

OFMA FALL CONFERENCE
SEPTEMBER 17-19, 2012

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POLITICAL STALEMATE
ENDED

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The B.F.E.*

*Base Flood Elevation

OKLAHOMA FLOODPLAIN MANAGERS ASSOCIATION NEWSLETTER

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SEPTEMBER 2012

FLOOD RESILIENCE: THE NEW FACE OF FLOODPLAIN MANAGEMENT

The 2012 OFMA Annual Conference is being held on September 16-19, 2012, at the Embassy Suites Conference Center, Tulsa, Oklahoma. Over 200 registrants and 40 speakers—with backgrounds in local, state and federal government as well as mapping, hydrologic and hydraulic engineering, community planning and consulting— will be in attendance.

The conference entitled, "Flood Resilience: The New Face of Floodplain Management," will host several keynote speakers and cover a wide range of resilience topics.

The opening plenary session will offer a thought-provoking discussion entitled, "Fresh Water: A Vanishing Commodity," presented by Stephen Greetham and Brian McClainwith, of the Chickasaw Nation Division of Commerce and the Choctaw Nation of Oklahoma, respectively.

Mr. Steve Graham, a 2012 ASFPM Conference Keynote Speaker and Assistant General Manager of the San

Antonio River Authority, will bring his ASFPM presentation entitled, "Comprehensive Approaches to Disaster Resilience" to our Oklahoma audience.

Lastly, notable speakers such as Col. Michael Teague, US Army Corps of Engineers, Mr. Tim Lovell, Executive Director of Tulsa Partners, and Mr. Carl Watts, NFIP, will discuss partnership opportunities, hazard mitigation subjects and NFIP reform details.

Our technical agenda will include three general tracks encompassing subjects in floodplain management, risk assessment and mitigation and stormwater pollution prevention. Over 30 technical breakout sessions will be provided covering a variety of topics, such as:

- Floodplain Management, Regulation, Ordinance and Insurance
- Dams and Levees Risk Management
- Risk MAP Updates and Risk Reduction Programs
- Hazard Mitigation Case Studies
- Stormwater Quality and Low Impact Development

Additionally, the conference will offer three field trips: Keystone Dam Tour, Low Impact Development Sites Tour and Historic and Cultural Resource Tour. The DRT program training and the and CFM exam will be held on Wednesday following the conference.

As in years past, a pre-conference Golf Tournament will be held on Sunday, September 16. The 2-½ day conference will officially begin on Monday, September 17 at 8:00 am and end on Wednesday, September 19, at noon.

The conference will also host our Annual Meeting. In accordance with the OFMA bylaws, the election of 2013 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 as Chair).



EMBASSY SUITES CONFERENCE
CENTER, TULSA, OK

WORDS FROM THE CHAIR—BY ANA STAGG, PE, CFM

Although your year might not be quite over yet, mine - as OFMA's Chair - will soon come to an end. OFMA will host its annual election for Chair on September 18, 2012, during our annual business lunch. This meeting is open to our entire membership—whether you have registered to attend the conference or not.

I began my tenure as OFMA Chair with an article about New Year's resolutions. It is only fitting that I end my service with a discussion on elections. In my mind, elections are to the past as New Year's resolutions are to the future. They both offer great opportunities to *Appraise, Adapt and Advance*.

Much of this—*Appraise, Adapt and Advance*—occurred in 2012. I am pleased to report that—as it has done many times in the past—OFMA advanced as an organization with the help of a great team passionate about floodplain management.

The following is my recollection of just a few of such events in the life of OFMA that caused us to appraise and adapt in order to advance.

In January 2012, those seeking Certified Floodplain Manager (CFM®) accreditation were required to successfully pass the national CFM® exam. Until then - and since 1997 or two years prior to the deployment of the national CFM® examination by the Association of State Floodplain Managers (ASFPM) - the State of Oklahoma had administered its own exam for CFM® accreditation.

A noticeable 15 percent drop in average scores was experienced in 2012, and approximately one half of examinees received failing scores.

The simplest explanation would be to attribute such significant scoring drops to questions with little or no relevance to Oklahoma's standards and floodplain management programs, such as such as coastal floodplain regulations. Not content with poor results, the Board instead undertook a detailed study of problem in April 2012 in order to derive and deploy corrective measures for the future. The study recommended that an optional, concurrent and supplemental training class (taught by OFMA) be made available to those E-273 (whose is coursework restricted by FEMA) attendees wishing to obtain CFM® accreditation. **This new coursework will be deployed in January 2012 at no additional cost to E-273 attendees.**

In May 2012, OFMA once again succeeded against efforts from special interests much larger and more powerful than our organization. We did so together and, with the help of a number of individuals, friendly legislators and other interest groups, we were able to protect sound floodplain management practices and preserve local control over such practices. In the words of our Legislative Chair, Tom Leatherbee, "It is safe to say that there is not another state floodplain management organization in the nation that has taken on this sort of [positive] legislative role." How will OFMA adapt and continue to advance? In October 2012, at OFMA annual strategic meeting, our Board will evaluate - and adapt new policy if necessary - to continue to enhance our legislative efforts. Building on past successes in early education and emergency management areas, **the Education Committee is**



investigating new outreach alternatives and educational programs tailored to our legislative audience. If approved by the Board, this outreach program will be in deployed at the beginning of the 2013 Legislative Session.

In July 2012, OFMA formally entered into an Agreement with the Oklahoma Water Resources Board to provide advanced training classes to floodplain administrators and other officials of communities affected by floodplain ordinances. As part of the agreement, OFMA is responsible for providing instructors, curriculum and classroom facilities. The work for this project began many years ago by volunteers under Joseph Remondini's direction and Bill Smith's collaboration.

Today's training program contains knowledge gathered and compiled by our volunteers for over 20 years. A new website—<http://institute.okflood.org>—has been launched recently to host all coursework and training materials developed at one central location. Additionally, a password-restricted site has also been deployed to support OFMA trainers in the performance of their work.

(See Chair, continued on page 10)

FLOOD BILL SIGNED INTO LAW—YEARS OF POLITICAL STALEMATE ENDED BY ARTHUR D. POSTAL, REGULATORY & COMPLIANCE NEWS EDITOR

LifeHealthPRO

WASHINGTON—President Obama late Friday signed legislation that reauthorizes the National Flood Insurance Program until September 30, 2017, ending years of political stalemate.

The signing marks the first time since 2004 that a new NFIP reauthorization has gone into effect and ends a political impasse that began in 2007 when debate opened in the House on legislation that would replace the NFIP reauthorization legislation enacted in 2003.

The program has been extended for short intervals 17 times since its authorization first ran out September 30, 2008, according to data compiled by officials of the House Financial Services Committee.

The program temporarily lost authorization four times, mostly in 2011, resulting in postponement of house sale closings in communities where flood insurance is mandatory for 53 days, according to the FSC and industry officials.

The law, Title II of H.R. 4348, the Surface Transportation Extension Act of 2012, is part of a transportation bill.

Key highlights include allowing the Federal Emergency Management Agency to raise rates a maximum of 20 percent annually, as compared to 10 percent annually under the current program.

It also mandates that owners of second homes, properties with

repetitive flood claims and commercial properties will go up 20 percent over the next five years, raising them to actuarially-adjusted fees. That will be effective July 1.

The bill reiterates FEMA's authority to buy private reinsurance to back the program, which is aimed at reducing FEMA's reliance on Treasury loans to fund the program.

The reforms are projected to generate an additional \$2.7 billion in new revenues over 10 years, according to the Congressional Budget Office. "At long last our government has signed into law meaningful NFIP reform," said Jimi Grande, senior vice president of federal and political affairs for the National Association of Mutual Insurance Companies.

He noted that the core legislation passed the Insurance Subcommittee of the House Financial Services Committee more than a year ago and "ensures that Americans have access to flood insurance, and just as important, that the NFIP will begin to charge adequate rates."

Grande says the bill "should place the NFIP on the path to a more sound fiscal footing."

Tom Litjen, vice president of Federal Government Relations for the Property Casualty Insurers Association of America adds that the signing "is a momentous occasion" adding, "This legislation will bring much needed certainty to flood-prone communities and greater stability for the housing market."

Robert Rusbult, president and chief executive officer of the Independent Insurance Agents and Brokers of America, commends President Obama and Congress for working together, saying "The IIBA looks forward to the implementation of the many provisions that will help put the program on more solid financial footing."

Despite the sigh of relief that long-term certainty has been achieved, some industry officials are privately voicing concern about two areas of the bill.

One is removal of a provision that mandates that homeowners who live behind levees and other flood control structures buy flood insurance.

The other is the provision raising rates to market level within four years on second homes and vacation properties.

The concern is that allowing homeowners and businesses that live in areas behind levees to escape paying into the program will reduce revenues and that those being forced to pay market rates for second homes and vacation properties will decide to buy private insurance. That move would rob the program of needed revenues and throw off the calculations used by the Congressional Budget Office to project higher revenues through the reforms included in the program, the officials said.

FLOODPLAIN ADMINISTRATOR ACCREDITATION TRAINING BY GAVIN BRADY, CFM, STATE NFIP COORDINATOR

The Oklahoma Water Resources Board (OWRB) and OFMA have unveiled the new training schedule for fiscal year 2013. We are proud to announce this year will include 21 training opportunities at locations throughout the state including Norman, Bartlesville, McAlester, Clinton and Langley.

Beginning in 2004, the OWRB passed legislation requiring all participating communities to designate a person to serve as floodplain administrator (FPA) to administer and implement floodplain regulations. The statute also requires that the FPA shall be accredited by the OWRB. The OWRB soon began a training schedule similar to what we have today with a majority of the workshops held in Norman and then scattered throughout the state in March as part of our "Flood Insurance Month" campaign. As our partnership with OFMA began to expand, both parties realized the importance of working together in promoting the similar goals we shared. The OWRB didn't have the staff or, quite frankly, the expertise to train FPAs in such subjects as Hydrology and Hydraulics 101, International Building Codes or the USACE Clean Water Act to name a few. Joe Remondini and Bill Smith created a training cadre comprised of engineering firms along with federal, state and local officials

working in the floodplain management field. The Advanced Training program was thus created in 2007 and has been a fixture in the OWRB's accreditation program ever since.

As Map Modernization rolled into town in 2006 and began producing county-wide flood maps in 2008, communities (municipal and county) were required to officially adopt these new maps by ordinance or regulation. Knowing that almost 250 communities would be adopting new ordinances/regulations in the next five years, the OWRB placed language in the model ordinance stating an FPA would be designated and that person would be accredited on an annual basis and/or be recognized as a Certified Floodplain Manager (CFM) in good standing. While the OWRB does track who is and isn't accredited, our database was not updated or monitored as frequently as it should be. The fact that most participating communities now have the accreditation requirement in their ordinance/regulations means that the OWRB will be able to point this out if a community balks or refuses to comply with the statute.

Matt Rollins, OWRB, has just created a database that will be updated after every Floodplain Management 101 and Advanced workshop and will alert the OWRB who is yet to be



GAVIN BRADY, CFM
NFIP STATE COORDINATOR

accredited thus allowing us the opportunity to better inform you by letter, e-mail or phone call where your status falls. While participation in the National Flood Insurance Program (NFIP) remains voluntary, FPA accreditation is a requirement and will be monitored much more closely than it has in the past.

Please take the time to review the class schedule and register for FPM 101 and all Advanced Training at http://www.owrb.ok.gov/hazard/fp/fp_workshops.php. A link has also been established on this page guiding you to OFMA's new and improved course description library. You will be amazed at all the opportunities...please check it out.

*WISH TO SUBMIT AN ARTICLE FOR PUBLICATION IN THE B.F.E.?
PLEASE CONTACT JANET K. MESHEK, B.F.E. EDITOR, AT
JMESHEK@MESHEKENGR.COM*

HOW STORMWATER UTILITY FEES FUND STORMWATER MANAGEMENT PROGRAMS

BY JANET K. MESHEK, PE, CFM
B.F.E. EDITOR

Why are properties nationwide being charged a stormwater utility fee?

Projected growth, coupled with drainage systems that are now decades old, present new challenges with increased needs to control flooding and its impacts.

The stormwater utility fee is based on the concept that every property in a watershed contributes runoff and should support the operation, maintenance, rehabilitation and improvements to the stormwater drainage system, and employee salaries and other stormwater program activities of the stormwater drainage system in the watershed.

A stormwater utility fee reduces the burden on bond programs and tax revenue funds, decreases the need for future tax increases and places the cost to maintain the stormwater system on property owners who contribute the most runoff.

A stormwater utility fee has many benefits:

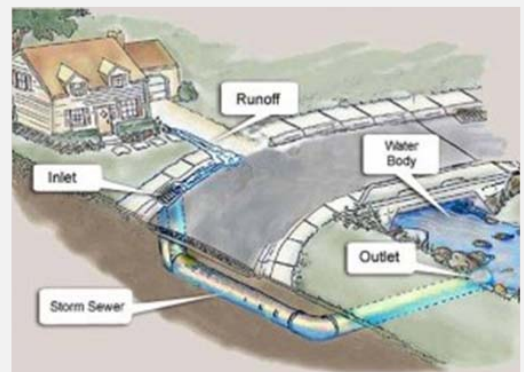
- provides more resources for stormwater management,
- Is considered an equitable means to pay for stormwater management because it is based on each property's contribution to runoff rather than property value.
- Is a more stable revenue source for stormwater management than many other sources including most taxes.

- has the potential to positively affect environmental stewardship, especially when a system of credits is put into the system.

- raises awareness about the connection between human development activities and increased, potentially polluted, runoff.
- is simple to calculate and defend.
- stormwater "users" pay for the effect of additional runoff and/or water quality impacts.
- Accounts for community residential and commercial/industrial growth.

Who is charged a stormwater utility fee? All owners of developed property are generally charged a user fee for stormwater services, including residential property owners, businesses, apartment complexes, public facilities, community owned facilities and churches.

For impervious area-based fees, the stormwater utility fee is based upon the amount of area on each property that does not allow water to absorb into the ground, such as driveways, patios, rooftops, parking lots, etc. An Equivalent Service Unit (ESU) is generally established as the average amount of impervious area on a residential lot. For non-residential properties, the total impervious area is measured, then divided by the amount of area within the ESU. The non-residential



property owner then pays for the number of ESU's on property. For instance, a community may use 2,500 square feet of impervious area as the basis for its ESU. If a commercial or industrial site has 20,000 square feet of rooftops and parking lots, its stormwater utility fee would be calculated as 20,000 square feet /2,500 square feet per ESU or 8 ESUs. If the stormwater utility fee is \$5 per ESU per month, the property owner's stormwater utility fee would be 8 x \$5 or \$40 per month.

Using impervious area as the unit of measurement is considered the most fair and accurate way to determine stormwater utility fees. Some communities use water meter size to determine stormwater utility fees, but occasionally properties with large impervious areas, such as parking lots, may not use much water. Where a stormwater utility fee is based on impervious area, residential properties pay 20%-30% of the total dollars since residential properties account for only 20%-30% of a community's impervious areas.

Stormwater utility fees can be collected monthly with other utility billing (water, sewer, electric, etc.)

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HOW THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012 MAY AFFECT STATE AND LOCAL ADAPTATION EFFORTS

BY JESSICA GRANNIS

The Biggert-Waters Flood Insurance Reform Act of 2012 ("Reform Act") was passed by Congress on June 29, 2012 as part of the surface transportation Conference Report (H.R. 4348) and was signed by President Obama on July 16, 2012.

The Reform Act reauthorizes the National Flood Insurance Program (NFIP) until September 30, 2017 and includes several reforms that could assist state and local governments looking to implement policies to adapt to sea-level rise and other flood impacts from climate change. The NFIP was created by the National Flood Insurance Act of 1968 (NFIA) and is administered by the Federal Emergency Management Agency (FEMA).

Key provisions of the bill will:

- Extend the availability of flood insurance to multi-family properties of 5 or more residences (previously limited to properties of 4 or less residences).
- Phase out subsidies for severe repetitive loss properties, second homes, business properties, homes substantially damaged or improved (i.e., greater than a percentage of the market value of the home) and homes sold to new owners.
- Allow insurance premium rate increases of 20 percent annually (previously capped at 10 percent), allow for deductibles and require that premiums be calculated based upon "average historical loss year," including catastrophic loss years.
- Require the creation of a Reserve Fund.
- Require the development of a plan for repaying debt owed to the U.S. Treasury (FEMA had to borrow approximately \$21 billion as a result of claims after hurricanes in 2005).
- Establish a Technical Mapping Advisory Council (TMAC) to provide recommendations to FEMA about how to consider the impacts of sea-level rise in flood insurance rate maps (FIRMs), among other things.
- Allow FEMA to update FIRMs to include "relevant information and data" on flood hazards caused by land-use changes, and "future changes in sea levels, precipitation, and intensity of hurricanes," among other things, and remove limitations on state and local financial contributions for updating FIRMs (previously capped at 50 percent).
- Amend the Mitigation Grant Assistance Program to allow FEMA to pay for 100 percent of eligible costs to fund the acquisition or relocation of severe repetitive loss structures, even where they do not meet cost-effectiveness requirements.
- Extend flood insurance coverage at lower rates to communities that "have made adequate progress" in reconstructing or building a flood control structure that will protect the community from a 100-year flood.
- Allow for private insurance, consistent with NFIP policies, to satisfy insurance requirements needed to obtain federally-backed mortgages.
- Require several studies for additional reforms and improvements to the NFIP—
- Establish a Flood Protection Structure Accreditation Task Force to make recommendations on how to accredit the safety of flood control structures.
- Study improving interagency and intergovernmental coordination on flood mapping and financing options for updating flood maps.
- Study the solvency of the NFIP.
- Study pre-FIRM structures (defined below) and options for eliminating subsidies to these structures.
- Study risks to residual risk areas and best practices for managing flood risks in these areas.
- Study using reinsurance to manage financial risks associated with flooding and options for privatizing the NFIP.

The NFIP remained financially sound for the first three decades of its existence and was successful in spurring enactment of local floodplain ordinances and compensating property owners for flood losses. However, the hurricane season of 2005 exposed huge structural deficiencies in the

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program. As a result of payments related to hurricanes Katrina, Rita and Wilma, the program was forced to borrow \$21 billion from the U.S. treasury. The program's insolvency was blamed on four major flaws:

- 1) Subsidies: The NFIP does not charge risk-based premiums for all properties.

Properties that existed prior to the program's enactment were grandfathered ("pre-FIRM properties") and receive subsidized rates on their flood insurance.

Prior to enactment of the Reform Act, these property owners were allowed to continue to pay subsidized rates even after their property was sold or was repetitively damaged and rebuilt.

- 2) Repetitive Loss Properties: The program did not address properties that made repetitive claims for flood damage, in many cases claims exceeded the value of the property ("repetitive loss structures" and "severe repetitive loss structures"). These properties could be continually rebuilt and could be rebuilt in the same footprint.
- 3) Mapping: Although FEMA is in the process of updating FIRMs, FIRMs in some communities are still out of date and have not been updated, in some cases,

since the 1980s.

Mapping practices also do not account for increased flood risks as a result climate change, sea-level rise or even increased impervious coverage due to land-use changes. As a result, FIRMs may be inaccurate at predicting both the geographic extent of flooding and flood heights communities will face in the future.

- 4) Residual risk properties: The NFIP exempts from its mandatory requirements properties behind flood-control structures (such as levees and dams) designed to protect against a 100-year flood event (defined as "residual risk areas"). These property owners can purchase flood insurance, at highly discounted rates, though they are not required to do so. These properties, however, continue to suffer from "residual risk" because flood control structures often are overtopped or fail—as was demonstrated by the catastrophic failure of the levees protecting New Orleans during hurricane Katrina.

In the intervening seven years since the 2005 hurricanes, the program has been the subject of continued debate but has been kept alive without significant reforms by several stopgap extensions.

The Reform Act marks the first

attempt by Congress to fix some of the critical deficiencies in the NFIP, and includes four major reforms:

- (1) amendments to the coverage, rate and premium structures,
- (2) requirement for a repayment plan and reserve fund,
- (3) updates to the mapping program, and
- (4) amendments to eligible mitigation activities.

The Reform Act also calls for several studies to address other areas for reform, including residual risk areas and privatizing the NFIP.

Although the Reform Act does not address all the structural problems of the NFIP, the reforms will help communities looking to adapt to climate change. The reforms will allow FEMA to map the potential risks communities face from rising seas and to price insurance in a manner that more accurately reflects the long-term risks to properties in highly vulnerable areas of the coast. The Reform Act, however, leaves several areas unaddressed: *Residual risk areas will remain exempt from the NFIP's mandatory requirement, which could encourage further armoring of shorelines. And, FEMA can still only establish insurance rates based upon historic flood data, thus rates will not reflect the potential for increased flood losses from climate change.*

Editor's Note: This article is excerpted from a paper written by Jessica Grannis (Released August 1, 2012) of the Georgetown Climate Center. For Ms. Grannis's entire analysis, an "Overview of Reform Act Provisions", and other references, please visit <http://www.georgetownclimate.org/sites/default/files/Analysis%20of%20the%20Flood%20Insurance%20Reform%20Act%20of%202012.pdf>.

TURN AROUND DON'T DROWN® POSTER CONTEST—BY DEE ROBISON, CFM

In 2009, the Oklahoma Floodplain Managers Association, Inc. (OFMA) partnered with the Oklahoma State Department of Education to promote flood safety education in Oklahoma schools. Fourth graders learn about flooding and flood safety and then enter the Turn Around Don't Drown Poster® contest. Our program is part of the nationwide Turn Around Don't Drown® campaign and is designed to increase awareness of the dangers of floodwaters.

State contest winners receive \$250 for first prize, \$150 for second prize and \$100 for third prize plus trophies and certificates. Every student who participates receives a certificate of appreciation. The top 15 posters in the state are published in the OFMA Turn Around Don't Drown® calendar. Winners are chosen at three levels: school, region and state. Each student is eligible to win a place at each competition level. In addition to the student honors, each teacher receives a certificate of appreciation.

Fourth grade students from different schools throughout the state participated in the 2012 Turn Around Don't Drown® poster contest. Fifteen posters were voted to appear in the 2013 calendar. The first three prize winners were 1st Place - Katie Stephenson from Maryetta Elementary School in Region 2; 2nd Place - Bailey Vaught from Maryetta Elementary School in Region 2; 3rd Place - Lauren Cyriacks from Bridge Creek Elementary School in Region 1. This fall the calendars will be distributed free of charge throughout the state and will be seen by thousands of Oklahomans.

Each year more deaths occur due to flooding than from any other thunderstorm related hazard. Why? People underestimate the force and power of water. Many of the deaths occur in automobiles as they are swept downstream. Many of these fatalities are preventable, but too many people continue to drive around barriers that warn the road ahead is flooded. Whether you are driving or walking, if you come to a flooded road, Turn Around Don't Drown®.

The Turn Around Don't Drown video and resources for fourth grade students are available to Oklahoma teachers on the OSDE website on the Science Education page. Posters are collected on or before March 1 from schools across Oklahoma every year. One of the fourth grade students in your area could be our next year's winner! If you have any questions, please contact Dee Robison at (918) 396-1900 to learn more.



1st Place: Katie Stephenson from Maryetta Elementary School in Region 2



2nd Place: Bailey Vaught from Maryetta Elementary School in Region 2



3rd Place: Lauren Cyriacks from Bridge Creek Elementary School in Region 1

OFMA'S NEW TRIBAL COMMITTEE BY CYNTHIA KITCHENS, CFM, COMMITTEE CHAIR

There are over 560 federally recognized tribes in the United States, and 38 of those tribes claim lands and rights in Oklahoma. Almost half a million of Oklahoma's 3,751,000 residents (2010 Census) are Native Americans, and this number is increasing. Throughout the state tribal nations are experiencing unprecedented economic growth, and facilities and services for their members are on the rise.

Smart floodplain management is an important consideration during this time of economic growth and property expansion. Tribal administrations and the Oklahoma Floodplain Managers Association share common goals, and a stronger alliance could help both achieve these goals. Both recognize the economic, natural and cultural benefits of sound floodplain management. Both promote and

hope to achieve flood safe development. OFMA is reaching out to tribes around the state to promote education and collaboration so that tribes can be independently successful in the goal of floodplain management on their lands and in their communities.

OFMA also knows that as an organization, we have much to learn about tribes. OFMA recognizes the need to gain an understanding and awareness of tribal issues and concerns. Working effectively with tribal governments can be complex. To work effectively with tribes, we need to be aware of not only historical and legal issues, but cultural factors as well. OFMA strongly supports greater and genuine tribal representation in local, state and federal decisions that directly impact tribal floodplains, rivers and the safety of tribal communities.

To provide greater for support for this collaboration, OFMA has recently established a Tribal Committee which has a vision to promote collaboration and partnership through outreach and technical support to tribes in Oklahoma. The committee will also work as a conduit of information to non-tribal entities so that they may gain a greater understanding of tribal issues and concerns. The committee is currently seeking OFMA members to help work towards these goals. Serving on the committee will provide an excellent opportunity to influence the direction that tribal nations will take with floodplain management. If you are interested in becoming a part of the evolving floodplain management strategies of tribal nations and OFMA, please contact Tribal Committee Chair Cynthia Kitchens at 918-669-7042.

OFMA DRT CORNER—BY W. B. "BILL" SMITH, PE, CFM, DRT COORDINATOR



The OFMA Disaster Response Team (DRT) was preparing for the fall flood season and your coordinator wound up

with the Oklahoma wildfire in his backyard. As part of our coordination, we notified floodplain administrators to check their floodplains for wildfire damage since the FPA has to do substantial damage assessments regardless of the cause. We have been reaching out to local firefighters and other emergency responders during the wildfires to notify them of the assistance that the OFMA DRT can provide to local communities.

We will have an a "hands-on" field exercise training program during the

OFMA Annual Conference for both DRT volunteers and any OFMA members who are interested. Please sign up for this Wednesday Field Exercise when registering for the Annual Conference. DRT volunteers, please notify DRT Coordinator Bill Smith if you intend to participate in the training.

We continue to work on the database to send the contract letter for communities to pre-enroll in the event that a community needs the assistance of the DRT.

FAREWELL TO OFMA—BY AMY BRANDLEY, CFM OFMA SECRETARY (2008-2012)

Dear OFMA Members,

It is with a great sense of loss that I announce my retirement from the OFMA Board of Directors. I have recently accepted a position with the City of El Reno as the director of the El Reno Public Library. While I am very excited to begin my new career, I am saddened that I have to leave a group that I have enjoyed so much and felt so strongly about. It has been my honor to work with such an expert, dedicated and passionate group of people.

We have accomplished so much in my short time with OFMA. In my own field of expertise, Oil and Gas Floodplain Management, I have seen so much progress both from getting the word out at the state and national level, but also in the dedication of local floodplain administrators in taking on the task of educating an industry and standing firm in making sure their

regulations are followed by everyone. In our Education and Outreach Committee we have seen the outstanding work of Dee and Bill Robison in getting our message out to the public and our schools, most notably in driver's education, school programs and the 3-D Flood Model. And what about the DRT? OFMA's Disaster Response Team has become a model for the nation thanks to the untiring efforts of Bill Smith and his team. Tom Leatherbee's insurance and new mapping outreach to communities has been instrumental in educating our elected officials about the importance of new maps. OFMA's legislative efforts the past few years have been exceptional with efforts coming from our Legislative Committee and very importantly, from floodplain managers all across the state contacting their legislators.

There are many more efforts by our members that I don't have room to



AMY BRANDLEY, CFM

mention here, and many reasons to be proud of our work and thankful for our relationships with such excellent people. Each of you can have confidence in your OFMA officers and representatives, and I know that I am leaving the organization in extremely capable hands. I thank you all for your assistance, effort and friendship.

Sincerely,
Amy Brandley, CFM
OFMA Secretary
Canadian County FPA

(Continued from page 2)

On August 30, 2012, Ms. Amy Brandley submitted her resignation as OFMA Secretary. This single event is—without a doubt—the greatest setback OFMA's has suffered in recent years.

Ms. Brandley has been instrumental to our organization's recent professional recognition as a leader in the floodplain management field. Her great work in the field of floodplain permitting for Oil & Gas development field has served as a template for others to follow. The permitting processes she developed and first implemented in Canadian

County has been now adopted by many Municipalities in our state and across the Country. It is because of her work that much progress has been realized in this area.

Also, although much less publicized, her work for OFMA has resulted in great progress in legislation and outreach. In 2011, Amy was critical to the defeat of special-interest legislation which was damaging to the floodplain management community. She continued her relentless work through 2012 Legislative Session to ensure that such damaging legislation did not become law.

In the mist of all this work, she also

found time to serve as OFMA's Secretary, BFE Assistant Editor, Legislative Committee Co-Chair, Webmaster Liaison and Annual Conference Assistant Coordinator.

Without Amy, OFMA must *Adapt* if we are to continue to *Advance* at the pace set by her exemplary commitment. I would like to take this opportunity to call upon you to step up and lead the way.

A dear friend recently said that "elections are the single greatest opportunity we are given to effect change." Help us continue to Appraise, Adapt and Advance. Become involved.



FEMA

FEMA ANNOUNCES EXTENSION OF PREFERRED RISK POLICY ELIGIBILITY

Memorandum W-12054, issued August 21, 2012 by Edward L. Connor, Deputy Associate Administrator for Federal Insurance, Federal Insurance and Mitigation Administration, announces the Extension of Preferred Risk Policy (PRP) Eligibility.

While FEMA completes a study and analysis to develop an implementation strategy for the Biggert-Waters Flood Insurance Reform Act of 2012, policies written as PRPs under the PRP Eligibility Extension may continue to be renewed as PRPs beyond the previously designated 2-year period.

Under the initial 2-Year PRP Eligibility Extension, buildings newly mapped into a Special Flood Hazard Area (SFHA) on or after October 1, 2008, became eligible for the PRP for 2 years beginning on January 1, 2011. Buildings newly mapped into an SFHA on or after January 1, 2011, were also eligible for the PRP during the 2-year period following the map revision date. At the end of the 2-year period, the policies were required to be rewritten as standard-rated policies.

Beginning with the first renewal effective on or after January 1, 2013, policies issued under the PRP Eligibility Extension that meet the PRP loss history requirements

will not be transitioned into standard X-zone rating, but will continue to be issued as PRPs at each renewal until further notice. Under the extension, new-business PRPs may also continue to be issued for properties newly mapped into the SFHA as a result of a map revision that became effective on or after October 1, 2008.

For technical assistance regarding the continuation of the PRP Eligibility Extension, please contact Joe Cecil at (202) 212-2067. More information is available at www.nfipiservice.com/Stakeholder/pdf/bulletin/w-12054.pdf.

FEMA EMERGENCY MANAGEMENT INSTITUTE (EMI) COURSE OFFERINGS

FEMA's Emergency Management Institute (EMI) offers training on many topics including floodplain management, mitigation, and construction. These are oriented to local building, zoning, planning, and engineering officials. Tuition is free for state and local government officials and travel stipends are available. Call the training office of your state emergency management agency, see <http://www.training.fema.gov/EMICourses/EMICourse.asp>, or call EMI at 1-800-238-3358 or

(301) 447-1035.

- HAZUS-MH for Flood (E172) December 3-6, 2012 or May 13-16, 2013
- HAZUS-MH for Floodplain Managers (E176) March 18-21, 2013
- Advanced Floodplain Management Concepts (E194) August 26-29, 2012
- Managing Floodplain Development through the NFIP (E273) November 5-8, 2012, March 11-1, 2013, April 29–May 2, 2013, June 24-27, 2013, or September 9-12, 2013 (E273 is also

field deployed periodically. Contact your State NFIP Coordinator for more information).

- Retrofitting Floodprone Residential Buildings (E279) May 6-9, 2013
- Advanced Floodplain Management Concepts II (E282) March 25-28, 2013
- Advanced Floodplain Management Concepts III (E284) July 8-11, 2013

ASFPM ANNOUNCES LEADERSHIP TRANSITION BY CHAIR SALLY MCCONKEY, P.E., D.WRE, CFM AND THE BOARD OF ASFPM

The Association of State Floodplain Managers (ASFPM) is pleased to announce the appointment of CHAD BERGINNIS to ASFPM Executive Director, effective July 1, 2012, at the start of our new fiscal year.

LARRY A. LARSON, Executive Director since 1982, is transitioning his role with the Association to Director Emeritus - Senior Policy Advisor, a post where he will continue to apply his 50 years of experience to the needs of ASFPM and the nation for managing flood risks to humans, floodplain resources, and the nation's taxpayers. This will allow ASFPM to continue a smooth long-term

transition of senior leadership.

Over the past dozen years, the ASFPM has grown at a rapid and gratifying rate, testimony to the increasing significance of flood-related issues at all levels of government and the private sector throughout the nation. Our dedicated and talented staff members work hard to supply the technical, scientific, and administrative support to provide exemplary member services and maintain the ASFPM's high visibility and credibility as a voice for sound public policies that affect flood risk, disaster cost, and water resources. Chad's experience working in local government, state government, and the private sector,

as well as serving in numerous ASFPM leadership positions, provides the ideal background to apply to the continued growth of the Association.

We value the ideas, energy, and ongoing contributions over these past 35 years from our members and partners all across the United States to achieve our shared goals. These relationships are invaluable and help set the stage for the next exciting phase of our efforts to improve public safety and protect natural floodplain resources. Please continue to share your concerns and interests with our Officers, Board members, Committee Chairs, and Staff.

US ARMY CORPS OF ENGINEERS FLOOD RISK MANAGEMENT & SILVER JACKETS WORKSHOP—BY JOE REMONDINI, PE, CFM, USACE

The US Army Corps of Engineers held its 3rd National Workshop for Flood Risk Management and Silver Jackets in Harrisburg, Pennsylvania August 20 - 24. The objectives of the workshop were to: 1. Demonstrate results and benefits of collaborative approaches across all levels of government to improve effectiveness and efficiency in managing flood risk and improving community resiliency; 2. Unify and refine approaches to communicating the nature and degree of flood risk in the context of shared and individual responsibility, with the purpose of effecting action at the individual, community, watershed, state and federal levels.; 3. Refine approaches to providing federal government services in a more coordinated

effective manner, with a focus on local and state responsibilities.

Attending from OFMA were three Corps employees: Carolyn Schultz, Rick Thomas and Joe Remondini. Gene Lilly is the Tulsa District Silver Jacket manager who was unable to attend this year. Gene will have a more detailed article in the next *BFE* to describe the status of the Oklahoma Charter which includes OFMA, OWRB, FEMA, OEM and other agencies as partners.

At the workshop, Joe Remondini and the National Nonstructural Flood Proofing Committee presented a workshop on Nonstructural Flood Risk Reduction Measures. These measures are being used much more often across the nation within Corps programs. Our Headquarters leaders

are becoming much more interested in these measures as well as the benefit of floodplain management and in working closer with other federal agencies and local partners.

Other attendees included Silver Jackets and Flood Risk Managers from most Corps Districts, Divisions, and Headquarters as well as State NFIP Coordinators, Emergency Managers, FEMA and ASFPM. Through invitational travel orders the Corps has been able to fund attendance of some partners. Many interesting case studies and Silver Jacket Pilot projects were presented at the conference.

Sessions on the Silver Jackets program will be presented at the Annual Conference. If there are question call Joe Remondini or Gene Lilly at (918) 669-7196.

(Continued from page 5)

or billed annually. Some counties will include the stormwater utility fee on property tax bills and are careful to make a clear distinction between the tax portion versus the stormwater utility fee portion.

Why is this a Fee and not a tax?
 Generally speaking, the purpose of taxes is simply to raise revenue with no required relationship between the source of revenue and the purpose to which it is applied. User fees, on the other hand, are fees for services provided and have been commonly used to fund all or part of public works programs such as water, sewer, solid waste and stormwater.

The migration of stormwater program costs from taxes to stormwater utility fees over the last 30 to 40 years has been challenged in a num-

ber of states, and as a result, the courts identify three criteria that differentiate a stormwater utility fee from a tax:

- 1) there exists a regulatory nature to the stormwater utility fee (it must be adopted by ordinance);
- 2) there exists a relationship between the stormwater utility fee paid and the services provided:
 - the fee pays for stormwater management related services and programs only, and
 - it is rationally distributed between ratepayers, and;
- 3) there exists a voluntary nature to the stormwater utility fee:
 - the stormwater utility fee could be lowered by reducing use of the stormwater system or program, such as including

the concept of credit programs to reduce costs.

Credit and Incentive Plans can provide a means for property owners to reduce their stormwater utility fee. Credits are recurring discounts against stormwater utility user fees that are granted because the ratepayer installed and/or implemented on their property a qualifying stormwater management activity. Incentives are one-time disbursements that are granted to the ratepayer for doing the same.

Qualifying stormwater management activities are identified and generally consist of those activities that provide either a reduction in peak discharge, a reduction in stormwater runoff volume, a water quality benefit or some combination of the three. Typical activities include rain gardens, using rain barrels for irrigation, porous paving, etc.

UPCOMING EVENTS

DATE	LOCATION	EVENT
9/17-9/19, 2012	EMBASSY SUITES HOTEL & CONFERENCE CENTER TULSA, OK	OKLAHOMA FLOODPLAIN MANAGERS ASSOCIATION ANNUAL CONFERENCE
9/25-9/27, 2012	COX CONVENTION CENTER, OKLAHOMA CITY, OK	OKLAHOMA MUNICIPAL LEAGUE ANNUAL CONFERENCE & EXPOSITION
10/3/2012	TULSA HOMEBUILDERS ASSOC.	TULSA CONFERENCE ODEQ'S REVISED STORMWATER PERMIT FOR CONSTRUCTION (OKR10)
11/14-11/15, 2012	EMBASSY SUITES HOTEL NORMAN, OK	ASSOCIATION OF COUNTY COMMISSIONERS OF OKLAHOMA FALL CONFERENCE
11/18-11/19, 2012	TULSA MARRIOTT SOUTHERN HILLS	33RD ANNUAL GOVERNOR'S WATER CONFERENCE
6/9/- 6/14, 2013	HARTFORD, CT	ASFPM NATIONAL CONFERENCE, "REMEMBERING THE PAST - INSURING THE FUTURE"

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ADDRESS CORRECTION
SERVICE

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WWW.OKFLOOD.ORG

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