental that is also pending. The near depletion of the DRF has already resulted in the curtailment of activity in mitigation and other programs at FEMA.

Budget Resolutions

Usually, the House and Senate both pass Budget Resolutions making assumptions about expenditure levels for the coming fiscal year. Those assumptions then form the basis for the Appropriations Committees' allocation of spending ceilings to guide the work of their various subcommittees.

The Senate Budget Committee reported out its Budget Resolution, S. Con. Res. 60, on April 26th and it is awaiting consideration on the Senate floor. The House Budget Committee, on the other hand, has not yet put together a Budget Resolution. Apparently, disagreements within the Democratic Majority have impeded action. Committee Chairman John Spratt (D-SC) has noted the importance of action soon because the Appropriations subcommittees must begin to mark up their FY 2011 spending bills.

As of yet, no regular appropriations bills for FY 2011 have been marked up in either the House or Senate. A number of subcommittees are continuing to hold hearings to examine agency budget requests.

All legislation referenced (except drafts) can be found by going to: <http://thomas.loc.gov>.

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WWW.FLOODS.ORG Corner

Over the course of the year, ASFPM will be "showcasing" new features and options available on the ASFPM website. If you have something you'd like us to share, please contact Kait Laufenberg at Kait@floods.org.

Training & Outreach Libraries

The Training & Outreach Committee has been diligently collecting and requesting available materials and resources to share from our chapters, states, and other partner agencies to build a resource library for our members. With the new version of our website going "live", ASFPM was able to publish these resources for member use and review.

While ASFPM cannot confirm the currency or accuracy of the available resources, the Training Library and Outreach Library compile a variety of sample training and outreach materials, resources, and references for others to refer to that are being or have been used in the past by our partners. Resources are available for individuals, states, and agencies to use as a starting place to see how others are "doing"

training and outreach. Since rules and regulations are substantially influenced by the quirks of State and local laws and ordinances, as well as ever changing Federal law, regulation and policy as well as court decisions ASFPM encourages users to use these presentations for ideas and concepts-- responsibility for content is your own.

- Training Library:
<http://www.floods.org/index.asp?menuID=354&firstlevelmenuID=182&siteID=1>
- Outreach Library:
<http://www.floods.org/index.asp?menuID=353&firstlevelmenuID=182&siteID=1>
- To submit material for inclusion in the Training or the Outreach Libraries, contact the ASFPM Training Committee:
<http://www.floods.org/index.asp?menuID=255&firstlevelmenuID=183&siteID=1>
- ASFPM developed Training Materials:
<http://www.floods.org/index.asp?menuID=237&firstlevelmenuID=182&siteID=1>

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CFM® Corner

Email for certification questions is 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, 2010 are being sent a letter and renewal form via snail mail. If you have not received yours in the mail by May 31st, please contact Anita Larson at cfm@floods.org, so your CFM does not expire.

CECs needed per year

This is a reminder that the 16 CECs required for your CFM renewal period are calculated on the yearly dates based on your expiration date. If your CFM expiration date is 7/31 then the CECs must be earned between 7/31- 7/31 of each year and not on a calendar year.

ASFPM Conference – Oklahoma – CFM Activities

Besides earning 12 core CECs for attending the conference, don't miss this opportunity to learn and meet floodplain experts from all over the nation. Join us for the Certification Early Bird Session on Wednesday, May 19th, 7:00a.m. - 8:15a.m. Attend this Session and share your experiences, frustrations and recommendations on how to improve the system. Diane Calhoun, CBOR ex-President and John Ivey, CFM Exam Workgroup will be there to take your questions and share their knowledge.

Remember- ASFPM automatically enters the CECs for you after the conference, no need for a paper certificate.

CFM Success Story

This was recently submitted regarding new CFM, Mac K. Willingham

Leesburg, VA (March 19, 2010) – Mac K. Willingham, Senior Engineer with the Town of Leesburg's Department of Plan Review, recently received Certified Floodplain Manager (CFM) designation from the Association of State Floodplain Managers (ASFPM). Responsible for managing the Town's FEMA

(Federal Emergency Management Agency) floodplains, Mac reviews all land development applications that involve modifications or alterations to existing floodplains before those plans are sent to FEMA for approval.

“When we send plans to FEMA, having a Certified Floodplain Manager review the plans will give our applications a higher level of credibility,” explained Bill Ackman, Director of Plan Review, and Mac’s supervisor. “We anticipate that future floodplain alteration applications will go through the FEMA review process more smoothly with fewer comments and changes needed, now that we have a CFM on staff.”

Mac has been with the Town of Leesburg since July 1985. He received his Bachelor’s Degree in Civil Engineering from West Virginia University in 1979. Mac has completed the prerequisites to take the Professional Engineer (PE) license exam, and plans to sit for the exam this fall.

“Management of our floodplains has been increasing in importance over the past decade. Floodplains associated with Town Branch and Tuscarora Creek impact significant sections of the Town, and as we look to develop or redevelop these areas, having floodplain management expertise on staff will enable the Town to work with the development community to protect and enhance the Town’s natural environment,” commented John Wells, Town Manager.

“Our organization’s greatest assets are the staff, and we make every effort to invest in our people. Mac’s Certified Floodplain Manager designation reflects our commitment to providing the highest quality services to our residents,” Wells added.

It’s nice to see recognition from communities regarding the importance of having a CFM on staff.

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News from Chapters

Chapter Chairs or Chapter newsletter editors are encouraged to email Kait Laufenberg at kait@floods.org with articles or information happening in your Chapter.

ASFPM Chapter Meeting 2010 in Oklahoma City!

Chapters and their members are invited to attend the ASFPM Chapter Meeting in Oklahoma City, OK, Room 20 of the Cox Convention Center on May 19th from 1:00pm - 3:30pm. Chapters Board Members are strongly urged to attend this meeting. Agenda items are still being accepted, and we will add them to the agenda as time allows. Please send your agenda items to Kait Laufenberg at Kait@floods.org. Any topics we can't cover in Oklahoma will be put on the list for our next "All Chapters" Call - TBD in July 2010. All chapters will receive electronic copies of the Chapter Meeting materials afterward so you can review them even if you aren't able to attend. We look forward to seeing you in Oklahoma!

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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>.

May 5 – 7, 2010	AZFMA Conference, Wickenburg, AZ	Arizona Floodplain Management Association
May 14 – 15, 2010	NYSFSMA Spring Workshop, Oneonta, NY	NYSFSMA and Delaware County Soil & Water Conserv. Dist.
May 16 – 21, 2010	ASFPM 34 th Annual National Conference, Oklahoma City, OK	Association of State Floodplain Managers
May 23 – 28, 2010	Florida Governor’s Hurricane Conference, Ft. Lauderdale, FL	View Website
May 26 – 28, 2010	IWRA Spring Symposium, Purdue Univ, Indiana	Indiana Water Resources Association
June 2 – 4, 2010	Eastern Region Flash Flood Conference, Wilkes-Barre, PA	View Website
June 7 – 10, 2010	TFMA Conference, Fort Worth, TX	Texas Floodplain Management Association
June 15 – 18, 2010	CWRA Annual National Conference, Vancouver, British Columbia	Canadian Water Resources Association
June 27 – July 1, 2010	Joint Federal Interagency Conference, Las Vegas, NV	View Website
July 12 – 14, 2010	SAME-ASCE Midwest Levee Conference, St. Louis, MO	View Website
May 15 – 20, 2011	ASFPM 35 th Annual National Conference, Louisville, KY	Association of State Floodplain Managers

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Job Corner

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

Technical Coordinator - Community Hazard Mitigation ISO

We're ISO — the leading source of information about risk. We supply data, analytics, and decision-support services for professionals in many fields, including insurance, finance, real estate, health services, government, and human resources. Our products help customers measure, manage, and reduce risk. We offer a competitive salary, a solid benefits package with medical, dental, and a 401(k).

Currently we have an excellent opportunity for a Technical Coordinator Community Hazard Mitigation Programs with the location to be determined later. Your major responsibilities will involve:

- Coordinating activities associated with Community Rating System (Flood) Program with other community mitigation programs (Building Code Evaluation and Public Protection)
- Coordinating Flood Program with other ISO programs and services
- Providing technical support for the Flood Program
- Coordinating flood publications distribution with ISO Vendors and ISO Customer Service
- Coordinating and providing program support to Information Technology staff for software development and testing
- Providing technical support to Corporate Communications for marketing and advertising flood program products and services (brochures, displays/booths, etc.)
- May assist as the need arises with corporate policy support for the Building Code Evaluation and Public Protection Programs

We are looking for individuals who possess some of the following knowledge and skills, and/or experience:

- College Degree with a minimum of 4-6 years work related experience in floodplain management, emergency management, evaluation of community building code, and/or municipal fire protection analysis
- Undergraduate/graduate degree in fire protection, occupational/industrial safety, risk management, homeland security, engineering, or insurance-related program
- Thorough understanding of municipal fire department administration, building construction, hazards associated with building occupancies, and loss mitigation techniques
- A working knowledge of computers including Microsoft Word, Excel, Access and Power Point
- Excellent verbal and written communication skills, public speaking and good math skills
- A working knowledge and/or understanding of hydrology and hydraulics, Geographic Information Systems (GIS), topographic mapping and map reading skills, surveying, planning, construction plan review, storm water regulations, etc.
- Applicant must have good customer service skills, be self motivated, detail oriented and possess good organizational skills
- Certified Floodplain Manager (CFM) certificate required (if not currently a CFM, must complete course of study and attain CFM certification within one year of employment)

If you would like to apply for this position, please visit our website: www.jobs-isofamily.icims.com, keyword search; 20193. ISO is an equal opportunity employer.

Program Specialists

University of Oregon Community Service Center - Oregon Partnership for Disaster Resilience (OPDR)

The OPDR Program Specialist will work collaboratively with other OPDR and CSC staff to conduct a variety of professional planning duties related to comprehensive community, regional and statewide natural hazard and emergency management planning. The OPDR Program Specialist will provide planning support to the OPDR Pre-Disaster Mitigation (PDM), Catastrophic Recovery Planning (CRP) and Oregon-Disaster Resistant University (DRU) programs. Examples of duties include, but may not be limited to: applied research, data collection, plan development, stakeholder and public process coordination, community outreach design and implementation, conducting community needs and risk assessments, and developing / presenting professional training materials and presentations.

In addition, the Program Specialist may engage in the following activities:

- * Provide project management and guidance to PDM, CRP and DRU communities / stakeholders;
- * Develop and deliver community PDM, CRP and DRU training programs and workshops;
- * Coordinate outreach activities;
- * Coordinate with partners or stakeholders;
- * Conduct community visits to ascertain need and assess the progress of projects;
- * Conduct outreach to new communities and potential students/interns;
- * Serve as project advisor/instructor to student teams in the Community Planning Workshop (CPW);
- * Serve as project advisor to Resource Assistance for Rural Environments (RARE) community placements working on OPDR funded projects;
- * Project reporting and evaluation; and
- * Other duties as assigned.

For more information on this position visit the UO Jobs page at:

<http://hr.uoregon.edu/jobs/unclassified.php?id=2944>

The Community Service Center and the University of Oregon are committed to promoting and enhancing diversity in the workplace.

CZM Program Manager

Hawaii Coastal Zone Management

Starting April 30, the Hawai'i Coastal Zone Management Program will begin accepting applications for a new CZM Program Manager. Recruitment will happen through the State of Hawai'i, Department of Human Resource Development (DHRD) website at: <http://hawaii.gov/hrd/> or through: <http://agency.governmentjobs.com/hawaii/default.cfm>. Recruitment will close on May 10 and applicants are urged to submit complete applications as soon as possible after recruitment opens. DHRD accounts can be created in advance of the opening to facilitate the application process. The Hawai'i CZM Program Manager administers and coordinates the planning, development and implementation of the Hawai'i Coastal Zone Management Program which determines acceptable activities and uses of resources for Hawai'i's valuable land and water resources in the State's coastal zone.

For more information please contact: Mary Lou Kobayashi, Planning Program Administrator, State of Hawai'i, Office of Planning, mlkobaya@dbedt.hawaii.gov; or Abbey Seth Mayer, Director, State of Hawai'i, Office of Planning, amayer@dbedt.hawaii.gov.