

# FLOOD & STORMWATER MANAGEMENT UPDATE



## **New EPA Administrator Scott Pruitt Sworn In – Quick Action To Review WOTUS Follows**

With the new Administrator of the U.S. Environmental Protection Agency (EPA) officially on the job as of February 17, action by the Trump Administration to review the controversial 2015 Waters of the U.S. rulemaking came quickly. In less two weeks after Administrator Pruitt took over the reins of the agency, President Trump on February 28 signed an Executive Order (EO) calling for review of the rule.

Senate Environment and Public Works Committee Chairman John Barasso (R-WY) and former full Committee Chair and now Transportation and Infrastructure Subcommittee Chair James Inhofe (R-OK) attended the signing ceremony. The EO is available on the White House website at [www.whitehouse.gov/the-press-office/2017/02/28/presidential-executive-order-restoring-rule-law-federalism-and-economic](http://www.whitehouse.gov/the-press-office/2017/02/28/presidential-executive-order-restoring-rule-law-federalism-and-economic)

On the same day the EO was signed, a joint "Notice of Intention to Review and Rescind or Revise the Clean Water Rule" was signed by Administrator Pruitt and Douglas Lamont, Senior Official Performing the Duties of the Assistant Secretary of the United States. The notice has been submitted to the Federal Register and is expected to be published officially on Monday, March 6. The rule has currently been under a stay issued by the Sixth Circuit Court of Appeals in Cincinnati.

The closing paragraph of the joint issuance states, "Through new rulemaking, the EPA and the Army seek to provide clarity and regulatory certainty concerning definition of "waters of the United States," consistent with the principles outlined in the Executive Order and the agencies' legal authority."



Photo: U.S. President Donald Trump talks to the media after signing the water executive order at the White House, in Washington, DC, U.S. February 28, 2017. YURI GRIPAS/Reuters

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## Lawmakers Focus Attention on Infrastructure, Including Flood Control

Following the President's comments to Congress on February 28, which highlighted support for a trillion dollar infrastructure initiative in the US, Congress continued to focus attention on infrastructure issues, this time including flood risk management infrastructure needs in the discussion. In a Senate hearing held on March 1 by the Senate's Environment and Public Works Committee and in another hearing to be held on Wednesday, March 8 by the House Water Resources and Environment Subcommittee, lawmakers will hear about issues related to flood damage reduction infrastructure.

In opening comments for the March 1 oversight hearing titled "Flood Control Infrastructure: Safety Questions Raised by Current Events," Chairman Barasso noted that "recent natural weather events in the last month in California and other western states are highlighting the need to focus our attention on levees and dams, and other structures, that prevent catastrophic flooding in both rural and urban communities." He also raised the issue of the more than 180,000 individuals that needed to be evacuated in California last month due to concerns about damage from the storm to the Oroville Dam and noted that "the potential threat of dam failure is of serious concern to state officials and to the people living downstream or Oroville."

Testifying at last week's hearing were Commanding General and Chief of Engineers Lt. Gen. Todd Semonite, Washakie County Commissioners Chairman Terry Wolf, Mayor Ron Corbett of Cedar Rapids, California Natural Resources Agency Deputy Secretary for External Affairs John Laird, and Association of State Floodplain Managers Senior Policy Advisory Larry Larson.

To view the archived version of the hearing and to read witness testimonies, go to [www.epw.senate.gov/public/index.cfm/hearings?ID=CE170B12-F9D3-4C6B-A806-2E3D0C80BE6C](http://www.epw.senate.gov/public/index.cfm/hearings?ID=CE170B12-F9D3-4C6B-A806-2E3D0C80BE6C)

In the House, Water Resources and Environment Subcommittee Chairman Garrett Graves (R-LA) will hold the panel's first water infrastructure-focused hearing in the new Congress, titled "Building a 21st Century Infrastructure for America: The Role of Federal Agencies in Water Infrastructure."

To watch the hearing at 10 a.m. EST on Thursday, March 9, go to <http://transportation.house.gov/calendar/eventsingle.aspx?EventID=401181>. Copies of individual witness testimony will also be posted on the site.

Testifying on Thursday will be:

- **Jerry Ellig**, Senior Research Fellow, Mercatus Center at George Mason University
- **Kathy L. Pape**, Senior Vice President, American Waterworks Company (On Behalf of The Bipartisan Policy Center)
- **John Linc Stine**, Commissioner, Minnesota Pollution Control Agency, (On Behalf of the Environmental Council of the States)
- **Mike Inamine**, Executive Director, Sutter Butte Flood Control Agency, California
- **Gary McCarthy, Mayor**, City of Schenectady, New York, (On Behalf of The U.S. Conference of Mayors)
- **Jonathan Kernion**, President, Cycle Construction Company, Kenner, Louisiana, (On Behalf of the Associated General Contractors)
- **Kevin DeGood**, Director of Infrastructure Policy, Center for American Progress

## National Flood Insurance Program Reauthorization Hearing to be Held March 9



House Financial Services Committee Chairman Jeb Hensarling (R-TX) announced that the Housing and Insurance Subcommittee will hold a hearing on Thursday, March 9 at 10 a.m. EST to examine the National Flood Insurance Program and the need for potential reforms. The NFIP is due for reauthorization this year.

The hearing, which is titled "Flood Insurance Reform: FEMA's Perspective," can be viewed live at <http://financialservices.house.gov/calendar/eventsingle.aspx?EventID=401561>.

NAFSMA will be keeping members updated on NFIP reauthorization issues. Please look for information soon from the NAFSMA Floodplain Management Committee announcing a committee call to discuss priorities for NFIP reauthorization.

## Register Now for EPA's WIFIA Webinar Set for Tuesday, March 7

NAFSMA members are urged to register now for EPA's upcoming webinar on "WIFIA Letter of Interest Submission and Project Selection," which will be held on Tuesday, March 7 at 1:00 p.m. to 2:30 p.m. EDT. The Water Infrastructure Finance and Innovation Act (WIFIA) program staff will explain the process that prospective borrowers should follow to submit a letter of interest and how EPA will evaluate and select projects. Attendees will be able to submit questions to presenters.

Letters of interest for the WIFIA program are due at EPA by April 10, 2017. If your agency is interested in submitting and you have questions, please contact Director of the WIFIA Program in EPA's Water Infrastructure Division at [jernberg.jorianne@epa.gov](mailto:jernberg.jorianne@epa.gov).

Register at [https://www.epa.gov/wifia/learn-about-wifia-program?utm\\_medium=email&utm\\_source=govdelivery#information](https://www.epa.gov/wifia/learn-about-wifia-program?utm_medium=email&utm_source=govdelivery#information)

### New resources for WIFIA prospective borrowers are available online including:

- The [recording and presentation](#) from the February 9 "WIFIA Letter of Interest Submission and Project Selection" webinar
- A [sample financial pro forma](#) that serves as an example of the type of information that a prospective borrower should include and submit in its required pro forma.
- [Updated WIFIA Letter of Interest Frequent Questions](#), which now includes answers to questions asked since the NOFA was issued and during the February 9 webinar.

Additional information about the new program is available at [www.epa.gov/wifia](http://www.epa.gov/wifia). You can also contact EPA staff with questions at [wifia@epa.gov](mailto:wifia@epa.gov).

## Make Plans Now to Attend NAFSMA Flood and Stormwater Management 2017 in Charleston, SC



NAFSMA members and colleagues are urged to make plans to attend this year's annual conference, which will be held at the Belmond Charleston Place, located just at the end of the Market in beautiful downtown Charleston, SC. The link to make your hotel reservations is posted on the NAFSMA website and online registration should be open on the website this week.

Don't miss this exciting opportunity to learn and discuss current flood, floodplain and stormwater management issues with your colleagues from throughout the country. The meeting's general sessions will begin the morning of Tuesday, June 27 and formal sessions will close at noon on Thursday, June 29, with tours of local flood protection, stormwater management and coastal protection set for Thursday afternoon to conclude by 4 p.m. on June 29th.

### Thank You to David Olson of USACE

NAFSMA would like to thank David B. Olson of the U.S. Army Corps of Engineers HQ for his presentation for NAFSMA on March 1 on the revised and new Nationwide Permits which will become effective on March 18, 2017. The final rule on the 2017 nationwide permits was issued on January 6, 2017. You can access David's powerpoint and the Summary Tables he provided at [www.nafsma.org](http://www.nafsma.org) under latest news.



# FEMA Updates on NFIP and Mitigation Activities

## Applications To Serve on FEMA's National Advisory Council Due By March 15

FEMA is requesting individuals who are interested in serving on the FEMA [National Advisory Council \(NAC\)](#) to apply to be considered for appointment by March 15, 2017. The NAC is a federal advisory committee established to ensure effective and ongoing coordination of federal preparedness, protection, response, recovery, and mitigation for natural disasters, acts of terrorism, and other man-made disasters. The NAC is a geographically diverse mix of officials, emergency managers, and emergency response providers from state, local, and tribal governments, the private sector, and nongovernmental organizations who advise the FEMA Administrator on all aspects of emergency management.

FEMA is accepting applications for open positions in the following discipline areas:

Elected Tribal Government Executive (one representative appointment); Non-elected Tribal Government Official (one representative appointment); Emergency Management Field (one

representative appointment); Emergency Response Providers, which includes fire, law enforcement, hazardous materials response, emergency medical services, and organizations representing emergency response providers (one representative appointment); Standards Setting and Accrediting Organizations, which includes the voluntary consensus codes and standards development community (one representative appointment); Individuals with Disabilities (one representative appointment); Health Scientist (one SGE appointment); Infrastructure Protection Expert (one SGE appointment); Administrator Selections (up to five SGE appointments)

All appointments are for three-year terms starting in September 2017. **Applications must be received by the close of business on March 15, 2017.** Qualified individuals interested in serving on the NAC are invited to apply for appointment. More information can be found at [www.fema.gov/membership-applications](http://www.fema.gov/membership-applications).

## Pre-Disaster Recovery Planning Guide Finalized for Local Governments

FEMA has finalized the Pre-Disaster Recovery Planning Guide for Local Governments. This guide is designed to prepare local governments for recovery efforts from future disasters by engaging with the whole community and planning for recovery activities that are comprehensive and long term. The guide also provides tools for public engagement and identifying existing recovery resources outside partnerships that could help local governments build resilience.

The Pre-Disaster Recovery Planning Guide was developed by the Community Planning and Capacity Building Branch as a component of the National Disaster Recovery Framework (NDRF), and is the second in a series of three. The [Pre-Disaster Recovery Planning Guide](#) for States was released at the end of 2016 and a guide for tribes is currently being developed.

You can view the Pre-Disaster Recovery Planning Guide for Local Governments at [www.fema.gov/media-library/assets/documents/129203](http://www.fema.gov/media-library/assets/documents/129203).



### Pre-Disaster Recovery Planning Guide for State Governments

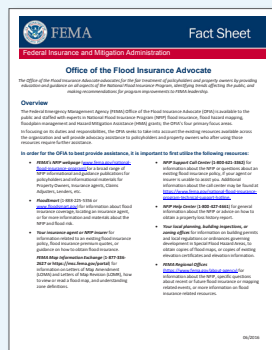
November 2016



# FEMA Updates on NFIP and Mitigation Activities (cont'd)

## FEMA Flood Insurance Advocate Releases Annual Report

FEMA has announced the release of the second Annual Report of the Office of the Flood Insurance Advocate (OFIA) is now live on FEMA.gov. This report is being released publicly to further the OFIA's goal of transparency and can be found at [www.fema.gov/national-flood-insurance-program-flood-insurance-advocate](http://www.fema.gov/national-flood-insurance-program-flood-insurance-advocate), under Information about the OFIA, by clicking the [Annual Report](#).



The OFIA identified six primary policyholder and property owner frustrations in 2016 that present opportunities for ongoing program improvement. These issues are: Erroneous Severe Repetitive Loss (SRL) property designations; gaps in flood insurance agent education; the need for consistency across FEMA Regions in public mapping outreach; difficulties in accessing Increased Cost of Compliance (ICC) coverage; difficulties with multiple and conflicting flood zone determinations; and inability to obtain a refund of the Homeowners Flood Insurance Affordability Act of 2014 (HFIAA) surcharge when cancelling a National Flood Insurance Program (NFIP) policy.

The issues identified in this report are based on the observations of OFIA through the hundreds of inquiries submitted to the Office this past year. These issues represent areas of concern that have a long-term impact to a broad population of NFIP customers. He Federal Insurance and Mitigation Administration's (FIMA) program areas were provided an opportunity to respond to these findings and responses are included with this report.

The OFIA is an independent office within FEMA with direct alignment to the FIMA Associate Administrator and the FEMA Administrator. The

OFIA will make this report and subsequent reports available via its webpage.

The mission of the OFIA is to advocate for the fair treatment of policyholders and property owners by providing education and guidance on all aspects of the NFIP, identifying trends affecting the public, and making recommendations for program improvements to FEMA leadership. Policyholders who are confused and frustrated may seek assistance from the OFIA by visiting their webpage and clicking on ["Ask the Advocate,"](#) though we do ask that policyholders and property owners continue to utilize existing NFIP resources to address questions related to their flood policies before requesting assistance from the OFIA.

## Nominate Your Favorite Cooperating Technical Partner!

The FEMA CTP Program is launching an initiative to recognize high performing CTPs. The goal of the CTP Recognition Program is to highlight CTPs who are performing outstanding work in the following areas:

- Project Management
- Outreach and Communications
- Innovation
- Data Management, and
- Other key areas of the Risk MAP process

The CTP Recognition Program strategically aligns to future operational planning for the CTP Program, which allows CTPs

to share and benefit from program best practices as well as be recognized for their hard work and success in the mapping program.

All CTP Program Stakeholders: FEMA Regions, Operating Partners, Regional Program Management Leads (RPMLs), Community Engagement Risk Communication Leads (CERC-Ls), and CTPs can nominate a CTP for the Recognition Program. To nominate a CTP please click on the following link <https://www.surveymonkey.com/r/ctprecognition> to fill in the nomination form. **All nominations must be received by March 15, 2017 at 5:00 PM ET.** You will be asked to provide the name of the CTP as well as a few sentences on why the CTP is being nominated.

The winner will be announced at the Association of State Floodplain Managers (ASFPM) Annual Meeting.

# FEMA Updates on NFIP and Mitigation Activities (cont'd)

## MIP Studies Redesign – Updated Deployment Timeline and Trainings

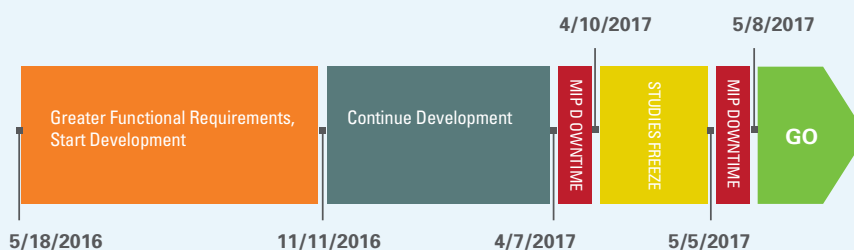
The long awaited Mapping Information Platform (MIP) Studies Redesign is just around the corner! It is scheduled to deploy on **May 8, 2017**, but for it to be a success, we need your help.

How can you help?

1. **Mark your calendars!** To migrate all existing data smoothly into the new system, the Studies Workflow will be frozen and un-editable for four weeks before deployment, from **April 10 – May 5**. This “Studies Freeze” will be bookended by two weekends of full MIP downtime to prepare for data migration and deployment on **April 8 – 9 and May 6 – 7, 2017**.
2. **Get involved!** A successful launch depends on a smooth transition and the participation and preparation of all MIP users each step of the way is key. With a smooth transition, Studies Projects will appear in the new system as though they had been created there, eliminating workarounds, and allowing for consistent reporting.

### Deployment Timeline

During the two weekends of MIP downtime, **all** MIP Systems will be unavailable including, Studies, Amendments, Revisions, electronic Letters of Map Amendment (eLOMA), Online Letters of Map Change (LOMC), MIP Ad-hoc Advanced Reporting System (MARS), etc.



During the Studies freeze, users **will not** be able to:

- Create a new Study project
- Modify an existing Study project

During the Studies freeze, users **will** have access to:

- Amendments and Revisions functionality
- MARS and Crystal Reports (though, any Studies reporting will pull only the data that was captured in the MIP at the start of the freeze)

### Detailed Freeze Guidance for Users

To minimize disruption to Studies business processes, FEMA HQ recommends the following actions:

If possible, avoid scheduling the following activities to occur between **April 8 and May 7, 2017**:

- Preliminary product distribution
- Initiation or completion of regulatory appeal periods
- Letter of Final Determination (LFD) distribution
- QR1, QR2, and QR5 activities—*DVT and Metaman will not be available during the freeze and down time. The DVT/Metaman “test” environment can be used to initiate reviews; however, products may not be distributed until the actual DVT/Metaman check has been completed*

There are several Studies that will become effective during the freeze. FEMA is aware of this and will be working with the Regions and Production Teams to provide related guidance.

Where possible, **please complete all end-of-month MIP updates for April 2017 by noon on April 7**. Additional guidance will be provided to help those who will need to make or consider offline updates.

We understand that not all projects will be able to maneuver in this manner, and workarounds will be necessary in a few circumstances. If you have a project for which impacted milestones cannot be rescheduled to occur before or after the freeze, please reach out to **Jana Green** ([jana.green@fema.dhs.gov](mailto:jana.green@fema.dhs.gov)) for additional guidance.

# FEMA Updates on NFIP and Mitigation Activities (cont'd)

## FEMA National Training Opportunities

Customer and Data Services (CDS) will host virtual trainings to familiarize users with the new MIP Studies system. There will be 10 separate trainings offered, and each will be recorded and made available after the session. Training sessions are designed to break out the different types of work in MIP Studies so that Studies users can attend those sections most applicable to them. Sessions and recommended audience are listed below.

### *Executive Summary*

- **Primary Audience:** High-level, light, or non- MIP Users (offered twice)
- **Dates:** Friday, March 17, 2017 and Tuesday, March 21, 2017

### *Project Creation*

- **Primary Audience:** Project Creators, Project Level Access
- **Dates:** Tuesday, March 28, 2017

### *Data Development*

- **Primary Audience:** Producers, Task Level Access (Offered twice)
- **Dates:** Friday, March 31, 2017 and Tuesday, April 4, 2017

### *Validation and Project Tracking*

- **Primary Audience:** Validators, Task+EV Level Access
- **Dates:** Friday, April 7, 2017

### *Discovery and Outreach*

- **Primary Audience:** Producers, Task Level Access
- **Dates:** Tuesday, April 11, 2017

### *Preliminary and Post-Preliminary Processing*

- **Primary Audience:** Producers, Task Level Access (Offered twice)
- **Dates:** Friday, April 14, 2017 and Tuesday, April 18, 2017

### *Studies Reporting Tool*

- **Primary Audience:** All Studies Users (Offered twice)
- **Dates:** Friday, April 21, 2017 and Tuesday, April 25, 2017

### *Summary of Map Amendments (SOMA)*

- **Primary Audience:** SOMA Users
- **Dates:** TBD

### *Key Decision Points (KDP)*

- **Primary Audience:** KDP Users
- **Dates:** TBD

Session times and call-in information will be distributed before each of these trainings.

**Supplementary Regional Training:** In addition to these National Trainings, the FIRSTeam may offer supplementary Regional Trainings to provide more in-depth information about specific business processes or details about Regional variations.

## Questions?

If you'd like more detail, please join FEMA monthly MIP User Webinars, and reach out to [CDS \(outreach@riskmapcds.com\)](mailto:outreach@riskmapcds.com) with any questions