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ASSOCIATION OF STATE FLOODPLAIN MANAGERS, INC.

NATIONAL WATER COMMISSION URGED

In letters to the President, Congress, and governors of the 50 states, the American Water Resources Association (AWRA) in April called for the establishment of a National Water Commission as part of a much-needed effort to chart a path for the future that will address growing challenges in the management and protection of the nation's water resources. This recommendation was the product of the Second National Water Policy Dialogue, held in Tucson, Arizona, in February 2005. The gathering was conducted by AWRA with the sponsorship of nine federal agencies and 40 state, local, business, and non-governmental organizations, and attended by over 250 of the nation's water resources experts (including representatives of the ASFPM and several ASFPM members).

Among the serious challenges facing the nation include droughts that have resulted in annual losses of over \$5 billion; conflicts among states over water use and allocation; deteriorating water quality conditions; flood losses that continue to grow; an aging water infrastructure that was rated sub-standard and at risk by the American Society of Civil Engineers [*see News & Views, April 2005, p. 5*]; and continued wetland losses and other environmental degradation.

The AWRA letters call on national leaders to

- Address the nation's water issues in an integrated manner, focusing not on single projects but on programs and watershed- and basin-level issues;
- Reconcile the myriad laws, executive orders, and Congressional guidance that have created a disjointed, ad-hoc national water policy;
- Clearly define 21st century goals;
- Effectively coordinate the actions of federal, state, tribal, and local governments in dealing with water, seeking collaboration instead of competition to use scarce resources more efficiently and to overcome decision gridlock on key water programs;
- Focus the nation's superb scientific capabilities and cutting-edge information technologies to support better water-related decision-making; and
- Educate public officials and the public about the extent and complexity of water challenges and the need to provide funding to support water resources infrastructure.

The AWRA's call for national guidance coincides with recommendations recently advanced by the ASFPM, namely that federal coordination and leadership is essential to the effective management of water resources—and water problems—that are shared by all.

>>> The letters, a summary of the Dialogue, and other information are available at <http://www.awra.org/meetings/Tucson2005/>.

See you in Madison!
The ASFPM Annual Conference
June 13-17, 2005
Madison, Wisconsin
see <http://www.floods.org>

from the Chair

Chad Berginnis, CFM

Do you remember back when you were in high school and went on a senior field trip? I remember it fondly—we went to New York City for four days and experienced the rich cultural and historical opportunities that abound in the “city that never sleeps.” Well, I recently had a similar experience when, on behalf of the ASFPM, I was part of a panel of international guests at the invitation of the Ministry of Water Resources, People’s Republic of China, at a workshop to assist with the development of a national flood management strategy. But this was no ordinary workshop.

China, with a population approaching 1.4 billion, has significant flooding issues. As a nation, China is trying to address flood management in a comprehensive way that combines both structural and non-structural measures, implements the principles of multi-objective management, and reaches a balance between acceptable flood damage and flood management efforts. The workshop was one in a series of steps that the Chinese government is taking to develop a comprehensive flood management strategy. Their task is unimaginably daunting yet absolutely necessary. China is going through unprecedented period of industrialization prosperity, compressing into decades what in the United States occurred over two centuries—and all with a population many times larger than ours on a land area comparable in size.

From a flood management perspective, China does several things well. They have a rigorous flood response and flood fighting regime. Also, nearly all of the land area in China is under the planning authority of a River Basin District (RBD). The RBDs have planning and coordination authority over the construction of flood control works and flood fighting, although little impact on ongoing development and construction. They have a good system of flood recovery and even a compensation system for flood victims to help offset flood losses. Also, they have several recently enacted national laws on water resource and floodplain management that accommodate a comprehensive approach.

However, China faces several challenges. China has large flood detention areas but these same areas have settlements and are used intensively for agriculture which, during a flood, leads to increased losses. China is also just developing a comprehensive set of maps identifying flood hazard areas. They do not have a flood insurance program but are very interested in the United States’ program. My point is that, although we are vastly different countries, we can learn from one another because many of the problems of floodplain management are similar. In a way, I felt as if I was somehow part of the Chinese version of the legendary 1968 “University of Chicago meetings” where Gilbert White, Jack Shaeffer, and others met to discuss what was to be the basis of our nation’s flood policy for decades to come.

Coincidence or not, I couldn’t help but wonder if that trip was my “senior” experience as I complete my term as Chair of the ASFPM. In many ways, the trip was similar to my much earlier trip to New York City inasmuch as it shaped my perceptions of the world and opened my mind to new experiences and ideas. Perhaps I am also being a bit nostalgic about the last two years and serving as Chair for an organization as wonderful as the ASFPM. I wish to express a heartfelt “thank you” to all of the members that have contributed in some way—small or large. Your contributions of time, talents, and resources make the ASFPM a very effective organization, even if you do not always see those results immediately.

It has been a lot of fun and extremely educational traveling to different chapter meetings and learning about how floodplain management is implemented in different areas of our country. Admittedly, I have benefited greatly as I will “steal” some of those great ideas and try to implement them here in Ohio. Which leads to my final point . . . Why should you be involved in the ASFPM? I think now I know the answer: to enhance your knowledge of floodplain management, swap ideas, have fun, and make a difference. See you in Madison! □

SACRAMENTO-AREA LEVEE MESSAGE CLEAR

The last News & Views (April 2005, p. 12) described some of the reaction in California to the news of the much-anticipated certification of parts of the levee system in the basins of the American and Sacramento rivers in the north-central part of the state. The article drew a thoughtful letter from Pete Ghelfi, printed below, in which he clarifies the dual message begin conveyed by official agencies and the sound policy behind it.

News and Views Staff:

While I enjoy reading the *News and Views* newsletter, I think there was a missed opportunity to show the rest of the country what our community is trying to relate to its constituents regarding floodplain management and protecting their investments. In your article, the phrase “official ambivalence” is used to characterize our message that our constituents can cancel their insurance but are cautioned about the risk they still face.

I agree that we have a dual message to convey to our residents, but the direction that we want to go is clear. We want greater than 200-year level of protection for our community. We have been providing our community incremental improvements in flood protection over the years and last November, we completed enough work to have a portion of our levee system certified as providing FEMA 100-year level of flood protection. As you know, when it comes to FEMA flood insurance, there is no “gray area”—you are in or out. There is no flood zone that says “It is a good idea to have flood insurance but you are not required to carry it.”

SAFCA, the City of Sacramento, and the County of Sacramento believe we are operating in that “gray area.” Our message to our constituents is that when you are in a FEMA 100-year floodplain, you are in a high risk area; when you are protected by levees that provide 100-year to 200-year level of protection you are in a moderate risk area; and if you are protected by levees with 200-year level of protection that you are in a low risk area. The common theme to all of this is that there is always a risk of flooding when you live behind levees.

Our outreach message to our constituents informs them of the map change, conveys the risk that they still face, and urges them to convert their existing A99 policies to Preferred Risk Policies. We believe that a PRP is a great way to reduce flood insurance premiums to our constituents (if everybody that was removed from the SFHA converted to a PRP, it would result in premium savings of over \$10 million/year for the community) and it would leave them financially protected in the event that we have greater than the infamous 1-percent storm. We are obligated to let our constituents know that they have the option of dropping their flood insurance, and explaining how they can do so if they choose. We would be remiss if we did not disclose this option to them.

We believe we are being good floodplain managers by promoting flood insurance for areas outside the FEMA 100-year floodplain that are protected by levees. This accomplishes several points:

- A Preferred Risk Policy insurance protects a resident’s most significant investment.
- Carrying insurance is a reminder of flood risk.
- SAFCA believes that a structure subject to moderate flood risk should carry insurance flood insurance when it is behind a levee.

We trust that ASFPM will view our dual outreach message as honest and enlightened, given the available options and the continued moderate risk of flooding in areas protected by levees.

If you have any questions, please feel free to contact me at (916)874-8733 or email at ghelfip@saccounty.net. Also, you can talk to me at the ASFPM conference in June.

Sincerely,

Pete Ghelfi, PE., CFM
Director of Engineering

USGS DOCUMENTS

STREAMFLOW TRENDS

The U.S. Geological Survey has identified nationwide trends toward increasing streamflow in many areas of the nation since 1940, based on data collected from long-term USGS streamgages. This conclusion and several more interesting trends in the nation's streamflows can be found in four new fact sheets recently issued by the agency.

Streamflow Trends in the United States demonstrates that streamflow has been increasing in the United States since at least 1940. The most widespread increases were in the Upper Mississippi, the Ohio Valley, Texas-Gulf, and the Mid Atlantic. This means that, during typically dry periods, more water is now available in the streams.

- Streamflow increased across most of the United States during the 20th century at 40-45% of these 435 stations.
 - Increases were most prevalent in low to moderate streamflows (seen at 40% of the stations), with relatively few decreases (seen at 8% of stations).
 - Comparatively few stations (10%) had increases in annual maximum streamflow.
 - Streamflow increases occurred as a sudden rather than gradual change around 1970, suggesting the climate shifted to a new regime.
- >>> Available at <http://pubs.water.usgs.gov/fs2005-3017/>.

Changes in Streamflow Timing in New England During the 20th Century shows that, over the last 30 years, winter/spring streamflows occurred one to two weeks earlier than in previous decades in northern or mountainous areas of New England.

- For 14 of 27 streamgages in New England, half the total volume of streamflow for winter/spring (January 1 to May 31) now arrives earlier than it did in the first half of the 20th century.
 - This shift to earlier streamflow was evident at all of the gages in the northern and mountainous areas of Maine and New Hampshire where snowmelt has the greatest effect on streamflow (11 of the 27 streamgages).
 - Only 4 of the 27 streamgages exhibited shifts in the timing of fall/winter streamflow (October 1 to December 31), and all of these tended toward earlier streamflow.
- >>> Available at <http://pubs.water.usgs.gov/fs2005-3019/>.

Changes in Streamflow Timing in the Western United States in Recent Decades notes that streamflows in most western rivers occur almost one to three weeks earlier now than they did in the middle of the 20th century. As much as three-quarters of water supplies in the western United States are derived from snowmelt. Trends toward earlier snowmelt and streamflow need to be considered in the water resource and flood management systems and procedures in many western settings.

- The average streamflow center-of-volume date (the date on which one-half of the total annual flow volume passes a streamgage) in the western United States is about nine days earlier now than in the 1950s.
 - These shifts in timing result both from late winter and early spring temperature increases, and from changes in the form of precipitation (increasing liquid precipitation, smaller percentage of snow) in late winter and early spring.
- >>> Available at <http://pubs.water.usgs.gov/fs2005-3018/>.

Trends in the Water Budget of the Mississippi River Basin, 1949-1997 shows that the streamflow of the Mississippi River was influenced by both climate and human activities

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Streamflow Trends (cont.)

such as construction of water reservoirs, agricultural irrigation, and groundwater pumping from 1949 to 1997. This study involved analysis of trends in precipitation, streamflow, evapotranspiration, depletion of ground water, and the filling of reservoirs.

- Streamflow in the Mississippi River basin increased at a rate of 4.5% per decade during the second half of the 20th century.
 - This increase resulted primarily from an increase in precipitation offset by increases in evaporation from reservoirs and irrigated cropland in the basin.
- >>> Available at <http://pubs.water.usgs.gov/fs2005-3020/>.

The analysis and conclusions drawn by the fact sheets emphasize the importance of maintaining long-term, comprehensive streamflow gages and data collection systems. Of the nearly 22,700 streamgages for which the USGS has records, 435 monitor natural basins and have records of sufficient length to analyze climatic trends. "Understanding streamflow trends is essential to effective management of the nation's water supply and is critical to developing strategies that mitigate the potential negative impacts of floods and droughts," according to Robert Hirsch, USGS Associate Director for Water.

The USGS has been measuring and recording streamflow in the United States since the late 1800s. Today, the USGS monitors streamflow at 7,400 locations nationwide. The streamflow information is used for many purposes such as water resource appraisal and allocation, design of infrastructure such as bridges and water treatment plants, flood hazard planning, National Weather Service flood forecasting, reservoir operations, water-quality management, habitat assessment and protection, recreational enjoyment and safety, and understanding changes in streamflow due to land use and climate changes.

>>> USGS streamflow data are available at <http://water.usgs.gov/waterwatch/>.

MARY FRAN MYERS SCHOLARSHIPS AWARDED

The Natural Hazards Center has awarded two Mary Fran Myers Scholarships for 2005, to Ana Pamela Membreño de Martinez, University of Guelph, Canada; and to Wei Choong, Asian Disaster Preparedness Center, Bangkok, Thailand. The scholarships fund travel to and participation in the annual invitational Hazards Workshop held in Boulder, Colorado.

Both recipients have demonstrated commitment to the furtherance of hazard loss reduction and determination to contribute to the sharing and application of knowledge, research, and information among professionals in pertinent fields. Choong has been doing community-based disaster reduction work in Asia and the Pacific. Her recent experience has focused on how mitigation intervention (in the form of a small amount of financial assistance) that targets urban areas can enhance indigenous coping techniques such as house raising, improving drainage, raising roads, and building small dikes and levees. de Martinez is from Honduras, where she worked as a civil engineer on reconstruction after Hurricane Mitch. She is pursuing a graduate degree in Rural Planning and Development at the University of Guelph, and plans to resume mitigation work in Honduras, including work on a program for integrated floodplain management under the auspices of the Organization of American States.

The scholarship is supported by contributions from the ASFPM and others, and is awarded in memory of Myers, a dedicated floodplain manager and former Co-Director of the Natural Hazards Center. She worked to foster the integration of scientific research and its application to real-world problems and was particularly concerned that financial need not preclude qualified and enthusiastic professionals from participating in the workshop, the most significant gathering of both scientists and research users in the hazards field.

>>> Application information is available at <http://www.colorado.edu/hazards/>.

Washington Report

TSUNAMI WARNINGS STRENGTHENED

On May 11, 2005, the President signed into law the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief (P.L. 109-13), which includes \$17.2 million for the National Oceanic and Atmospheric Administration (NOAA) to support the expansion and enhancement of NOAA tsunami warning capabilities. The law also provides \$8.1 million for the U.S. Geological Survey to accelerate improvements in its seismic monitoring capabilities and information delivery systems. About \$656 million is provided for tsunami recovery and rehabilitation efforts in the Indian Ocean.

FLOOD MAP CHANGES EFFECTIVE

The May 31 *Federal Register* published the flood map compendium for the last six months of 2004. The compendium lists all the NFIP map changes that became effective from July 1, 2004 through December 31, 2004. It lists, by community, changes effective due to letters of map amendment, letters of map revision, letters of map revision based on fill, letters of map revision with and without changes in base flood elevations, floodway revisions, and republished panels. Access it at <http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/pdf/05-10616.pdf>.

DISASTER MITIGATION GRANTS NOT TAXABLE AFTER ALL

On April 15, the President signed into law H.R. 1134, which will protect citizens from being taxed for disaster mitigation grants.

Disaster mitigation grants are widely used by states, cities, and towns to mitigate future damage to property. Homeowners often use the grants for projects such as elevating or relocating structures after flooding in order to minimize the potential for future losses. FEMA disaster mitigation grants—such as those issued under the Hazard Mitigation Grant Program, the Flood Mitigation Assistance program, and the Pre-Disaster Mitigation program—have saved an estimated \$2.9 billion in disaster recovery over the last 15 years.

A year ago, the IRS ruled that disaster mitigation funds are taxable as income. Before that, such assistance had not been considered income for tax purposes, and in the meantime property owners were accepting mitigation funds without any idea that they could be taxed as income. The new law reverses that situation and applies retroactively.

LEGISLATIVE REPORT

At the Moment . . .

Appropriations activity is in mid-cycle on Capitol Hill. The House has marked up or passed 8 of its 10 regular appropriations bills. The Senate Appropriations Committee is expected to begin markups in June. Other bills and issues of interest to floodplain managers have seen some activity, and some new measures have been introduced that will need to be followed.

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Washington Report (cont.)

Appropriations

FEMA—The House passed its Homeland Security Appropriations bill on May 17 (H.R. 2360; H.Rept. 109-79). The Senate bill is not marked up but likely will be the week of June 13.

The total bill is \$30.8 billion, \$1.4 billion over FY '05 and \$1.3 billion over the President's request. According to the Subcommittee on Homeland Security, the bill contains "an aggressive oversight strategy" because the Department of Homeland Security (DHS) has "ignored requests for information and directions to move expeditiously in the implementation of important national policies and goals. . . . There are more than \$485 million in cuts because we did not get the information we needed to make informed decisions about programs and operations. There is also more than \$310 million in fenced funding until the Department performs certain actions."

Repetitive Loss—The bill includes the full additional \$70 million in transfer funding for the newly enacted programs to mitigate repetitive flood loss properties; only \$8 million had been requested by the Administration, which prepared its request before passage of the Flood Insurance Reform Act of 2004.

Mapping—The bill provides \$200 million, \$68,000 under the request. That includes specific mapping requests for sites in Arkansas, Texas, North Carolina, and Kentucky. The House Report states, "The Committee understands that this 5-year, \$1-billion program will not update all flood maps. . . . Because this is not the case, the Committee directs EP & R to provide a report, no later than January 16, 2006, on the percentage of maps that will be updated, not merely transferred to a digital format, and the percentage of population that the updated maps cover."

Pre-Disaster Mitigation—The bill provides \$150 million, \$50 million above FY '05 and \$62,000 below the budget request. Report language supports FEMA coordination with state and local governments to develop pre-disaster hurricane plans. House floor action seems to clear the way for some or all of the program funds to be allocated by formula, but it also seems to retain a competitive component. FEMA officials are working to interpret the floor action.

Hazard Mitigation Grant Program—The Committee did not approve the President's request to reduce the HMGP percentage for Enhanced Plan states from 20% to 12.5%.

Corps of Engineers—The Energy and Water Appropriations bill (H.R. 2419; H.Rept. 109-86) passed the House on May 24. The Senate has held a hearing on the Corps budget request and Subcommittee markup is scheduled for June 14th.

Both Planning Assistance to States (PAS) and Flood Plain Management Services (FPMS) were funded at the budget request in the House bill. The PAS amount is \$4.65 million including earmarks of \$1.05 million. Last year's request was the same but Congressional additions and earmarks yielded a program level of \$8 million. FPMS was funded at \$5.62 million with one earmark of \$500,000. The FY '05 budget request was the same but Congressional additions brought the total to \$6.81 million. The Committee report contains language directing the Corps to begin pilot tests of rapid deployment flood walls as alternatives to sandbags within 90 days of enactment of the appropriations bill.

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Washington Report (cont.)

EPA—The Interior and Environment Appropriations bill (H.R. 2361; H. Rept. 109-80) passed the House on May 19. The Senate bill has not been marked up. Budgetary jurisdiction over the EPA has shifted from the former VA-HUD-Independent Agencies Subcommittee to the newly expanded Interior and Environment Subcommittee. That subcommittee has a significantly smaller budget allocation and EPA funds now come under the same budget ceiling as the programs of the Park Service, Fish and Wildlife Service, and the USGS.

Overall funding is at \$7.7 billion, \$187 million over the budget request, but \$318 million below FY '05 funding. An interesting change is the elimination of earmarks and the establishment of a fund through which some previously earmarked projects can be funded after agency review. The fund is set at \$80 million and earmarks previously had totaled \$158 million. Wetlands programs were funded at \$290 million above FY '05 in accordance with the budget request.

In related actions, \$134 million was provided for the Land and Water Conservation Fund. For federal land acquisition, \$43 million was provided, down from \$256 million in FY '05. For state acquisition, the budget request of \$1.57 million was provided, down from \$90 million in FY '05. The Fish and Wildlife Service was funded at \$1.3 billion, \$17 million below the request .

USGS—The budget request was \$933.5 million, slightly below the enacted level for FY '05. The Interior Appropriations bill provides \$41 million over the budget request. It substantially restores the major cuts proposed in the minerals program and restores funds cut from the water resources programs. The Water Resources Investigations account is funded at \$211.75 million (\$7.6 million over the request and \$551,000 over FY '05). The Committee report, however, states, “The Committee is concerned with reports that suggest that the Water Resource Division . . . is providing or seeking to provide a variety of commercial services to Federal and non-Federal entities in direct competition with the private sector. The Committee strongly discourages WRD from providing commercially available services to Federal and non-Federal entities through its cooperative water program . . .” The budget had (as usual) sought no funds for the Water Resources Research Institutes and the Committee has (as usual) provided those funds.

The Senate Interior Appropriations Subcommittee is expected to mark up its bill on June 7 to be followed by full Committee markup on June 9.

Rivers, Trails and Conservation Assistance—The House bill reduces this already small budget by \$500,000. The Senate Appropriations Committee marks up its bill the week of June 6th.

Other Legislation

Pre-Disaster Mitigation Reauthorization and Possible Redesign

The Disaster Mitigation Act 2000 was set to expire on December 31, 2004. It provides the authorizing authority for the PDM program. The House Transportation and Infrastructure Committee's Emergency Management Subcommittee likely will consider PDM reauthorization and other mitigation issues at a hearing this summer. They could also review program implementation and consider allocating some funds for planning and public infrastructure mitigation projects.

Water Resources Development Act 2005

The Senate Environment and Public Works Committee reported out its version of the WRDA 2005 (S. 728) on April 26th and it is awaiting floor action.

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Washington Report (cont.)

The Senate bill is mostly a list of projects and studies, but it has items of concern. A new test is added for determining benefit/cost: cost effective. This does not require that benefits exceed costs. Also, David Vitter (R-LA) successfully amended the bill to include a new Section 2022 which eliminates important protections for national waters. Currently, under the 1899 Rivers and Harbors Act, the Corps of Engineers “can prohibit or place conditions on activities or development in navigable waters whenever those activities would destroy wetlands, increase flooding, damage fish and wildlife habitat, threaten navigation or harm water quality.” The Vitter provision would eliminate these protections whenever the activities take place on private property unless those activities “would pose a threat to the safe transit of maritime traffic,” according to a summary prepared by American Rivers, National Wildlife Federation, Earthjustice, and the Sierra Club.

Highway Bill

The long-awaited Transportation Equity Act: Legacy for Uses (TEA-LU) will very soon go to a House-Senate Conference Committee. The measure has passed both the House and Senate (H.R. 3) and conferees were appointed on May 26th.

The Senate-passed bill contains a provision for a 2% set-aside in the surface water portion for mitigation of the effects of stormwater runoff. There is no similar provision in the House bill. The House Transportation and Infrastructure Committee generally opposes highway fund set-asides with the view that states should make the decisions. Although states may use highway fund money for mitigation, there is no requirement that they do so.

Department of Homeland Security

The House passed the first-ever authorization bill for the new DHS (H.R. 1817), authorizing a \$34.2 billion budget. During Committee consideration, Don Young (R-AK), Chairman of the House Transportation and Infrastructure Committee, offered an amendment to restore to FEMA the programs that have been assigned to other parts of DHS, particularly the Office of State and Local Coordination. He withdrew the amendment with the assurance of Chairman Cox that the Committee would work with him on his organizational concerns about FEMA’s programs in DHS.

The Senate has not yet drafted a comparable bill. The Senate Committee on Homeland Security and Governmental Affairs held a hearing earlier this year that considered a number of reports on the status of DHS after its first two years. One of those, “DHS 2.0” by the Heritage Foundation and the Center for Strategic and International Studies of Johns Hopkins University, recommends that FEMA be returned to its former constellation of programs with more autonomy. There seems to be interest in the way FEMA is functioning in the House Homeland Security Committee as well. Former FEMA Director James Lee Witt has publicly advocated taking FEMA out of DHS and restoring it to its former independent agency status in order to maintain its ability to focus efficiently on natural disasters and on long-term loss prevention (mitigation) policy development. The ASFPM Board of Directors has adopted a resolution calling for FEMA to be restored to its independent agency status.

Secretary Michael Chertoff is engaged in a “top to bottom” review of DHS and how it is functioning. Reportedly, his recommendations could be released in June.

CZM Reauthorization and NOAA Organic Act

The Senate Committee on Commerce, Science & Transportation held a hearing May 25th on reauthorization of the Coastal Zone Management Act. That and a NOAA Organic Act were named as priorities by the U.S. Commission on Ocean Policy and the subsequent President’s U.S. Ocean Action Plan. The program has had no authorizing legislation since 1999, but has been continued through appropriations.

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Washington Report (cont.)

The NOAA Organic Act (H.R. 50) has been under consideration by both the House Resources Committee and the House Science Committee. The Science Committee reported the bill out of committee on May 17th. The House Resources Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on May 19th and also marked up the bill. The next step will be full committee markup and then the bill will be ready for the House floor.

The measure retains a structure not very different from the current one. It does establish a new post of Deputy Assistant Secretary for Science and Technology. NOAA would be organized into four basic areas: 1) National Weather Service, 2) Research and Education, 3) Operations and Services, and 4) Resources Management.

A separate measure, S. 786, was introduced by Rick Santorum (R-PA) to “clarify the duties and responsibilities of NOAA and the National Weather Service.” The measure “would prevent the Weather Service from offering products or services that are or could be offered by private-sector weather companies” according to a report in the *Wichita Eagle*. The bill was introduced April 14th and referred to the Senate Commerce, Science and Transportation Committee.

—Meredith R. Inderfurth, *Washington Liaison*
Rebecca Quinn, *CFM, Legislative Officer*

All referenced legislation and committee reports
can be viewed at <http://thomas.loc.gov>.

***Natural Hazards Review* calls for Papers**

The editors of the *Natural Hazards Review* are seeking submissions to this journal, which publishes original, peer-reviewed papers on every aspect of hazard loss reduction. Papers are wanted that offer innovative and practical solutions to the problems and challenges faced by all sectors of the hazards community, including government, academia, the private sector, and nongovernmental organizations. Articles containing detailed case studies are complemented by those reporting original research findings, those describing practical projects, and others offering the latest cutting-edge knowledge on significant hazards issues.

This is the first cross-disciplinary journal to bring together engineering, the regulatory and policy environments, and the social, behavioral, and physical sciences to natural hazards loss and cost reduction. Extending well beyond the boundaries of one traditional discipline, it serves as a forum for holistic approaches to natural hazards mitigation.

The *Natural Hazards Review* is a publication of the American Society of Civil Engineers and the Natural Hazards Research and Applications Information Center, University of Colorado.

>>> For more information, visit <http://scitation.aip.org/nho/>. Or, send manuscript submissions, editorial inquiries, comments, or suggestions to the American Society of Civil Engineers, Journals Production Department, 1801 Alexander Bell Drive, Reston, VA 20191.

State & Local Report

FARGO, NORTH DAKOTA, LIABLE FOR FLOOD DAMAGE

The city of Fargo must pay \$3 million to North Dakota State University for damage suffered in a 2000 rainstorm, according to a ruling in mid May in Cass County District Court. The flood damage could have been avoided had city and FargoDome workers learned from a similar event in 1993, concluded the judge in his opinion.

Instead, the judge found poor preparations and “overwhelming evidence of negligence” by the workers during the storm, which dumped seven inches of rain in seven hours. Two campus buildings were damaged when water flowed from the FargoDome mechanical room through the school’s steam tunnel.

The city claimed that city officials couldn’t have predicted or prepared for the storm and shouldn’t be held liable. But the judge found that a 1993 storm and subsequent flood (which also caused extensive damage) should have led to more preventative measures. Despite the forewarning, no workers, no pumps, and no sandbags were in place when the first reports of likely flooding came during the 2000 storm.

“Given all of this, it is hardly surprising that the FargoDome flooded at the exact location and in the precise same manner for the second time in a decade,” the judge wrote.

NDSU will pay about 90% of the award to the Federal Emergency Management Agency, which covered much of the costs from the flooding. However, the city is expected to appeal the ruling.

>>> The full article, from the *Fargo Forum*, is posted at http://www.riverwatchonline.org/news/forum/05_17_05.html.

STORMWATER SETTLEMENT REACHED WITH LOUISVILLE, KENTUCKY

The U.S. Department of Justice, the Environmental Protection Agency, and Kentucky’s Environmental and Public Protection Cabinet have reached a Clean Water Act settlement with the Louisville and Jefferson County Metropolitan Sewer District (MSD). Kentucky had filed a civil suit against MSD in state court in February 2004, stating that MSD’s sewer systems are overwhelmed by rainfall throughout the year, resulting in billions of gallons of unlawful discharges of untreated sewage and overflows of combined sewage and stormwater into the Ohio River and its tributaries.

The terms of the settlement require MSD to bring overflows from its sewers that carry a combination of untreated sewage and stormwater into compliance with water quality standards; eliminate unauthorized discharges from the sewers that carry just untreated sewage; improve its management, operation, and maintenance to prevent future overflows; and respond to overflows when they occur. A civil penalty of \$1 million must be paid by MSD to the Commonwealth of Kentucky. MSD also must perform \$2.25 million in “supplemental environmental projects” that provide public health screenings for residents near industrialized areas of Louisville; perform or fund environmental awareness projects; and reclaim a former landfill into an area for public use.

MSD operates and maintains an older sewer system consisting of six major wastewater treatment facilities, 21 minor treatment plants, and 3,000 miles of sewer lines. About 23% of the lines are served by single pipes that carry both untreated sewage and stormwater to the treatment plant. The rest of the system keeps the untreated sewage separate from stormwater.

>>> For more information, see <http://www.epa.gov/compliance/resources/cases/civil/cwa/louisville.html>.

FLORIDA GREETES HURRICANE SEASON

American Red Cross chapters in Florida have a clever new public awareness campaign, “The Twelve Days of Hurricane Season,” geared toward preparing Floridians for the 2005 season. In posters, on the website, and through other media, the Red Cross recommends the purchase of a different disaster preparedness or mitigation item each day from June 1 through June 12. During this same time period, Florida’s Hurricane Preparedness Sales Tax Exemption will allow individuals and families to purchase many of these supplies without paying sales tax on them. Among the items exempted from tax are portable light supplies, portable radios, generators, fuel tanks, waterproof sheeting, first aid kits, ground-anchor systems or tie-down kits, and batteries.

>>> For more information, visit <http://www.FloridaPreparesNow.org/>.

ON THE FIRST DAY OF HURRICANE SEASON, the American Red Cross recommends that you purchase a **WATER CONTAINER.** Having an ample supply of clean water is a priority in an emergency.



OKLAHOMA UPDATES FLOODPLAIN MANAGERS’ MANUAL

The Oklahoma Water Resources Board has released the new *Oklahoma’s Floodplain Management 101 Textbook*. This floodplain manager’s reference contains many of the chapters previously found in the *Guidebook for Local Floodplain Ordinance Administrators*, and contains a new chapter on “No Adverse Impact Floodplain Management” and new and updated information. The book was rewritten, updated, and reorganized with numerous new illustrations to help explain many complex floodplain concepts. Eventually, the text will be used as an OWRB Home Study Course in Floodplain Management and allow local Floodplain Administrators to obtain Continuing Education Credits. Funds for this textbook rewrite and printing were provided in part by the Department of Homeland Security and FEMA’s Community Assistance Program.

>>> The textbook is available on CD and in hardback and also online at <http://www.owrb.state.ok.us>.

Publications, Software, AV & the Web

National Flood Policy a Decade After the 1993 Mississippi Flood is a special issue of the *Journal of Contemporary Water Research and Education* released by the Universities Council on Water Resources (UCOWR). The issue highlights activities and policy changes that have occurred in the United States since the 1993 flood roused the nation to concern. The theme is how the United States and its water resource stewards have responded to the challenge laid out in the Galloway Commission report, *Sharing the Challenge: Floodplain Management into the 21st Century*. The journal describes efforts to measure the extent of the flooding problem in the United States, performance measures for mitigation activities, new efforts into the arena of nonstructural measures, flood safety, and the emotional toll flooding can take on its victims. Federal, state, local, and private actions to come to grips with flood problems are described, and as the Galloway Commission prescribed, are all necessary for successful flood mitigation. March 2005. The journal is accessible through the UCOWR website at <http://www.ucowr.siu.edu/updates/130/index.html>.

Using Multi-Objective Management to Reduce Flood Losses in Your Watershed is an extremely handy compilation of ideas and step-by-step procedures for integrating floodplain management with many other concerns—at the local level. First produced in 1996 by the ASFPM with funding from the Environmental Protection Agency, the document has now been converted (courtesy of French & Associates) to pdf format and made available on the ASFPM’s website. In simple language, it gives a primer on watersheds and flooding, reviews flood loss reduction measures, lists avenues for crafting multi-objective projects (coordination with recreation interests, economic development, housing, historic preservation, education, transportation, water supply, fish and wildlife, and others); tells how to prepare a multi-objective management plan; and gives sources of more information. Take another look at http://www.floods.org/PDF/Using_MOM_in_Watershed.pdf.

Europe’s Flood Disaster of August 2002: Vienna’s Evolving Flood Mitigation Projects examines the mitigation strategies in place in Vienna, Austria—which was largely spared the effects of the devastating floods in northern Europe in August 2002—and how they contributed to reduced levels of damage. The researcher concluded that the success of these strategies can be attributed to the multidisciplinary and cooperative approach used in the city’s floodplain restoration project. Jane Preuss. 2005. Quick Response Report 175. Natural Hazards Research and Applications Information Center. Available at <http://www.colorado.edu/hazards/qr/qrepts.html>.

Local Flood Proofing Programs updates the Corps’ 1994 publication of the same name, with lots more—and recent—examples. It offers guidance to local officials on how to organize and fund a program for retrofitting floodprone buildings. U.S. Army Corps of Engineers. 2005. There will be no printed copies, but the document can be downloaded from http://www.nwo.usace.army.mil/nfpc/docs/Local_FP_Programs_February_2005.pdf.

Proceedings of the Federal Interagency Sediment Monitoring Instrument and Analysis Research Workshop collates the discussion and recommendations growing out of that meeting, sponsored by the Subcommittee on Sedimentation of the Advisory Committee on Water Information and held in September 2003. The purpose was to evaluate whether new techniques for collecting and analyzing fluvial-sediment data (primarily suspended sediment and bedload data) can replace or supplement traditional techniques to yield less expensive and more quantifiable data with less investment of time. Over the last several decades the need for fluvial-sediment information has expanded past design and management of reservoirs and in-stream hydraulic structures and dredging to include contaminated sediment management, dam decommissioning and removal, environmental quality, stream restoration, the global carbon budget, and regulatory requirements of the Clean Water Act, including the Total Maximum Daily Load program. The workshop concluded that several of the technologies discussed warranted additional research, testing, and calibration. The formation of oversight panels was recommended for collection, analysis, and computational procedures for all aspects of sediment data, but particularly for bedload transport. John R. Gray, editor. 2005. USGS Circular 1276. Available at <http://water.usgs.gov/pubs/circ/2005/1276/>.

“In the News” is a new web page set up for FEMA’s Public Affairs News Desk. It features facts on emerging issues, official statements, background material, and downloadable high-resolution photos. Here one can find the latest information on what FEMA is doing in the areas of mitigation, preparedness, response, and recovery. Visit at <http://www.fema.gov/media/>.

“Could it Happen Here?” presents a method for calculating the cost of the damage and other economic consequences likely from inundation by a tsunami on the coast of California. The seismicity of the southern California region is well known, and several tsunamis generated by local earthquakes have been recorded during the last two centuries. The study projects inundation zones from different earthquake/tsunami scenarios and the results suggest that the direct and indirect costs could range from \$7 billion to \$40 billion. Jose Borrero, Sungbin Cho, James E. Moore II, Harry W. Richardson, and Costas Synolakis. *Civil Engineering* 2005 (June): 54–65. Available at <http://www.asce.org/files/pdf/Tsunami.pdf>.

Calendar

See more flood-related meetings, conferences, and training at
<http://www.floods.org/calendar.htm>.

June 15, 2005: GETTING IN STEP WITH PHASE II: A WORKSHOP FOR STORMWATER PROGRAM MANAGERS, Oklahoma City, Oklahoma. Sponsored by the U.S. Environmental Protection Agency. See <http://www.epa.gov/npdes/stormwater> and click on Training.

June 12–17, 2005: NO ADVERSE IMPACT: PARTNERING FOR SUSTAINABLE FLOODPLAIN MANAGEMENT, 29TH ANNUAL CONFERENCE OF THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS, Madison, Wisconsin. Contact the ASFPM Executive Office, 2809 Fish Hatchery Rd., Ste. 204, Madison, WI 53713-3120; (608) 274-0123; fax: (608) 274-0696; asfpm@floods.org or see <http://www.floods.org>.

June 27–30, 2005: MANAGING FLOODPLAIN DEVELOPMENT THROUGH THE NATIONAL FLOOD INSURANCE PROGRAM (E273), Emergency Management Institute, Emmitsburg, Maryland. Contact (800) 238-3358 or see <http://www.fema.gov/EMIWeb/>.

July 10–13, 2005: THE CHANGING FACE OF DISASTER MANAGEMENT, 15TH WORLD CONFERENCE ON DISASTER MANAGEMENT, Toronto, Ontario, Canada. Sponsored by the Canadian Centre for Emergency Preparedness. Contact Adrian Gordon at (905) 331-2552 or agordon@ccep.ca or see <http://www.wcdm.org>.

July 11–15, 2005: THE COMMUNITY RATING SYSTEM OF THE NATIONAL FLOOD INSURANCE PROGRAM (E278), Emergency Management Institute, Emmitsburg, Maryland. Call (800) 238-3358 or see <http://www.fema.gov/EMIWeb/>.

July 17–21, 2005: BALANCING ON THE EDGE: COASTAL ZONE '05, New Orleans, Louisiana. Sponsored by the National Oceanic and Atmospheric Administration. See <http://www.csc.noaa.gov/cz>.

July 18–21, 2005: STORMCON 05: THE NORTH AMERICAN SURFACE WATER QUALITY CONFERENCE & EXPOSITION, Orlando, Florida. Sponsored by *Stormwater Magazine* and Forester Communications. See <http://www.StormCon.com>.

August 3–4, 2005: GETTING IN STEP WITH PHASE II: A WORKSHOP FOR STORMWATER PROGRAM MANAGERS, Indianapolis, Indiana. Sponsored by the U.S. Environmental Protection Agency. See <http://www.epa.gov/npdes/stormwater> and click on Training.

August 29—September 3, 2005: THE COMMUNITY RATING SYSTEM OF THE NATIONAL FLOOD INSURANCE PROGRAM (E278), Emergency Management Institute, Emmitsburg, Maryland. Call (800) 238-3358 or see <http://www.fema.gov/EMIWeb/>.

August 31—September 1, 2005: SEVENTH ANNUAL OHIO STATEWIDE FLOODPLAIN MANAGEMENT CONFERENCE, Columbus, Ohio. Sponsored by the Ohio Floodplain Management Association. See <http://www.dnr.state.oh.us/water/floodpln/>.

September 6–8, 2005: THIRD INTERNATIONAL CONFERENCE ON RIVER BASIN MANAGEMENT: HYDROLOGY, ECOLOGY, ENVIRONMENTAL MANAGEMENT, FLOOD PLAINS AND WETLANDS, Bologna, Italy. Sponsored by the Wessex Institute of Technology. Contact Rachel Green at rgreen@wessex.ac.uk or see <http://www.wessex.ac.uk/conferences/2005/rm05>.

September 6–9, 2005: FLOOD RISK MANAGEMENT: STRUCTURAL AND NONSTRUCTURAL SOLUTIONS, HOW MUCH IS ENOUGH? ANNUAL CONFERENCE OF THE FLOODPLAIN MANAGEMENT ASSOCIATION, Sacramento, California. See <http://www.floodplain.org/>.

- September 12–16, 2005:** THIRD NATIONAL FLOODPROOFING CONFERENCE, Charleston, West Virginia. Sponsored by the Association of State Floodplain Managers, the Corps of Engineers, and FEMA. Contact the ASFPM Executive Office at (608) 274-0123 or see [http://www.floods.org/Conferences,% 20Calendar/nfpc3.asp](http://www.floods.org/Conferences,%20Calendar/nfpc3.asp)
- September 14–15, 2005:** SECOND ANNUAL CONFERENCE OF THE MINNESOTA ASSOCIATION OF FLOOD PLAIN MANAGERS, Moorhead, Minnesota. See <http://www.mnafpm.org/annualconf2005.htm>.
- September 19–21, 2005:** FIFTEENTH ANNUAL FALL CONFERENCE OF THE OKLAHOMA FLOODPLAIN MANAGERS ASSOCIATION, Lone Wolf, Oklahoma. Contact OFMA, P.O. Box 8101, Tulsa, OK 74101-8101; or see <http://www.okflood.org>.
- September 21–22, 2005:** SEVENTH ANNUAL CONFERENCE ON WATERSHED PROTECTION AND 2005 NEW YORK CITY WATERSHED SCIENCE AND TECHNICAL CONFERENCE, Fishkill, New York. Contact William C. Harding, Executive Director, Watershed Protection and Partnership Council at wharding@dos.state.ny.us or see <http://www.dos.state.ny.us/watershed/abstracts2-05.htm>.
- September 25–28, 2005:** DAM SAFETY 2005, New Orleans, Louisiana. Sponsored by the Association of State Dam Safety Officials. Contact ASDSO, 450 Old Vine St., Lexington, KY 40507 or see <http://www.damsafety.org>.
- October 20–21, 2005:** IBHS ANNUAL CONFERENCE ON PROPERTY LOSS REDUCTION, Lake Buena Vista, Florida. Sponsored by the Institute for Business & Home Safety. Contact IBHS at 4775 E. Fowler Ave., Tampa, FL 33617; (813) 286-3400; info@ibhs.org or see <http://www.ibhs.org/congress/>.
- October 25–28, 2005:** ADVANCED TECHNICAL SEMINAR ON DAM FAILURE ANALYSIS, Salt Lake City, Utah. Sponsored by the Association of State Dam Safety Officials. Contact ASDSO, 450 Old Vine St., Lexington, KY 40507 or see <http://www.damsafety.org>.
- October 31—November 2, 2005:** SUSTAINABLE BEACHES CONFERENCE, St. Petersburg, Florida. Sponsored by the Clean Beaches Council. See <http://www.cleanbeaches.org/events/summit/2005/>.
- November 11–13, 2005:** URBAN WATERFRONTS 23: GATHERING BY THE WATERS, Savannah, Georgia. Sponsored by the Waterfront Center. See <http://www.waterfrontcenter.org>.
- November 13–17, 2005:** ACTION ON CLIMATE CHANGE, Melbourne, Australia. Sponsored by the Commonwealth Scientific and Industrial Research Organisation (CSIRO). Abstracts are due August 15, 2005. For more information, contact info@greenhouse2005.com or see <http://www.greenhouse2005.com/>.
- April 2–6, 2006:** EIGHTH FEDERAL INTERAGENCY SEDIMENTATION CONFERENCE AND 3RD FEDERAL INTERAGENCY HYDROLOGIC MODELING CONFERENCE, Reno, Nevada. Sponsored by the Subcommittees on Sedimentation and Hydrology of the Federal Advisory Committee on Water Information. Contact Doug Glysson, USGS, 412 National Center, Reston, VA 22092, (703) 648-5019; gglysson@usgs.gov or see http://water.usgs.gov/wicp/acwi/sos/conf/call_papers_extended_42005.pdf
- September 10–14, 2006:** DAM SAFETY 2006, Boston, Massachusetts. Sponsored by the Association of State Dam Safety Officials. Contact ASDSO, 450 Old Vine St., Lexington, KY 40507 or see <http://www.damsafety.org>.
- September 18–20, 2006:** SIXTEENTH ANNUAL FALL CONFERENCE OF THE OKLAHOMA FLOODPLAIN MANAGERS ASSOCIATION, Norman, Oklahoma. Contact OFMA, P.O. Box 8101, Tulsa, OK 74101-8101; or see <http://www.okflood.org>.



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