

# LEGISLATIVE UPDATE!

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# The B.F.E.\*

\*Base Flood Elevation

## OKLAHOMA FLOODPLAIN MANAGERS ASSOCIATION NEWSLETTER

Volume 19— Summer 2011

September 2011

### PARTNERING FOR PROGRESS—BY ANA STAGG, PE, CFM, VICECHAIR

OFMA invites members and guests to attend the 2011 Annual Conference, September 19-21, 2011, at the Embassy Suites Conference Center, Norman, Oklahoma.

The conference entitled "Partnering for Progress: Promoting Excellence In Floodplain Management" will highlight case studies on the use of collaboration and partnering among federal, state, local and tribal government agencies to attain excellence in floodplain management. A focus is made on collaboration cases that have yielded excellence—despite these challenging economic times.

Our technical agenda will include three tracks encompassing a wide variety of topics in floodplain administration and management; risk mapping, assessment and planning; and hazard mitigation and planning.

Over 40 speakers will be in attendance, with background in local, state and federal government as well as mapping, hydrologic and

hydraulic engineering, and community planning and consulting. Keynote Speakers include Ms. Julie Cunningham, OWRB; Mr. Albert Ashwood, OEM; Chad Berginnis, ASFPM; and Charles Hardt, Tulsa (retired).

Additionally, the conference will offer the opportunity to participate in two field trips, DRT program training and taking the CFM exam.

As in years past, a pre-conference Golf Tournament will be held on Sunday, September 18, 2011. The two and a half day conference will officially begin on Monday, September 19, at 8:00 am and end on Wednesday, September 21, at noon.

The conference will also host our Annual Meeting. In accordance with the OFMA bylaws, the election of 2012 OFMA officers will occur during this event. The positions that are open for election are Secretary, Treasurer, and Vice Chair (the present Vice Chair automatically steps up to Chair).

*See you there!*



### 2011 OFMA ANNUAL CONFERENCE

SEPTEMBER 19-21, 2011

### PARTNERING FOR PROGRESS:

PROMOTING EXCELLENCE IN FLOODPLAIN MANAGEMENT

EMBASSY SUITES HOTEL & CONFERENCE CENTER

2501 CONFERENCE DRIVE  
NORMAN, OKLAHOMA  
405.364.8040



Take advantage of the social hour and meet other members of our Association who are dealing with the same everyday challenges. We are here for each other.

OFMA NEEDS YOU. GET INVOLVED!!



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*This spring has held a number of lessons for OFMA and for me. Perhaps the most important is that we should not try to publish a newsletter during the tumultuous end of the legislative session, because I have now written this article three times and held up [BFE] production for nearly a month...*

## WORDS FROM THE CHAIR—BY TOM LEATHERBEE, AINS, CFM

**T**his spring has held a number of lessons for OFMA and for me. Perhaps the most important is that we should not try to publish a newsletter during the tumultuous end of the legislative session, because I have now written this article three times and held up production for nearly a month. For that I apologize.

In all seriousness, many lessons were learned this spring - lessons related to the value of optimism, the need for persistence, and the importance of identifying core values. The most important lesson was that success is easiest to achieve through collaboration and cooperation.

For me, most of these lessons came out of OFMA's efforts to protect local control of floodplain management during the legislature's consideration of two bills that would have removed the ability of counties to regulate floodplain development related to oil and gas. I'd like to use a bit of this space to pass on some of the details of our efforts, because I believe that OFMA members deserve to know what their Board is doing on their behalf.

As many of you know, the issue of not wanting to be subject to floodplain management regulations has been raised for a number of years by certain factions within the oil and gas production industry. The issue came to a head this year with the introduction of two bills, HB 1943 and SB 335, both of which

were designed to serve as legislative vehicles for removing local control of floodplain permitting for oil and gas activity. Initially, OFMA was invited to the negotiating table by the Oklahoma Independent Petroleum Association (OIPA, the driving force behind these bills). Within minutes of the beginning of the first negotiating meeting, however, it became apparent that OIPA had already determined their plans and the negotiations were at best an attempt to appease the floodplain management interests and at worst an attempt to provide a false sense of good faith in preparation for an "end run" at the end of the legislative session. OFMA drafted and presented several proposals that would address the concern presented by OIPA (that dealing with different rules, different fees and different permitting processes in different counties was too burdensome), but each was rejected out of hand. On the day after what had appeared to be a productive negotiating session, while we were waiting to hear back on the date and time for the next meeting, legislators beholden to OIPA (and incorrectly informed that OFMA had agreed to the language) arranged for the oil and gas industry language to be heard and passed by a Senate committee (coincidentally, or not, while we were all supposed to be off at the OFMA Spring Technical Workshop). Internally, we had a lot of discussion about what OFMA's

*(Continued on page 3)*

position should be - should we save face by seeking slight modifications and then agreeing to the OIPA position, or should we keep fighting what appeared to be a losing fight to preserve local control. In addition, we spent most of the time not knowing who we could trust, because even friends can sometimes have different agendas.

In the end, the OIPA legislation was defeated. OFMA began the fight to preserve local control, but cannot take credit for ending it. That credit goes to ACCO, the Association of County Commissioners of Oklahoma. OFMA fought hard and was there throughout to provide technical input about how the OIPA proposal would affect floodplain management, but it was ACCO's formidable legislative clout that was able to make sure the bill died.

We were good partners, and I believe that this was due, in no small part, to the influence of Clint Strawn, Woods County Commissioner and former OFMA Board Member.

While considerable effort was focused on the oil and gas issue, OFMA and OFMA members were heavily involved in a number of other projects. Along with Lt. George Brown and the Oklahoma Department of Public Safety, OFMA's Education Committee supported OFMA member and Pryor Mayor Jimmy Trammel in an effort to pass a law allowing police officers to enforce the idea of "Turn Around, Don't Drown."

When Governor Fallin signed HB 1232, police officers gained the

power to cite motorists who drive around flood signs and barricades. In addition, judges can now order these drivers to pay for the cost of being rescued, including the cost of any emergency vehicles that are damaged. In another legislative effort, OFMA worked with our partners at OWRB and finally succeeded in securing repeal of the Five Member Floodplain Board Requirement, removing a barrier that has kept a number of small communities from joining the NFIP. Both the barricade law and the removal of the floodplain board requirement were victories for OFMA, victories which highlight the importance of cooperation and collaboration.

Perhaps the best example of OFMA's continued cooperation with partners and stakeholders is our Disaster Response Team.

This spring, the DRT had a full deployment to Cherokee County and a limited deployment to the City of Piedmont. The DRT continues to be a model for the entire nation, and DRT Coordinator Bill Smith continues to field requests to speak at conferences and meetings in other states.

Going forward, OFMA must remember the lessons learned this spring. In particular, the importance of cooperation and collaboration cannot be forgotten.

Keeping these lessons in mind, the theme for OFMA's upcoming Annual Conference is particularly appropriate - "Partnering for Progress: Promoting Excellence in Floodplain Management." See you in Norman in September.

*In the end, the OIPA legislation was defeated. OFMA began the fight to preserve local control, but cannot take credit for ending it. That credit goes to ACCO, the Association of County Commissioners of Oklahoma. OFMA fought hard and was there throughout to provide technical input about how the OIPA proposal would affect floodplain management, but it was ACCO's formidable legislative clout that was able to make sure the bill died.*



## 2011 POSTER CONTENT WINNERS—BY LESLIE LEWIS, PE, CFM, REGION 1 REPRESENTATIVE

Once again, the Oklahoma Floodplain Managers Association (OFMA) has teamed up with the Oklahoma State Department of Education to sponsor the Turn Around Don't Drown® Poster contest. Since 2005, OFMA, in cooperation with FEMA, NOAA, ODOT and OWRB, has held an annual statewide contest to promote flood hazards awareness and provide safety education to Oklahoma children.

Turn Around Don't Drown calendar winners are chosen at three levels: school, regional, and state. Each student is eligible to win a place at each level. Winners from each of the five OFMA regions appear on the Turn Around Don't Drown® calendar published every fall.

Contest winners receive \$250 for first prize, \$150 for second prize or \$100 for third prize plus trophies and certificates. Also, students and teachers receive a certificate of appreciation (for their roles in this program) and the school is provided a media release.

This year, nearly 264 students throughout the state participated in the 2011 Turn Around Don't Drown® poster contest. In all, fifteen posters were voted to appear in the 2012 calendar. The first three prize winners have been featured in this article.

**Awards were given to Jorge Delacerna, Madison Ward and Madeleine Cordray for 1st, 2nd and 3rd Place, respectively, and**

**Honorable Mention was given to Aubrey Brown from Maryetta Elementary School in Stillwell.**

A big thanks goes out to all who promote the contest which emphasizes flood safety to children. This fall the fifteen-month calendars will be distributed, free of charge, throughout the state and will be seen by thousands of Oklahomans.

**This year marks a significant milestone for the efforts to increase awareness of the dangers of floodwaters in our state. In May 2011, House Bill 1232 (Barricade Law) became law.**

This bill will enable first responders to seek reimbursement of expenses incurred for the rescue of drivers (swept by floodwaters) after bypassing road barricades. This law is intended to discourage the bypass of road barricades, promote public safety and reduce first responders' risk—thereby supporting the efforts under the Turn Around Don't Drown® initiative.

The statewide poster contest is open to all fourth grade students throughout the great state of Oklahoma. Posters are due on or before March 1st every year. Let your school be our next year's winner!

If you wish to help promote this worthwhile program, please contact the OFMA Education Committee Chair Dee Robison at (918) 396-1900 to learn how you may help today.



**1ST PLACE - JORGE DELACERNA  
MARYETTA ELEMENTARY  
STILLWELL**



**2ND PLACE - MADISON WARD  
BRIDGE CREEK ELEMENTARY  
BLANCHARD**



**3RD PLACE - MADELEINE CORDRAY  
CACHE INTERMEDIATE SCHOOL  
CACHE**

## “DISCOVERY” AT 2011 SPRING WORKSHOP—BY ANA STAGG, PE, CFM, CONFERENCE CHAIR

A record-breaking 120 participants attended the 2011 Spring Workshop on April 7, 2011, in Tulsa, Oklahoma. The program brought together 15 speakers from FEMA, state and local government and private industry to discuss collaborative efforts by the Federal Emergency Management Agency (FEMA) and the Oklahoma Water Resources Board (OWRB) to address the state’s current floodplain mapping needs.

Mr. Ron Wanhanen, PE, CFM, FEMA, Mr. Kent Wilkins, CFM, Environmental Programs Manager, OWRB and Mr. Gavin Brady, State NFIP Coordinator, OWRB introduced the audience to new efforts underway by FEMA and the state to address current mapping needs.

Mr. Wanhanen spoke to the general audience about the past, present and future of FEMA’s mapping program. A brief overview of the National Flood Insurance Program (NFIP) and Flood Map Modernization (Map Mod) was followed by a more in-depth discussion on the Risk Mapping, Assessment and Planning (Risk MAP) program.

The Risk MAP program is the continuation of FEMA’s Map Mod mapping efforts, initiated in 2003, but with significantly different priorities. Unlike Map Mod’s goals of converting existing paper map panels to digital format, Risk MAP’s goal is to reduce risk to life and property.

**Mr. Wanhanen encouraged local officials and floodplain professionals to aggressively engage in Risk MAP. The objective of this new initiative is to correct program deficiencies (noted under Map Mod), promote partnerships (with local government and floodplain management agencies), and maximize return on investment (by utilizing information and/or products created by others).**

Discovery, as a new FEMA initiative under Risk Map, was discussed in detail. Mr. Wanhanen stated that Discovery will lead to better understanding of local flood risk and deliver better, more accurate and comprehensive floodplain maps of our communities.

The audience was introduced to FEMA’s plan for Discovery meetings scheduled for the Lower North Canadian and Grand Lake O’ Cherokees watersheds in



**RONALD WANHANEN**  
FEMA REGION VI MITIGATION DIVISION

late August and early September 2011, and those located within this watersheds were asked to contact FEMA & OWRB for more information.

Mr. Wilkins and Mr. Brady, OWRB, introduced the audience to the state’s new “CTP” program funded by FEMA for the identification and study of current mapping needs. “CTP” stands for Cooperative Technical Partner, an agreement between OWRB and FEMA to enable the state to better direct mapping efforts. It is estimated that in 2011, and as part of this program, Oklahoma will receive \$1 million in funding from FEMA to address the state’s current floodplain mapping needs.



**KENT C. WILKINS, ENVIRONMENTAL PROGRAM  
MANAGER, OWRB**

## THE MAN, THE MYTH, THE LEGEND —BY GAVIN BRADY, CFM, STATE NFIP COORDINATOR

I had just started the week as any other, having driven down the turnpike to begin my Monday in Oklahoma City. I knew I'd walk into my office and find Kenny Morris in the office next to mine, typing away at his computer or on the phone about some issue, concern or complaint regarding floodplain management. This Monday was different. First of all, he handed me a letter that started with "Mr. Gavin Brady." I knew at that point the importance of the letter, as he had never referred to me as "Mr." anything. The next sentence was something I had heard numerous times over the years but thought I'd never see in the form of a letter: "I wish to end my contract with the Oklahoma Water Resources Board effective June 30, 2011." My heart paused and then I thought, "Is this really happening or is this just another Monday experience?" I looked at Kenny with concern and asked, "Is this what you really want?" As he smiled back, I realized the sincerity behind it.

"The man," W.K. Morris, is someone I've known since I started with the OWRB in 1982. He started with the Board four years previously, and it was very obvious the respect he had already achieved by the time I arrived. Floodplain management

was a field that had very little interest then. Although the NFIP was created in 1968 and most Oklahoma communities joined in the mid-1970s, very few knew the true concept or value of floodplain management. Kenny began his OWRB career in the Water Quality division. With Kenny's love for fish, wildlife and plants, this division was a perfect fit. As the importance of floodplain management became relevant, the OWRB placed the program under Dam Safety. Harold Springer was the Chief in Dam Safety and needed someone to expand the NFIP program. Kenny was young, energetic and Harold's choice to be his first lieutenant.

As with any new program, education and recruitment were vital to Kenny's passion. Most municipalities with a population of over 250 were enrolled through FEMA's aggressive campaign in the 70s, and Kenny realized the need to enroll counties. As of today, 54 of the 77 Oklahoma counties are currently participating in the NFIP. Next, and probably his greatest accomplishment, was the formation and establishment of the Oklahoma Floodplain Management Association (OFMA) which later became the Oklahoma Floodplain Managers Association.



Ken Morris, CFM, Honorary Board Member

OFMA was built around Kenny's vision with the help of Harold Springer, Joe Remondini, Don Ellison, Carol Williams and Ron Flanagan. I was fortunate enough to be in the initial meeting with these great visionaries and will always appreciate that experience of their commitment.

I'm going to skip "the myth" for now. "The legend" was recognized last year at the Association of State Floodplain Managers Association (ASFPM) annual conference in Oklahoma City. ASFPM's annual conference made its first presence in Oklahoma back in 1994 as Tulsa proudly wore the distinction as one of the best NFIP programs in America. As time passed and

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*Enjoy your life on the ranch with your lovely wife of over 40 years. We will miss you Kenny.*



*(Continued from page 6)*

OFMA grew, Kenny (as executive director of OFMA) and his board felt it was time for ASFPM to come back. ASFPM and its board agreed, and 1,200 floodplain managers from around the world gathered in Oklahoma City's Bricktown to see W.K. Morris accept the "Meritorious

Achievement in Floodplain Management" award in 2010.

Finally, I mention "the myth." So many of Kenny's colleagues and friends have heard numerous stories about his hunting and fishing accomplishments. I'll leave it at that.

I want to end in saying that you, "Mr. Morris," have touched so

many lives with your desire, your dedication and, most importantly, your passion in the field of floodplain management. I know you will continue to be heavily involved with OFMA and will occasionally visit us at the OWRB, but it will never be the same. Enjoy your life on the ranch with your lovely wife of over 40 years.

*We will miss you Kenny...*

## OFMA TRAINING CADRE—BY W. B. "BILL" SMITH, PE, CFM, CADRE COORDINATOR

Again this year OFMA was totally responsible for the coordination and planning of the Advanced Training sessions. Our thanks go out to Joe Remondini, CFM who coordinated with the OFMA volunteer instructors prior to each session. We appreciate the efforts of all of the individual instructors who take their time to provide training opportunities during the March to May time frame for Flood Insurance Month (March) and Flood Awareness Month (May). Again these Advanced Training sessions

are being located around the state. This year we went to Clinton, Oklahoma to provide a more central location for floodplain administrators in the western part of the state.

A list of all training sessions is presented on both the OWRB and OFMA web sites. A new link is set up on the OFMA web site so that an individual can directly contact Cathy Pogue at OWRB to register for either the 101 course presented by OWRB or the Advanced Courses

presented by OFMA. The new training schedule will be coming out this fall, and we encourage you to check out the locations and dates and sign up early.

As OFMA continues to grow we are always looking for new ideas for training as well as new instructors to help carry the training to our new (and older) FPAs and OFMA members. If you are interested and have a desire to teach, please contact me and we will get you on board.

## DISCOVERY HAPPENS IN HENRYETTA—BY ANA STAGG, PE, CFM, VICE-CHAIR

THE HENRYETTAN.COM published an article about FEMA's visit to Henryetta on September 1, 2011. The article comments that FEMA was in town to learn about the North Canadian River watershed as it affects Henryetta and this region.

The meeting was held at the Civic Center, and representatives from the Denton FEMA office and the Oklahoma Water Resources Board visited with city, county and tribal officials.

The attendees focused on several topics of discussion including **identifying flood hazards and risk along the nearly 1,900 square miles of the watershed.** During the day-long meeting, FEMA officials examined the history of flooding along the river, development plans in the watershed and how stormwater is managed.

For additional information on this effort, contact Gavin Brady at [jgbrady@owrb.ok.gov](mailto:jgbrady@owrb.ok.gov).



City Manager Raymond Eldridge and Code Enforcement Officer Jody Agee visited with FEMA officials (Photo: The Henryettan.com)

## OFMA DRT CORNER—BY W. B. “BILL” SMITH, PE, CFM, DRT COORDINATOR

### DRT DEPLOYMENTS

#### CITY OF PIEDMONT

Tornado May 24th - As DRT Coordinator and at the request of the city, I deployed to Piedmont on June 3rd to determine the extent of the damage in the SFHA. I toured with Community Development Director Arti Patel, and we visited all of the SFHA areas. The structures that were totally destroyed were identified and photographed. We identified structures still standing that needed detailed assessments - 9 total. Because this was not a large number, I didn't deploy DRT volunteers but returned on June 7th and performed detailed assessments with Arti again. She now had all of the structures identified either by total destruction or with a detailed assessment (SDE field sheet) and will prepare an SDE assessment (4 page summary) for each structure. The photographs were download and e-mailed to Arti. The DRT also provided sample letters to Piedmont to send to each structure in the SFHA, and Arti is working on that effort.

#### CITY OF VINITA

Flooding May 24th - As DRT Coordinator and at the request of the city, I deployed to Vinita on May 27th and met with Floodplain Administrator Mark Carroll. We toured the city and determined that there were only a few structures that needed detailed assessments. The rest were identified by the preliminary assessment form to not be substantially damaged. We then re-

toured the areas and performed detailed assessments on three structures. I prepared the SDE detailed assessments on those structures and prepared draft letters for the city of Vinita on all structures visited within the city limits and sent draft letters to the city for them to prepare final letters to send to the individuals.

#### CRAIG COUNTY

Flooding May 24th - As DRT Coordinator and at the request of Craig County, I deployed to Craig County (which surrounds Vinita) on June 2nd and met with Floodplain Administrator Morris Bluejacket. We toured the county areas that were flooded and were outside of the city of Vinita and determined there were only a few structures that needed detailed assessments. The rest were identified by the preliminary assessment form to not be substantially damaged. We then re-toured the areas and performed detailed assessments on two structures. I prepared the SDE detailed assessments on those structures and prepared letters for Craig County on all structures visited within the county limits and sent draft letters to the county for them to prepare final letters to send to the individuals.

#### CHEROKEE COUNTY

Flooding May 1st, with follow-up flooding on May 5th - On May 3rd at the request of Floodplain Administrator Laura Hendricks and County Commissioner Doug Hubbard, I deployed with volunteers Wade Bennett, Jim Smith, Monte

Proctor, and Mark Russell to Cherokee County. The Illinois River flooded structures on both the east and west banks. There were approximately 24 locations on the west bank of the Illinois River that were identified with multiple structures at some locations. Many of these locations were float trip businesses with cabins, and some were permanent homes. We completed the preliminary assessments and some detailed assessments on the west bank on May 3rd. I returned with volunteer Cliff Pitner on May 26th to complete the east bank assessments. There were eight locations that were identified, again with multiple structures at some locations. The county commissioner's secretary began inputting SDE data but was called off. The DRT agreed to assist the county with completing the SDE detailed assessments on those structures that were reviewed in detail, prepare letters for Cherokee County on all structures visited within the county limits, and send draft letters to the County for them to prepare and send to the individuals.

We have not received any further requests for DRT assistance from either counties or cities in the state through this dry summer. We are hoping for rain, but hopefully not of the flooding variety!

*Bill Smith, PE, CFM  
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## OFMA 2011 LEGISLATIVE RECEPTION—BY ANA STAGG, PE, CFM, LEGISLATIVE COMMITTEE CHAIR

This year’s legislative reception, held February 16, 2011 at the State Capitol, was a big success. OFMA members greeted legislators and their staff members and handed out over 100 packets describing OFMA legislative priorities. Along with complete “how-to” folders containing Preferred Risk Policy information, attendees were greeted with great food from Jamil’s. Many OFMA members had the opportunity to speak one-on-one with many legislators, putting a human face on the message of promoting and expanding NFIP

participation and flood safety.

Over 30 elected officials attended this year’s event. In addition to those pictured below, attendees included Reps. Joe Dorman, Jabar Shumate, Weldon Watson, Jadine Nollan, Dennis Casey, Dan Kirby, Mike Reynolds, Steve Vaughn, and Ann Coody; also Sens. Earl Garrison, Rob Johnson, and Roger Ballenger.

A number of volunteers deserve recognition for their efforts in making this a successful event. OFMA members who participated in

the event, inviting elected officials and greeting them and their staff members, included Clark Williams, Ellen Stevens, Gavin Brady, Kent Wilkins, Ken Morris, Amy Brandley, Dale Lasley, Leslie Lewis, Todd Murphree and Chris Keathley, among many others.

OFMA Legislative Committee Chair Ana Stagg made room reservations and issued the invitations, Carolyn Schultz made arrangements for the catering, and Tom Leatherbee prepared material for the hand-outs.



*Legislative Reception Photo Gallery (2011)*  
 (from Left to Right, top to bottom):  
 Chris Keathley and Rep. Lockhart, Ana Stagg and Sen. Ford, Sen. Ron Justice and Amy Brandley, Rep. Cockcroft and Clark Williams, Kent Wilkins and Rep. Condit, Rep. Shoemaker, Mike Furnas and Gavin Brady, Ellen Stevens and Rep. Fourkiller, Reps. Watson, Key and McDaniel, Ken Morris and Rep. Stiles.

## FLOODPLAIN MANAGEMENT AS PART OF A BIGGER PICTURE—BY TOM LEATHERBEE, CFM, CHAIR

**W**hat is normally the spring flood season seems to have become the spring fire season. A serious lack of rain has left most people across the state hoping for rain, floodplain managers included. Even though much of the state is currently experiencing what has been officially called a “serious drought,” it will only take a few strong storms to refocus our attention on flooding. In Oklahoma, water is both the most important resource and the most frequent cause of disaster.

This winter, OFMA was asked to write a submission on floodplain management for inclusion in the next Oklahoma Comprehensive Water Plan. The OFMA submission attempted to outline a vision for the future of floodplain management in Oklahoma while putting this vision in the larger context of water resources planning and management. OFMA’s submission is reprinted here.

### FLOODPLAIN MANAGEMENT

Floodplain management efforts in Oklahoma have been comprised mainly of the efforts made by local communities to comply with the federal regulations that govern participation in the National Flood Insurance Program (NFIP). Local communities (cities, towns, counties) enact and enforce land use and development regulations relating to construction in areas of flood hazard so that federal flood insurance will be available to residents and business owners within the community. The Oklahoma Water Resources Board

serves as the state coordinating agency and is responsible for assisting local communities in these efforts, as well as for regulating development on state owned property. Tribal governments are also eligible to participate in the NFIP.

Areas of flood hazard are determined by the Federal Emergency Management Agency (FEMA) through the issuance of Flood Insurance Studies (FIS) and Flood Insurance Rate Maps (FIRMs). New studies and maps are developed and issued by FEMA. When mapped areas need to be altered because of development, availability of more accurate data, or other factors, the effective maps can be officially altered by petitioning FEMA for a letter of map change. A large number of communities within the state have recently received or will soon receive new maps through federal programs known as Map Modernization or RiskMAP.

Communities that entered the National Flood Insurance Program before 1980 (pre-80 communities) adopt floodplain management regulations by ordinance of the governing body. Communities that entered the program after 1980 (post-80 communities) must follow specific requirements set forth in the Oklahoma Floodplain Management Act, including adopting floodplain management regulations by action of a five member floodplain board. All participating communities must have a floodplain administrator accredited by the Oklahoma Water Resources Board.

Floodplain management in Oklahoma is supported by a network of private-sector professionals, many of whom have gained national recognition for their work in the field. Public and



private floodplain management professionals have joined together to form a non-profit organization known as the Oklahoma Floodplain Managers Association, Inc. (OFMA). OFMA administers a nationally recognized certification program (Certified Floodplain Manager, or CFM), provides basic and advanced level training, and conducts educational and outreach programs aimed at saving lives and reducing property losses due to flooding.

Moving forward, floodplain management cannot be based solely in a desire to comply with federal regulations. If floodplain management is undertaken only as a means to the end of making flood insurance available in a community, the opportunity to capitalize on relationships between floodplains and other aspects of water resources will be marginalized, and the opportunity to mitigate the impacts of flooding on the lives of Oklahomans will be lost.

The following actions should be taken to allow floodplain management to serve as an important and beneficial part of the state’s future water resource strategies:

- *Encourage the preservation of the natural and beneficial functions of the floodplain.*

*(Continued on page 11)*

*(Continued from page 10)*

The floodplain is, first and foremost, a natural feature. Floodplains are, by their very nature, supposed to be inundated with floodwaters. Development within floodplains, whether building a new housing subdivision or lining a creek channel with concrete, serve to reduce the ability of floodplains to serve their intended purposes, including storage of floodwaters, provision of habitat space, and improvement of water quality. Of particular importance is the role that floodplains, and particularly the vegetation that tends to be naturally present, play in improving the quality of stormwater before it reaches receiving waters. Local communities should be encouraged to adopt a regulatory philosophy that exploits the synergies between floodplain management and stormwater quality and properly recognizes the natural and beneficial functions of the floodplain.

- *Recognize that the minimum standards for participation in the National Flood Insurance Program are not sufficient to adequately reduce and/or mitigate the frequency and severity of flood losses.*

The National Flood Insurance Program was designed to reduce reliance on disaster assistance and provide a mechanism to protect lenders who extended credit in areas at risk for flooding. The land use and development controls that comprise the minimum standards for community participation in the NFIP were designed to facilitate the provision of insurance, not necessarily to adequately reduce flood risk. Local communities must be encouraged to develop and implement “higher standard” regulations that are appropriate to mitigate the flood risk that exists within the community. Further, current methods of flood risk mapping do not adequately account for the inevitable increase in flood risk caused by development within the watershed.

Regulations that require freeboard, or elevation of structures above the minimum standard “base flood elevation” or “BFE” could help account for increased future risk. A minimum freeboard requirement of one foot is necessary just to account for the increase in flood elevation already built in to the maps. A higher freeboard requirement might be necessary and appropriate in many communities. Similarly, a prohibition of construction or improvement of any structure (at very least, any residential structure) within an established regulatory floodway would protect against risk of damage to the structures in question but would also preserve the integrity of the floodway, reducing flood risk throughout

the surrounding area.

A requirement that the ability of the floodplain to store floodwaters not be reduced would significantly limit future increases in flood risk. This regulation could be implemented by requiring that compensatory storage, at a hydrologically equivalent location, be provided whenever an obstruction is placed anywhere in the floodplain. In areas with particularly serious flood risks, regulations prohibiting placement of any fill or structures in the floodplain could have far-reaching benefits.

As long as there is development within a watershed, floodplains are going to increase in size. A potential solution to this problem is to require that any new impervious surface added anywhere in a community be offset by installation of stormwater detention, whether on-site or on a regional basis.

All of these possible “higher standard” regulations have been successfully implemented in Oklahoma communities. It should be noted that many communities have been recognized for their higher regulatory standards by membership in the NFIP’s Community Rating System. Membership in the Community Rating System can lead to significant discounts on flood insurance rates for all structures in the community. In particular, the City of Tulsa has been recognized as having one of the three most effective programs in the entire nation because of their higher regulatory standards and other aspects of their floodplain management program. With the proper education, outreach, and technical assistance, these strategies for reducing risk could become more accessible to all communities in the state.

- *Provide a mechanism for comprehensive master drainage planning.*

Communities facing flooding problems often seek structural solutions - levees, culverts, storm sewers, detention ponds, etc. Tremendous resources are committed to the construction and maintenance of these projects, often without any real assurance that they will fix the underlying problem. The only way to determine the solution to all but the most simplistic flooding problem is to conduct a comprehensive master drainage plan. Such a plan not only identifies the true nature of the problem, but allows for real cost-benefit analysis of the proposed solutions. Unfortunately, funding can be obtained for projects but generally cannot be obtained for comprehensive master drainage plans. To continue to

*(Continued on page 12)*



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allow projects to be planned and constructed without watershed and sub-watershed level analysis is an irresponsible use - if not a blatant waste - of taxpayer monies. This problem must be addressed by identifying a funding mechanism for comprehensive master drainage plans that can be accessed by all communities in the state, regardless of size or resources.

- *Allow Oklahoma to continue to serve as a model for state floodplain management programs.*

Oklahoma's floodplain management program is, in many ways, a model for all other state programs. The floodplain administrator accreditation requirements are groundbreaking. Many other states are seeking to adapt systems for permitting development on state-owned property that mirror the OWRB program, with particular focus on the level of cooperation between OWRB and the Oklahoma Department of Transportation. The relationship between OWRB and the Oklahoma Floodplain Managers Association is envied by state coordinating agencies and state floodplain managers associations across the nation, particularly with regard to the partnership that exists whereby OFMA's Training Cadre has taken responsibility for teaching OWRB's advanced floodplain management training courses.

In order to maintain and build on the strengths of the state floodplain management program, a permanent funding source must be identified. Current funding for the floodplain management program comes from FEMA. This federal funding is intended to supplement, not replace, state appropriations or other revenues.

In addition to identifying revenues for the general operation of the floodplain management program, funding is needed to allow for the initiation or expansion of several important programs. Of primary importance is funding for the Cooperating Technical Partner program, which would allow OWRB to leverage a tremendous amount of federal funding to improve flood hazard mapping throughout the state. A small amount of funding could lead to large returns, and thus should be made a priority. Another important initiative that should be funded is the creation of an inventory of all state owned structures located within the floodplain, a project that is critical for disaster response and future planning and asset managing purposes.

State agencies other than OWRB also have contributed to Oklahoma having a model floodplain management program. OWRB and OFMA have worked very hard to build

relationships with a number of state agencies impacted by floodplain management considerations. Cooperative efforts with the Oklahoma Insurance Department have caused flood insurance issues to be featured in agent and adjuster training, licensing and continuing education. Cooperation with the Department of Education resulted in the implementation of flood safety awareness training for school bus drivers. Oklahoma is the only state in the nation to have a flood safety awareness section in the state driver's manual, a tribute to cooperation with the Department of Public Safety. Emphasis should be placed on expanding these relationships and discovering new way to reduce risk by building partnerships with state agencies.

One potential partnership of critical importance relates to building and construction regulations. The nationally recognized building and construction codes now contain provisions related to floodplain management. OFMA and a number of floodplain management professionals in the state have been heavily involved in working to create and revise the flood safety provisions in these codes, working with FEMA and the International Code Council. Oklahoma, through the Uniform Building Code Council, is in the process of determining what portions of the nationally recognized codes will be the minimum requirements to be enforced for all construction throughout the state. It is critical that a floodplain management professional be added to the Uniform Building Code Council to assist with this process.

- *Enhance disaster readiness.*

Despite the best mitigation efforts, communities with areas of flood risk will experience flooding disasters. Enhanced flood disaster readiness is critical for every community in the state. With the support of FEMA and OWRB, OFMA has created a Disaster Response Team to assist local communities in times of need. The Disaster Response Team consists of volunteer floodplain management professionals ready to deploy to a disaster to assist the local community in all aspects of disaster response, with a particular emphasis on helping the community comply with all of the requirements for inspections and damage assessments that are required by federal regulations. The OFMA Disaster Response Team is the first of its kind in the nation and has quickly become the model for similar efforts in a number of other states. Formal support for the Disaster Response Team must continue to be strong, whether financial or administrative.

- *Preserve local control of floodplain management.*

*(Continued on page 13)*

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Despite the high level of support provided by the state coordinating agency and statewide professional association, floodplain management is and will remain largely a local function. As such, local communities must be afforded flexibility to determine what sort of floodplain management program is best to address their own flood risk. One action that could greatly enhance the ability of local communities to administer their floodplain management program would be to remove the requirement that Post-80 communities appoint and utilize a five-member floodplain board. While the floodplain board may be appropriate for some communities, it is a burdensome obstacle to others. Some smaller communities have been unable to keep floodplain boards properly constituted, creating a barrier to entering or remaining in the NFIP. This barrier not only jeopardizes the ability of the community to make flood insurance

available to its residents and businesses, but it can cause the community to be ineligible for federal disaster assistance. In general, communities should be given options and provided with assistance, but should be granted the ability to craft their own programs and implement their own regulations, subject to the federal standards for participation in the NFIP.

• *Work toward achievement of a No Adverse Impact approach to floodplain management.*

The goal of floodplain management is to reduce the frequency and severity of flood losses, thus reducing the risk of loss of life and damage to property due to flooding. There are many ways to achieve this goal, but the most successful programs do so by adopting a “No Adverse Impact” approach to floodplain management. All communities within the state should strive to craft

**“TURN AROUND, DON’T DROWN” CAMPAIGN GOES TO CENTRAL ELEMENTARY—BY LESLIE LEWIS, PE, CFM, REGION 1**

Oklahoma City University nursing students Feama Westbrook and Rena Kimbro took the “Turn Around, Don’t Drown” campaign to Central Elementary School in Oklahoma City. The nursing students were doing a health fair for a class project and wanted to do something a little different than the standard

food pyramid or first aid booth. That is when nursing student Rena Kimbro remembered her husband, Michael Kimbro who works at ODOT, talking about the “Turn Around, Don’t Drown” campaign and knew that was what she wanted to do. The two students worked hard making story boards and a rolling video

that played at the fair. They gave candy, hot wheel cars and “Turn Around, Don’t Drown” calendars out as prizes. The booth was a big hit with both the adults and the children. Both nursing school students felt like they made a difference.



*Oklahoma City University nursing students Rena Kimbro and Feama Westbrook*

## 2011 LEGISLATIVE ACTIVITY—BY ANA STAGG, PE, CFM, LEGISLATIVE COMMITTEE CHAIR

In 2011, Oklahoma legislators considered three bills of particular relevance to Floodplain Management:

- House Bill 1692
- Senate Bill 335 / House Bill 1943
- House Bill 1232

The following provides a summary of Oklahoma legislative activity. For a national perspective on 2011 federal legislative initiatives and *National Flood Insurance Program (NFIP) Reform and Reauthorization*, visit ASFPM at [www.floods.org](http://www.floods.org).  
*Com.*

### HOUSE BILL 1692

HB 1692, authored by Rep. Russ, proposed to eliminate the current requirement of a 5-member Floodplain Board, thereby facilitating entrance to the NFIP for post-1980 communities. It also assigns the Oklahoma Water Resources Board as the permitting agency for floodplain development on state owned or operated property.

This bill passed in both the House and the Senate and on May 11, 2011, was signed by the Governor.

If you have any questions regarding specific changes approved under this legislation, please contact Gavin Brandy, NFIP State Coordinator, at [j.g.brady@hotmail.com](mailto:j.g.brady@hotmail.com).

### SENATE BILL 335 / HOUSE BILL 1943

HB 1943 / SB 335, authored by Rep. Jackson of the House and Sen. Branam of the Senate, respectively, proposed to remove regulatory authority for oil and gas development within the floodplain from counties and

transfer it to the Oklahoma Water Resources Board.

Immediately following the bills' introductions, OFMA's Board and membership began work to educate our legislators—and public alike—regarding the risks associated with removing local oversight of floodplain permitting. Considerable effort has been made to ensure that both pros and cons of the measure are studied by our decision makers.

On May 10, 2011, the Senate rejected the House Amendments on SB 335 and conference was requested. Similarly, on May 3, 2011, Senate Amendments on HB 1943 were rejected, and the bill was sent to the Natural Resources Committee for conference. No further action was taken by the House and/or Senate. These bills were dismissed.

### HOUSE BILL 1232

HB 1232, introduced by Rep. Sherrer, proposed to enable the closing of a roadway to traffic due to flooding and also allow courts to order restitution reimbursing emergency responders—if necessary to rescue those that ignored the road closure. The restitution cost is defined as "an amount equal to the actual costs of the emergency response and repair or replacement of any damaged or lost emergency equipment."

On March 9, 2011, the bill was engrossed by the House and sent to the Senate for review. Following edits and approval by both the Senate and House, on May 18, 2011, the bill was signed by the Governor.

If you have any questions, please contact Ana Stagg, OFMA Legislative Chair, at [astagg@meshekengr.com](mailto:astagg@meshekengr.com).

*"This spring has held a number of lessons for OFMA and for me. Perhaps the most important is that we should not try to publish a newsletter during the tumultuous end of the legislative session, because I have now written this article three times and held up production for nearly a month... The most important lesson was that success is easiest to achieve through collaboration and cooperation."*

*Tom Leatherbee, OFMA Chair*



## BENEFITS OF STAYING IN THE NFIP

BY JACK GRAHAM, CFM, SENIOR PROGRAM SPECIALIST, FEMA



### INSURANCE AND DISASTER ASSISTANCE

Flood insurance is available for any residential or non-residential structure in a community that participates in the NFIP. Flood insurance claims are paid even if a disaster is not declared by the President.

Federal disaster assistance for flood damage will be provided to repair insurable buildings located in identified flood hazard areas. (Individual Assistance)

### GRANTS/LOANS

Communities that participate in the NFIP are eligible to apply for certain federal grants, disaster and non-disaster related. These grants include Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation (PDM), Flood Mitigation Assistance (FMA), Repetitive Flood Claims (RPC), and Severe Repetitive Loss (SRL).

Federal grants or loans for development will be available in identified flood hazard areas under programs administered by federal agencies such as the Department of Housing and Urban Development, Environmental Protection Agency, and Small Business Administration.

Federal mortgage insurance or loan guarantees, such as those written by the Federal Housing Administration and the Department of Veteran Affairs, will be provided in identified flood hazard areas.

### SAFETY

The NFIP has led to a large reduction in flood damages to new construction, with structures built to NFIP standards experiencing 80 percent less damage than structures not built to these standards. NFIP benefits include the saving of lives and the protection of property.

The intent of the NFIP is not to prohibit development but to guide development in floodplain areas in a manner that is consistent with both nature's need to convey flood waters and a community's land use needs.

A common misconception about the NFIP is that it is a taxpayer supported program. Flood insurance claims are paid from the same fund to which premiums are paid. The program has authority to borrow from the federal treasury, which it sometimes does if the program has a higher than normal year of losses. However, any money borrowed is paid back with interest.

### DEFINITIONS

**Special Flood Hazard Area (SFHA)** is the flood zones that have the greatest risk of flooding. They are darkly shaded areas on the maps and are identified with an "A" designation, example (Zone A, Zone AE, AH, AO). During a 30-year mortgage, there is a 26% chance of flooding in these areas and only a 4% chance of fire in the same period.

**Non Special Flood Hazard Area (NSFHA) X, and Shaded X Zones** are low to moderate risk flood zones. On the FIRM, they are unshaded or lightly shaded. Historically, 25-30% of all claims occur in these areas. A Preferred Risk Policy (PRP) may be available.

**Zone X (Shaded) Areas** of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and, areas protected by levees from 100-year flood.

**Insurance and building implications:** There are no NFIP building requirements for developments in the Shaded X Zone, unless identified by local, county or state requirements.

There are no mandatory flood insurance requirements in the Shaded X Zone. Flood insurance can be purchased for minimal costs (around \$300 annually for a PRP including structure and contents).

The Digital Flood Insurance Rate Map (DFIRM) is the new form of flood map produced digitally to be used in a Geographic Information System (GIS). Communities will receive one set of paper copies of the Flood Insurance Rate Maps.

**Mapping (differences from the old mapping and new mapping):**

DFIRMs are all digital for ease of use (layers can be added showing buildings and many other features as desired).

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ADDRESS CORRECTION  
SERVICE

### Funding Acknowledgement

Funds to produce *The B.F.E.* come in part from the National Flood Insurance Program and State Support Services Element of the Community Assistance Program, which is administered by the Federal Emergency Management Agency.

VISIT US AT  
[WWW.OKFLOOD.ORG](http://WWW.OKFLOOD.ORG)

OFMA would like to express special thanks to the B.F.E. Editor Janet K. Meshek for her efforts in the production of this newsletter.



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