



National Association of Flood & Stormwater Management Agencies
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NAFSMA Position on Floodplain Management Issues

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I. Introduction

The National Association of Flood and Stormwater Management Agencies (NAFSMA), founded in 1978, is an organization of public agencies whose function is the protection of lives, property and economic activity from the adverse impacts of storm and flood waters. NAFSMA member agencies either belong to the National Flood Insurance Program (NFIP) or work with communities which belong to the NFIP.

NAFSMA is a public agency driven organization based in the nation's capital, with a focus on effective floodplain, flood and stormwater management in urban areas. Our mission for close to 35 years has been to advocate public policy and encourage technologies in watershed management that focus on flood protection, floodplain and stormwater management. Through this mission, NAFSMA enhances the ability of its member agencies to protect lives, property and economic activity from the adverse impacts of storm and flood waters. NAFSMA acknowledges flood damage reduction systems help communities' sustainability and resiliency, however all flood risks are not eliminated.

II. Floodplain Management Committee Mission Statement

The Floodplain Management Committee tracks and influences federal legislation and regulations that affect NAFSMA member's floodplain management programs. This includes the National Flood Insurance Program (NFIP), floodplain mapping issues, Letters of Map Changes (LOMCs), flood insurance, mitigation, emergency preparedness, Community Rating System (CRS), levee policies, "all hazards" insurance, and "takings" legislation. The Committee Acts as NAFSMA's liaison with the Federal Emergency Management Agency (FEMA) and coordinates with other national organizations on issues of mutual interest.

III. National Flood Insurance Program and the Federal Emergency Management Agency

NAFSMA has identified the following areas of interest with regard to the NFIP and how FEMA is managing this program as it affects the public service functions of its member agencies. NAFSMA's positions regarding these areas of interest follow.

IV. National Flood Insurance Program

- a. NAFSMA supports the continuing authorization of the NFIP.

The NFIP is an important part of NAFSMA member's floodplain management efforts. NAFSMA welcomes the passage of the Biggert-Waters Flood Insurance Reform Act of 2012 (NFIP Reauthorization Act) which continues the NFIP authorization for another five years. NAFSMA is committed to assisting FEMA in implementing various provisions of the NFIP Reauthorization Act.

- b. FEMA needs to retain a strong natural hazards component; including flood hazard mapping, digital products, mitigation and disaster response. Therefore, FEMA should be returned to its previous status as an independent agency reporting to the President.

With FEMA now a part of the Department of Homeland Security (DHS), there is concern in the natural hazards mitigation community that the agency's ability to carry out the natural hazards piece of its mission has been compromised.

- c. NAFSMA supports Congress's decision to reestablish the Technical Mapping Advisory Council.

During its five-year existence the Technical Mapping Advisory Council (TMAC) provided a valuable forum for floodplain managers across the entire spectrum to come together and discuss floodplain management issues. In fact, TMAC was the effective equivalent of the steering committee of FEMA's map modernization program. The NFIP Reauthorization Act has reestablished TMAC, including the membership profile. The NFIP Reauthorization Act has delegated a wide range of issues to the TMAC including residual risk, insurance affordability, mapping and mitigation. NAFSMA is committed to active participation in the TMAC and believes that this entity can play a vital role in helping to implement the policies authorized in the recent NFIP Reauthorization Act.

- d. Changes in major aspects of the NFIP should only be accomplished after sufficient study to understand the short and long term implications of such changes.

NAFSMA wants to insure that major changes to the existing structure of the NFIP, such as changes in areas where flood insurance purchase is mandatory, are made only after soliciting stakeholder input, and are deemed to be appropriate for the improvement of the program.

- e. NAFSMA opposes adding other insurance, such as wind insurance, to the NFIP.

Adding insurance for other hazards to the NFIP would unnecessarily complicate the floodplain management efforts of NAFSMA's members.

V. Mapping Issues

- a. NAFSMA supports FEMA's completion of ongoing map modernization program studies.

Funding for FEMA's map modernization program has ended but many studies are still in progress, which will convert the nation's Flood Insurance Rate Maps (FIRMs) to digital products (DFIRMs).

- b. NAFSMA supports the Risk MAP (Mapping, Analysis and Planning) initiative.

It is very important for FEMA to insure the integrity of the map modernization products through frequent updates of the mapping products. It is also important for FEMA to map the communities missed during map modernization. Other positive aspects of Risk MAP include mapping and planning by watershed, analysis of community and national risk, assistance with mitigation planning, and new approaches to risk communication.

- c. NAFSMA supports adequate funding of FEMA's Risk MAP initiative in the Federal budget.

Because the benefits of Risk MAP go beyond the sale of flood insurance, flood insurance policy holders should not be required to bear the full cost of the Risk MAP program; but rather the public as a whole should participate in the funding of the program.

- d. NAFSMA supports FEMA's deployment of the new Levee Analysis and Mapping Procedures (LAMP)

FEMA has responded to a Congressional request to reconsider the "with and without approach to non-accredited levees". NAFSMA has participated as an active stakeholder in developing the new procedures. In the interim, a number of mapping studies and letters of map change (LOMCs) that include non-accredited levees have been put on hold awaiting final guidance. NAFSMA encourages FEMA to move into the pilot project phase as soon as is reasonable.

- e. NAFSMA encourages FEMA to continue its implementation of the Cooperating Technical Partners (CTP) initiative, while utilizing NAFSMA member agencies to the fullest extent possible. This includes CTP participation in the Risk MAP program, technical review of LOMC applications, DFIRM maintenance, risk assessment and risk communication.

FEMA's CTP initiative is of particular interest to NAFSMA. Many NAFSMA member agencies have the expertise and financial capability to conduct the types of activities; such as hydrology, hydraulics, and topographic mapping; which are used to develop Flood Insurance Studies (FISs), DFIRMs and LOMCs. These agencies also often design and implement projects which reduce flood hazards and lead to the need to revise FISs and DFIRMs. In some cases, these agencies are in the best position to certify the completion of these projects and complete the needed map revisions in a timely manner. These agencies also have the capability to maintain the DFIRM products to keep them current.

- f. NAFSMA urges FEMA to utilize digital products as official documents as soon as possible for those communities willing and able to take advantage of them, while protecting the interests of those map users who do not yet have the digital capability.

FEMA has implemented a "Use of Digital Flood Hazard Data" policy that allows the use of several digital products as official documents. Unfortunately, the production of paper FIRM panels is still required before any of the other digital products are made available.

- g. NAFSMA encourages FEMA to consider showing other hazard layers on the National Flood Hazard Layer when requested by the local governments.

In the past, NAFSMA has encouraged, and FEMA has allowed, the inclusion of future hydrologic conditions on the FIRMs, at the request of the local governments, for advisory or regulatory purposes (but not for purposes of flood insurance). FEMA should allow other hazards to be shown at the request of local governments.

- h. NAFSMA agrees with the Technical Mapping Advisory Council that maintenance activities should be exempt from 404 permit requirements.

FEMA requires local governments to assure the maintenance of flood carrying capacity of flood management projects, such as enlarged channels, as a condition of revising FIRMs to reflect the effects of the projects. At the same time the Corps of Engineers, under its 404 permit process, makes it more difficult and expensive

for local governments to perform the required, and necessary, maintenance. The Technical Mapping Advisory Council, in its 1998 annual report, encouraged FEMA to work with the Corps of Engineers to develop 404 permit regulations which exempt maintenance of FEMA credited flood management projects.

- i. FEMA should revise its procedures to require map determination companies to accept credible technical evidence from local government officials regarding the determination of flood insurance purchase requirements. Further, FEMA should periodically evaluate and report the accuracy of the determinations made by the various companies.

A number of NAFSMA member agencies have had experiences with map determination companies where obviously incorrect determinations have been made, resulting in erroneous flood insurance purchase requirements which have cost citizens insurance premiums that they should have not have had to pay. These companies generally refuse to accept more detailed and/or more current information from the local governments, no matter how knowledgeable these agencies are about the flood hazards in their own communities.

VI. Floodplain Management Projects

- a. NAFSMA encourages active engagement among the federal agencies involved in flood risk and floodplain management activities so that federal policies are developed and implemented in an integrated and consistent fashion.

For example, the Corps of Engineers and FEMA have worked work closely together in recent years on levee, residual risk and other flood risk management issues. NAFSMA encourages continued coordination especially in the levee accreditation, risk communication, and maintenance areas. The Federal Interagency Floodplain Management Task Force (FIFM-TF) has successfully assembled all federal agencies that impact federal floodplain management policy and has begun work on a unified federal policy. The FIFM-TF membership is currently limited to federal agencies. NAFSMA encourages the FIFM-TF to continue coordination with non-federal stakeholders in order to achieve a unified national floodplain management policy.

- b. FEMA should work with affected local governments to select and support the mitigation alternatives most appropriate for each situation.

There are a tremendous number of existing structures within identified floodplains in this country; most of which were constructed before floodplains were mapped, or modern floodplain management techniques were widely used. The protection of these existing structures, and the physical and economic well-being of their occupants, is a matter of great importance to the member agencies of NAFSMA. In many instances the best way to mitigate the flood hazard in these areas (measured in terms of costs, time involved and social disruption) is with remedial projects utilizing structural flood management methods.

There are certainly differences between remedial projects and preventive projects. Non-structural methods, such as floodplain regulations, subdivision regulations, land acquisition, and other activities that preserve the natural and beneficial functions of the drainageways, are most appropriate and cost effective in preventive situations dealing with new development. In many instances, non-structural methods are not cost effective or timely in providing remedial solutions to existing flood hazards. It is infeasible to think that all of these existing structures are going to someday be removed and the land returned to open uses compatible with the flood hazard; and yet that seems to be the focus of FEMA's mitigation philosophy. Structural solutions can include elements that enhance the natural and beneficial functions of the projects, and these should be considered acceptable in many instances.

- c. FEMA should modify its grant conditions to allow consideration of the use of these acquired properties for cost effective flood management projects which reduce flood hazards and are compatible with the overall objectives of the particular grant program.

FEMA has structure buyout/relocation grant programs which generally impose conditions on the acquired property which prohibit the use of the property for any structural flood management measures. While it is recognized that FEMA's emphasis is on non-structural solutions, a blanket prohibition on structural solutions can be counterproductive. For example, an excavated floodway could reduce flood hazards while still preserving the open space intent of the original grant programs.

VII. Mitigation Programs

- a. NAFSMA supports both pre-and post-disaster mitigation activities and urges full funding of both programs.

Recent budgets have reduced the post-disaster Hazard Mitigation Grant Program (HMGP) and also established a competitive pre-disaster mitigation grant program.

- b. NAFSMA strongly believes in and supports the new role of mitigation embodied in Presidential Policy Directive 8 – National Preparedness (PPD-8).

NAFSMA actively participated in the development of the Mitigation Framework. NAFSMA will continue involvement with PPD-8 and especially the mitigation component as it translates into local action.

VIII. Community Rating System

- a. FEMA should continue past efforts to reduce paperwork associated with the Community Rating System (CRS), including coordination of required information between neighboring jurisdictions, state and regional agencies, and Federal programs with similar information requirements.

NAFSMA is willing to assist FEMA in the identification of common information required by different Federal programs and to try to streamline submittal requirements. Further, NAFSMA member agencies would appreciate a CRS evaluation process which demonstrated more trust in the local agencies.

The current amount of paperwork required to apply to and remain in the CRS has been reduced from the time it was first initiated, but NAFSMA member agencies believe that there is still room for more improvement. In addition, member agencies continue to be dismayed with the lack of trust FEMA shows in local governments with regard to the accuracy of their paperwork.

Many urban areas are fragmented among many local jurisdictions, each of which are individual participants of the NFIP and CRS. As such, each jurisdiction must submit its own paperwork, resulting in duplicate work for regional efforts, such as flood warning plans and stormwater management efforts. Other Federal programs also require submission of essentially duplicate information from time to time.

- b. NAFSMA fully supports continued participation in the CRS Task Force.



VIII. Conclusion

The member agencies of NAFSMA want to work with FEMA on the common goal of protecting the lives and property of American citizens. However, they want their commitment, their expertise and their unique circumstances to be recognized by FEMA, and they want their work products to be more readily accepted by FEMA. We have to work together. To do otherwise is to waste precious resources.