

FLOOD & STORMWATER MANAGEMENT UPDATE



House Begins Work on Key Bills of Interest to NAFSMA Members

Bipartisan Bill Introduced to Provide More Funds for Wastewater and Stormwater Infrastructure

Bipartisan Leadership of the House Transportation and Infrastructure Committee on March 5th introduced legislation to provide approximately \$23.5 billion in direct infrastructure investment over the next five years to address America's crumbling wastewater infrastructure and local water quality challenges. H.R. 1497, the "[Water Quality Protection and Job Creation Act of 2019](#)," was jointly introduced by Chairs of the full Transportation and Water Resources and Environment Subcommittee, Representatives Peter DeFazio (D-OR) and Grace Napolitano (D-CA), respectively, and Republican Representatives Don Young (AK) and John Katko (NY).



According to the Committee release, this bipartisan bill renews the Federal commitment to addressing local water quality challenges by providing an infusion of Federal assistance for the construction, repair, and replacement of the Nation's network of wastewater and stormwater conveyance and treatment facilities. The Water Quality Protection and Job Creation Act of 2019 significantly increases the amount of Federal assistance made available to States and communities through the successful Clean Water State Revolving Fund program—the primary source of federal assistance for wastewater infrastructure construction.

Similar bills have been considered in the House in prior Congress's but never received Senate approval.

A hearing on the bill was held by the House Water Resources and Environment Subcommittee on March 7, 2019. To view the hearing and submitted testimony go to <https://transportation.house.gov/committee-activity/hearings/the-clean-water-state-revolving-fund-how-federal-infrastructure-investment-can-help-communities-modernize-water-infrastructure-and-address-affordability-challenges>.

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Continued

A list of the key provisions in the bill is provided below.

- Authorizes **\$20 billion in Federal grants over five years** to capitalize Clean Water SRFs. These funds provide low-interest loans and additional loan subsidizations (e.g., principal forgiveness and negative interest loans) to communities for wastewater infrastructure.
- Authorizes an additional **\$900 million for grants to municipalities** to capture, treat, or reuse combined and sanitary sewer overflows or stormwater.
- Authorizes **\$1.5 billion over five years** for grants for State water pollution control agencies to implement State water pollution control programs.
- Provides **\$600 million over five years** for Clean Water pilot programs (including Federal technical assistance and/or grants) for watershed-based or system-wide efforts to address wet weather discharges, to promote stormwater best management practices, to undertake integrated water resource management, and to increase the resiliency of treatment works to natural or man-made disasters.
- Authorizes **\$375 million in grants over five years** for alternative water source projects under section 220 of the Clean Water Act, including projects that reuse wastewater or stormwater to augment the existing sources of water.

House Financial Services Committee Holds Hearing on Draft NFIP Legislation

In other important action in the U.S House of Representatives, the House Financial Services Committee chaired by Rep. Maxine Waters (D-CA) held hearings on March 13, 2019, on four draft pieces of legislation to reauthorize the National Flood Insurance Program. The current extended authorization will expire on May 31, 2019.

The House committee is taking a similar approach to action in the last Congress and has shared multiple draft bills to reauthorize the program. A total of four draft bills have been released addressing individually addressing Reauthorization and Affordability, Mitigation, Mapping and NFIP Administration and Claims. An archived video of the hearing as well as testimony and the four draft bills can be found on the [Financial Services Committee website](#).



The House proposal would authorize the NFIP for five years. NAFSMA will keep members apprised of details concerning the House proposals. Under the draft mapping bill, FEMA's flood mapping program would be authorized at \$400 million annually for five years. A copy of NAFSMA's recommendations for mapping adopted in 2017, which supports annual funding of at least \$500 million for the program, is attached.

Federal Budget Released – Corps Budget Number Similar to Last Year



The U.S. Army Corps of Engineers (USACE) released its FY 2020 budget to stakeholders and the press in a briefing on March 12, 2019. This budget proposal outlines funding priorities for the Corps for the fiscal year that begins on October 1, 2019. Attending the budget briefing for NAFSMA were association President Janet Bly and Executive Director Susan Gilson.

The FY 2020 budget plan asks for a total of \$4.8 billion for USACE in the upcoming fiscal year. The budget request for the current fiscal year was for \$4.9 billion, although Congress appropriated close to \$7 billion for the agency.

Included in the budget are four flood risk management projects and five ecosystem restoration projects. Also included under

the construction budget is \$150 million for Section 1043 of WRRDA 2014 that provides for appropriated funds for the Corps to be transferred to non-federal sponsors who decide to complete a project on their own as well as legislative proposal to extend the authorization for this section beyond June 10, 2019. A total of \$1.011 billion of the budget is described by the agency as being for flood and storm damage reduction with another \$187 million for ecosystem restoration.

To view the USACE FY 2020 Civil Works budget press book go to <http://www.usace.army.mil/Missions/CivilWorks/Budget.aspx>, under the heading Program Budget: Press Books.

WOTUS Comment Period Still Set to End on April 15, 2019

EPA and USACE leaders have responded back to those who have requested a 60-day extension of the comment period that the original April 15th deadline for comments will stand. NAFSMA is moving forward on development of comments on behalf of the organization. Although the first working call on the comments is set for Monday, March 25th, your input on NAFSMA's comment is always welcome. Also, if your agency or firm is working on individual comments, it would be helpful if you can share these comments with NAFSMA staff even if they are in draft form.

Please contact Executive Director Susan Gilson at sgilson@nafsma.org if you are able to assist in drafting NAFSMA comments or if you have draft comments or even a list of your priority issues to share. Many thanks to all who have already volunteered to help in this important effort.

The draft rulemaking and a link to submit comments can be found at www.federalregister.gov/documents/2019/02/14/2019-00791/revised-definition-of-waters-of-the-united-states.

EPA Water Finance Clearinghouse Updated

EPA's Water Infrastructure and Resiliency Finance Center announced it recently completed updates to the [Water Finance Clearinghouse](#). These updates provide new information on funding, financing, and other resources for the water infrastructure sector.

As part of these updates, the Center released the first three [Water Finance Learning Modules](#), hosted on the Clearinghouse. These in-depth, step-by-step water finance guides provide users with information on funding and financing options to support commu-

nities' water infrastructure decision-making. These first modules focus on the drinking water and clean water state revolving funds (SRFs), the Water Infrastructure Finance and Innovation Act (WIFIA), and Financing Septic Systems.

With these Learning Modules and updated Clearinghouse data, the Agency demonstrates its commitment to preserving and improving the quality of the nation's water infrastructure.

NAFSMA Awards Submissions Due by May 15, 2019 (11:59 pm Eastern)

NAFSMA members are urged to submit their Excellence in Communications in Flood Risk Management and Water Quality Management, as well as their entries for Green Infrastructure projects for Stormwater Management as soon as possible. The deadline for submissions is May 15th. A one pager on the awards programs is attached (please feel free to share with your colleagues). Additional information and the online applications can be found at www.nafsma.org.

Also on the NAFSMA website is the video produced on the 2018 winners. A similar video will be prepared and made available for the 2019 winners so get those submissions ready!



Online Registration for NAFSMA 2019 Annual Meeting is Up and Running

NAFSMA members should make their travel plans and reservations now for the association's annual Flood and Stormwater Management Conference, which will be held at Terranea in Los Angeles, CA (Rancho Palos Verdes), on August 19-22, 2019. In addition to online registration, the hotel reservations link and preliminary agenda are also available at www.nafsma.org.

NAFSMA Membership Drive is Underway

Please remember that this year, one of NAFSMA's members will receive either complimentary registration or hotel room (their choice) during the NAFSMA Annual Meeting in August for bringing in the most new members, either public agency or private associate members, this year.

There is definitely a positive incentive for the new members as well, with membership dues cut in half for this year only as a way to introduce them to the value of NAFSMA membership

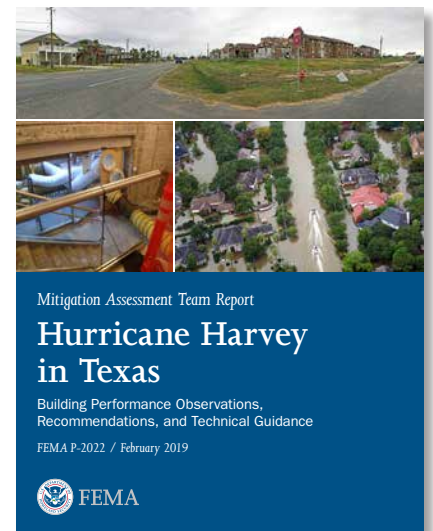
New FEMA Mitigation Assessment Team Report for Hurricane Harvey Released

Hurricane Harvey in Texas, Building Performance Observations, Recommendations, and Technical Guidance can be found in FEMA's library at www.fema.gov/media-library/assets/documents/177700.

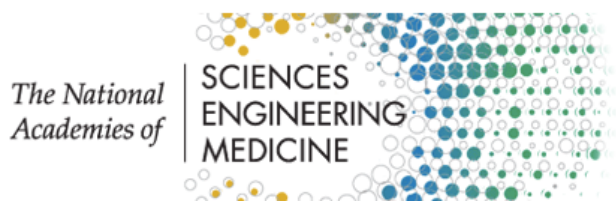
FEMA's Federal Insurance and Mitigation Administration's (FIMA) Building Science Branch deployed a Mitigation Assessment Team (MAT) composed of national and regional subject matter experts to affected areas in Texas in November and December 2017 in response to a request for technical support from the Federal Emergency Management (FEMA) Joint Field Office in Austin, Texas.

The MAT was deployed to Harris County to assess flood performance issues, and to Aransas, Nueces, Refugio, and San Patricio Counties to assess wind performance issues. MAT members evaluated building systems to determine the effectiveness of various design and construction practices and ascertain the effect of code adoption and enforcement on reducing flood and wind damage. To improve resiliency in future events, the lessons learned can either be incorporated into best practices for future retrofits or new hazard-resistant building design.

For flood-related observations, go to Chapter 3 of the Report.



New Report Released on Industrial Stormwater Permits



The National Academies of Sciences, Engineering and Medicine on February 27, 2019, released a new report titled [Improving the EPA Multi-Sector General Permit \(MSGP\) for Industrial Stormwater Discharges](#), calls for the agency to strengthen the science in its permitting program for industry's management of stormwater pollution.

In releasing the report, the chair of the committee writing the report, Allen P. Davis (professor of civil and environmental engineering and Charles A. Irish Sr. Chair in Civil Engineering at the University of Maryland, College Park), stated that, "In general, the adoption of new knowledge into revisions of the MSGP has been slow but the program should not be a static enterprise. Both permitted facilities and the nation's waters would be best

served by a progressive and continuously improved MSGP based on focused data-gathering efforts and analysis of new data, advances in industrial stormwater science and technology, and structured learning."

The report recommends that EPA require industry-wide monitoring for pH, total suspended solids (TSS), and chemical oxygen demand as basic indicators of the effectiveness of stormwater controls as part of the MSGPs. Also recommended in the report is a tiered approach to monitoring that recognizes the varying levels of risk among different industrial activities and that balances the overall burden to industry and permitting agencies. In addition, the report recommends that EPA update the MSGP industrial sector classifications so that monitoring requirements extend to non-industrial facilities with activities and pollution risks similar to those currently covered.

The study, which was sponsored by U.S. EPA, was conducted by the Committee on Improving the Next-Generation EPA Multi-Sector General Permit for Industrial Stormwater Discharges.

New Academies Study on Community Resiliency Also Released

The National Academies of Science, Engineering and Medicine on March 20, 2019, released a new report identifying ways communities can more effectively measure progress toward resilience. Titled [Building and Measuring Community Resilience – Actions for Communities and the Gulf Research Program \(2019\)](#), the report offers four recommendations for tracking and measuring community resilience efforts.

- Communities should use community participation and engagement at the outset of their resilience building and measurement efforts.
- Communities should design and measure resilience around multiple dimensions of a community.
- Communities should ensure that the data collected, integrated or synthesized for community resilience are relatable and usable for decision making.

- Communities should incentivize the measurement of resilience.

The study was undertaken by the Committee on Measuring Community Resilience and focused on efforts in 13 communities including New Orleans and Baton Rouge, LA; Gulfport and Waveland, MS; New York, NY; Minot, ND; Rapid City and Pine Ridge Reservation, SD; Boulder County, CO; Cedar Rapids, IA; Charleston, SC; Central Puget Sound region; and Tulsa, Oklahoma.

The committee was co-chaired by Thad Allen, Senior Executive Advisor, Booz Allen Hamilton and Gerald E. Galloway, Jr., Glenn L. Martin Institute Professor of Engineering, University of Maryland, College Park.

NAS Report on Urban Flooding to be Published Soon

We are expecting that the long-awaited study on urban flooding commissioned by FEMA from the National Academy of Sciences should be out in the next few weeks.

Update on FEMA's NFIP Risk Rating 2.0 Initiative



FEMA

This week, David Maurstad, FEMA's Deputy Associate Administrator for Mitigation and

Insurance shared FEMA's schedule to implement the agency's upcoming effort to update insurance rates under the National Flood Insurance Program to more accurately reflect risk and be more equitable and transparent. Plans are for these new premium rates (which are to apply to all single family homes nationwide) to be announced on April 1st, 2020, and take effect on October 1st of the same year.

FEMA has been talking for a number of years about the need to revise and modernize how they determine flood risk and develop rates used for determining the premiums for flood insurance policies that better reflect current industry best practices. The current methodology has roots that go back many decades to the earliest days of the program. The new rating methodology is

expected to take into consideration site specific information for each building in the development of the premium.

FEMA officials indicate that they are still working on building the system and determining the basic premium rates, and further that they don't have any examples to share at this point. It does seem clear, however, that some policyholders will see their rates reduced while some will see their rates increased under the new rating system.

FEMA has created a page on their web site to explain and provide information on Risk Rating 2.0 and the transformation of the NFIP. That web page can be found at www.fema.gov/nfip-transformation. FEMA is likely to continue to add more information and details they are developed. NAFSMA members should keep checking back in on this website for more information as it is developed. NAFSMA will also keep members apprised of new information on this initiative as it moves forward.

Make Your Plans Now – Important Upcoming Events and Dates

Wednesday, April 3, 2019 – 11 AM Eastern – 301-660-8309 (No pin needed)

NAFSMA membership call with FEMA officials to talk about the direction Risk MAP is moving. This would entail discussion some of the strategic direction as FEMA moves beyond FY21 and NVUE goals etc. We are also hoping that the FEMA officials can talk about Risk Rating 2.0 (see story above).

April 15, 2019

Comments Due on WOTUS Rule Published on February 14, 2019

Wednesday, May 15, 2019 – Midnight Eastern

Deadline for Submission of Entries for NAFSMA's 2019 Excellence in Communications and Stormwater Management Green Infrastructure Online Awards Submissions – Online applications are available at www.nafsma.org.

August 19 – 22, 2019

NAFSMA 2019 Annual Flood and Stormwater Management Conference - Los Angeles (Rancho Palos Verde), CA
Online registration, preliminary agenda and hotel reservation link for Terranea available at www.nafsma.org



2019 Flood Risk and Water Quality Excellence in Communications and Stormwater Management Green Infrastructure Awards Applications Due on Wednesday, May 15, 2019

The National Association of Flood and Stormwater Management Agencies (NAFSMA) officially opened both its 2019 Excellence in Communications and Green Infrastructure Awards Programs on February 26, 2019.

Entry submissions for both of the 2019 awards programs should cover projects and programs implemented before May 1, 2019. To be eligible for consideration, applications need to be submitted electronically via the NAFSMA website by **11:59 p.m. EDT on Wednesday, May 15, 2019.**

Award winners will be announced at NAFSMA's 2019 Flood and Stormwater Management Conference on August 20-22, 2019. Award winning entries will be highlighted on a special video and this year's awards will be extremely special with winners expected to be eager to display these unique recognitions in their agencies or firms.

To view the video from the successful 2018 Awards programs go to www.nafsma.org

NAFSMA's Green Infrastructure Awards Program was designed to recognize and spotlight innovative stormwater management projects throughout the country that advance and Green Infrastructure and Low Impact Development techniques. This initiative was undertaken as one of the key projects identified in NAFSMA's Memorandum of Understanding with U.S. EPA on Green Infrastructure.

Per the Green Infrastructure application, the project description needs to include a site plan or diagram, and descriptions of the project's environmental impact, economic impact, outreach efforts, results, maintenance (monitoring, upkeep, costs and reporting) and conclusion.

For questions on the Green Infrastructure Awards Program,

please contact Dusty Williams at dustyw2015@gmail.com or (951) 313-0257.

Click here to submit your 2019 Green Infrastructure Awards application form online.

<http://www.nafsma.org/form/2019-green-infrastructure-award-application>

NAFSMA also has a separate awards program to recognize Excellence in Communications in the categories of "Public Awareness of Flooding and/or Flood Prevention and/or Emergency Preparedness" and "Improving Water Quality."

Click here to submit your 2019 Excellence in Communications Award application form online.

www.nafsma.org/form/2019-excellence-communications-award-application

The Excellence in Communications awards program highlights award winning communication and outreach programs and provides examples of successful initiatives about flood awareness, pollution prevention and environmental protection that are taking place across the United States.

For questions on the Excellence in Communications Awards Program, please contact Sofia Chatos at schatos@nafsma.org or 301-404-1332.

NAFSMA's awards programs, which are carried out under a mentoring agreement with FEMA, are open to all public agencies as well as private firms working with a public agency on a green infrastructure project or on communications efforts for flood risk communication as well as water quality communications initiatives. NAFSMA members and non-members are invited to apply. Feel free to also contact the NAFSMA National Office at sgilson@nafsma.org (202-289-8625) for any additional information.

Good luck to all and get those applications ready and submitted!



National Association of Flood & Stormwater Management Agencies

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NAFSMA Positions for National Flood Insurance Program Reauthorization

Background

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 40 years has been to advocate public policy and encourage technologies in watershed management that focus on flood protection, floodplain management 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 has identified the following important issues that the association urges be considered as Congress moves forward on the National Flood Insurance Program (NFIP) Reauthorization.

Long-Term and On-Time Continuing Authorization

NAFSMA urges authorization of the NFIP for a five-year period before September 30, 2017. With market changes, affordability issues and the uncertainty of the NFIP debt, a longer reauthorization does not allow for the program to remain agile enough to effectively adapt to market changes.

Reauthorization and Full Funding for FEMA's Flood Mapping Program

NAFSMA supports increased authorization of FEMA's Flood Mapping Program at \$500 million annually and urges that mapping of the entire nation be completed. The mapping program is critical to the NFIP and serves as the basis for many other FEMA initiatives, such as mapping and planning by watershed, analysis of community and national flood risk, mitigation efforts and risk communication.

Improved Recognition on Flood Maps of the Flood Risk Mitigation Provided by Levees

NAFSMA supports FEMA replacement of its "Zone D" designation (defined as an area of undetermined/undefined risk) in levee-protected areas with risk zones that better recognize the level of protection provided by levees. Where levees reduce risk, the premiums need to reflect the mitigation provided by the levees.

Reauthorization of the Technical Mapping Advisory Council (TMAC)

NAFSMA urges that Congress extend the authorization of the TMAC for five years or for the period of authorization enactment.

Increase in NFIP Coverage Limits and Plan Options

Since NAFSMA members represent urban areas throughout the country, with most of the members having local real estate values that are much higher than coverage currently offered by NFIP policies, the association supports raising the coverage levels for the NFIP. An increase to \$500,000 for residential properties and to \$1,000,000 for business owners, combined with an increase in content coverage, will strengthen the program by bringing more residential and business properties into the program. The current coverage rates are too low to attract many home owners and business owners into the program.

Expansion and Redesign of FEMA's Offerings Under the NFIP

NAFSMA supports providing FEMA with the authority needed to move forward with new NFIP product offerings, including the possibility of offering lower-cost, narrower policies.

Actuarial Rates for Low Risk Policies

The NFIP has moved towards actuarial rates for high risk properties, but has continued to place an asymmetric burden on low risk policyholders. By doing so, the market saturation for low risk customers will likely be further reduced by private insurers, thus leaving the NFIP with an increased pool of high risk. We recommend reducing low risk policy premiums towards actuarial rates based on industry standards for risk and overhead to manage the program.

Increased Cost of Compliance

The current system for increased cost of compliance (ICC) does not actually cover the cost of compliance. In most areas of the country, \$30,000 does not cover elevation expenses. As the NFIP moves to structure specific risk, the reauthorization must include the ability to insure individuals' cost of compliance with federal, state, and local regulations in the event of a substantial loss. This will relieve the burden on local communities of having to enforce the federal requirements.

Private Market Development

Should Congress move forward with enhancing opportunities for the private market to provide flood insurance, NAFSMA supports requiring similar fees to NFIP policies on any private policies that will be directed to assist in funding FEMA's mitigation and mapping programs. The private policy fees need to be equal to the federal policy fee.

NAFSMA also supports requiring communities to join the NFIP as a pre-requisite for private insurance to be sold within their jurisdiction and all private coverage needs to be comparable to those offered by the NFIP. Also consumers need to be protected by requiring that limits and differences between NFIP and private policies be thoroughly and officially explained and conveyed to home owners and business owners.

Pilot Program for the Voluntary Removal of Flood-Prone Properties

NAFSMA supports authorization for FEMA to create a pilot program to provide financial assistance for low-income homeowners and to incentivize communities to purchase and acquire properties that have incurred substantial damage from a flood event.

To discuss these recommendations in more detail, please contact NAFSMA Executive Director Susan Gilson at 202-289-8625 or sgilson@nafsma.org.