

Participant Manual

January 2008

Introduction and Module Overview

Floodplain Manager Roles

- Coordinator
- Regulator
- Educator
- Planner

How important is each role to you, and how much time do you devote to each?

Visual 1



Coordinator

- Serve as the local floodplain management POC with other jurisdictions, the State, and the Federal Government.
- Coordinate floodplain management role/actions with other jurisdiction departments.
- Maintain maps and other floodplain records.

Visual 2

Regulator

- Oversee the floodplain development permit process.
- Initiate/monitor enforcement action against violators.

Visual 3



Notes:

Educator

- Explain the importance of floodplain management to elected officials and citizens.
- Advise citizens of options and sources for purchasing flood insurance.

Visual 4

Planner

- Develop floodplain plans.
- Coordinate with other planning bodies to incorporate floodplain considerations into local plans.

Visual 5



Notes:

Resources and References

- Turn to the Roles: Job Aids tab in your Participant Manual.
- Note that job aids are located under the tab. * will prompt you to find a job aid.
- Optional references:
 - E273, Managing Floodplain Development Through the NFIP
 - FEMA 480, The NFIP Floodplain Management Study Guide and Desk Reference

Visual 6

An asterisk on a visual is a signal to find a particular job aid.

- E273 is the basic floodplain management course that many in the class probably have taken.
- FEMA 480 is a comprehensive guide to floodplain management.

This advanced module builds upon the information in E273 and FEMA 480.



Introduce Yourself to Your Table

- Name
- Community
- FPM roles: Importance/time spent
- Floodplain management concerns/need for improvement
- A hobby or favorite activity

Visual 7



Introduce Someone at Your Table to Us

Choose another person at your table, and tell us his/her:

- Name
- Community
- Hobby or favorite activity

Visual 8

Ground Rules

- Participate
- One person speaks at a time
- All input is honored—no one is trashed
- This is a safe room—what's said here stays here
- Tell the course manager right away about problems he/she can fix

Visual 9



Your Expectations

What do you hope to come away with at the end of this course?

Visual 10

The list will be revisited at the end of the course.

FPM Qualifications and Qualities		
•	What types of professional qualifications does a Floodplain Manager need?	
•	What specific knowledge is important?	
•	What abilities are important to the job?	
	Visual 11	

The Floodplain Manager (FPM) serves as the community representative and authority for floodplain management.

Feel free to share techniques or approaches that have worked well for you.



FPM Status

- How important is floodplain management in your jurisdiction?
- What are your concerns?
- Where do you most want to see improvement?

Visual 12



Module 1: Objectives

- Describe qualifications and personal qualities needed to carry out FPM responsibilities.
- Explain the importance of coordination and identify key coordination partners.
- Suggest strategies to solve regulatory problems and address noncompliance.
- Identify key FPM records and comply with storage and retention requirements.

Visual 13

Module 1: Objectives (Continued)

- Describe a range of means to educate the community about floodplain management.
- Advise citizens who are purchasing flood insurance about available options.
- Describe activities/programs that promote floodplain planning and mitigation.

Visual 14



Coordinator

- FPM as a profession is multidisciplinary, and involves a diverse range of subjects, topics, and authorities that often overlap.
- Most coordination involves local, regional, State, and Federal levels of government.

Coordination Examples

- Review and process permit applications.
- Coordinate nonpermitting activities such as Community Rating System (CRS), outreach, and planning.
- Resolve insurance issues using maps and other records.

Coordination done should match the size and complexity of your communities.

Coordination Mechanisms

- Consider the size and complexity of your community.
- Informal coordination (small/mediumsized communities): Seek and provide information through personal contacts.
- Formal coordination (larger communities): Use tools/aids such as memorandums of understanding, routing systems, and checklists.

Visual 16

Visual 15



Notes:

Local Community Permit Review

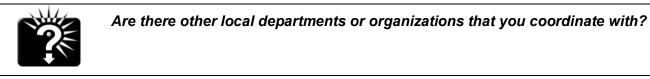
- Site development review board
- Environmental reviews (wetlands, nonpoint, coastal)
- Building inspections
- Zoning
- Health department
- Stormwater management
- Historic district
- Planning commission
- Public notice office

Visual 17

Local Community Non-Permit Coordination

- Assessors
- Local legislative government board for certain projects
- CRS
- Outreach
- Planning
- Preparedness
- Mitigation

Visual 18





Potential Local Collaborators

Use other departments as your "eyes and ears" to identify new/undocumented development.

What other departments can be your "eyes and ears?"

Visual 19

Visual 20



What other departments could serve as your "eyes and ears?"

State Agency Coordination

- NFIP State Coordinating Office
- State Emergency Management Agency
- State Insurance Commissioner
- Various organizations related to water resources
- Multiple State organizations
- Conservation agencies

•	Stormwater utility Levee districts Flood control districts Reclamation districts
	Visual 21
Fe	ederal Agency Coordination
•	FEMA U.S. Army Corps of Engineers (USACE) Natural Resources Conservation Service (NRCS) National Oceanic and Atmospheric



Improving Coordination

- Introduce aids/systems to make informal coordination more formal.
- Evaluate/streamline current procedures of formal coordination bodies.
- Meet with other coordinating bodies to refine and improve coordination.
- Consider hosting a joint activity such as training or an open house to address coordination issues.

Visual 23



What are some barriers that get in the way of local communication?

Activity: Improving Local Coordination

- The instructor will assign your group one or more barriers to local coordination.
- Brainstorm possible solutions to your group's assigned problem.
- Share your recommendations with the class.
- If you have a coordination success story, share that experience with the class.

Visual 24



	Activity: Improving Local Coordination
<u>Za as</u> i	<u>Purpose</u> : The purpose of this activity is to identify strategies for solving coordination problems.
Activity 1	Instructions:
	The instructor will assign one of the following causes for coordination problems to your group.
	 Lack of time/collateral duty Interdepartmental turf battles Personality clashes (egos, bad history) Resistance to change Stovepiping (failure to connect with other systems/processes)
	2. Brainstorm possible solutions to your group's assigned problem.
	 Discuss any coordination success stories that your group considers good examples.
	4. Present to the class:
	Your group's recommended solutions.If available, a coordination success story.

An important part of the coordinator role is to serve as the point-of-contact (POC) for floodplain maps and other records.

POC: Maps and Records

- Find Job Aid 1, Floodplain Management Maps and Records, under the Roles: Job Aids tab in your Participant Manual.
- How do records protect you from future problems?
- Which are most important?

Visual 25

Visual 26

Floodplain Management Records

- Document permitting decisions.
- Resolve insurance issues.
- Track Letter of Map Revisions (LOMRs) and Letter of Map Amendments (LOMAs).
- Document restudy needs/jurisdictional boundary changes.
- Provide input for the NFIP Biennial Report.

Visual 27

Coordinator (Continued)

Activity: Records Problems

- Read each of the situations involving a problem with floodplain records.
- The whole class will discuss each situation.



	Activity: Records Problems
	<u>Purpose</u> : The purpose of this activity is to suggest options for dealing with incomplete or missing records.
Activity 2	Instructions:
	 Read each of the situations involving a problem with floodplain records.
	 The whole class will discuss each situation.

Background: Two new FPMs have been appointed in adjacent towns. Their predecessors were fired for incompetence.

 You are the new FPM in Floodprone. In attempting to review the historic permit files, you determine that all historic NFIP permit records are missing. You receive a call from your State Coordinator's office informing you that they would like to schedule a Community Assistance Visit (CAV) for Floodprone next week. They e-mail you a list of records, which they would like to have available for review during the CAV. You know that many of these records are missing or never have been kept. What should you do?

2. You are the new FPM for a town adjacent to Floodprone. The town clerk shows you to your office and tells you that the flood program records are all kept in the two file cabinets in the corner. As you open the cabinet drawers, random paperwork falls out on the floor. You discover that the records appear to be completely disorganized in the drawers. You do find completed elevation certificates, development permits, surveys, hydrologic studies, variances, etc., along with old newspapers, fishing magazines, paycheck stubs, old lottery tickets and grocery lists. As you are going through this mess, you receive a call from the State Coordinator's office, saying that they would like to schedule a CAV with you the day after they do a CAV in Floodprone. They said they would e-mail you a listing of the records that they would like to review during the CAV. You have a week to get the records organized. How should you organize the records?

Regulator

The FPM role as regulator involves a number of key responsibilities.

Regulator Role

- Ensure that regulations:
 - Meet minimum requirements.
 - Are updated when needed.
 - Are readily available to the public.
- Establish and manage an effective permitting process.

Visual 28

Regulator Role (Continued)

- Establish and manage an effective inspection program.
- Establish and implement procedures to address noncompliance and violations.

Visual 29



Notes:

Another module of this advanced course addresses rules and regulations in detail.

The FPM will encounter some special cases in assuring that development complies with floodplain regulations.

Regulatory Challenges

- Special cases involving other governmental bodies
- Nonstructural development, such as mining, drilling, riprap, and fences
- Errors in elevation data
- New survey datum

Visual 30

Visual 31

The Letter of Map Change advanced module will explore most of the issues listed in the visual.

Regulatory Challenges (Continued) Adjustment of construction start time period Permit cost structure to recover administrative costs Code revisions consistent with FEMA standards What other challenges would you add?



Notes:

Remedies for Regulatory Problems

- Become more familiar with your own regulations.
- Act to clarify regulations.
- Beef up your permit and permitting procedures.
- Precisely describe compliance requirements.

Visual 32

Visual 33

Help and advice are available from other sources.

- Other Floodplain Managers, the NFIP State Coordinator, or your FEMA Regional Office can provide written interpretations of regulations.
- You could organize a peer review by inviting other Floodplain Managers to come to your office and review your procedures.

Activity: Regulatory Problem Situations

- Work individually to review the problem situations on the next page.
- Prepare to discuss possible solutions with the class.



	Activity: Regulatory Problem Situations
	<u>Purpose</u> : The purpose of this activity is to suggest possible solutions to regulatory problems.
Activity 3	Instructions:
	 Work individually to review the problem situations below. Prepare to discuss possible solutions with the class.

A residence in the Special Flood Hazard Area (SFHA) suffered damage twice and got payment for NFIP insurance claims. The town permitted fill on an adjacent 13-acre rural property that is also in the SFHA. The neighbor who had been flooded objected, saying that allowing fill would increase future risk of flooding on his property. What options does the FPM have?

- 2. A town upgraded its ordinance to require permitting for storage of construction materials. Current owners were grandfathered as legal nonconforming users. New developers now are appealing the requirement to get a permit. How should the FPM deal with the situation?
- 3. The local school district is proposing to build a new school on a SFHA property it owns in your NFIP Regular Program community. In your normal official pre-development discussions, you ask the school district to come in for a floodplain permit. District representatives object, citing Sovereign Immunity and claiming they do not need your permit nor is the school district subject to the municipal development code. What can you do?

Enforcing regulations against violators is one of the most difficult roles of the FPM. Enforcement calls for investments of:

- Time (issuing Stop Work Orders or other documents, coordination).
- Money (costs to rectify, insurance costs).

A FPM should aim to:

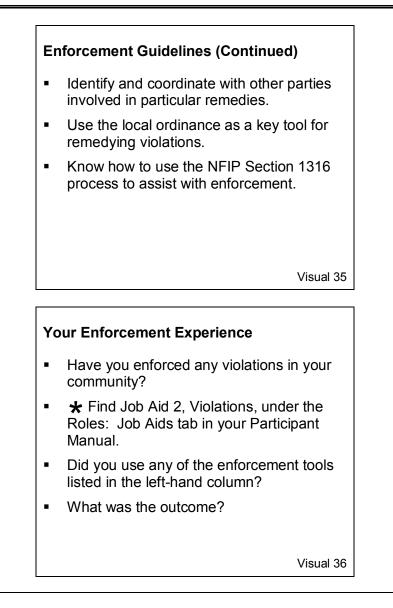
- Enforce regulations in accordance with your local ordinance.
- Know the remedies available in the community, including a working knowledge of potential actions and options with the greatest chance of success.
- Know how to get support from the local courts to enforce a compliance order.
- Ensure violations are corrected regardless of who is to blame.
- Identify and coordinate with other parties involved in particular remedies.
- Use the local ordinance as a key tool for remedying violations.
- Know how to use the NFIP Section 1316 process to assist with enforcement.

Enforcement Guidelines

- Fully enforce the regulations in your local ordinance.
- Identify available remedies and judge relative chances of success.
- Know how local courts can support compliance orders.
- Correct violations without regard to blame.

Visual 34





- The cost of remedy actions can be recovered by submitting a claim through the jurisdiction's Errors and Omissions insurance carrier.
- Some communities may have an "abatement ordinance" or other specific provisions that describe exactly what is to be done with a noncompliant structure.



Full Compliance Options

- Refer to the middle column in Job Aid 2.
- Have noncompliant property owners in your community chosen:
 - Any of the FRED options?
 - Any of the methods to gain compliance?
- Did you consider the option/method successful?

Visual 37

Note that the first letters of the options, Floodproof, Relocate, Elevate, and Demolish, form the acronym FRED.

Look for ways to avoid drastic remedies such as reconstruction, and to find ways to compromise and also obey the ordinance.

Less Than Full Compliance

- Refer to the right-hand column in Job Aid 2.
- Did noncompliant property owners in your community choose any of the options listed?
- How would you judge the adequacy of measures taken?

Visual 38



Submit-For-Rate

- One of the enforcement tools listed in the Violations job aid is Submit-For-Rate.
- * Find Job Aid 3, Submit-For-Rate, under the Roles: Job Aids tab in your Participant Manual.
- Have you used this tool?

Visual 39

Failure to Enforce: Impact on Community

- Find Job Aid 4, Program Oversight, under the roles: Job Aids tab.
- You may need to remind officials why enforcing violations is important.
- The community could be subject to probation or suspension from the NFIP.
- Don't let your good standing be jeopardized.

Visual 40



Activity: Dealing With Violations

- The previous FPM for the community was fired for incompetence.
- Serious violations were noted in a FEMA CAV.
- Your table group will be assigned to address one of the violations and suggest a compliance strategy.
- Refer to Job Aid 2 as needed for tools and compliance options.

Visual 41



	Activity: Dealing With Violations
2 2 2 3	<u>Purpose</u> : The purpose of this activity is to suggest possible compliance strategies to deal with violations.
Activity 4	Instructions:
	 Review the background information.
	 Your table group will be assigned one of the violations to address.
	 Suggest a compliance strategy. Refer to Job Aid 2 as needed for tools and compliance options.
	 Choose a spokesperson to present your group's recommendations to the class.

Background: You are the new FPM for Floodtown. The past FPM was fired due to incompetence. After you've been on the job for 2 weeks, the community receives a letter from FEMA that 5 violations have been noted during the last CAV in the Special Flood Hazard Area along River Street.

FEMA requests that the community inform it in writing within 90 days on how these violations will be remedied. The Mayor directs you, as the new FPM, to develop a compliance strategy for these violations to be presented to the Town Board during next month's board meeting.

Violations

- 1. 13 River Street It appears that utilities (furnace and air conditioning unit) in a permitted substantial improvement residence have been installed below the Base Flood Elevation (BFE).
- 2. 29 River Street It appears that a new residence has the first floor built below the BFE. No Elevation Certificate was found in the official permit file.
- 3. 45 River Street It appears that a finished basement has been constructed on this new residence below the BFE. Elevation survey information (not Elevation Certificate) in the property file indicated that the first floor above the basement was built above the BFE. The property file indicates that the community permitted this development and issued a variance to the owner to construct a finished wine cellar and darkroom in the basement. The variance clearly is illegal. Photographic equipment may have significant value.
- 4. 66 River Street A new unpermitted detached garage appears to have been built in the floodway. No building permit was issued for the garage.
- 5. 87 River Street A new manufactured home has been placed on a lot in the floodway below the BFE. The community permitted this development.

Educator

The experienced Floodplain Manager is responsible for educating the community about floodplain risks, benefits, and impacts, and best management practices.

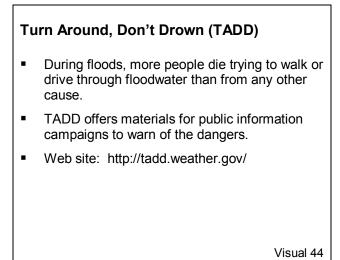
Educating the Community

- Informing various audiences about flood hazards and risks.
- Advising citizens on how to protect themselves from flood hazards.
- Offering technical expertise.
- Dealing with citizen concerns and angry/emotional reactions.
- Monitoring and training others involved in floodplain management.

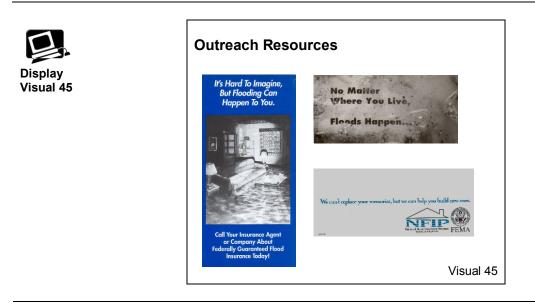
Visual 42







Some communities bill citizens who knowingly put themselves at risk for the cost of rescue and also impose a fine.



A number of flyers and other outreach resources are available from FEMA.



Job Aid: Educating Your Community

- Find Job Aid 5, Educating Your Community, under the Roles: Job Aids tab.
- Refer to Section 4, Listen and Learn.
- What techniques have you found especially successful in dealing with angry or emotional citizens?

Visual 46

Presentations/Other Resources

- ★ Find Job Aid 6, Outreach Resources.
- This list is a work-in-progress.
- Can you suggest other outreach tools we might add?

Visual 47



Notes:

Visual 48

Educator (Continued)

Activity: Your Outreach Resources

- Did you bring a presentation or other resource(s) to share?
- Give a brief (under 5 minutes) description, including:
 - Intended audience
 - Purpose
 - How delivered/distributed
 - Feedback you've received

 Activity: Your Outreach Resources

 Purpose
 The purpose of this activity is to share presentations and other resources that might be adapted by other communities.

 Activity 5
 Instructions:

 Give a brief (under 5 minutes) description, including:

 Intended audience

 Purpose

 How delivered/distributed

 Feedback you've received

Activity: Connecting With An Audience

- Each of you will pick a floodplain topic to explain to an audience unfamiliar with the subject.
- Take 5 minutes to jot down some talking points.
- You will have a maximum of 2 minutes to clearly explain the topic in everyday language.

Visual 49

	Activity: Connecting With An Audience
	<u>Purpose</u> : The purpose of this activity is to provide practice in explaining floodplain concepts clearly to various community audiences.
Activity 6	Instructions:
	 Each of you will pick a floodplain topic to explain to an audience unfamiliar with the subject.
	 Take 5 minutes to jot down some talking points.
	 You will have a maximum of 2 minutes to clearly explain the topic in everyday language.

- Citizens often turn to the FPM for advice on buying floodplain insurance.
- One important part of the FPM's role as an educator is to inform the community about flood insurance options available in different situations.
- Providing helpful and accurate information can have considerable financial impact.

Activity: Flood Insurance Situations The FPM often needs to educate the community about flood insurance. Read each of the situations involving a flood insurance issue or decision. The whole class will discuss each situation.



	Activity: Flood Insurance Situations <u>Purpose</u> : The purpose of this activity is to practice analyzing situations that affect flood insurance cost and coverage.
Activity 7	Instructions:
	 Read each of the situations.
	 The whole class will discuss the implications of each situation.

Below Grade Crawlspace Dilemma

A new post-FIRM single family home was built in the SFHA and is compliant with the local floodplain ordinance. The lowest floor was elevated on a crawlspace so the top of the floor is 2 feet above BFE. The owner applied for a Letter of Map Amendment (LOMA) and was denied because the lowest adjacent grade was .2 feet below BFE. The top of the dirt in the crawlspace was below exterior grade, so the insurance agent called the dirt the lowest floor (which is correct from a rating standpoint, although CFR 60.3 is silent on crawlspace configurations). The agent sent the application in for a Submit-For-Rate, which came back calculated at a \$2,000 annual premium, rather than the expected \$225 for the "floor" of 2 feet above BFE. The community's floodplain ordinance defines crawlspaces but does not address anything other than the required openings being present, and ductwork having to be above BFE. Because the crawlspace dirt is below exterior grade, the insurance rating considers the nonaccessible, non-habitable, and nonuseable crawlspace a basement, and the owner is penalized for choosing that mode of construction. The owner thinks the additional premium held in escrow will disqualify him from loan approval and he'll lose his home.

- What should the FPM have done to avoid this situation?
- What is a possible remedy?
- 2. Flood Determination Company Error

A "flood certification" or Standard Flood Hazard Determination Form (SFHDF) requested by a lender came back with a positive finding. The borrower contacted the FPM, who knows the building is not in the SFHA although a portion of the lot certainly is. The FPM writes a letter on behalf of the borrower, but both the bank and the flood certification vendor ignore the letter. The borrower is stuck having to pay flood insurance even though the structure is not truly "in" the SFHA.

What options do the borrower and FPM have to correct the situation?

Activity 7: Flood Insurance Situations (Continued)

3. Sewer Backup Coverage vs. Flood Insurance

Water entering the basement through the sewer or drains is considered sewer backup, and coverage is not available through the NFIP. Flood insurance will respond only if surface water enters the basement from flowing overland (thru window wells for example) or if there is a flood in the area, and the flood is the proximate cause of the sewer or drain backup. Flood insurance provides very limited contents coverage in basements. A loss is adjusted on actual cash value (depreciated) even if the structural coverage is for replacement cost that applies only to the structural elements. Clothes washers and dryers, and food freezers are the only covered items of personal property in a basement. Sewer backup riders on homeowners' insurance (broad form) do cover all items of personal property in a basement, but typically have low limits on coverage, such as a \$5,000 total.

- What should the FPM advise the homeowner to do?
- 4. Increased Cost of Compliance (ICC)

Your community had a serious flood and you've performed the requisite damage determinations and at least one SFHA residence appears to have been substantially damaged by the flood. In the course of your discussions with the homeowner, you learn that she has flood insurance.

How can ICC be used to help the homeowner rebuild?

Visual 51

Educator (Continued)

- Not all insurance brokers are knowledgeable about flood insurance.
- Rates should be uniform, but uninformed brokers may quote a wide range of rates for the same property.
- Citizens often seek advice on buying floodplain insurance.

Job Aid 7, Providing Flood Insurance Advice, is geared toward insurance purchases, information sources, and methods for educating local lenders, insurance agents, and realtors.

Flood Insurance Advice

- There are many nuances when buying flood insurance.
- Find Job Aid 7, Providing Flood Insurance Advice, under the Roles: Job Aids tab.
- Briefly review the contents.

Can you suggest other sources for flood insurance information?

- Flood insurance implications in individual situations can be complex.
- For example, a condominium may be insured through the condo association or by individual owners.
- A number of sources are suggested for getting information on flood insurance.



Can you suggest other sources for flood insurance information?



A number of good ideas, or Best Practices (BPs) can improve floodplain management in a community.

 Floodplain Management Best Practices Actions/activities that make common sense, considering the risk 	
 Examples: Recommend flood insurance purchase when not required Reduce flood insurance cost through construction techniques (i.e., freeboard) Recommend purchase of sewer backup coverage Educate about impacts of urbanizing watershed 	
Visual 5	2
No Adverse Impact (NAI)	
 Initiative of the Association of State Floodplain Managers (ASFPM) 	
 Communities within a watershed cooperate 	
 Action by one property owner/community does not increase risk of others 	;
 ASFPM Web site: www.floods.org 	
 Other resources: Your State's NFIP State Coordinating Office, State ASFPM Associations 	

Visual 53

No Adverse Impact (NAI):

- Is an initiative of the Association of State Floodplain Managers (ASFPM).
- Envisions cooperation among all communities in a watershed to ensure that action by one does not increase
 risk to any other community.
- Is a goal to strive for, and may be difficult to achieve.



Notes:

Promoting No Adverse Impact

• Educate the community about the advantages of the NAI program.

Be prepared to suggest appropriate NAI measures as opportunities arise.

 The NAI Toolkit is available from the Association of State Floodplain Managers Web site at www.floods.org.



Planner

The experienced Floodplain Manager is responsible for planning and developing floodplain management and mitigation master plans and emergency preparedness measures to address flood hazards and impacts in the community.

Planning Is Key To Funding

- A multihazard mitigation plan makes your community eligible for Federal mitigation grant funding.
- Mitigation grants pay for projects, such as elevation or acquisition of repetitively flooded structures.
- Your jurisdiction's planning department can be an important partner.

Visual 55

Visual 56

Planning Fundamentals

- Find Job Aid 8, Floodplain Planning, under the Roles: Job Aids tab.
- Briefly review the contents.



Notes:

Summary

Job Aid/Resources

- Find Job Aid 9, Improving Floodplain Management, under the Roles: Job Aids tab.
- These are general suggestions for improving your program.
- There is a list of resources following the job aids for this module.

Visual 57

Activity: Compare Notes

- Revisit your discussion this morning concerning the role and status of the FPM in your community.
- Has anything you learned today changed your perspective?
- Will you take any actions because of this class?

Visual 58

