

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

In August, the Association held a Committee Retreat in Madison, Wisconsin. Representatives from each Policy Committee, along with the Facilitators for each Committee POD, met to discuss their work plans for the coming year and how to be more effective in implementing the Goals and Objectives of the Association. The people attending the Committee Retreat exemplify what this organization is really about – people working together to make a difference. The individuals attending this retreat believe in the ASFPM Goals and Objectives and the commitment of the ASFPM membership to make a difference.

It is people like the Committee Co-Chairs and other volunteer members who offer their time, energy, and expertise that make ASFPM strong. I have heard this from agencies and other non-profit organizations who marvel at our volunteer organization's commitment. The ASFPM is only as strong as you, the members, allow it to be. Your input, participation, and support in any and all of the ASFPM's activities is encouraged and needed. As ASFPM continues to grow in both membership and in stature, more individuals need to get involved to make sure their voices are heard on issues of concern to them. This action will lead to the realization of our mutual goal of improving floodplain management in the nation.

If you have not been involved in any of our 13 policy committees, I encourage you to get involved. Go to the ASFPM website at www.floods.org and check out the information on the committees that interest you. If you would like to volunteer for one of the committees, contact that committee's co-chairs to see how you can help.

**Notice: Watch for the
Call for Abstracts for
the 2009 Conference
by the end of
September.**

Samantha 'Sam' Riley Medlock, JD, CFM has joined the ASFPM staff as Policy and Partnership Program Manager, serving dual roles with the Association and the ASFPM Foundation. Sam will provide leadership to the Association and Foundation policy initiatives, working closely with Merrie Inderfurth, the Washington Liaison, while developing a partnership with allied agencies, organizations, and academia in service to our members and mission.

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National Floodproofing Conference IV



ASFPM, along with co-sponsors U.S. Army Corps of Engineers Headquarters & National Non-Structural Flood Proofing Committee and DHS - Federal Emergency Management Agency Mitigation Directorate, invite you to participate in the National Floodproofing Conference IV.

We will highlight the various floodproofing methods, products, techniques, programs, funding sources, and issues that have developed since the first three triennial Floodproofing Conferences in 1999, 2002, and 2005. Elevation, wet floodproofing, dry floodproofing, buyout, acquisition, relocation, and the policies surrounding these issues will be discussed in detail. Don't miss our four jam-packed days of outstanding presentations, training workshops, a technical field tour, products and services exposition, and networking opportunities.

Please visit www.floods.org/NFPC4 to download the Conference Brochure, including agenda, as well as the Registration Form. The early registration discount deadline is October 17, 2008!

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Maurstad Departs From FEMA



Please join ASFPM in sending best wishes to David Maurstad on his departure from the Federal Emergency Management Agency - his resignation is effective September 13, 2008. Maurstad joined FEMA as the Region VIII Mitigation Director in 2001 and served as Director of FEMA HQ's Mitigation Division and Federal Insurance Administrator since June 2004 (acting and then appointed). The nation's floodplain managers, DHS, and FEMA have benefitted greatly from his stellar leadership and steady hand, straight-forward approach, and ability to move along policy and practice issues for best flood protection and flood loss reduction. A significant accomplishment was his role in establishing the Intergovernmental Flood Risk Management Committee jointly with General Riley of the USACE and the leadership of ASFPM

and NAFSMA. This provides the necessary foundation to forge future policy adjustments, filling a void of more than 15 years, and has already led to positive results. ASFPM has the highest regard and respect for all David Maurstad has done to help the citizens of America be safer from the ravages of floods, and we are fortunate to have had his guidance and cooperation. He will truly be missed as the leader of the Mitigation Directorate.

FEMA Administrator David Paulison has just announced that Michael Buckley will serve as Acting Assistant Administrator for FEMA Mitigation Directorate and Ed Connor will serve as Acting Federal Insurance Administrator, effective September 13, 2008. Mike has been with FEMA since 1980 and is currently the Deputy Assistant Administrator for Mitigation where he oversees several programs including five Hazard Mitigation Grant Programs, the National Flood Mapping Program, the National Earthquake Hazard Reduction Program, the Dam Safety Program, and other administration initiatives. Ed has been with FEMA since 1992 and is currently the Deputy Assistant Administrator for Insurance. Mike and Ed have played critical roles in working to transform the Mitigation Directorate into a highly effective organization in the new vision for FEMA.

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Hot Off the Presses: A New Law Journal Article for Floodplain Managers

Floodplain management is a multidisciplinary art operating at the nexus of planning, engineering, meteorology, GIS, natural resource management, economic development, civil security, emergency management, social psychology, and law. Any new development that is allowed to adversely impact other properties may make a community liable for resulting harm, even if minimum floodplain management standards are met. Therefore, it is incumbent upon local officials to adopt flood regulations that protect their communities, then fairly and consistently administer and enforce their regulations. Of course, this may be easier said than done.

A new tool is available to help guide floodplain managers and other public officials in the effective development and administration of their programs to reduce flood losses. Edward A. Thomas, Esq., and Sam Riley Medlock, CFM, JD, teamed up to author the first law journal article to address No Adverse Impact floodplain management. The article, [*Mitigating Misery: Land Use and Protection of Property Rights Before the Next Big Flood*](#) was published in the [*Vermont Journal of Environmental Law*](#), one of the world's leading publications of scholarship on land use and environmental law. Thomas and Riley Medlock dedicated their article to Jon Kusler, Esq., Ph.D., and to the Association of State Floodplain Managers in recognition of their leadership at the nexus of floodplain management and law.

In their article, Thomas and Riley Medlock explore the various types of legal challenges that can arise in the floodplain management context, debunking certain myths regarding community liability. Local boards and officials who act to protect their communities from flood hazards may face two types of legal challenges. An owner of land in a floodplain may challenge zoning or other regulations limiting the use of that land as an unconstitutional “taking.” Other land owners, whose property has been damaged by flooding, may claim that the municipality is liable for the damage because it was caused by municipal action or inaction. Careful local planning and regulation is the best defense to either challenge. Ultimately, state and local governments are more likely to be successfully sued for engaging in activity that causes or exacerbates damage in future floods than for prohibiting such development.

Although the article is provided for information purposes and does not constitute or replace advice from a lawyer licensed in your jurisdiction, it supplies practitioners in all fields with the timely and comprehensive reporting on the current state of the law to help prevent both liability and harm.

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“A Comparative Look at Public Liability for Flood Hazard Mitigation”

A final draft of a legal document titled “A Comparative Look at Public Liability for Flood Hazard Mitigation” is now posted on the ASFPM website. This legal document was prepared by Dr. Jon A. Kusler, Esq. with funds provided by the Association of State Floodplain Managers Foundation.

The legal paper takes a comparative look at government liability for flood hazard mitigation measures. A very important finding in this paper is that based on the legal review, a majority of courts now hold governments liable for flood damages which resulted from permits issued by a community. This document is in final draft and is posted on the ASFPM website at:

http://www.floods.org/PDF/ASFPM_Liability_for_mitigation_actions_Aug_2008_Kusler.pdf.

Comments or corrections will be accepted concerning this document until September 30, 2008. Please submit your comments or corrections to Becky Head, Executive Office, at memberhelp@floods.org.

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FEMA Issues Policy on Digital Data Use and Releases New Digital Tools

One of the major benefits expected from FEMA's Map Modernization Program (Map Mod) is the ability to use new state of the art digital maps in place of the paper flood maps. Over the past several months, FEMA has issued a Policy for Use of Digital Flood Hazard Data, released a new National Flood Hazard Layer product (NFHL), begun consistently delivering digital products at the same time as the paper maps, produced a suite of tools for using digital flood data and published users' guides for the new products. While production and adoption of the digital data under Map Mod will continue for another couple of years, the basic tools are now in place to realize the vision of using all digital products.

It is now possible for a user with an accurate GPS position to lookup the flood zone for that location instantly using the online NFHL service that is updated daily. In addition, a community may use their digital flood data published by FEMA in 2006 with new aerial photos produced by the community in 2008 to create a custom view of the floodplain for official National Flood Insurance Program (NFIP) business.

Congress included a provision in the National Flood Insurance Reform Act of 2004 that said that both the digital flood hazard data and paper products produced from it are legal for the NFIP. FEMA's Policy for Use of Digital Flood Hazard Data clarifies the implementation of this law. The policy defines the official paper and digital products produced by FEMA. The policy allows users to combine their own base map with the FEMA flood data, provided it meets FEMA's accuracy standards. This allows users to benefit from more recent and accurate local base map data without waiting for approval from FEMA. The policy defines the horizontal location of the flood hazard directly through mapping coordinates, rather than defining the location relative to the base map. This makes it possible to always get the same result with any paper or digital product even when FEMA's flood hazard data is combined with a local base map.

Of course no one has to give up their paper maps just yet. Users may continue to use the paper maps just as they always have. On the other hand, users may now elect to switch to FEMA's Digital Flood Insurance Rate Map (DFIRM) Database product as the official version of the FEMA designated floodplain. This applies to use of the maps for mandatory insurance purchase decisions, insurance rating and applies to local zoning and permitting, provided that state and local laws permit it.

For those users who are interested in the new digital tools, there are now several options available through the FEMA Map Service Center <http://msc.fema.gov>.

- **FIRM Scans:** For users who need basic access to flood hazard maps over a specific geographic area like a town, county or state, FIRM Scan images are digital pictures of entire flood maps. They can be downloaded or delivered on DVD and viewed and printed from a computer. FIRM Scan images provide a simple, convenient replacement for paper maps. To print the entire map, a specialized large format printer is needed, but FEMA provides *FIRMette – Desktop* software to print a portion of the map (a FIRMette) on any printer.
- **FIRMettes:** Online FIRMettes are the simplest way to see a flood hazard map for a specific location. FIRMettes show a section of a FIRM Scan image and the map scale, north arrow, and map identification information needed for NFIP activities. Users can save FIRMettes on their computers and print them. The online *FIRMette-Web* tool provides users with the information they need immediately at no cost.
- **MapView – Web:** For users who want to do more than the simple FIRMette product allows and are comfortable with other online mapping sites, the *MapView – Web* tool provides additional capabilities. The viewer allows users to select the flood hazard information to be displayed and to create custom maps and reports.

- **DFIRM Data:** Organizations with Geographic Information Systems (GIS) capabilities may be interested in the Digital Flood Insurance Rate Map (DFIRM) data. This product is designed for use with specialized GIS software, and provides a tool for mapping and analysis that is much more powerful than traditional map products. DFIRM data are available for many of the highest flood risk areas. The data are available as community- or county-based DFIRM Databases that can be downloaded or delivered on DVD. The data are also available in the NFHL, which also includes the content of subsequent changes from Letters of Map Revision. The online version, available through *MapView* – Web and as a Web Mapping Service, is updated daily. The statewide GIS data, delivered on DVDs, are updated monthly. FEMA also offers a *MapView* – Desktop tool for viewing DFIRM databases and NFHL datasets loaded on your computer.
- **Web Mapping Service:** Some GIS users may wish to access to the NFHL through a web map service. The web map service provides flood hazard information online, on demand, and can be used with most GIS software and web-based mapping applications. The NFHL web mapping service works with Google Earth™. A setup file that loads the data automatically into Google Earth is available from the Map Service Center, <http://msc.fema.gov>.

While this is a significant milestone, there is still more to be done. FEMA will continue to explain these new products to the users and encourage their use. FEMA will reach out to the main users of FEMA flood hazard products, assess the needs of these users and explain the benefits of the new products and services. FEMA will look at the demand for paper map products and strategies to cost effectively meet the remaining needs for paper. This will also require a full review and update of program forms, guidance, training materials and related information to reflect the new flood hazard data products.

FEMA will also continue to transform our flood hazard data production processes to focus on delivering digital flood hazard products cost effectively and streamlining legacy processes that are no longer suitable in a digital environment. These process improvements will allow FEMA to deliver better products, more cheaply and in ways that better meet the needs of NFIP stakeholders.

FEMA will also work to use new power of the digital flood hazard products and tools to improve operations and integration across the Risk Analysis Division, Mitigation and FEMA. This technology may allow FEMA to take a geographic approach to mitigation, more fully and effectively assess community risks, support better planning, evaluate the benefits of hazard mitigation projects, underwrite and service flood insurance and support the emergency management mission of FEMA and DHS.

For more information about FEMA’s flood hazard data products:

Digital Flood Data Policy and Product Information:
<http://www.fema.gov/library/viewRecord.do?id=3235>

For more information about the NFHL:
<http://www.fema.gov/library/viewRecord.do?id=3286>

Additional documentation for many of these items is available from the FEMA library. Go to <http://www.fema.gov/library>, and use keyword “NFHL” to locate these items.

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Emergency Management Institute (EMI) Training Opportunities

Immediate vacancies are available to fill for the following courses. EMI pays travel and lodging for all Tribal, State and local government employees for courses at NETC, you or your agency must pay for meals.

Please go to the EMI web-site for more information at: www.training.fema.gov/EMICourses/ or contact the NETC Admissions office at 301-447-1035.

E194 Advanced Floodplain Management Concepts

This course consists of four modules: Local Floodplain Manager Roles and Responsibilities; NFIP Floodplain Rules and Regulations in Depth; NFIP: LOMC's 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.

Selection Criteria: Full time Floodplain Managers with more than three years of full time floodplain management experience.

Course Length: 4 days

CEC's: 12 (core).

Course will be offered: October 13-16, 2008; May 4-8, 2009; August 10-13, 2009

E270 Managing Floodplain Development Through the NFIP: Train the Trainer

This course is designed to train subject matter experts in how to deliver an effective and interesting course on floodplain management topics. The E273 course is used as the basis for delivery of this training. Participants will be expected to pick two sections of the new course and be prepared to teach them to the full class, and then to receive constructive feedback regarding their presentation. Two days of the course are dedicated to the various factors that can make a training exceptional and effective, with the remaining 2 days used for practice and evaluation. Video tapes will be made so that participants can review their own performance and critique themselves at their leisure.

Selection Criteria: Participants should be thoroughly familiar with the course material and experienced enough to teach the class and answer in-depth questions.

Recommended: Participants should have attended the new E273 course, Managing Floodplain Development through the NFIP.

Course Length: 4 days

CEC's: 12 (core)

Course will be offered: October 20-23, 2008; June 8-11, 2009; September 21-24, 2009

E282 Advanced Floodplain Management Concepts II Course

This advanced floodplain management course is a dynamic and interactive instruction that covers the following four topics in great detail: Considerations for Placement of Manufactured Homes and Recreational Vehicles in the Floodplain, NFIP Flood Insurance Principles for the FPM, Higher Standards in Floodplain Management, Hydrology and Watershed Processes for the Non-Engineer. Each of these topics are designed to be discussed and reviewed in greater detail than any basic 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 rules and regulations but also why they are in place and how to apply them in these particular topic areas. This course is exercise-rich and participants can expect to be engaged throughout much of the course.

Selection Criteria: Full time Floodplain Managers with more than three years of full time floodplain management experience.

Course Length: 4 days

CEC's: 12 (core)

Course will be offered: November 3-6, 2008; February 2-5, 2009; July 6-9, 2009

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News from CSO

The following is information from the August 15, 2008 issue of The CSO Weekly Report

NOAA/FWS Study Finds Continuing Loss of Coastal Wetlands

A joint NOAA Fisheries/U.S. Fish and Wildlife Service analysis report shows a loss of 59,000 acres per year in the coastal watersheds of the Atlantic Ocean, Great Lakes, and Gulf of Mexico, although a 2006 report on national trends in wetlands between 1998 and 2004 reported a net increase of 32,000 acres per year. This causes concern, as coastal wetlands are important habitat for commercial and recreational fish, waterfowl, and other species, and they protect coastal communities from the effects of coastal storms and floods.

A majority of the wetland loss occurred in the Gulf of Mexico, but wetland loss in southern Louisiana accounts for only about a quarter of the total in the Gulf of Mexico. The study found development to be the primary factor in the loss of freshwater coastal wetlands, and conversion to deepwater habitats was the primary factor in the loss of saltwater coastal wetlands. Emphasis on coastal wetland conservation - both protection and restoration - will be needed to reverse the loss of coastal wetlands.

A summary of the study results has been published in the July/August edition of the National Wetlands Newsletter, published by the Environmental Law Institute. A full report will be jointly issued in the fall of 2008. For more information contact: Susan-Marie Stedman, NOAA Fisheries, Office of Habitat Conservation at susan.stedman@noaa.gov or 301/713-4300 x132.

Grant Funding Available For Estuarine Research

The National Oceanic and Atmospheric Administration (NOAA) is seeking to establish a national estuarine research and technology program which operates in partnership with the National Estuarine Research Reserve System (NERRS). Funds will be used to conduct collaborative research and transform the best available science into practical innovative tools that coastal managers can use to detect, prevent, and reverse the impacts of coastal pollution and habitat degradation. Additionally, the program will provide coastal and estuarine managers a better understanding of what tools are available, how well they work, and how best to apply them to detect, prevent, and reverse the impacts of coastal pollution and habitat degradation. For more information on funding:

<http://www07.grants.gov/search/search.do?&mode=VIEW&flag2006=false&oppId=42319>

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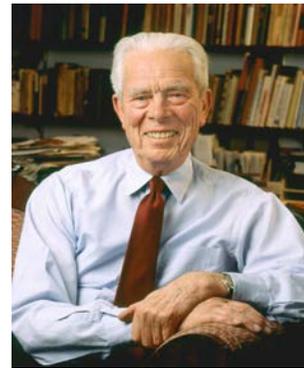
Floods and Public Safety Letters to Presidential Candidates – 2008

The Association of State Floodplain Managers (ASFPM) recently sent letters to both Presidential candidates John McCain and Barack Obama concerning flooding disasters and disaster response. ASFPM provided comments and recommendations to the candidates about improvement to existing approaches in reducing flood disaster costs and human suffering. These letters are posted on the front page of the ASFPM website at www.floods.org.

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Living with Nature's Extremes

Now more than ever the words of wisdom in this combination biography and memoir of Dr. Gilbert Fowler White are applicable to what is occurring in the present-day world of water and weather. Gilbert was an eminent, public-minded geographer who for over 70 years studied nature's extremes, the hazards they posed for humanity, and the political, scientific, and philosophical issues regarding their mitigation and effective societal response. He believed with a passion that any person can make a significant difference in this world. You are sure to find inspiration in this book, available from ASFPM for \$15 per copy, which includes shipping – contact memberhelp@floods.org or call 608-274-0123.



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Rebuilding in New Orleans & Complacency in Florida

Recently there have been a number of articles published regarding the status of the rebuilding efforts in New Orleans. There has been much debate over the past few years regarding the best path to take with the rebuilding efforts and the effectiveness of the measures being taken. These issues have become especially relevant in the recent weeks with all of the hurricane activity along the Atlantic and Gulf Coasts. We thought a couple of the articles were especially noteworthy and we encourage our members to check them out.

New Orleans Repeating Deadly Levee Blunders, by Cain Burdeau, Associated Press.

[Click here](#) to read the full article.

Three Years After Katrina, Innovation is too Scarce, from the Opinion page of USA Today.

<http://blogs.usatoday.com/oped/2008/08/three-years-aft.html>

On a related topic there was also an interesting article in the New York Times about the growing level of complacency towards hurricanes in Florida in recent years.

In Florida, Turning a Blind Eye to Hurricanes, By Damien Cave and Yolanne Almanzar, Published August 15, 2008 <http://www.nytimes.com/2008/08/16/us/16hurricane.html?hp>

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No Adverse Impact (NAI) Promoted Locally

More than 50 Wisconsin communities that incurred substantial flood damage during Wisconsin's June and August 2008 federal disaster declarations have been introduced to some of ASFPM's publications for help. "No Adverse Impact: A Toolkit for Common Sense Floodplain Management", "Community Liability and Property Rights", and other NAI information were provided to those communities considering a variety of mitigation options. The need was recognized by FEMA Disaster Assistance Employee Jim Kennedy (retired Oregon State Floodplain Manager), "because there is no comparable FEMA publication". Kennedy said, "All seemed to be aware of liability issues, but until now had not really considered those as associated with floodplain management. The NAI publications were very much appreciated". Jim finds ASFPM very willing to help FEMA officials get these publications in the hands of community planners during the immediate disaster recovery mode. See how we can help you help YOUR communities – contact Member Services Coordinator Becky Head at memberhelp@floods.org or 608-274-0123.

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ASFPM Forms Dam Safety Work Group

ASFPM has formed a Work Group to discuss concerns and issues regarding dams. Al Goodman, ASFPM Chair, appointed Les Bond to serve as Chair for this Work Group, which will discuss and develop policies for ASFPM on dam safety and other floodplain management issues related to dams. This Work Group will primarily conduct business by regular conference calls and email. The first conference call for the Work Group will be held on **Tuesday, September 30th at 11:30am EST**. If you would like to be a member of this Work Group, please contact Becky Head, Executive Office, at memberhelp@floods.org by September 19th, 2008.

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ASFPM Comments on US Climate Change Science Program Document

ASFPM was invited to provide comments on the First Draft of the U.S. Climate Change Science Program (CCSP) Unified Synthesis Product (USP). This product is an integrative summary of the 21 Synthesis and Assessment Products of the CCSP, as well as the recent Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report, and other recent results that have appeared in the scientific literature. The USP is a significant contribution that will provide a single coherent analysis of the current understanding of climate change science, summarizing the contributions of the CCSP Program, and identifying important gaps in the science.

A number of ASFPM experts and members contributed to our comments on this important document on US Climate Change. You can view a copy of the full USP draft report on the web at: <http://www.climatechange.gov/Library/sap/usp/public-review-draft/>. You can view a copy of ASFPM's comments on this draft on our website at: http://www.floods.org/PDF/ASFPM_Climate_Change_08-08_comments.pdf.

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U.S. Geological Survey (USGS) – Water for America Initiative

The U.S. Geological Survey (USGS) recently announced a new project, “Water for America Initiative.” The mission of the USGS is to provide scientific information to support decision-making on issues of resources, environmental quality, and national hazards. The U.S. Geological Survey’s 2007 – 2017 Strategic Plan, and a recent National Science and Technology Council Strategic Plan, call for conducting a national water census to assess water availability and use. This would be the first comprehensive national water availability and use assessment to be conducted in 30 years. The USGS has developed a website for the “Water for America Initiative” at <http://water.usgs.gov/wsi/>. The USGS is currently scoping the effort to carry out this water census and asked their stakeholders’ organizations with water resource interests for their recommendations for the design and implementation of this project.

ASFPM provided comments and recommendations regarding the “Water for America Initiative” to USGS. Those comments and recommendation can be located at: http://www.floods.org/PDF/ASFPM_Water_for_America_0708.pdf.

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National Weather Service Hydrology Survey

The National Oceanic and Atmospheric Administration's (NOAA) National Weather Service (NWS) invites you to participate in a survey of its services. The NWS is committed to serving the needs of all of its customers so they are undertaking research on how satisfied users are and would appreciate your feedback. The purpose of this research, conducted in partnership with the federal government as part of the American Customer Satisfaction Index, is to help the NWS improve its flood and water forecast information services for you and others like you. NWS flood and water forecast information services encompasses flash flood and river flood warnings, watches and statements; recreational and water supply forecasts; precipitation analysis information as well as general river level information including historical records of high flows and impacts of these water levels.

Your answers are voluntary, but your opinions are very important for this research. Your responses will be held completely confidential, and you will never be identified by name. CFI Group, a third party research and consulting firm, is administering this survey via a secure server. The time required to complete this survey will be dependent on how certain questions are answered, but it will likely take approximately 20 minutes, and is authorized by Office of Management and Budget Control No. 1505-0191.

You can find the survey online at: <http://www.cfigroup.net/NWSHydroSurvey2008>. The survey ends September 23, 2008, so be sure to get your responses in soon!

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Notice of Grant Application Periods

The FY2009 Unified Hazard Mitigation Assistance (HMA) grant program guidance has been posted to the internet. The Unified HMA grant programs for 2009 include the Pre-Disaster (PDM) program, the Flood Mitigation Assistance (FMA) program, the Repetitive Flood Claims (RFC) program, and the Severe Repetitive Loss (SRL) program. The Unified HMA concept is FEMA’s initiative to streamline

and enhance the different FEMA mitigation grant programs by creating common grant guidance, application procedures, deadlines, etc., wherever possible.

The FY2009 Unified HMA application period is from June 19, 2008 through December 19, 2008. Applicants must submit a FY 2009 grant application to FEMA through the eGrants system by December 19, 2008, at 11:59:59 p.m. Eastern Standard Time.

Guidance Link: <http://www.fema.gov/library/viewRecord.do?id=3309>

If you have any questions, please contact your FEMA Regional Office.

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2008 Nick Winter Memorial Scholarship Award

Each year the Association of State Floodplain Managers (ASFPM) and the ASFPM Foundation grants a \$2,000 scholarship for one academic year to a full-time college junior or senior who is currently enrolled in an undergraduate program related to floodplain/stormwater management, or a student enrolled in a graduate program related to floodplain/stormwater management.

We are pleased to announce that the Nick Winter Memorial Scholarship Application Review Committee selected Tim Folks of Ohio who is a student at Tri-State University in Indiana as the recipient of the Nick Winter Memorial Scholarship for the 2008-09 academic year. We congratulate Mr. Folks on this award and wish him all the best in his studies.

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Maria Honeycutt Mid-Year Report

Many of you may be familiar with Maria Honeycutt, she has been an active member of ASFPM for a number of years, and used to be a Co-Chair of ASFPM's Coastal Issues Committee. Maria is currently completing a one year fellowship as a U.S. Geological Survey Congressional Science Fellow. She recently published her mid-year report for her fellowship in the August issue of GSA Today.

You can find a copy of Maria's report at:

<http://www.gsjournals.org/archive/1052-5173/18/8/pdf/i1052-5173-18-8-24.pdf>

You can view the full issue of GSA at:

<http://www.gsjournals.org/perlserv/?request=get-toc&issn=1052-5173&volume=18&issue=8>

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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 . . .

This month I'm writing about nonresidential buildings. I expect we can all explain the regulatory requirements that apply when new nonresidential buildings are proposed in flood hazard areas: in A zones, they must be elevated or dry floodproofed, and in V zones they must be elevated. Existing nonresidential buildings that are to be substantially improved – or repaired if substantially damaged – must be brought into compliance with those same requirements.

Now, while someday I expect to write a column about regulating and retrofitting nonresidential construction, today I want to talk about some other aspects.

I understand that most communities that seek mitigation grant funds do so to help homeowners – homeowners typically have few resources to cope with repetitive or severe flooding. I suggest that some communities may wish to broaden their perspective and consider that helping nonresidential property owners is not only good for communities (keep jobs and tax base), it is good for the NFIP. And that means it is good for all current and future NFIP flood insurance policyholders. Here's why.

Floodplain managers have long known that NFIP-insured buildings that receive multiple claims, called “repetitive loss” or RL properties, have been one of the most significant factors driving rate increases. Indeed, ASFPFM testified many times before Congress during the six years that preceded passage of the 1994 Reform Act that the NFIP needed a grant program to help mitigate flood-prone properties – chiefly RL properties. The result was the creation of the Flood Mitigation Assistance program that, to date, has used over \$300 million in policy fee income collected from policy holders (not taxpayers) to mitigate thousands of properties.

Another long-standing concern of floodplain managers is how difficult it is for communities to administer the NFIP's substantial damage requirements. To recognize the importance of reducing the vulnerability of older buildings and to help ease the financial burden on owners, the 1994 Reform Act authorized Increased Cost of Compliance (ICC) coverage. ICC has been part of standard flood insurance policies since 1997 – its purpose is to provide additional claim payments when buildings have been substantially damaged by flooding (or, under certain circumstances, when repetitively damaged).

Use of the ICC claim is limited to certain costs that are required to bring buildings into compliance with the community's floodplain management requirements, including elevation-in-place and floodproofing (nonresidential only). ICC payments may also be assigned to communities as part of the nonfederal cost share of acquisition projects (primarily for demolition expenses). Over time, FEMA has increased the maximum ICC payment from \$10,000 to \$30,000. (The average ICC payment is considerably less than \$30,000, but that's a topic for another column.) While some may complain that \$30,000 isn't enough to elevate many buildings, they should keep in mind that just 10 years ago owners of substantially-damaged buildings got nothing to pay for compliance.

Now, back to nonresidential buildings – a few months ago, FEMA told me that more than 70 ICC claims for nonresidential properties had been paid or were being processed in Alabama, Louisiana, and

Mississippi as a result of Hurricane Katrina. I don't know how many claims were actually paid, but the data suggest that payments were running between \$12,000 to more than \$20,000. This is good news, indeed, if compliance can be achieved with those investments.

Let's bring these pieces together.

How many of us know that more than 10% of the properties on FEMA's RL list are nonresidential properties – and they've collectively received nearly 25% of the dollars paid to all RL properties? The majority of RL properties that have received more than \$1 million in total claims are nonresidential properties. (Note that the data I'm using are several years old and a lot of floods have happened in the mean time; while the exact numbers may have changed, the relative impact of nonresidential properties probably hasn't changed much.)

The high dollar amounts paid to nonresidential properties are, in part, because the NFIP coverage limits for nonresidential buildings are higher than for homes: \$500,000 for structure and \$500,000 for contents (versus \$250,000 structure and \$100,000 contents for homes). Admittedly, many nonresidential RL properties receive more claims for contents damage than for structural damage. That's understandable because many of these buildings are more robust, engineered buildings that are less likely to be damaged.

It seems to me that mitigating nonresidential RL properties is a classic example of 'low hanging fruit' – easy opportunities to make significant and beneficial impacts. Think of this – mitigating some of the nonresidential RL properties would help the program as a whole to more quickly stem the number and size of claims.

I don't want to diminish the efforts of some states and communities that have worked with business owners to implement mitigation projects. Some have demonstrated considerable success. For example, Delaware used Flood Mitigation Assistance program funds to retrofit floodproof several commercial buildings. The photo illustrates the approach: the work entailed adding reinforced walls outside of the original walls and providing specially designed panels to be installed when flooding is predicted. In just a few short years the owner of this building has implemented the emergency action plan 2 or 3 times – each time avoiding a potential claim against his NFIP flood insurance policy. Delaware has also used Pre-Disaster Mitigation grant funds to floodproof portions of a hospital.



You should know that some limitations on use of FEMA's various grant programs can be traced to the authorizing statutes. For example, Congress limited the NFIP-funded Severe Repetitive Loss pilot program to only single-family properties that have received a specific number and value of claims (and multi-family properties as defined by FEMA). Therefore, SRL may not be used for nonresidential properties – no matter how many or how big the claims have been. But look closely at the NFIP-funded Repetitive Flood Claims program – while it was initially limited to buyouts, this year FEMA has expanded the eligible activities to include floodproofing of nonresidential buildings. Of course, all grant

programs require projects to be cost-effective and meet other criteria. Check with your State Hazard Mitigation Officer to learn more.

Here are a few more thoughts about mitigating nonresidential RL properties that might move these initiatives higher on your list:

- Nonresidential building owners should be keen to mitigate –businesses lose money every time it floods, even if the building damage or lost inventory are insured for flood losses (NFIP policies cover only physical damage, not business interruption).
- Owners should readily see that providing the nonfederal match is a good investment (even if they have to provide more than the required minimum 25%).
- Contrary to the concerns of some, facilitating access by profit-making entities to grant funds can be good for the community as a whole – and good for the NFIP if fewer repetitive claim payments have to be paid.

[RCQ]

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Washington Legislative Report

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



Back to Work for Three Weeks

As Insider goes to press, the Congress will be returning from its more than month-long August recess and the Republican and Democratic Presidential Nominating Conventions. The short three week session is expected to be frenetic because of so many bills that are ready or almost ready for House and Senate floor action, much of it is “must-do” legislation. Perhaps most importantly, some form of action to fund the federal government is essential because no appropriations bills for the fiscal year beginning October 1st have been finalized.

While there are rumors about a Lame Duck session following the elections in November, those close to the Democratic leadership insist they do not want to have such a post-election session. The assumption is that most spending bills will be pulled together into a Continuing Resolution (CR), but it remains to be seen if the CR will extend only until November or until February when the new President will be in office. February is also the month when new budget requests for Fiscal Year 2010 will be released and the hearing process for FY '10 appropriations will begin.

Among the many pending, urgent bills are the flood insurance reform and reauthorization measures and reauthorization of the Pre-Disaster Mitigation program. Both the NFIP and PDM will expire on September 30th without some form of legislative extension of authority. Action on both is dependent, first, on successful resolution of some significant differences between House and Senate passed versions and, second, on successfully competing for Floor time with appropriations, supplemental appropriations (including disaster relief), offshore drilling and energy legislation, tax cut extensions, second stimulus package and a number of other urgent matters.

Flood Insurance Reform and Reauthorization

Some action to extend the authorization for the NFIP will be necessary in September. If agreement cannot be reached on differences between the House and Senate passed versions of the major reform bills,

it is possible that a short, clean reauthorization bill could be acted on. Alternatively, a reauthorization could be written into the Continuing Resolution, but that would only extend for the life of the CR.

At present, staff counsels for both the House and Senate committees indicate that their Chairmen are committed to finalizing the reform legislation in September. However, progress on reconciling differences has been slow and seemingly stalled during the August recess. Since resolution of these differences will not likely involve a formal conference committee, it will be more likely that a resolution will emerge from discussions between the Chairmen and Ranking Minority Members.

The two versions of the bill are: H.R. 3121 RFS and H.R. 3121 EAS.

Pre-Disaster Mitigation grant program reauthorization

There are at least two ways in which PDM reauthorization could proceed in September.

After a compromise was reached in July to resolve differences between House and Senate passed versions of PDM reauthorization legislation (H.R. 6109 and S. 3175), the compromise was included in a legislative package of bills (S. 3294) with “holds” placed on them by Senator Tom Coburn (R-OK). The package failed on the Senate floor. (For more detail, please see *News and Views*, August 2009.)

One way to proceed on PDM reauthorization would be consideration of the compromise agreement, whether by again bringing up the full package of bills or by separating out some of them for individual consideration.

Another way to move forward would be action on a bill introduced in the House on July 30th (H.R. 6658) just before the August recess. That bill contains a number of amendments to the Stafford Act, but one section of the bill is a clean reauthorization of PDM. Indications are that the Chairman of the House Committee on Transportation and Infrastructure will push for House floor consideration early in this three week legislative work period. Reaction and action on the Senate side is less clear.

Other Legislation

Modification of Coastal Barrier Resources System in South Carolina

Legislation to remove an undeveloped sand spit off the coast of Kiawah Island, South Carolina, from the CBRS (H.R. 6389) was introduced by Rep. Henry Brown (R-SC) at the end of June. Representative Brown serves as Ranking Minority Member of the Subcommittee on Fisheries, Wildlife and Oceans of the House Natural Resources Committee. A hearing was scheduled for September 10th. ASFPM prepared a statement expressing concern about removal of this and other such areas from a system designed to protect them from unwise development and making them ineligible for federal financial assistance that could support development. After learning that the bill had been withdrawn in late August and the hearing cancelled, ASFPM sent the statement in the form of a letter to the Chairman and Ranking Minority Member of the Subcommittee for the record. The letter will be posted on the ASFPM website.

Mitigation Bills

Chairman Bennie Thompson (D-MS) of the House Homeland Security Committee has introduced two bills to promote pre-disaster mitigation activities.

The Property Mitigation Assistance Act (H.R. 6424) was introduced in late June. The bill would establish a homeowner mitigation loan program within FEMA. This becomes a companion bill to one introduced

by Senator Dodd (Chairman of the Senate Banking Committee) last November (S. 2328). No action has been scheduled as yet on either bill.

The Homeowners Insurance and Mitigation Assistance Act (H.R. 6762) was introduced July 31st and would provide tax credits to assist with increased cost of flood insurance premiums due to increased hurricane risk and to assist with homeowner mitigation expenditures. This bill must be considered by the Ways and Means Committee which deals with all tax legislation. No action has been scheduled yet.

Appropriations

Please see *Insider*, July 2008 and *News and Views*, August 2008 for information on the appropriations bills and bill numbers.

All legislation referenced can be viewed by going to: <http://thomas.loc.gov> and typing in the bill number.

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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.

Certification Board of Regents (CBOR) – Members

The Certification Board of Regents (CBOR) administers the Certified Floodplain Manager (CFM) Program. Recently, three members of CBOR either resigned or rotated off the Board. These individuals are: Ann Yakimovicz, Michael Borengasser, and Robert Freitag. The Association would like to thank these three individuals for their assistance in the continuing development of the CFM Program.

Three new individuals were appointed to CBOR: Debi Heiden, representing the ASFPM Training and Outreach Committee; Desiree Companion, representing ASFPM Chapters; and Warren Campbell, representing Academia. ASFPM welcomes these individuals to CBOR and looks forward to working with them.

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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.

Fall is a very busy time for Chapters that are having Conferences. Chapter Conferences are a great way to work on local issues and network with other people in your State. They are also a great opportunity to earn CECs!

Please check out the calendar below, or the full calendar posted on the ASFPM website at <http://www.floods.org/Conferences,%20Calendar/calendar.asp> to find out when a State Chapter or Association near you has scheduled a Conference.

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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>.

September 15 – 18, 2008	Wetlands 2008: Wetlands and Global Climate Change, Portland, OR	Association of State Wetland Managers, Inc.
September 21 – 24, 2008	OFMA Annual Conference, Midwest City, OK	Oklahoma Floodplain Managers Association
September 22 – 23, 2008	NYSFSMA Conference, Middletown, NY	New York State Floodplain and Stormwater Managers Association
September 22 – 24, 2008	AFMA Fall Conference, Hot Springs, AR	Arkansas Floodplain Management Association
October 6 – 10, 2008	AFMM 2008 Fall Conference, Olive Branch, MS	Association of Floodplain Managers of Mississippi
October 8 – 9, 2008	Illinois Water Conference, 2008, Champaign, IL	Illinois Water Resources Center
October 21 – 22, 2008	NJAFM 2008 Conference, Cherry Hill, NJ	New Jersey Association for Floodplain Management
October 22 – 23, 2008	MAFSM 2008 Conference, Linthicum Heights, MD	Maryland Association of Floodplain and Stormwater Managers
October 28 – 29, 2008	2008 Mississippi-Alabama Bays and Bayous Symposium, Biloxi, MS	Various Sponsors
November 5 – 7, 2008	AFMA Fall Meeting, Yuma, AZ	Arizona Floodplain Management Association
November 12 – 14, 2008	WAFSCM Annual Conference, Wisconsin Dells, WI	Wisconsin Association for Floodplain Stormwater and Coastal Management
November 17 – 20, 2008	ASFPM 4 th National Floodproofing Conference, New Orleans, LA	Association of State Floodplain Managers
November 19 – 20, 2008	MnAFPM 2008 Annual Conference, Bloomington, MN	Minnesota Association of Floodplain Managers
June 7 – 12, 2009	ASFPM 33 rd Annual National Conference, Orlando, FL	Association of State Floodplain Managers

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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>.

ISO

Technical Coordinator, Community Hazard Mitigation

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, 401(k) and ESOP.

Currently we have an excellent opportunity for a Technical Coordinator Community Hazard Mitigation Programs at our home office location in Jersey City, NJ. 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

If you would like to apply for this position, please visit our website: www.jobs-isofamily.icims.com, keyword search; 18868. ISO is an equal opportunity employer.

NOAA

Program Analyst

Location: Stennis Space Center, MS

Incumbent serves as a Grants Federal Program Officer (FPO) in all facets of grants program coordination of the Regional Coastal Services (RCS) Branch; manages grants database system (Grants On-line) for grant reporting; provides guidance to RCS staff in development of the Regional Branch's request for grant proposals process and Master Grant Plan for all fiscal year grants; supports budget and agreement plans and execution and administrative processes and support associated with the RCS and other Coastal Services Center (CSC) programs; provides acquisition services in support of new and/or continuing Regional projects; serves as warranted procurement official with delegated procurement authority up to \$25,000; serves as administrative liaison for RCS and Gulf Coast Services Center matters; ensures compliance with NOAA/NOS requirements; maintains and reports accurate data and cultivates and maintains relationship with all CSC programs.

You can view the full job posting on the USA Jobs website at:

<http://jobsearch.usajobs.gov/getjob.asp?JobID=75549553&AVSDM=2008%2D09%2D08+>

For questions about this job contact: Lynn LaChance, 757-441-3840, Lynn.T.LaChance@noaa.gov

National Wildlife Federation

Senior Manager, National Water Resources Campaigns

The National Wildlife Federation is opening a new Senior Manager National Water Resources Campaigns position with focus on policy and advocacy to protect people and wildlife in coastal areas and flood plains from the impacts of global warming. The Senior Manager for National Water Resources Campaigns will work to advance reforms to the National Flood Insurance Program and other federal and state programs in an effort to discourage building and re-building in environmentally sensitive and increasingly vulnerable areas. A major focus of work will be reaching out to and building strong alliances with organizations that have a common interest including associations, taxpayer and consumer groups and first responders.

To learn more and to apply, go to: <http://www.nwf.org/careergateway/>.

Hillsborough County

Senior Planner (Hazard Mitigation)

Major Function:

Performs duties as a project leader, researching and analyzing information to write reports supporting the development, evaluation, monitoring and implementation of comprehensive studies, plans, programs, and land development regulations.

Major Duties:

- Serves as staff support on various committees; Coordinates and writes disaster related plans, regulations and policies that include coordination efforts between various jurisdictions and performing respective analysis.
- Serves as the Community Rating System Coordinator to ensure a continued good standing and ISO rating under the County's participation in the National Flood Insurance Program.
- Works with the Public Safety Emergency Management Office to further the Comprehensive Emergency Management Plan.
- Maintains the critical-facility database, and serves on staff with the Hazard Mitigation Manager during periods the Center's activation.
- Implements tasks associated with the federal disaster Mitigation Assistance programs in order to build a more disaster resistant county.
- Works with various planning organization and community planners to implement mitigation regulations and policies identified within various codes and within the Comprehensive Plan.
- Performs disaster analysis and GIS/mapping as required in support of Section responsibilities.
- Performs other related duties as required.

To view the full job posting or to apply for this position, visit:

<http://www.jobaps.com/hill/sup/images/default.asp>

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