



## ASSOCIATION OF STATE FLOODPLAIN MANAGERS, INC.

575 D'Onofrio Drive, Suite 200, Madison, Wisconsin 53719 [www.floods.org](http://www.floods.org)

Phone: 608-828-3000 Fax: 608-828-6319 Email: [asfpm@floods.org](mailto:asfpm@floods.org)

**This report summarizes some of the policy changes, challenges and efforts ASFPM has been involved in during Fiscal Year 2018—Larry Larson: ASFPM Senior Policy Advisor.**

The backdrop of many of the national policy discussions in FY18 were the large number of major natural disasters that happened during 2017. In addition to Hurricanes Harvey, Irma and Maria, there has been major flooding, wildfires followed by flooding and other disasters that will end up costing the federal taxpayers over \$300 billion. In the weeks following the hurricanes, ASFPM's policy team was speaking non-stop to national and local media on technical and policy issues in dozens of interviews. Another dynamic was the federal budget – President Trump's first budget blueprint contained massive cuts to programs important to floodplain managers. Fortunately, Congress also balked and provided an increase in domestic spending for FY18. FY18 also saw new leadership at most federal agencies providing both opportunities and challenges.

### **Congressional (legislative) actions:**

We are generally seeing increased support for flood mapping and hazard mitigation in Congress. ASFPM supports numerous programs across several agencies like the USGS's 3-DEP program to produce LIDAR for the nation and stream gauging program, USACE technical assistance programs like Silver Jackets, FPMS and PAS, and other programs in NOAA, NRCS, HUD, EPA and others. ASFPM works independently and builds coalitions to create support. Some of the legislation we engaged with:

- **NFIP Reauthorization** – The NFIP expired on Sept. 30, 2017. Congress has extended the program a number of times and it will now expire July 31, 2018. The House has passed a reauthorization bill (but it has few positive provisions), whereas the Senate is considering three different bills, but none have passed through committee (ASFPM supports all three Senate bills). Flood insurance affordability continues to be an issue, but the march to full risk rates continues. ASFPM expressed our concern that the reauthorization needs to address affordability, full flood map funding, increased mitigation assistance, ICC reform, and ensure that any efforts to incentivize the private flood market does not destabilize the NFIP. In addition, ASFPM supports mitigation loans and a national disclosure requirement. See [ASFPM's Detailed Priorities for the 2018 NFIP Reauthorization and Reform](#).
- **Federal budgets** - FY18 proposed budgets from the White House dramatically cut funding for key flood-risk reduction programs in many agencies. Because they finally reached agreement on budget caps, Congress ultimately provided record funding for flood mapping (\$262.5 million from appropriations in addition to the policy fees) and pre-disaster mitigation (\$249.2 million) for FY18. Congress also supported EPA, NOAA, NRCS, USACE and other programs that support flood loss reduction and protecting natural areas. At the time of this writing, it is unclear how agency budgets will fare in 2019. ASFPM conducted an unprecedented effort to educate Congress on the importance of flood mapping using the newly developed [placemat](#) the assistance of our corporate members.
- **Stafford Act (disaster relief) changes**—The House passed the Disaster Relief Recovery Act, which has good and bad provisions. On the plus side, it would create a new formula based pre-disaster mitigation program at FEMA, would allow for hazard mitigation funds to be available after FMAG declarations, and increases management costs. Based on an intense effort by ASFPM, it also includes a section that would overturn a 1998 FEMA policy that prohibits Public Assistance from being used to reimburse mutual aid requests for substantial damage, building inspections and building permitting support. However, there are some very problematic sections that would allow HMGP funds from FEMA to be used for Corps projects, allow governors to request waivers of duplication of benefits, and exempt NFIP actions from the Endangered Species Act. ASFPM, in a coalition with other organizations, are working to highlight strengths and weaknesses of the bill in the Senate.
- **WRDA 2018** - A new WRDA is being developed by Congress for USACE projects and policies. ASFPM promotes nonstructural and nature-based approaches in flood-risk reduction ([see our sign-on letter](#)). We are concerned

how funds are spent on PL 84-99 (often 100% federal) to repair damaged non-federal levees. The 2014 WRDA included a levee safety program and grant cost-share program (we joined ASCE in informing Congress this program needs funding in FY19) to build state capability in dam safety programs to repair/remove dams and manage dam risk, including sharing dam failure maps so citizens living below high hazard dams know they are at risk. We oppose efforts to remove USACE oversight of non-federal levees—this will lead to levee wars between states and communities.

- **Digital Coast Act** – ASFPM has been working with several coalitions to support the Digital Coast Act, which ensures that our coastal communities have the resources and tools they need to adapt to changing environmental conditions, maintain healthy shores, and make smart planning decisions to support their local economies.
- **Farm Bill** – ASFPM’s primary focus is support of the conservation programs within the NRCS and Dept. of Agriculture.

#### **Working with federal agencies and national partners to implement current programs/policies:**

- ASFPM officially provided comments on more than a dozen proposed federal activities, usually in response to proposed federal rule making: A few of these include: Base Level Engineering guidance, Bulletin 17-C, Elevation Certificate update, NFIP Programmatic Environmental Impact Statement, National Mitigation Investment Strategy, TVA’s NEPA implementation, and Waters of the United States changes.
- HUD implemented a Federal Rebuilding Standard to protect federal taxpayer investments in federal actions for the disaster supplemental funding (HUD got \$28 billion) for the 2017 hurricanes, flooding and wildfires.
- ASFPM staff and leaders continue to participate on a number of advisory groups and committees including the National Academies of Science; National Research Council Canada, FEMA’s Technical Mapping Advisory Council and Operating Partners, the Community Rating System Task Force, Advisory Committee on Water Information, Flood Insurance Producers National Council, Natural Hazards Center Advisory Board, DHS Flood Apex Research Review Board, and DHS Dam/Levee Sector Advisory Council
- Partnered with HUD to develop outreach materials specific to flood mitigation loans available under FHA’s 203(k) program.
- Participated in NOAA’s Digital Coast Partnership (partners include American Planning Association, Coastal States Organization, National Association of Counties, NERRA, NSGIC, The Nature Conservancy and the Urban Land Institute).
- ASFPM works with numerous partners on flood risk policy, including groups from the insurance, disaster, mitigation, environmental, taxpayers, resilience, state and local governments and others to promote good public policy that will support strong social, economic and environmentally-sound communities and states.

#### **Other Policy Initiatives**

**Assisting states to improve their flood risk management efforts:** ASFPM provides support to enact and maintain effective programs and regulations that reduce flood risk. ASFPM commented on an Illinois proposal to change state standards to allow levees to be raised (and to legalize levees already raised without permit) without consideration of the adverse impacts such actions will have on other communities and property owners who will be impacted by those changes. ASFPM also weighed in on the Louisiana Code Council’s proposal to remove the freeboard as the state was considering the adoption of the 2015 International Residential Code. Finally, ASFPM provided input into the Rebuild Texas Today initiative.

**Carrying the message to Washington:** ASFPM members have traveled to D.C. to help their representatives understand how federal programs are working or not working at the local and state level. Representatives are especially interested in hearing from their direct constituents, so those visits can have great impact. Letters from those constituents are another effective means of helping inform them on which programs and actions are especially effective at the local/state level. ASFPM has staff and an apartment in D.C. if any ASFPM chapter wishes to send a

group to meet their representatives. In FY19, ASFPM will be adding a new advocacy tool on its website that will allow members and chapters to more easily weigh in on federal and state issues. And we will be exploring holding a fall policy conference in Washington DC.

**Community resilience:** Resilience is almost becoming an overused word, but there are many public and private efforts to address resilience. This runs the gamut that a number of our members have worked with, as well as our ASFPM staff.

**Disaster assistance programs:** We must break the American myth that the federal taxpayer will make you whole after a disaster (especially if you refused to buy flood insurance). We like FEMA Director Long's statement that disaster response and recovery should be "federally supported, state managed and locally executed." Communities and citizens must carefully plan where and how they build or buy. Perhaps implementing that vision is what keeps us coming to work each day.

*Find ASFPM positions on 400 national flood policies at [National Flood Programs and Policies 2015](#)*