



# The B.F.E.\*

\*Base Flood Elevation



## OKLAHOMA FLOODPLAIN MANAGERS ASSOCIATION NEWSLETTER

AUGUST 2017

VISIT  
[WWW.OWRB.OK.GOV](http://WWW.OWRB.OK.GOV)  
FOR UPCOMING  
TRAINING

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### 2017 ANNUAL FALL CONFERENCE – “COMMUNITY RESILIENCE: PRACTICAL GUIDE FOR LOCAL IMPLEMENTATION” – SEPT. 18-20, 2017 EMBASSY SUITES HOTEL & CONFERENCE CENTER IN NORMAN, OK



The Embassy Suites Hotel & Conference Center, Norman

OFMA welcomes and encourages you to attend our 2017 Annual Conference held in Norman, Oklahoma at the Embassy Suites Hotel & Conference Center on September 18-20, 2017. Pre-registration is available on the OFMA website.

Our Theme this year is "Community Resilience: Practical Guide for Local Implementation", including breakout sessions on:

- Community Resiliency
- CRS
- Local Implementation of Mitigation Projects
- Recent Federal and State Policy Initiatives
- Hazard Mitigation
- Back to the Basics, and
- Storm Water Quality and Low Impact Development Basics

We will have a choice of two Field Tours:

- The National Weather Center Tour, hosted by Todd McClellan, City of Norman.
- The Oklahoma River Tour, hosted by Carolyn Schultz, USACE (Retired).

Concurrently with the two tours, Bill Smith, HISINC, LLC, and Tom Leatherbee, City of Del City, will be conducting a DRT Practical Exercise.

Plenary speakers will include:

- Yohanes Sugeng, State NFIP Director
- Prince Aryee and Diane Howe, FEMA
- Bill Smiley, USACE

- Matt Rollins, State Hazard Mitigation Officer
- Wendy Shabay, Lissa Gregg and Kelly Dillard from Freese & Nichols, Leah Kos and Rachel Riley from the South Climate Impacts Planning Program at OU
- Tom Leatherbee, City of Del City and Jeff Bigby City of Broken Arrow, and
- Ron Flanagan with Flanagan and Associates

The breakout sessions are shown in the 2017 conference agenda, included on pages 6 and 7.

Speakers from several communities and state agencies are included, as well as a number of consultants working on flood hazard reduction projects statewide.

Check it out! We look forward to seeing you there!



The Embassy Suites Conference Center

## WORDS FROM THE CHAIR, BY BILL SMITH, PE, CFM



Bill Smith, OFMA Chair  
and  
DRT Coordinator

I am rewriting a portion of my report to you just prior to publication to acknowledge the extreme flooding disaster in Texas and now in Louisiana that is a result of Hurricane Harvey. This is an unprecedented storm event and dumping (as of this morning) over 13 trillion gallons of water on portions of the United States — I can't fathom that much water. Three days ago it was reported that if this rain fell on New Orleans in place of Hurricane Katrina it would be 126 feet (12 stories) high.

The focus of my concern is for the victims, responders, and the children and families that are stranded and will be stranded for weeks to come. The number of volunteers with boats that are helping to rescue homeowners are to be recognized and applauded for their efforts. Ordinary people helping their neighbors in time of need. We have done it after the 911 attacks and the Alfred P. Murrah Federal Building bombing 22 years ago; and we need to be helping our neighbors every day — without a disaster to initiate caring for one another. It will be years, not months, before Houston recovers.

As a local floodplain administrator, I was asked by my mayor yesterday if a storm event like this could happen in

Oklahoma. Remember when Kingfisher received 14 inches of rain from Hurricane Ike when it reformed over Oklahoma as a Tropical Depression? The answer is yes, it could -- maybe not to the same degree as Houston and Galveston, but yes, it could happen. Is your community prepared for that type of disaster???

We are going to have an Emergency Operations Planning meeting in our community in the next few weeks to discuss this type of disaster and how to respond. Our prayers are with all those affected. We offered our DRT assistance to FEMA, but right now, due to the magnitude of the event, they are going to initiate a major Substantial Damage contractor to assist.

Meanwhile, it is once again Annual Conference Time! The Conference Committee and our Interim Vice Chair Monica Cardin have developed another great conference program. The conference will be held at the Embassy Suites Conference Center in Norman, Oklahoma, September 18-20, 2017. Registration for the Conference, Sponsor opportunities, and Exhibitor spaces are all available by going to [okfloods.org](http://okfloods.org) and downloading the forms.

The theme of the conference is "Community Resilience: Practical Guide for Local Implementation". A lot of words, but the intent is to provide the local floodplain administrator with real-time, inexpensive, and simple activities to help reduce flooding in your community. There are activities that communities can do without having to perform detailed studies, apply for grant funds, etc.

Once again, we will have some "hands-on" computer activities from H2O Partners, the Awards Banquet, and some Q&A breakout sessions.

There will be three "tour" opportunities this year. The River Cruise is limited to 70 people, so sign up quickly! The National Weather Service tour is always a great event — though I will not predict a tornado to make a near hit this year like I arranged during the 2010 ASFPM National Conference. The DRT Field Exercise will also be a great training opportunity.

We have solicitations out from the Regional Representatives to non-OFMA Floodplain Administrators for scholarships to attend the Annual conference. If you know of a deserving FPA who just can't make it without some help, please let one of the Board members or Regional Representatives know so they can share the fun and education of our conference.

So far, the FEMA re-authorization has been quiet. We hope to hear from some of our FEMA partners during the conference on the latest "scoop" on the Washington activity.

I would like to acknowledge the City of Norman and Todd McClellan, P.E., CFM, on receiving their CRS plaque at the last CAP meeting. Todd gave a great presentation on all of the mitigation activities that the City of Norman has done over the past few years.

We are also signing up FPAs and other interested individuals for the January E-273 Class. If you want to take the Floodplain course, which is not intended to train specifically for the CFM test, and then take the CFM exam, please contact Cathy Pogue at OWRB. The August class was canceled due to an insufficient number of registrants.

Finally, we are preparing for our 2-1/2 day Strategic Plan Retreat in October. If you want to come to one or all of the days, please let a Board member know so they can get you an invitation.

See you in a few weeks in Norman!



## OFMA STRATEGIC PLANNING RETREAT—OCTOBER 25-27, 2017

The annual OFMA Strategic Planning Retreat will be held at the River Spirit Casino Resort, Tulsa, OK on Wednesday October 25 through Friday, October 27, 2017. Last year's Strategic Plan updates will be discussed during the business meeting on Tuesday at the Fall Conference.

## NOTES FROM THE NFIP STATE COORDINATOR, BY YOHANES SUGENG, PE, CFM, OKLAHOMA WATER RESOURCES BOARD (OWRB)



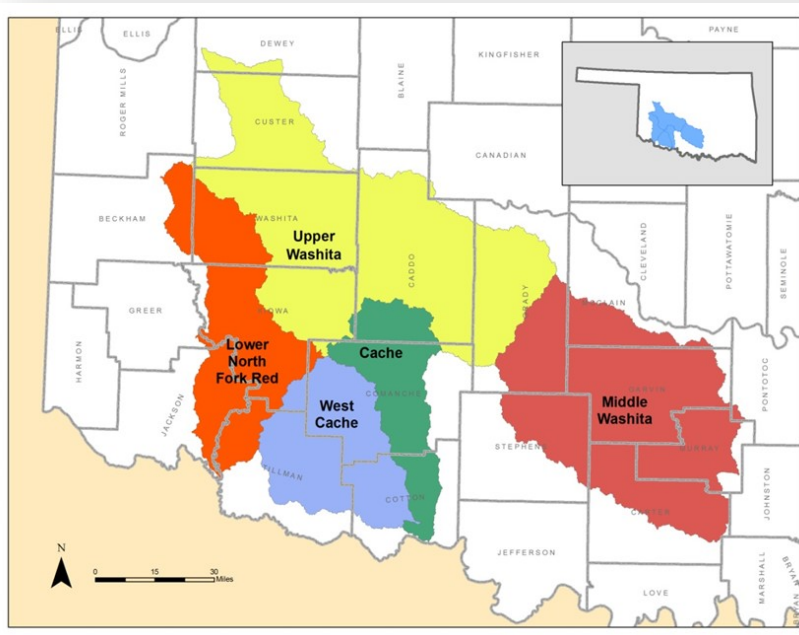
Yohanes Sugeng, PE, CFM  
NFIP State Coordinator

As Fall is approaching, we are excited to start the State's fiscal year with several items for the year ahead. In collaboration with FEMA, our Cooperating Technical Partners (CTP) Program will start with Phase One (Discovery) on Cache, Lower North Fork Red, Middle Washita, Northern Beaver, Upper Washita, and West Cache watersheds. The Discovery effort will continue the Base Level Engineering (BLE) mapping efforts of those watersheds and encourage a further partnership between Federal, State, and local communities. We are also partnering with City of Tulsa to conduct Risk Identification

and Assessment on Cooley Creek watershed.

We anticipate seeing a few new and many familiar faces in our FPM 101/Advanced workshops, especially as we move around to different locations in the state. OWRB, in partnership with OFMA, is offering

these free workshops. More information can be found from our website at [http://www.owrb.ok.gov/hazard/fp/fp\\_workshops.php](http://www.owrb.ok.gov/hazard/fp/fp_workshops.php). I look forward to seeing many of you at the OFMA Annual Conference in Norman.



2017 Risk MAP Discoveries

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

This past August there was an F2 tornado that struck the commercial area of Tulsa at 41st & 1-44. Fortunately there were no deaths, but 68 homes and 129 businesses were affected. There were some people in the restaurants at 1:03 AM that were injured. Unfortunately the storms created the tornado within a period of about 30 seconds, not giving the National Weather Service time to issue a tornado warning for Tulsa — only for Broken Arrow.

As I stressed last time, please take the advance warnings from the National Weather Service and River Forecast Centers very seriously

when they are available. This was a freak event for Tulsa. There was also some flooding — please take heed, we do not want to have deaths due to driving into floodwaters this spring. The forecast is for a cooler than normal, but wetter than normal fall. Please be prepared!!

I will be holding a field exercise for training at the Annual Conference on Tuesday afternoon, concurrent with the other two tours. Any DRT volunteers or anyone who is interested, please let me know so you can be signed up for the training (there is a box to check on the conference registration form).

We have not had a field exercise training in a few years and it is time to do it again. If you desire to volunteer as a DRT member, please let me know.

I will be bringing equipment for those volunteers who have signed up.

Our OFMA DRT/DST Teams are ready, and equipped to support your community when it is threatened by flooding or other natural disasters in a Special Flood Hazard Area.

Be safe out there!!



## HURRICANE HARVEY FLOODS COULD BRING NFIP REINSURANCE INTO PLAY

### BY, STEVE EVANS

From [Reinsurance News](#): The flooding caused by Hurricane Harvey's torrential rainfall continues and is in many cases worsening, with it being termed "catastrophic" and the worst rainstorm in American history.

Flood losses to residential homes are of course dealt with by the National Flood Insurance Program (NFIP), where coverage has been purchased and that means a significant hit to the NFIP is expected, perhaps enough to see its recently bought \$1 billion of reinsurance cover come into play.

Floodwaters from Hurricane Harvey are set to peak in the coming days, and the exposure of the NFIP in the region means that the reinsurers that backed its first visit to the market for coverage in January, when it bought \$1 billion of protection, may find themselves paying out once the final bill is understood.

Risk modelling firm AIR Worldwide said that only around 20% of homeowners in the region have flood insurance with the majority being NFIP flood policies.

But, demonstrating the amount of exposure that equates to, in Harris County, which includes the city of Houston, the NFIP holds more than 240,000 policies, representing more than \$60 billion of exposures just in the one county of Texas.

So add in all the other Texan counties where flooding is being experienced and the NFIP's exposure grows significantly.

AIR said that, "Harvey may well push the NFIP up against its borrowing limit of USD 30 billion and prompt action by lawmakers to reform the program, which is due to be reauthorized at the end of September."

The NFIP is already close to \$25 billion in debt and with the reauthorization already being debated and due soon it seems inevitable that lawmakers will err increasingly towards reform following the example Harvey is likely to set.

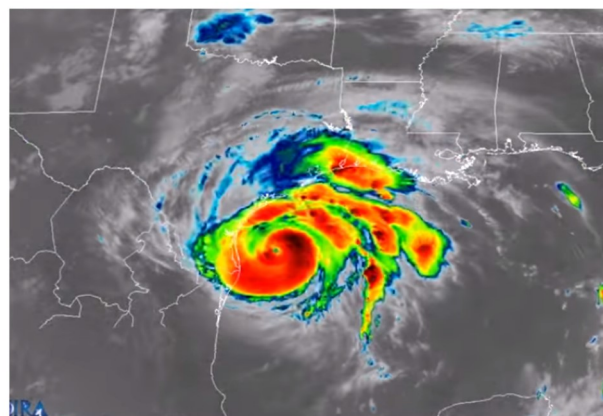
Some analysts and observers have estimated that the NFIP could face tens of billions of losses from Hurricane Harvey flooding and a significant number believe that Harvey could be the biggest ever single storm flood loss that the NFIP faces.

That is just the type of scenario that reinsurance is designed to respond to and the NFIP, which purchased a \$1.042 billion policy that transferred some of NFIP's financial risk to a panel of 25 reinsurers at January 1st 2017, may be able to call on those reinsurers for assistance with paying its claims from Harvey.

The \$1.042 billion of reinsurance covers 26% of the NFIP's losses from an attachment point of \$4 billion up to \$8 billion arising from a single flooding event. Hurricane Harvey will be deemed a single event, we'd imagine, so all rainfall and resulting riverine flooding would be included.

The NFIP said at the time of its reinsurance purchase in January that there was a 17.2% chance of a loss high enough to trigger its reinsurance in 2017.

For comparison, Hurricane Sandy saw the NFIP shoulder \$8.3 billion of losses in October 2012 and Hurricane Katrina \$16.3 billion in August 2005.



Hurricane Harvey, Illustration by NWS

It seems, given the catastrophic and ongoing flood event that has unfolded in Texas and particularly the Houston area, that a \$4 billion NFIP loss would be easy to reach from Harvey, which would mean reinsurers paying out on some of their obligations to the NFIP.

It's expected that all the usual major reinsurer names will have participated in the NFIP reinsurance program this year.

It's too early for any estimates of NFIP losses to be deemed accurate, but the chances of the NFIP's reinsurance paying out are deemed high by some sources we've spoken with in the reinsurance underwriting and broking community. It will take some days and weeks for the final bill to become clear.

There is also the potential for the private insurance and reinsurance industry to take a relatively significant flood related loss, despite the existence of the NFIP, as commercial flood policies in cities like Houston could payout, with commercial flood risks often backed by strong reinsurance arrangements.

Article Source:

<https://www.reinsurancene.ws/hurricane-harvey-floods-bring-nfip-reinsurance-play/>

## HOMEOWNERS TRAPPED BY REPEATED FLOODING UNDER NFIP, REPORT WARNS BY VICTORIA PRUSSEN SPEARS, ESQ., ASSOCIATE

The nation's flood insurance program has repeatedly rebuilt some of the most flood-prone properties in the country, unintentionally setting a trap for owners of modest homes who would prefer to move out of harm's way, according to a new national report from the Natural Resources Defense Council (NRDC).

According to the NRDC, for every \$100 the nation spends to rebuild homes with national flood insurance funds, the Federal Emergency Management Agency (FEMA) spends just \$1.72 to better protect people by moving them to safer, less flood-prone land.

NRDC's "Seeking Higher Ground" report called on Congress to adopt a series of climate smart reforms, including changing the mindset of "flood, rebuild, repeat," to buying out homeowners who no longer want to rebuild on a vulnerable property.

### TRAPPED HOMEOWNERS

"Flood insurance traps homeowners in a situation no one wants to be in: forced to rebuild in a location that will inevitably flood again. It's time to start helping people move to higher ground, rather than make them wait for the next flood," said Rob Moore, lead report author and senior policy analyst with NRDC's Water Program.

Congress is required to reauthorize the National Flood Insurance Program (NFIP) every five years, with the next deadline at the end of September. The program is nearly \$25 billion in debt. NRDC's analysis found costs will skyrocket as sea level rises due to climate change, repeatedly flooding millions of properties located along the coasts and inland waterways. The way the NFIP currently operates, it will pay hundreds of

billions to rebuild these properties multiple times, even if homeowners would prefer to move to higher ground.

### KEY FINDINGS

Among the report's key findings:

More than 30,000 "severe repetitive loss properties" have been insured through the NFIP, according to FEMA data acquired by the NRDC through a freedom of information act request. The properties have flooded an average of five times, on average every two to three years, and are the most flood prone properties in the program.

Sixty percent of the homes are modest, valued at less than \$250,000. While they represent just 0.6 of the 5.1 million properties insured by the NFIP, they account for a disproportionate 9.6 percent of all damages paid between 1978 and 2015, totaling \$5.5 billion.

Almost one out of every 10 of these properties received insurance claim payments that cumulatively exceeded the value of the structure.

In coming decades, sea level rise may cause as many as 2.5 million properties to repeatedly flood, which the NFIP could pay as much as \$447 billion to repeatedly rebuild before they are finally inundated. Damages to these properties will cost the program \$143 billion to \$447 billion in claims.

Among these properties, there are over a half-million and nearly 1.6 million homes that are more modest homes (worth less than \$250,000). It would cost \$52 billion to \$163 billion to buy out all of these properties before they are inundated by sea level rise. The NRDC estimated the NFIP will pay out \$72 billion to \$224 billion to repeatedly rebuild them.



A man carries sandbags to reinforce the barrier he build to keep the flood water from reaching his house, Friday, July 14, 2017, in Gurnee, Ill. (AP Photo/G-Jun Yam)

The top states, ranked by both number of properties and total damages, were:

- Louisiana (7,223 properties, \$1.22 billion in damages).
- Texas (4,889 properties, \$0.96 billion in damages).
- New Jersey (3,246 properties, \$0.66 billion in damages).
- New York (1,802 properties, \$0.40 billion in damages).
- Florida (1,601 properties, \$0.37 billion in damages).
- Missouri (1,526 properties, \$0.19 billion in damages).

### RECOMMENDED REFORMS

The NRDC recommended that Congress reauthorize the NFIP with a series of reforms that will better provide the type of assistance a growing number of American homeowners need.

Through the NFIP, provide homeowners with a guaranteed buyout, if they no longer want to rebuild. For homeowners who want to move out of harm's way, the NFIP should help, not hinder, that from happening.

Give owners the right to know about their home's history of flood damages. Providing the flood history of a property can help homeowners make better decisions.

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## THE GAO LOOKS AT FLOOD INSURANCE REFORM, EXCERPT FROM THE US GOVERNMENT ACCOUNTABILITY OFFICE (GAO)

The GAO's report "Flood Insurance—Comprehensive Reform Could Improve Solvency and Enhance Resilience" was an effort to find potential actions that can help reduce federal fiscal exposure and improve resilience to flood risk. The report is summarized in this article.

Congress created NFIP to reduce the escalating costs of federal disaster assistance for flood damage, but also prioritized keeping flood insurance affordable, which transferred the financial burden of flood risk from property owners to the federal government. In many cases, premium rates have not reflected the full risk of loss, so NFIP has not had sufficient funds to pay claims. As of March 2017, NFIP owed \$24.6 billion to Treasury. NFIP's current authorization expires in September 2017.

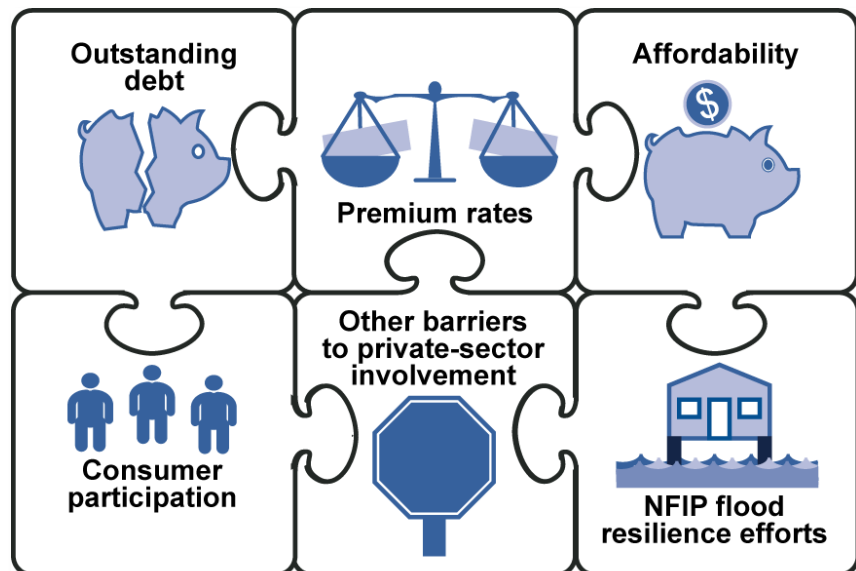
The report recommended comprehensive reform in the six areas shown.

### 1. Outstanding debt.

As of January 17, 2017, FEMA had six outstanding notes to Treasury, with loan amounts, interest rates, and maturity dates as follows: \$2 billion at 0.625 percent due on December 31, 2017; \$4 billion at 1.125 percent due on December 31, 2018; \$7 billion at 1.625 percent due on October 31, 2019; \$3 billion at 1.125 percent due on December 31, 2019; \$1.6 billion at 1.375 percent due on December 31, 2019; and \$7 billion at 2.5 percent due on December 31, 2024.

As of March 2017, FEMA estimated that NFIP's \$24.6 billion debt would require annual interest-only payments of nearly \$400 million. The current surcharge paid by NFIP policyholders is for repayment of program debt as well as meeting future obligations.

Charging current policyholders to pay for debt incurred in past years is contrary to actuarial principles and insurers' pricing practices, as



Source: GAO. | GAO-17-425

described by industry stakeholders who contributed to the report, and could encourage some low-risk policyholders to leave NFIP. According to actuarial principles, a premium rate is based on the risk of future losses and does not include past costs.

### Potential Reform Action:

Congress could eliminate FEMA's debt to Treasury. The implications of this action are that eliminating the debt would allow FEMA to take funds currently used for principal and interest payments and reallocate them for other purposes such as building a reserve fund or financing program operations. It also would be more equitable for current policyholders and consistent with actuarial principles.

### 2. Establishing Premium Rates That Reflect the Full Risk of Loss

There are several factors at work here:

Insufficient premiums. The NFIP's premium rates do not reflect the full risk of loss because of various legislative requirements. Between 2002 and 2013, subsidized rates

combined with several years of catastrophic losses left FEMA with a premium shortfall of somewhere between \$11 and \$17 billion, requiring the NFIP to borrow from the Treasury.

Elevation certificates. The shortage of building elevation data to determine full-risk rates for nearly one million currently subsidized policies could take considerable time and potentially cost several million dollars to obtain.

Reinsuring for catastrophic risk. In January 2017, FEMA executed a 1-year agreement with a consortium of 25 private reinsurers, transferring more than \$1 billion of its flood risk exposure to the private reinsurance market. FEMA officials said that this reinsurance not only will protect the program from some financial risk, but also help FEMA gain experience purchasing reinsurance and the private sector gain experience insuring flood risk.

Effects on private sector and consumer perception of risk. It is difficult for private insurers to compete with NFIP premium rates that do not reflect the full risk of

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## THE GAO LOOKS AT FLOOD INSURANCE REFORM, EXCERPT FROM GAO, CONT'D

(Continued from page 6)

loss. To remain solvent, private insurers must charge premium rates that are adequate to cover long-term estimated losses and associated expenses. If NFIP rates were not set similarly, they would be below what private insurers would need to charge, and the private insurers would be unable to compete for these policies based on price.

Because NFIP premium rates do not reflect the full risk of loss, consumers may not understand the risk of flood loss associated with a particular property. Without the appropriate information on a property's potential for flood damage, consumers may not be discouraged from purchasing homes in risky areas or they may not take actions to mitigate potential flood damage, which would undermine the nation's resilience to flood risk and also potentially increase NFIP's fiscal exposure.

### Basis for surcharges.

State regulations regarding rate setting by private insurers generally stipulate that premium rates should reflect the underlying risk insured by the policy and not be excessive, inadequate, or unfairly discriminatory. However, NFIP's surcharges are flat and not risk-based.

Grandfathering. NFIP allows some property owners to continue to pay grandfathered rates, which do not reflect the most recent reassessments of flood risk (which occur when the properties are remapped into higher-risk flood zones). These property owners who obtain grandfathered rates are cross-subsidized by other policyholders in the same flood zone. That is, other policyholders pay higher rates to cover the shortfall in premiums from grandfathered policies. Before 2010, FEMA did not identify whether newly issued policies were receiving grandfathered rates so they do not know how many are paying grandfathered rates.

### Potential Reform Actions:

- Obtain elevations certificates from all policyholders in order to accurately rate premiums.
- Eliminate subsidized premium rates and requiring FEMA to charge all policyholders premium rates that reflect the full risk of loss.
- Eliminating reserve fund surcharges, and instead charging full-risk premium rates based on individual property risk, which would include funding a reserve for future adverse experience.

### 3. Creating an Affordability Assistance Program That Is Funded with Appropriations, Means-Based, and Prioritized to Mitigate Risk

Means-tested premium assistance. Higher premiums collected from currently subsidized policyholders who can afford the full-risk premium rate could be offset by premium assistance to policyholders currently paying full-risk rates and deemed eligible for the means-based assistance. This would have to be available for private flood insurance policies as well so that private insurers would not be at a competitive disadvantage.

Linking affordability to mitigation. Instead of premium assistance, perhaps providing assistance for mitigations measures that reduce the premium rate (elevating, flood-proofing, etc.) could be structured as a lower annual premium and a low interest loan. Instead of premium assistance a means-tested voucher for mitigation would be appropriate.

### Potential Reform Actions:

Congress could create an affordability assistance program that

- (1) is funded through an appropriation rather than through discounted premiums,
- (2) is means-tested,
- (3) considers making any premium assistance temporary,

(4) considers allowing assistance to be used for private policies as well,

(5) prioritizes investments in mitigation efforts over premium assistance whenever economically feasible, and

(6) prioritizes mitigation loans over mitigation grants.

### 4. Increasing Consumer Participation by Expanding the Mandatory Purchase Requirement and Improving Risk Communication

Enforcement of the mandatory purchase requirement. Not a lot is known about the extent of compliance with the mandatory requirement federally-backed mortgages. However, FEMA officials have said that estimates indicate that as little as one-third of residential properties in SFHAs have flood insurance coverage. A 2012 study found that homeowners both inside and outside SFHAs who obtained flood insurance when purchasing their homes typically kept it 2-4 years before canceling the policies.

Limited information is readily available to help inform consumers who may be inclined to purchase flood insurance coverage voluntarily. For example, mortgage documents inform the borrower if the property is in an SFHA and the flood zone in which the property is located. However, for most properties outside of SFHAs, the flood zone is listed as "X" without any additional information on the property's risk. As a result, according to industry and non-industry stakeholders who participated in the study, the borrower may be unclear if the property is at moderate risk or at a very low risk for flooding.

### Disaster assistance and consumer participation.

Many consumers have the false perception that individual disaster assistance will be sufficient to help them recover and rebuild after a

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## THE GAO LOOKS AT FLOOD INSURANCE REFORM, EXCERPT FROM GAO, CONT'D

(Continued from page 7)

flood, leading them to forgo purchasing flood insurance. The study noted that individual assistance is limited and means-based, and much of the disaster assistance goes to pay for rebuilding public infrastructure.

A 2012 study used as reference in this study found that public perception of federal post-disaster assistance creates a moral hazard that not only discourages consumers from purchasing flood insurance but also discourages flood risk mitigation and encourages people to live in high-risk areas. The study concluded that available disaster assistance “is relatively small and certainly does not make people whole after devastating events.”

### Potential Reform Actions:

- Congress could expand the mandatory purchase requirement to more (or all) mortgage loans made by federally regulated lending institutions for properties in communities participating in NFIP.
- Congress could require FEMA to explore ways to improve its communication of risk to all consumers; for example, through a risk scoring system, rather than just an “in” or “out” of the SFHA.

### 5. Removing Other Barriers to Private-Sector Involvement

#### Private-sector coverage and the mandatory purchase requirement.

The Biggert-Waters Act requires regulated lending institutions to accept private flood insurance, but as of March 2017, federal banking regulators had not issued final rules with such directions. There is uncertainty about whether or not private policies meet the mandatory purchase requirement.

#### Continuous coverage, premium refunds, and WYO noncompete clause.

FEMA prohibits the use of subsidized rates for policies for which there has been a lapse in NFIP coverage of more

than 90 days. That is, if a NFIP policyholder who qualified for a subsidized rate switched to a private flood policy, and then switched back to an NFIP policy (more than 90 days after originally cancelling the NFIP policy), the policyholder would no longer qualify for the subsidized rate.

The GAO previously recommended that FEMA consider reinstating the cancellation reason code allowing policyholders to be eligible for prorated premium refunds if they obtained a private policy and then cancelled their NFIP policy. FEMA agreed with the GAO and said it planned to implement the policy change effective October 2017.

Certain FEMA restrictions on WYO insurers—private insurers that sell and service policies and adjust claims for NFIP—may be an impediment to increasing the availability of private flood insurance. Specifically, NFIP’s arrangement with the insurers restricts them from selling stand-alone flood insurance coverage outside of NFIP. The stakeholders said that this restriction can limit companies with the most experience in flood insurance from entering the private market.

NFIP claims data. The lack of access to NFIP data on flood losses and claims because of the Privacy Act of 1974 is a barrier to more private companies offering flood insurance.

### Potential Reform Actions:

- Congress could amend (or clarify) the statutory definition of private flood insurance as it relates to the mandatory purchase requirement.
- Congress could direct FEMA to allow private coverage to satisfy NFIP continuous coverage requirements.
- As we previously recommended, FEMA could reinstate the ability for policyholders replacing their NFIP policies with private policies to be eligible for prorated refunds.

- Congress could direct FEMA to eliminate the WYO noncompete clause.
- Congress could determine the appropriateness of amending the privacy law to allow for FEMA to enter into confidentiality agreements to share claims data with the insurance industry.

### 6. Protecting and Enhancing NFIP Flood Resilience Efforts

#### Mitigation and mapping funding.

FEMA charges a fee on NFIP policies that helps fund efforts to mitigate flood risk on properties covered by NFIP policies and develop and maintain flood maps. While FEMA also received \$190 million in appropriations in fiscal year 2016 to help fund its mapping efforts, it expects to collect about \$197 million in fee revenue in 2017. As a result, to the extent that the private flood insurance market grew and policies moved from NFIP to private insurers, FEMA would no longer collect fees on those policies.

Non-industry stakeholders have proposed a number of solutions for addressing this issue. For example, the Association of State Floodplain Managers proposed requiring an equivalency fee (equal to the Federal Policy Fee) on all private flood insurance policies because it would help pay for floodplain management and flood mapping services that also would benefit private insurance companies.

The other concern is that the NFIP requires communities to meet floodplain management standards. Many of the 22,000 communities participating in the NFIP do so to have access to flood insurance. If the availability of private flood insurance coverage could lead some communities to drop out of NFIP and rescind some of the standards and codes they had adopted, flood damages could increase. The Association of State Floodplain Managers proposed addressing this issue by allowing private flood

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## ASFPM REACTION TO ROLLBACK OF EO 13690 & FEDERAL FLOOD RISK MANAGEMENT STANDARDS (FFRMS)

While ASFPM is very supportive of additional investments in the nation's infrastructure, today's EO is a huge step backwards. We are extremely disappointed in the EO 13690 and Federal Flood Risk Management Standard being repealed, which will result in much higher costs to US taxpayers.

Former President Obama enacted the EO 13690 Jan. 30, 2015 to make America more resilient to natural disasters such as floods and storm surge. He enacted this specifically to save taxpayers from having to pay, over and over again, to rebuild infrastructure. When you look at all of the federal disaster assistance provided over time, the dollars

focused on rebuilding infrastructure is the most costly. Time and again floodplain managers have seen the effects of not mitigating infrastructure to be more resilient to flooding, whether it is upsizing a culvert that gets washed out after every flood, or retrofitting a water or wastewater treatment plant that, if flooded, could cost tens of millions to repair.

EO 13690 gave agencies flexibility to use an approach that best suited the available information and use flood protection levels that many communities have already adopted. Now federally funded infrastructure will be able to be built at a lower standard than is required in many

communities since federally-funded projects are often exempt from local flood protection standards.

"It is as if common sense was thrown out the window and the taxpayers are going to be footing the bill through disaster assistance when new infrastructure gets built and subsequently flooded," said Executive Director of the Association of State Floodplain Managers, Chad Berginnis. "Flooding in the nation is getting worse, flood losses are rising, and it appears the current administration is content to do nothing."

ASFPM will keep our members posted on this development.

## THE GAO LOOKS AT FLOOD INSURANCE REFORM, EXCERPT FROM GAO, CONT'D

*(Continued from page 8)*

policies to meet the mandatory purchase requirement only if they were sold in participating NFIP communities.

### Potential Reform Actions:

- Congress could establish a fee on private flood insurance policies to address the loss in NFIP fee

revenue used to fund mitigation and mapping activities.

- Alternatively, Congress could appropriate funds for mitigation and mapping activities to offset the diminished fee revenue.
- Taking these actions in concert with other actions mentioned in this report would be important because doing so could ensure that efforts to increase private-

sector involvement in flood insurance would not harm resilience efforts, particularly funding for mitigation and mapping, and community participation in NFIP.

Article Source:

<http://www.gao.gov/assets/690/684354.pdf>

## HOMEOWNERS TRAPPED BY REPEATED FLOODING UNDER NFIP, REPORT WARNS, CON'T BY VICTORIA PRUSSEN SPEARS, ESQ., ASSOCIATE DIRECTOR FC&S LEGAL

*(Continued from page 5)*

Make more data on the NFIP publicly available. The public has a right to know where flood damages occur, the cost of those damages, and what communities are doing to reduce their vulnerability to flooding and sea level rise.

Flood maps should show how sea level rise and other effects of

climate change will impact future flood risk. Flood maps are used by government officials, developers, and planners to decide where it is safe to build. Without the inclusion of future flood risks, communities cannot make fully informed and sustainable decisions.

Invest in resilience and in reducing our vulnerability to flooding. According to the National Academy

of Sciences, more funding should be dedicated to reducing vulnerability to flooding, rather than rebuilding over and over.

Source:

[The Insurance Coverage Law Information Center](#)

**2017 Annual Conference, September 18-20 Norman, Oklahoma**  
**“COMMUNITY RESILIENCE: PRACTICAL GUIDE FOR LOCAL IMPLEMENTATION”**

<b>Monday, September 18, 2017:</b>						<b>Room</b>
7:00 AM	8:00 AM	Breakfast (On Your Own)				
7:00 AM	7:30 AM	Exhibitor Setup				Entry Foyer
8:00 AM	8:30 AM	Registration				Carolyn Schultz, CFM, USACE Retired
8:30 AM	9:00 AM	Opening Ceremony				Monica L. Cardin, CFM, CCEA, City of Del City
		Flag Ceremony				
		Invocation				Bill Smith, P.E., CFM, HISINC, LLC
		Welcome by City of Norman Mayor				Mayor Lynne Miller
		Summary of OFMA Program and Conference Logistics				Monica L. Cardin, CFM, CCEA, City of Del City
9:00 AM	9:15 AM	Oklahoma NFIP Program Report				Yohanes Sugeng, P.E., CFM, State NFIP Coordinator, Oklahoma Water Resources Board
9:15 AM	9:45 AM	FEMA Update				Diane Howe, FEMA
9:45 AM	10:15 AM	Leveraging Federal Resources to Increase Local Resiliency				William Smiley, CFM, US Army Corps of Engineers
10:15 AM	10:30 AM	BREAK				
10:30 AM	10:45 AM	OK State Hazard Mitigation Activities				Matt Rollins, CFM, State Hazard Mitigation Officer, Oklahoma Department of Emergency Management
10:45 AM	11:30 AM	Resilience				Tim Lovell, Disaster Resilience Network
11:30 AM	1:00 PM	Luncheon				UNIV AB
Concurrent Sessions		Track Topic		Speaker Topic		
				Don't Flood the Rodeo! Preparing for Fort Worth's New Arena	Scott Hubley, P.E., CFM, Freese & Nichols	
1:00 PM	2:30 PM	A.1	Basics	OU Student Housing Redevelopment Project in the Bishop Creek Floodplain	Todd McLellan, P.E., CFM, City of Norman	OK G
				Altus Regional Detention	Johnny Barron, P.E., CFM, City of Altus	
				Hydrographics Surveys: Good Modeling Begins with Good Data	Trent Lewis, FPC, PondMedics, Inc.	
1:00 PM	2:30 PM	B.1	Hazard Mitigation / Technical Session	HEC-RAS 2D Floodplain Modeling in Support of Ascension Parish Levee Certification	Jeffrey Doudrick, Project Manager, HNTB Heidi Lane, PE, ENV SP, HNTB	OK H
				1D/2D Modeling-Back to the Basics	Jacob S. Lesue, P.E., CFM, Dewberry	
				Clean Water State Revolving Fund	Lori Johnson, OWRB	
1:00 PM	2:30 PM	C.1	Stormwater/LID	Crow Creek Community Rain Garden Project	Jacob Hagen, City of Tulsa	SOONER
				Floating Wetlands	Paul Koenig, OWRB	
2:30 PM	3:00 PM	BREAK				
3:00 PM	4:30 PM	A.2	Basics	GIS Showcase: Tools for Stormwater Management	Chris Hill, GISP, CFM, Meshek & Associates Michael Couch, GISP, CFM, Meshek & Associates	OK G
				Hazard Mitigation Grants	Matt Rollins, CFM, Oklahoma Emergency Management Agency	
3:00 PM	4:30 PM	B.2	Hazard Mitigation / Technical Session	Crutcho Park Area Mitigation	Erik Brandt, CFM, Oklahoma County	OK H
				Reducing Flood Risk	Janet Meshek, P.E., CFM, SR/WA, Meshek & Associates	
				The Green and In-Between: Incorporating Green Infrastructure in Municipal Design	Tricia Hatley, P.E., Env SP, LEED AP BD+C, Boris Minot, EIT, CFM Freese & Nichols	
3:00 PM	4:30 PM	C.2	Stormwater/LID	Erosion Control, Not Just Your Average Silt Fence	Trish Morris, Ideal Homes	SOONER
				LID and Infill Development	Ellen Stevens, PhD., P.E., CFM	
4:30 PM	5:30 PM	Newcomers Reception				Bill Smith, P.E., CFM, HISINC, LLC
5:30 PM	7:30 PM	Vendor Social				Meshek & Associates and Utley & Associates
7:30 PM	11:00 PM	Hospitality Suite				Olsson & Associates
						RM 204

**2017 Annual Conference, September 18-20 Norman, Oklahoma**  
**“COMMUNITY RESILIENCE: PRACTICAL GUIDE FOR LOCAL IMPLEMENTATION”**

Tuesday, September 19, 2017:							Room	
7:00 AM		8:00 AM		Breakfast (On Your Own)				
7:00 AM		8:30 AM		Early Bird Session	Legislative Policy Update	Tom Leatherbee, CFM, MCP, AINS, City of Del City		
Concurrent Sessions			Track Topic		Speaker Topic			
8:30 AM		10:00 AM		A.3	CRS Group	CRS Activity	Jeff Bigby, P.E., CFM, City of Broken Arrow	OK G
8:30 AM	9:15 AM	B.3	Committee Meetings (Door Prizes will be awarded)		Outreach	Ana Stagg, P.E., CFM, Meshek & Associates Tom Leatherbee, CFM, MCP, AINS, City of Del City		OK H
					Community Support	Todd McLellan, P.E., CFM, City of Norman		
					Membership and Publicity	Jennifer Wasinger, Freese & Nichols Clark Williams, MRCP, CFM, hud		
9:15 AM		10:00 AM		C.3	Region Meetings		OK H	
10:00 AM		10:30 AM		BREAK				
10:30 AM	12:00PM	A.4	Basics		Day-to-Day Questions for Floodplain Managers	Tom Leatherbee, CFM, AINS, MCP, City of Del City Bill Smith, P.E., CFM, HISINC, LLC		OK G
					Experiences Gained: Surviving the Aftermath of a Flood Event	Doug Moore, CFM, IBTS, City of Central, LA Kathi Cowen, CFM, IBTS, City of Central, LA		
					15 Years Later: Resilience Through Owasso's Master Drainage Plan	Brandon Claborn, P.E., CFM, Meshek and Associates Daniel Dearing, P.E., CFM, City of Owasso		
10:30 AM	12:00PM	B.4	Hazard Mitigation / Technical Session		Projecting Hydrologic Extremes	Darrian Betrand, Graduate Research Assistant, University of Oklahoma		OK H
					A Cost-Effective Dam Breach Inundation Mapping Tool	Trevor S. Grout, P.E., FTN Associates, Ltd.		
					A New Tool in Toolbox: Rain-On-Mesh Analysis	Scott Hubley, P.E., CFM, Freese & Nichols Luke Andreasen, E.I., CFM, Freese & Nichols		
10:30 AM	12:00PM		Stormwater/LID		Vision of the Oklahoma Water Survey	Jason Vogel, PhD, P.E., University of Oklahoma		SOONER
					City of Tulsa LID Manual Update	Bill Smith, P.E., CFM, HISINC		
12:00PM		1:30PM		Business Lunch			UNIV AB	
1:30PM		2:00PM		BREAK				
2:00 PM	5:00 PM		Field Trips		National Weather Center Tour	Todd McLellan, P.E., CFM, City of Norman		
					Oklahoma River Tour	Carolyn Schultz, CFM, USACE Retired		
					DRT Practical Exercise	Bill Smith, P.E., CFM, HISINC Tom Leatherbee, CFM, MCP, AINS, City of Del City		
5:00 PM		6:30 PM		Hospitality Suite			Olsson & Associates	RM 204
6:30 PM		8:00 PM		OFMA Awards Banquet			Janet Meshek, P.E., CFM, SR/WA, Meshek & Associates	UNIV AB
8:30 PM		11:00 PM		Hospitality Suite			Olsson & Associates	RM 204
Wednesday, September 20, 2017:								
7:30 AM		8:30 AM		Breakfast (On Your Own)				
8:30 AM		8:45 AM		Closing Plenary Introductions			Monica L. Cardin, CFM, CCEA, City of Del City	OK GH
8:45 AM		9:15 AM		Sustainability and Resiliency: Climate Change, Drought and Floods			Wendy Shabay, AICP, Lissa Gregg, E.I., Scott Hubley, P.E., CFM, Freese & Nichols	
9:15 AM		9:45 AM		Improving Resilience to Rainfall Extremes in Oklahoma			Leah Kos and Rachel Riley, Southern Climate Impacts Planning Program, University of Oklahoma	
9:45 AM		10:15 AM		BREAK				
10:15 AM		10:30 AM		Introduction of Action Plan from the Flood Risk Symposium			Tom Leatherbee, CFM, MCP, AINS, City of Del City Joseph Remondini, P.E., CFM, USACE Retired	OK GH
10:30 AM		11:15 AM		No Adverse Impact				Ron Flanagan, CFM, Flanagan and Associates
11:15 AM		11:30 AM		Closing Remarks				Monica L. Cardin, CFM, CCEA, City of Del City
11:30 AM		11:45 AM		Prize Drawings				Carolyn Schultz, CFM, USACE Retired
12:00 PM Conference Ends								
12:00 PM		12:30 PM		Exhibitor Teardown				Entry Foyer
12:00 PM		1:00 PM		PDCC Meeting			Joseph Remondini, P.E., CFM, USACE Retired	PDR NORTH
1:00 PM		3:00 PM		Board Meeting				Monica L. Cardin, CFM, CCEA, City of Del City
1:00 PM		5:00 PM		CFM Exam**			Joseph Remondini, P.E., CFM, USACE Retired	NOBLE

\*Open to all registered attendees at no additional charge. Pre-registration is required.

\*\*CFM Exam is a post conference event and requires prior arrangements to attend.

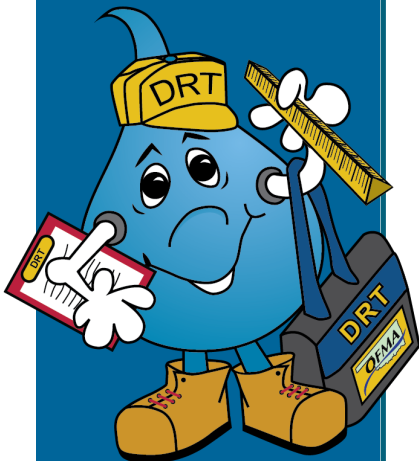


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