



# NEWS & VIEWS

March 2020

An Association of State Floodplain Managers newsletter Vol. 33 No. 2

Dedicated to reducing flood losses & protecting floodplain resources

## INSIDE

Disaster Toolkit	1
ASFPM reports	4
Policy Matters!	5
News	6
USACE Nonstructural	8
Legislative Report	10
Op-Ed	14
Director's Desk	16

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## Florida's Post-Disaster Toolkit for Floodplain Administrators

*The importance of having a post-event guide for local FPA's, and why your state needs one too*

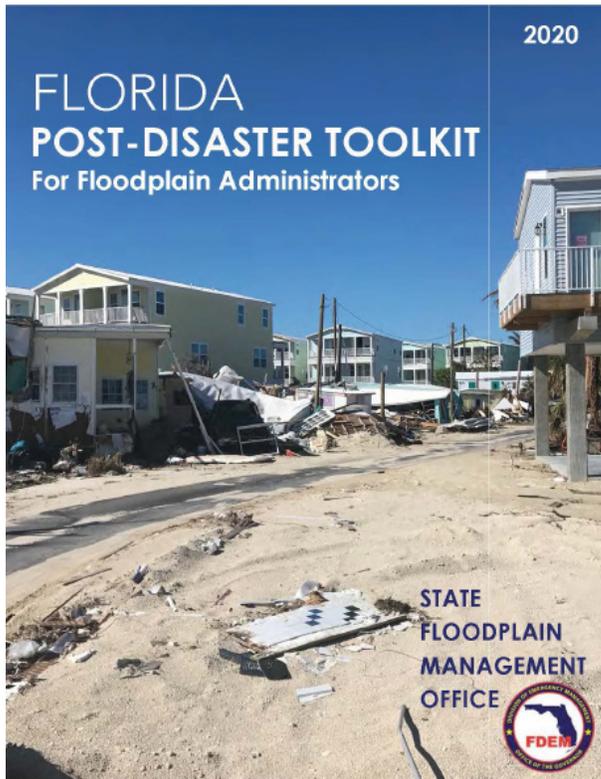
Shannon Reiss, CFM, ASFPM Vice Chair  
Steve Martin

FEMA has provided an abundance of information about specific topics in floodplain management through Technical Bulletins and other guidance documentation, but many states find that in the post-disaster environment there is little information or guidance on how to operate as a "grey skies" floodplain manager at the local level.

After experiences deploying for two Hurricanes in 2016, the Florida State Floodplain Management office decided to begin crafting a [Post-Disaster Toolkit for Floodplain Administrators](#) to best capture the necessary steps local officials must deploy in the post-disaster environment. When a flood disaster strikes, the aftermath may be challenging for emergency and floodplain managers, homeowners, and city and county officials. Local floodplain managers and emergency managers must coordinate to initiate actions and use specific tools for effective data collection following storm events.

In our post-disaster field experience, Florida found that floodplain managers who otherwise have excellent blue-sky knowledge and skills were unaware of the critically needed tasks that they must perform following a major flood event.

At the same time, emergency managers who direct the response to storms were also unclear about those roles. Organized chronologically, the Toolkit contains six major actions that guide floodplain managers in their post-disaster responsibilities. Implementing the actions help communities recover more quickly and meet National Flood Insurance Program (NFIP) requirements contained in local flood ordinances and helps ensure communities enforce flood construction standards in our state's mandatory Florida Building Code, which is based on the International Building Codes.



### **Action 1: “Planning Ahead to Communicate”**

Prior to a flood event, floodplain administrators can help assure success in fulfilling their responsibilities by informing local elected officials, department heads, their emergency managers and the media about the post-disaster activities that must be undertaken. Activities common to most flood events can be planned, but each storm has unusual effects that govern the extent of some activities, such as the type of and number of buildings damaged, and the type of damage (e.g. wind or flood or both). Advising or reminding community leaders and policy makers about the role of floodplain managers is critical for ensuring that local flood damage reduction ordinances and building codes are enforced. This puts floodplain administrators and building officials on more solid ground when implementing their duties.

### **Action 2: “Assessing Post-Disaster Needs”**

Floodplain administrators face a variety of needs and demands that may be nearly unmanageable in the post-disaster period, especially when large numbers of buildings are damaged by flooding. Action 2 focuses on knowing when to request assistance through the EMAC or statewide mutual aid process and a short overview for

how that works in our state. Assistance may be provided by local governments and other assisting parties if requested through the county emergency management staff and the request is fielded through the State EOC. The Toolkit has a short overview of the DRRR 1206 provision so communities may know about the public assistance reimbursement process that is pending through the official publication of the 1206 guidance.

### **Action 3: “Document High Water Marks”**

Knowing the depth of flooding in neighborhoods by documenting high water marks helps community officials identify the most severely impacted areas. This is important for many reasons. Emergency managers can benefit from knowing or recording the depth of flooding when Preliminary Damage Assessments are conducted to estimate damage for the purpose of requesting disaster declarations. High water marks may identify changes in flood patterns as communities develop or redevelop, which is noteworthy especially for risk discovery meetings held during the flood map revision process. Having high water marks may help floodplain administrators and building officials when they conduct initial substantial damage determinations when the amount of damage is challenged by owners trying to make non-conforming structures compliant.

### **Action 4: “Make Substantial Damage Determinations”**

Most local officials have some experience making substantial damage or improvement determinations on a small scale like one or two per year by documenting and assessing improvements through the permitting process. Rarely are community staff ready to manage proactively hundreds or even thousands of determinations while meeting NFIP and other program responsibilities within the community. The Florida Floodplain office coordinated with our FEMA field deployed disaster staff to develop a Substantial Damage Process Chart that walks the floodplain administrator through each step of the SDE process, including the distribution of letters notifying owners about damage determinations, and the need for permits, etc. Sample letters and notices are included in this section of the Toolkit for local officials to use as a guide.

## Action 5: “Understand NFIP Claims and Increased Cost of Compliance”

After flooding, floodplain administrators are involved in identifying damaged buildings, advising property owners about permit requirements, making substantial damage determinations, and working with property owners to comply with substantial damage requirements and reduce exposure to future flooding. A common concern expressed by floodplain administrators is how quickly the NFIP starts paying claims – often well ahead of community efforts to determine building permit requirements. This means owners often start repairs – even major repairs – before getting permits. This section advises floodplain administrators about the NFIP claims and payment processes, increased cost of compliance, and prepares floodplain administrators on answers to simple questions about the NFIP claims process and ICC for homeowners applying for permits.

## Action 6: “Post-Disaster Assistance and Mitigation Funding Assistance”

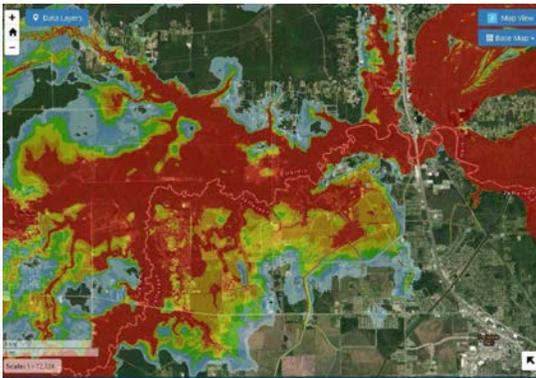
When the president declares major disasters, state and local resources are usually insufficient for effective response and recovery. Many forms of disaster response and federal funding assistance become available. Local emergency management agencies coordinate with states and FEMA to access those resources. In most cases, FEMA and other agency grant programs are available to mitigate the effects of disasters over an extended period. As floodplain administrators, other local officials, and citizens work through the post-disaster recovery period they may identify opportunities to mitigate risk. Action 6 summarizes key programs that states and communities may seek funding from federal funding sources (404 or 406 funding). However, Appendix C summarizes possible sources for funding outside of state and FEMA grants. Appendix C lists programs tailored for individuals and homeowners and provides a set of options for floodplain administrators to give to individuals during the post-disaster substantial damage process. Many communities hesitate to write letters advising homeowners of estimated substantial damage without offering some ray of hope that alternative funding may be available to them.

The Post-Disaster Toolkit has become our office’s most popular and most frequently requested guidance since its publication in 2018. Hundreds of copies have been distributed at workshops held by the SFMO and made available to FEMA staff for distribution when they also visit communities during recovery phases. The creation and publication of the Toolkit fills a much-needed gap in current post-disaster floodplain literature. While this document was created before the 2016 hurricanes, it is continuously reviewed and updated as a living document to improve the procedures and incorporate new developments in policies and procedures generated by the State and FEMA. State and local governments should consider Florida’s Post-Disaster Toolkit and mold this guidance to their own unique hazards and experiences. The post-disaster process can be much more efficient and successful by following proven procedures consolidated in a user-friendly guidance tool for floodplain administrators working at state and local levels.



*When hurricanes, floods, and other disasters strike, the post-disaster period may be challenging for Floodplain Administrators, Building Officials, homeowners, business owners, city and county elected officials, and others. The guidance in the Toolkit helps Floodplain Administrators and Building Officials meet their post-disaster responsibilities by preparing before the next event occurs. Proactive communities will be better able to more effectively address immediate community needs and program responsibilities when less than ideal conditions occur.*

# Most recent ASFPM reports address flood mapping, urban flooding, and flood risk management for elected officials



## Flood Mapping for the Nation

A Cost Analysis for Completing and Maintaining the Nation's NFIP Flood Map Inventory

Since 1969, the US has invested \$6.6 billion (\$10.6 billion in 2019 dollars) in flood hazard mapping, resulting in nearly \$22 billion in losses avoided. But we are far from completing the job, as only 1/3 of the nation's streams have currently been mapped.

In our Flood Mapping for the Nation report, ASFPM estimates the cost to complete flood mapping in the US at \$3.2 billion to \$11.8 billion.

[no.floods.org/MapTheNation](https://no.floods.org/MapTheNation)

Urban flooding is not new, but it's different than how we experienced it a decade ago. Intensified by sea level rise and changing precipitation patterns, urban flooding is more frequent and intense, with underlying infrastructure designed to handle much smaller flooding events.

To catalyze attention and action, the ASFPM Foundation published its Urban Flooding report.

[asfpmfoundation.org](https://asfpmfoundation.org)



A Summary Report Based on the 6<sup>th</sup> Assembly of the Gilbert F. White National Flood Policy Forum  
Washington, D.C. 2019



Flood management protects people and property. ASFPM's three-part guide breaks down the key information elected officials need to fulfill that responsibility.

Wise flood management provides the means to address your flood problems before, during, and after an event, as well as create sustainable development for future generations.

[no.floods.org/ElectedOfficialsGuide](https://no.floods.org/ElectedOfficialsGuide)

# Policy Matters!

Larry Larson, P.E., CFM

Director Emeritus – Senior Policy Advisor, ASFPM

ASFPM partners in many ways. This month we will discuss some of the key partnerships we have with federal agencies, Congress and other organizations with similar interests and missions to ASFPM.

A recent trip to the nation's Capital is an example. We met with key Congressional committee staff to answer their questions on a variety of national policy issues, such as flood mapping (process and funding) as well as providing feedback to member's questions about proposed bills related to exempting mitigation grants from federal taxation and ways to improve the federal programs for design, construction, operation and maintenance of levees and dams, as well as all mitigation programs.



We met with other partner organizations dealing with disasters, mitigation and a range of other key issues. For example, these discussions covered not only flood mapping, but reuse of open space land associated with mitigation buyouts, flood insurance claim data accessibility and implementation of recent legislation for postdisaster substantial damage determinations with in-state mutual aid. These meetings involved other state and local organizations like NEMA, IAEM, the Conference of Mayors and others.

ASFPM coordinates with many federal agencies whose policies and programs can either lessen or increase flood damages and impacts. We met with key staff in the FEMA Mitigation office to cover proposed changes in mitigation, grants, regulation, mapping and insurance. At these meetings we provide feedback that our state and local members provide us about what is not working in certain programs (and on what is working or can be strengthened).

The FEMA programs have goals usually aligned with ours and good staff, but sometimes we can explain how the process does not work the way they intended, however, with some tweaks and revisions, it could. This kind of feedback and exchange helps the agency accomplish its objectives and allows state and local flood risk management professionals do their part to reduce flood losses and taxpayer costs for disasters.

The Corps of Engineers is another federal partner with key programs used by all of our members and partners to manage flood risk. On this trip we met with Stacey E. Brown, the new Chief of the Planning and Policy Division in the USACE and her key staff. We discussed the USACE recent guidance incorporating nonstructural considerations in Corps activities and projects. There is another article in this newsletter covering some detail on those programs.

In addition, Ms. Brown will present at our annual conference this year to talk about these programs and how they can provide technical assistance to communities to analyze flood problems, help communities plan mitigation options, and how and where they may be able to seek some funding cost-share or assistance. We will continue to work with these partners to help communities and states better manage flood risk.

## ASFPM members: Board nominations are open

The nomination period for the 2020 Board of Directors Election is now open. All eligible voters should have received a call for nominations email on Feb. 24, 2020. If you didn't receive that email, please check your spam folders or reach out to ASFPM Membership Engagement Coordinator Cate Secora at [memberhelp@floods.org](mailto:memberhelp@floods.org) to receive the link to the ballot.

Lists of the eligible nominees for each position on the ballot this year can be found on the member portal and the deadline to submit nominations is March 20, 2020. For more information about the elections process, or if you have any questions, [please visit our Board Elections page](#) or send an email to Cate at [memberhelp@floods.org](mailto:memberhelp@floods.org).

## An update on COVID-19 & the ASFPM Conference

ASFPM is carefully monitoring the current status of COVID-19 in the U.S. As of March 11, 2020, there is no change to the 2020 ASFPM Annual National Conference schedule or plans. As always, health, safety and security are top priorities for our conference. We will continue to monitor the COVID-19 virus situation and will communicate any changes to conference plans via our [conference website](#), social media platforms, and email correspondence if necessary.

## Still time to apply for the Mary Fran Myers Scholarship

The Mary Fran Myers Scholarship Committee is now accepting applications. Recipients will receive financial support allowing them to attend the 2020 Natural Hazards Center Research and Applications Workshop in Broomfield, Colorado, July 12- July 15. Scholarships can cover part or all of transportation, meals, lodging, and registration costs.

The Mary Fran Myers Scholarship is awarded annually to at least one potential workshop participant. Recipients are recognized at the workshop and may be asked to serve as panelists, where they can highlight their research on or practical experiences with hazards and disasters.

As the longtime co-director of the Natural Hazards Center, Myers recognized that many of the people who could benefit from and contribute to the workshop—including local practitioners, students, and international professionals—were among those least likely to afford it. The scholarship was established in 2003 to fulfill Myers' request that qualified and talented individuals receive support to attend.

Hazards practitioners, students, and researchers with a strong commitment to disaster management and mitigation and who reside in North America or the Caribbean are eligible to enter. Eligibility is based on current place of residence, not citizenship. Applicants outside North America and the Caribbean will be eligible for the scholarship in 2021. Previous attendees of the Natural Hazards Workshop are not eligible. Preference is given to those who can demonstrate financial need.

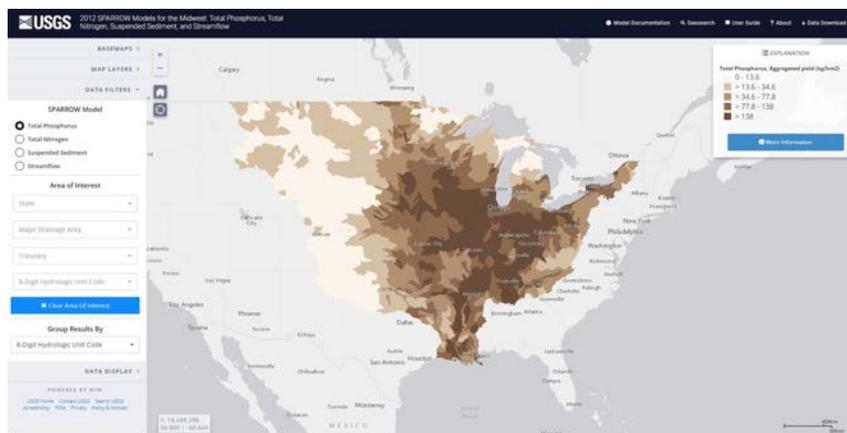
For more information and how to apply, [visit the Mary Fran Myers Scholarship page](#). Applications must be received by March 13, 2020.



*Mary Fran Myers, former  
Natural Hazards Center  
Co-Director*

# New USGS online tools for watershed managers

New online SPARROW (SPATIally Referenced Regression OnWatershed attributes) models and interactive mappers for the Southwest, Pacific, Southeast, Midwest, and Northeast regions of the U.S. are now available from the U.S. Geological Survey. The watershed models estimate streamflow along with yields of total nitrogen, total phosphorus, and suspended sediment in monitored and unmonitored stream reaches across the country. This information can help land and resource managers



prioritize water-quality improvement efforts, ensuring adequate supply for human needs and ecological integrity for fish and other aquatic life. [Learn more about SPARROW models.](#)

The five regional models describe nutrient- and sediment loading and sources of those loads at a resolution of about 2 square kilometers, which is much finer than that of earlier models which was about 132 square kilometers. This allows for improved identification of the sources of nutrients and sediment.

The “base year” for the new model predictions has been updated from 2002 to 2012, meaning the models estimate the mean load that would have occurred in 2012 under average annual flow conditions. Interactive online mappers allow users to explore river flow and nutrient and sediment loads and yields, and the importance of different sources of water, nutrients, and sediment in a specific river basin. Data can be visualized using maps and interactive graphs and tables, and rankings of loads and yields can be shown by state/province, Hydrologic Unit Code (HUC), and basin. Modeling results can be exported as an Excel spreadsheet or a geospatial dataset. Related USGS reports document the models described in the online mappers.

## News from the ASFPM Foundation

ASFPM Foundation provided funding to the Association of State Wetland Managers (ASWM) for a workshop titled “Data Needs, Gaps and Interoperability for Integrated Mapping and Functional Assessment of Riverine and Coastal Floodplains and Wetlands.” The workshop was held at the Nature Conservancy Headquarters on September 30, 2019 — the second in a series of three workshops planned and hosted by the National Floodplain Functions Alliance and Wetland Mapping Consortium with facilitation and planning support provided by ASWM. The goal of this workshop was to identify data needs, gaps, and potential interoperability for integrated mapping and functional assessment at various scales.

In the last two years, ASFPM Foundation has collaborated to provide funding support, input, and active participation in two workshops. The focus of these workshops is on the topic of improving floodplain mapping by integrating geospatial data being developed and used by the wetland mapping community to identify wetland and floodplain functions. The first workshop was titled “Exploring Opportunities for Integrated Mapping and Functional Assessment of Riverine and Coastal Floodplains and Wetlands,” was conducted on April 18, 2018, in Silver Springs, Maryland. A final workshop will be conducted in 2020.

Summary reports for both workshops can be found on the [ASFPM Foundation website.](#)

# Experts offer insight on nonstructural alternatives at USACE

Are nonstructural alternatives gaining traction at the U.S. Army Corps of Engineers (USACE)?

In some sense, nonstructural alternatives have long been an option at the agency. In fact, the Water Resources Development Act of 1974 directed USACE to evaluate a nonstructural alternative for each project, and nonstructural alternatives were referenced in 1996, 1999, 2007, and 2018 versions of the act.

Furthermore, a number of nonstructural projects have even been authorized over the years, including a series of projects within the Huntington District under Section 202 of the 1981 Energy and Water Development Appropriations Act.

Traditionally, though, USACE has embraced structural projects such as levees and dams in response to the nation's largest flood challenges.

That approach may be changing according to Lea Adams, chief of the USACE Water Resource Systems Division and chair of the USACE National Nonstructural Committee. Adams says USACE's interest in nonstructural measures has spiked in the last 15 years.

"I think there is an increased understanding that we can't build our way out of every problem," Adams said. "There isn't enough money available and it doesn't make economic sense in every case. As a result, USACE is looking for alternative methods to continue to reduce flood risk, with nonstructural being a promising technique in certain situations."

As an example, Adams points to two large nonstructural-focused projects in or nearing implementation: the Southwest Coastal Louisiana project, which entered the implementation phase in 2019, and the Fire Island to Montauk Point project in New York, which is working towards the start of implementation in 2020. Both projects evaluated close to 4,000 structures, making them the largest nonstructural projects initiated by USACE to date.



*Lea Adams, P.E.*

Adams hopes the two projects represent where USACE is headed with its nonstructural approach.

"I would like to see us continue to embrace large nonstructural projects, where they make technical and economic sense," Adams says. "There is a small group of dedicated USACE employees who are as enthusiastic about nonstructural approaches as I am, including staff at a number of districts and the five other members of the NNC, and we'll continue to push forward with nonstructural approaches."

Despite the advancements, nonstructural still hasn't quite become the standard at the agency. Ultimately, nonstructural measures continue to present a unique set of implementation challenges, especially when scaled up to address thousands of structures compared to a few dozen. Political will, potential impacts to tax bases, real estate challenges, and construction scheduling all present unique implementation challenges.

Randy Behm, a retired USACE engineer and most recent past chair of the USACE's National Nonstructural Committee, said nonstructural alternatives have been proven to reduce flood damages and increase flood resiliency at costs which compare favorably to structural alternatives.

As the frequency of flooding continues to increase and flood damages continue to rise, Behm believes nonstructural alternatives will need to be marketed as a more viable alternative when flood prone communities consider their options for reducing flood risk.

“While USACE has always appeared to support nonstructural alternatives through policy and regulations, the use of structural measures has by far been the go to alternative by USACE study teams for implementation, typically at the request of the local project sponsor,” Behm said. “This is generally because community officials feel that a levee constructed to the 1 percent annual chance exceedance flood elevation will eliminate their entire flood risk and any requirements for flood insurance.”



*Randy Behm, P.E., CFM*

Behm said two USACE planning bulletins published since December 2015 reaffirm the requirement for nonstructural alternatives as part of the USACE planning process, and also illustrate the agency's renewed commitment toward utilizing nonstructural alternatives as viable measures for reducing flood risk.

The recent policy changes to PB 2016-01 and PB 2019-03 endorse or reaffirm the requirement for analyzing nonstructural alternatives as part of a study team's objective in reducing flood risk and increasing flood resiliency. Instead of just focusing on a potential structural alternative, the policy requires that equitable analyses be placed toward a nonstructural alternative, Behm said.

“While this could increase the overall study costs, there is the potential for a better solution, which could provide greater flood risk reduction and significantly greater economic justification for implementation,” Behm said. “The most favorable project may be one which offers both structural and nonstructural features in order to effectively reduce flood risk.”

Behm notes that the USACE policies for nonstructural alternatives are only required of those communities partnering with USACE on a flood risk management study (riverine or coastal). Communities requesting USACE assistance will essentially be agreeing to the policies in order to partner with the agency, and to obtain federal funding to cost share planning studies, engineering design, and project implementation.

In the end, though, the policies could help promote the most economically feasible and flood resilient project for implementation for those communities entering into a partnership with the agency.

“It is incomprehensible to think that every river will be leveed or that all flood prone structures will be acquired,” Behm said. “There are moderate levels of flood risk where elevation and flood proofing can meet the planning objectives and provide the optimal level of flood risk reduction.”

### **Planning Bulletin summaries**

The most notable points in Planning Bulletin 2016-01 are 1) all projects should include evaluation of nonstructural measures (required per the 1974 WRDA); 2) berms and floodwalls are considered structural measures; and 3) the ability to use eminent domain must be retained if acquisition or relocation are part of a selected alternative.

Planning Bulletin 2019-03 expanded on Planning Bulletin 2016-01 by addressing several details of plan formulation and evaluation, including aggregation of structures for economic analyses, participation rate assumptions and calculation of interest during construction.

# Legislative Report

Meredith R. Inderfurth  
ASFPM Washington Liaison

Meredith Inderfurth's Legislative Report typically runs in ASFPM's member's-only Insider newsletter. Get regular access to this content and more by becoming an [ASFPM member](#).

## **A Busy House of Representatives But Senate Not So Much**

The House of Representatives has been cranking out legislation, but the Senate has not done much to take up House-passed bills or to pass their own bills. Action on the Senate floor has been primarily focused on nominations for judgeships and other political appointments.

At the committee level, there has been considerable activity in both the House and Senate. This means hearings and in some cases, reporting out legislation. Despite committee level activity and some House passage of bills, there has been no full passage and enactment of legislation of interest to floodplain managers so far in this Congressional session.

After the President's Budget Request for Fiscal Year 2021 was released on February 10, the Appropriations Committees in both the House and Senate have started to hold hearings with officials of federal departments and agencies. At these hearings, administration officials defend their budget requests and respond to questions from subcommittee members. Some Appropriations subcommittees schedule a day to hear from stakeholders and other members of the public. All subcommittees accept Outside Witness Testimony from the public. ASFPM expects to submit Outside Witness Testimony to several subcommittees to comment on budget requests for FEMA, USGS, Army Corps of Engineers and NOAA.

## **NFIP Reauthorization and Reform**

The National Flood Insurance Program (NFIP) is currently authorized until September 30, 2020. Since the last full 5 year reauthorization expired at the end of September 2017, there have been at least 17 short term extensions, causing uncertainty for all those industries that support the NFIP, as well as realtors and property buyers and sellers.

Despite some progress on multi-year reauthorization and reform legislation, the process has stalled. The House Financial Services Committee reported out a bill (H.R. 3167) unanimously last summer, but since then, objections have arisen from other Members of Congress – primarily around affordability issues. Awareness that FEMA is developing its Risk Rating 2.0 effort to better reflect risk of flooding has led to worries about potential significant premium rate increases. Negotiations with engaged members of Congress are ongoing. Until a way forward can be found, it is unlikely that the bill will come to the House floor for a vote.

The Senate Banking Committee has taken no formal action on flood insurance during this session of Congress. A comprehensive reauthorization and reform bill (S. 2187) was introduced July 18, 2019, in the Senate by a bipartisan group of Senators led by Senator Robert Menendez (D-NJ) and Senators Cassidy (R-LA) and Kennedy (R-LA), but no subsequent action has been taken.

Immediate past ASFPM Chair Maria Cox Lamm presented testimony before the House Financial Services Committee making recommendations for reform. Her testimony supported funds for mitigation and mapping, implementation of the mapping tasks authorized in the 2012 reform bill – such as mapping future conditions and residual risk areas below dams and behind levees, authorizing the CAP-SSSE program for the first time, strengthening state and local floodplain management capabilities and improving communication about and disclosure of flood risks.

ASFPM representatives continue to meet with committee staff as well as personal staffs of engaged members of Congress and Senators to stay informed on progress as well as provide updates on NFIP issues and to respond to staff requests for information or reaction to proposals.

## WRDA Water Resources Development Act 2020

WRDA 2020 legislation is under active development in both the House and Senate committees. After a long period between the 2007 and 2014 WRDA bills, the Congress has successfully returned to a schedule of passing a WRDA bill every two years.

ASFPM has testified at two WRDA hearings before the House Transportation & Infrastructure Committee. ASFPM Chair Ricardo Pineda testified on November 11, 2019 at a hearing titled “Concepts for the Next Water Resources Development Act: Promoting Resiliency of Our Nation’s Water Resources Infrastructure.” ASFPM Executive Director Chad Berginnis testified on July 10, 2019 at a hearing titled “Water Resources Development Acts: Status of Implementation and Assessing Future Needs.”

ASFPM representatives have met with House committee staff as well as staff of the Senate Committee on Environment and Public Works. Additionally, the Minority (Democratic) staff of the Senate EPW committee have regularly met with stakeholders on flood, environmental policy and related issues.

Both House and Senate committees anticipate releasing draft legislation this spring.

ASFPM testimony and meetings focus on boosting the small technical assistance programs of the Army Corps of Engineers such as Flood Plain Management Services (FPMS), Planning Assistance to States (PAS) and Silver Jackets. Also PL 84-99, (Flood Control and Coastal Emergencies (FCCE) (33 U.S.C. 701n), which provides federal taxpayer funding for rebuilding failed or damaged levees needs to identify how often levees fail and the taxpayer costs to rebuild them and whether we should keep rebuilding repeatedly failed levees over and over. Importantly, another key focus is on promoting Corps consideration of alternative and/or nature-based solutions to flooding problems as part of considerations of any structural or nonstructural flood risk management solutions.

## Climate Change Legislation

The House has established a Select Committee on the Climate Crisis. House Speaker Nancy Pelosi has charged the select committee with developing bold ideas for addressing climate change. Committee Members and staff are close to releasing a comprehensive report this spring with recommendations for both administrative actions as well as legislation.

ASFPM Executive Director Chad Berginnis testified November 20, 2019 at a Select Committee hearing titled “Creating a Climate Resilient America: Reducing Risks and Costs.” Last fall, the Select Committee had also issued a Request For Information (RFI) soliciting ideas and recommendations. ASFPM submitted both in a document that can be found on the [ASFPM website](#).

## Flood Risk Mapping

Two subcommittees of the House Committee on Science, Space and Technology held a joint hearing on February 27, 2020 “to explore how flooding and sea-level rise affect American property owners, how the Federal Emergency Management Agency (FEMA) uses science to inform its flood products, and whether additional federal resources are needed to research and communicate future flood risk to the public.”

ASFPM Executive Director Chad Berginnis, pictured far right at the table, presented testimony titled [“An Examination of Federal Flood Maps in a Changing Climate.”](#)



ASFPM had just released its new, updated [Flood Mapping for the Nation](#) report, so his testimony drew heavily from that report, which describes mapping needs and makes projections of the cost involved in addressing unmet mapping tasks. The report will hopefully serve as a decision tool to inform lawmakers as they consider legislation and appropriations related to flood risk mapping and data.

### **Appropriations for Fiscal Year 2021**

The administration released its Budget Request for FY 2021 on February 10. That kicked off the Congressional consideration of the President's Budget Request. The 12 Appropriations subcommittees in both the House and Senate have begun holding hearings to hear from Federal department and agency officials who defend and explain their budget requests. Once again this year, the administration's budget generally calls for substantial cuts from enacted levels for FEMA, for the Army Corps of Engineers, for the US Geological Survey (USGS), for the Environmental Protection Agency (EPA) and for the National Oceanographic and Atmospheric Administration (NOAA), among others.

ASFPM will submit Outside Witness Testimony (OWT) on most of the departments and agencies named above. Each subcommittee sets its own deadlines for OWT submissions – most of which are later in March or in April.

Under regular order, the subcommittees would begin to mark up their FY '21 bills in May and early June to bring them to their respective Floors in June and July. Although the House was actually able to do that for the FY '20 appropriations, the Senate did not, so regular order was not achieved, and, once again, the federal government had to operate under Continuing Resolutions (CRs) until mid-December 2019.

The budget request for FEMA's flood risk mapping in FY '21 is the same as for FY '20 - \$100 million. Fortunately, in FY '20 (current spending year) the Congress appropriated \$263 million in recognition of the importance of risk identification for public safety, hazard mitigation and efforts to reduce flood related costs to taxpayers. ASFPM will again work with other organizations in the Flood Map Coalition to promote funding of at least the FY '19 and '20 levels of \$263 million. The USGS Coalition, in which ASFPM participates, has already submitted OWT calling for an overall restoration of funding for USGS, and specifically mentioning the Water Resources and Hazard mission areas.

### **Other Legislation of Interest**

H.R. 3702 and S. 2301

- Legislation to codify the CDBG-DR program at HUD
- House passed its bill; Senate bill is pending in Senate Banking Committee.
- ASFPM and our informal Flood Alliance group of organizations sent a letter asking for language comparable to FEMA's deed restrictions on buy-out land.

H.R. 2189 and S. 1069

- Legislation to codify NOAA's Digital Coast project
- Passed the House; reported out of Senate committee – pending Senate floor consideration.
- ASFPM is an active member of the Digital Coast Partnership which supports the project.

H.R. 4347

- PREPARE Act would establish a new interagency body to promote consideration of extreme weather in all federal programs.
- Reported out of House committee; awaiting House floor action.

H.R. 3779

- Resilience Revolving Loan Fund Act
- would establish an option for state revolving loan funds for hazard mitigation projects
- reported out of the House T & I committee – awaiting House floor action.

H.R. 3462 and S. 1958

- The Shelter Act

- would authorize a tax credit for 25% of qualifying mitigation expenses up to an annual limit of \$5,000.

- referred to House Ways & Means committee and Senate Finance committee for consideration.

H.R. 5494

- Tax Parity Act

- would exempt state and local mitigation grant funds from federal taxation

- includes earthquake and wildfire mitigation but does NOT include flood hazard mitigation. ASFPM working to add flood mitigation.

H.R. 3541

- Coastal Climate Change Adaptation Preparedness and Response Act

- would establish a coastal climate change adaptation, preparedness and response program at the Department of Commerce

- reported out of House Natural Resources committee – awaiting House floor action

H.R. 4358

- Preliminary Damage Assessment Improvement Act

- would require a study of the PDA process and need for improvement

- would establish permanent cadres at FEMA for deployment post-disaster

- pending consideration by a T & I subcommittee

- Some ASFPM members question the need for this legislation. ASFPM representatives have met with committee staff to discuss.

H.R. 2462

- Flood Mapping Modernization and Homeowner Empowerment Pilot Program Act

- would establish a pilot program to enhance mapping of urban flooding and make hazard data publicly available.

- pending consideration by House T & I and Financial Services committees

More information and the text of these bills can be found by going to [www.Congress.gov](http://www.Congress.gov) and typing in the bill number. All testimony presented to Congress can be found on the [ASFPM website](#).

## Assistance needed from ASFPM members: Engineering Circular on USACE Levee Safety Program available for Public Comment

Since 2007, the U.S. Army Corps of Engineers (USACE) Levee Safety Program has partnered with levee sponsors to better understand, prioritize, and manage flood risks associated with levees. USACE has now developed draft agency guidance, Engineer Circular 1165-2-218: U.S. Army Corps of Engineers Levee Safety Program, to consolidate and formalize the principles, policies, and key processes used by USACE in the program. We urge floodplain managers to provide comments by April 27, 2020. Please send a copy of your comments to ASFPM at [Meg@floods.org](mailto:Meg@floods.org).

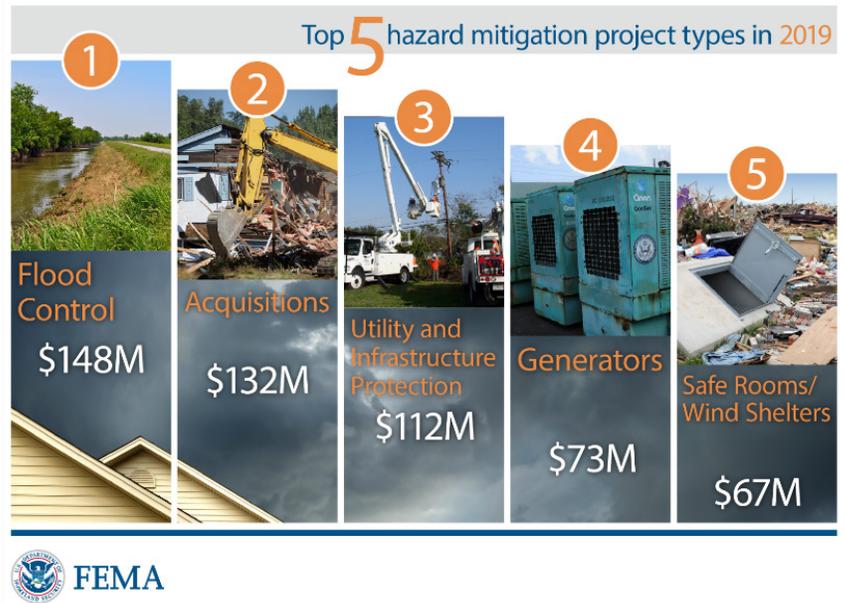
Prior to publication, the Engineer Circular will be available for a 60-day public period through the Federal Register under docket number COE-2020-0003. During the public comment period, USACE will host five in-person and two virtual information sessions to provide additional detail on the purpose and content of the draft guidance. [Visit the USACE Levee Safety Program website](#) to find the latest information about the Engineer Circular, the public comment period, and the in-person and virtual sessions.

# FEMA Hazard Mitigation Assistance: Buyouts – opportunities and challenges

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Over the last 30 years, FEMA's Hazard Mitigation Assistance (HMA) programs have funded nearly \$15 billion in mitigation projects. Acquisition projects have been one of the most popular and effective ways for communities to reduce the risk of flooding.

These projects remove flood-prone structures permanently and turn these properties in open green space, which restricts future development. Last year, \$132 million was invested in acquisitions nationwide, nearly peaking FEMA's top five hazard mitigation project types in 2019.



However, the January issue of ASFPM's newsletter News&Views incorrectly states that "buyouts now take five years on the average to be completed." The article continues, "The reasons for the long time period seem to be mostly due to lengthy procedures and the time period it takes some FEMA regions to review and approve the buyout application after the state has already reviewed it for compliance. Not that all the blame lies with FEMA since states and local communities also have a role in the buyouts. At any rate, the process must be streamlined if buyouts are to be as useful as they could be."

To help clarify, FEMA approves nearly 93 percent of state acquisition proposals in three years or less—from a disaster declaration date to obligating funds. In fact, 78 percent of approved acquisition funds are obligated in less than two years. Only 7 percent of all projects take 37 months or greater to be funded.

Please see details in the table below:

Time Frame from Disaster Declaration Date to Approved	# of Projects	% Of Projects
1 to 12 Months	573	28%
13 to 24 Months	1025	50%
25 to 36 Months	331	16%
Greater than 37 Months	136	7%
<b>Total Project Count</b>	<b>2065*</b>	<b>100%</b>

FEMA's analysis further indicates that some states take an average of 15 months after a declared disaster to submit acquisition projects to FEMA. On average, FEMA's review takes four months, which includes time for eligibility review, cost reasonable validation, additional analysis if necessary, and all necessary environmental compliance reviews.

All said, after a disaster declaration, it takes states and FEMA around 19 months to obligate acquisition funds to local jurisdictions. Once funds are obligated, FEMA has little influence over how long states or local jurisdictions take to complete the buy-out process.

Among the most common activities in all three grant programs are home elevations and acquisitions. These programs run entirely through voluntary participation of state and local officials and individual homeowners.

To date, more than 46,000 properties throughout the nation have been acquired. As has been independently documented, mitigation has a return on investment of \$6 saved for every \$1 invested resulting in tens of millions being saved in property losses as well as lessening individual pain and suffering. Additionally, over the years, FEMA has introduced several efficiencies that have allowed the agency to reduce the non-disaster application period from six to three months without compromising the quality or number of applications received each year.

In fact, some states have submitted successful projects very quickly after a disaster declaration, with one being approved within 45 days from the declaration date. It takes those state partners having up-to-date administrative and mitigation plans, with selected projects prepared and ready for funding.

From the eyes of a disaster survivor or community official, 19 months is too long. And it takes all levels of government playing a critical role in the process to help shorten the timeline. We continually explore ways to reduce the complexity of our programs including property acquisitions.

As part of the Disaster Recovery Reform Act of 2018, FEMA has recently published a Fact Sheet, Acquisition of Property for Open Space, containing critical facts and tips about FEMA's buy-out program. FEMA looks forward to working with ASFP, and emergency managers from all levels of government to further our shared responsibility, and our other partners to make our nation's communities resilient and reduce disaster suffering.

*Kayed I. Lakhia would like to acknowledge the contributions of mitigation subject matter experts Steven Carruth, Jody Springer and Dave Thomas, who contributed to this article.*

### **Content welcome**

ASFP welcomes your content in our News&Views and Insider newsletters. For consideration, please share your news, announcements, editorials, etc. with [editor@floods.org](mailto:editor@floods.org). We'll follow up with more details once your content has been received.

## Director's Desk

Chad Berginnis, CFM  
Executive Director, ASFPM



### Who we are....

Over the past few months, ASFPM has had the opportunity to share our message and mission of flood loss reduction to two Congressional committees that we've not previously engaged – the House Select Committee on the Climate Crisis and the House Science Committee. In preparing our testimony, our written testimony always begins with an explanation of who we are as an organization. Lately, I have been thinking about that a lot because I find when I talk to members and ASFPM leaders alike, who we are depends on your perspective. Just last month, one of ASFPM's long-time vendors said to me "I always thought you were a trade organization." Well, yes and no.

Earlier in my career, I was a volunteer for ASFPM having served on the Insurance Committee and then later being elected to the ASFPM Board where I eventually served as chair from 2003-2005. During that time, one of the things I pondered is why we were called the Association of State Floodplain Managers when we had a membership much more diverse than states.

For those that may not know our history, ASFPM was formed in the 1970s as an organization of states that took some exception to approaches taken in the early days of the NFIP, especially when it came to mapping and participating in the NFIP. There were about a half dozen states that already had floodplain management programs that included mapping and in those early days, the states were left out as HUD often worked directly with communities to implement the NFIP. States explained that bypassing state laws and rules was not helpful to communities so they began asserting themselves and the ASFPM was born.

The reality then as is now, is that anything that is done at the community level is empowered at the state level through state law and by a state's constitution (for a good discussion on home rule states - more authority at local level - versus Dillon rule states - less authority at local level - [see this article](#) from the National League of Cities). States really do have an outsized impact on how we manage flood risk in the nation. The point is as a state floodplain manager's organization we quickly found we were recognized and built up a credibility partially due to the very fact that we were an organization that represented the state perspective in addition to the public interest.

I like to say that from a policy perspective, it is like the secret sauce on a Big Mac, it helps us to be more successful at achieving our mission. The bottom line is that having the state perspective is in our DNA as an organization and continues to be a major factor in our policy success at the federal level, where the state role in the US constitution is well recognized.

All of that being said, ASFPM's prime directive is our mission: The mission of ASFPM is to promote education, policies and activities that mitigate current and future losses, costs and human suffering caused by flooding, and to protect the natural and beneficial functions of floodplains - all without causing adverse impacts. To me that means that our mission encompasses the work all of us do whether we work at the federal level, state level, local level, private sector, academia, or are just citizens.

Also, have you ever noticed that our mission is really a public one? Accomplishing our mission means that we promote effective public policies (even if it sometimes causes some of our member's discomfort), and that we are to serve both members and the general public alike. It is in keeping with our mission, then, that ASFPM has many of its resources and publications available for free and not behind a paywall. At the same time, we acknowledge a significant part of our revenue (about 30% of our annual budget) comes from membership dues so we also must be mindful of providing outstanding service to our members.

While this causes some natural tension, I feel the benefits far, far outweigh the costs. In January, I was privileged to address a National Leaders Forum of the organization Higher Ground the country's largest flood survivors network representing over 35,000 flood survivors. In the presentation, I highlighted many of the tools and resources that ASFPM has developed that might be able to assist them in their quest to understand and address flooding problems in their neighborhoods and communities.

Another dimension about who we are concerns how we originally incorporated and organized. ASFPM is a 501c3 nonprofit organization. The IRS defines a 501c3 as: Entities that are organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, for testing for public safety, to foster national or international amateur sports competition, for the prevention of cruelty to children, women, or animals.

The two components of that definition that specifically fit ASFPM are scientific and educational. Indeed, both of these elements have been around as long as ASFPM has. We firmly value science/science based decision making and from an educational standpoint – whether it is at our conferences, through our webinars, or educating policy makers on Capitol Hill – we are continually educating members and non-members alike.

In the 20 years I have been involved in some capacity with ASFPM, we have grown and transformed greatly. We have diversified our revenue streams to be less dependent on one revenue source while doing more to accomplish our mission. We run one of the largest and most successful professional certification programs. We are doing applied research and developing tools for our members at that community level to use, and we are doing more training than ever – with more than 5,000 people attending at least one of our webinars last year.

ASFPM has successfully fostered the creation of 37 state or multi-state chapters, we've created our own ASFPM Foundation and worked to develop standards and programs where none have existed before (such as our National Flood Barrier Testing & Certification Program).

So who ASFPM is really does depend on your perspective and probably what programs and services you use. For those of you that are members of ASFPM, I want to personally thank you – because you really are investing in a critically important mission, and for those of you that are not members but use ASFPM's tools and services, or just believe in our mission – [please join us and become a member!](#) Together, focused on our mission, we can accomplish much more.

Your partner in loss reduction,  
Chad