



Flood Current

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ASFPM Conference Offers Plenty

**Gavin Brady, OWRB
State Floodplain Coordinator**

To all floodplain administrators and officials, consulting engineers and others interested in preserving our nation's floodplains and protecting lives, if you have not done so, mark your calendars now. The world's premier floodplain management conference and training will be in Oklahoma City on May 16-21. This year OFMA and ASFPM have compiled several technical field trips that will knock your socks off. For example, you can take a trip to the National Weather Center in Norman, visit Fort El Reno, ride on an Oklahoma River barge, drive through the Wichita Mountains, and see and shop in historic Guthrie. Not only will floodplain experts from around the world share cutting-edge technology and state-of-the-art mapping strategies, but there will also be ample opportunity for evening entertainment. So please plan to attend this prestigious annual floodplain extravaganza in downtown Oklahoma City. Hotel and conference information can be found on the Association of State Floodplain Managers website.

On a separate note, we need your help in adopting the new digital FEMA Flood Insurance Studies and Flood Insurance Rate Maps. The OWRB and FEMA are taking this round of map adoption and ordinance updates especially seriously. Your community's ordinance is the foundation for your floodplain management program. If the ordinance is not adopted according to state law, including Open Meeting Act requirements, it can be challenged and you could lose your enforcement power. Please allow us to guide you through each adoption update. We are currently working with communities in Carter County and will soon be expanding services to Garvin County. This upcoming year, we will be working with many more communities, including those in Wagoner, McCurtain, Pittsburg, Ottawa, Delaware, Kingfisher, Lincoln Counties. I want to thank all floodplain administrators who have gone through this process and have helped us so far in Oklahoma, Cherokee, and McClain Counties.

And finally, I want to congratulate the following OFMA members whose abstracts were accepted for a breakout session at the upcoming ASFPM meeting: Tom Leatherbee, Jeff Bigby, Ana Stagg, Russ Wyckoff, Amy Brandley, Janet Meshek, Bill Robison, Brandon Claiborn, Leslie Lewis, Duke Altman, and Ann Patton. In addition, Bill Smith will present a workshop. All of these individuals are great representatives of OFMA.

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Nation's Floodplain Managers Meet In Oklahoma City

The Association of State Floodplain Managers (ASFPM) will convene the nation's flood protection experts at their 34th annual national conference in Oklahoma City, May 16-21, at the Cox Convention Center. This year's theme is "Building Blocks of Floodplain Management."

ASFPM is the world's largest organization of floodplain managers representing 14,000 flood hazard reduction practitioners and 28 state chapters. For more information, go to www.floods.org.



As the National Flood Insurance Program (NFIP) State Coordinator, the Oklahoma Water Resources Board (OWRB) partners with other state and federal agencies and local governments to prevent and mitigate the catastrophic effects of flooding disasters in Oklahoma. For more information, go to www.owrb.ok.gov/hazard/fp/floodplain.php or call (405) 530-8800.

Technical Bulletins: “Should Do” or “Must Do”

Dale Hoff, NFIP Specialist, Region 6

Over the years, FEMA has produced 11 Technical Bulletins (TBs) that basically are “how to’s” for various development issues in regulatory floodplains. They provide guidance, such as how to build an elevator, design openings in foundations, or breakaway walls. But the operative word here is “guidance.”

In my mind, guidance is something someone gives and the receiver can either take it or leave it, and if they leave it, there is no penalty or negative effect. TBs are said to be guidance documents. In fact, the following excerpts are found in all of FEMA’s TBs:

The Technical Bulletins provide guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3

The bulletins do not create regulation; rather, they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

So the question is, if TBs are guidance, do I have to follow the instructions? Are they mandatory or can I pick and choose what I want to do without penalty or negative effect?

The answer is that we should consider Technical Bulletins to be mandatory and the guidance in them should be followed. Even though FEMA states that, “The bulletins do not create regulation; rather, they provide specific guidance for complying with the minimum requirements of existing NFIP regulations,” the guidance provided is not necessarily optional.

Regulations are based on law. But regulations are purposely designed to be somewhat vague. The “guidance” in FEMA’s TBs provides specific, mandatory instructions on how the intent of the regulation must be carried out. In essence, they provide the instructions to meet the expectations of the law.

Examples:

1. If fill is introduced into the regulatory floodplain, then the provisions of TB 10 are absolutely necessary. Compaction is required. A checklist of mandatory items is included before a Community Official should sign and certify that the project is reasonably safe from flooding.
2. If there is an enclosure below the BFE, there are specific instructions on the openings that are required as compared to other types of foundations that are much more detailed than the simple paragraph in the Regulation. See TB 1.
3. TB 2 provides a definition for “Flood Resistant Materials” and detailed descriptions of what types of materials may be used in specific portions of a structure.

So, is the guidance in FEMA’s Technical Bulletins mandatory? Yes, because they provide the instructions on how to meet the intent of the regulation, which, in turn, reflects how one should meet the intent of the law.

One of the last statements in the Technical Bulletins is that if you have any questions, ask your FEMA Region. We would be happy to help you out.

ASFPM Director Appointed to FEMA Council

Larry Larson, Executive Director of the Association of State Floodplain Managers, has been appointed to FEMA’s National Advisory Council.

Larson, who will be sworn in at ASFPM’s February meeting, will join 34 other members who are appointed by the FEMA Administrator based on their expertise. All will serve three-year terms. The Council advises FEMA on all aspects of disaster preparedness, including the development and revision of the national preparedness goal, national preparedness system, National Incident Management System, National Response Plan, and related plans and strategies that FEMA uses in its quest for a comprehensive system of preparedness, protection, response, recovery, and mitigation.

This well-deserved recognition of Larson and the ASFPM is important on two fronts. First, Larson’s extensive experience and insight will be an invaluable asset to the Council as it provides input to FEMA programs and activities. Second, although the Council’s members represent all levels of government, various local, state, nonprofit, and private-sector entities – and all geographic areas – their expertise has been drawn predominantly from the first-responder, public health, and law enforcement fields. With a voice on the Council, the ASFPM hopes to encourage more attention to natural hazards, including floods, and especially to mitigation of all disasters.

FPM Workshop Schedule: 2010 Training Year

Jan. 11-15	MFD	Norman	Mar. 16	AFM	Lawton
Jan. 12	SDE	Tulsa	Mar. 23	101	Woodward
Feb. 9	101	Norman	Mar. 23	AFM	Woodward
Feb. 9	LMC	Tulsa	Apr. 20	101	Norman
Mar. 4	101	McAlester	Apr. 20	AFM	Norman
Mar. 4	AFM	McAlester	May 4	101	Norman
Mar. 9	101	Bartlesville	May 4	SDE	Norman
Mar. 9	AFM	Bartlesville	May 6	101	Norman
Mar. 16	101	Lawton	May 6	LMC	Norman

Managing Floodplain Development Through the NFIP (MFD); Floodplain Management 101 (101); Map Modernization (MM); Map Adoption Process (MAP); Advanced Floodplain Management (AFM); Substantial Damage Estimator (SDE); or Letter of Map Change (LMC)

Register online at http://www.owrb.ok.gov/hazard/fp/fp_workshops.php.

ASFPM's Top 10 Wish List for 2010

10. ASFPM Foundation is on each members year-end donation list!
9. Chapter membership will grow to 30 in 2010.
8. Federal program funding will align with needs.
7. Communities recognize and adapt to climate change.
6. Your home page opens to www.floods.org.
5. Those who live at risk pay the cost of living at risk.
4. FIRM is not a four letter word.
3. The NFIP will be reformed!
2. Zero loss of lives from floods.
1. Every citizen works to decrease flood risk.

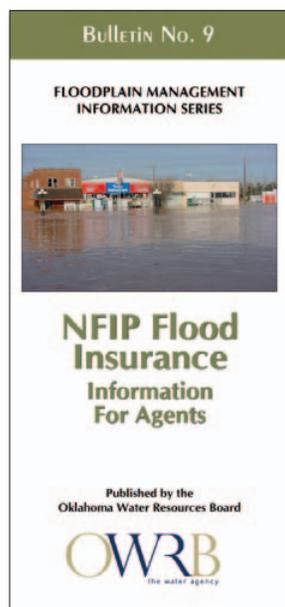
How to Create a FIRMette

FEMA has adopted a paperless map policy, therefore the agency will no longer produce or distribute FIRM panels in hard copy format. As a result, all users of FIRM panels should learn to create FIRMettes. These simpler maps, full-scale sections of FIRMs compatible with most office printers, can be generated by visiting www.fema.gov (click on *Flood Maps* under *Quick Links* for FEMA's Map Service Center). There you can select your state, county, and community to create your FIRMette using the web tool. For those who prefer to work offline, FEMA also provides a FIRMette Desktop tool that makes FIRMettes from FIRM scan data copied to individual computers.

The Osage County DFIRM was effective April 2, 2008; the Tulsa County DFIRM became effective on August 3, 2009.

New NFIP Flood Insurance Brochure

The OWRB has developed a new publication to provide Oklahoma property and casualty insurance agents with much-needed information on flood insurance, benefits, rules, and related topics. For copies of the brochure, which will also be available soon on the OWRB's website at www.owrb.ok.gov, contact the OWRB at 405-530-8800.



OFMA Update

Dr. Ellen Stevens, OFMA Chair

OFMA volunteers staffed the Governor's Water Conference and Water Research Symposium booth in early November. The gathering was well-attended and there were many visitors interested in floodplain management issues. A lot of literature was distributed, including the Turn Around Don't Drown calendar, which is an annual OFMA project developed to educate the public about the dangers of driving into high water. The calendar features illustrative artwork by fourth graders. This year, OFMA has teamed up with the Oklahoma Department of Education to present this program. More information is available at <http://sde.state.ok.us/Services/GO/TADD.html>.

The Association of State Floodplain Managers Certification Board of Regents recently completed an audit of the OFMA Certified Floodplain Managers (CFM) program and provided recommendations for both administrative and website changes. Overall, the Regents were very supportive of the program and complimentary of both OFMA and Carolyn Schultz, Professional Development and Certification Committee Secretary.

As Host Chapter, OFMA is busy preparing for the ASFPM 34th Annual Conference, "Building Blocks of Floodplain Management," to be held May 2010 in downtown Oklahoma City. Conference coordination has begun in earnest. OFMA members are well-represented on the program agenda, with abstracts submitted by Tom Leatherbee, Jeff Bigby, Ana Stagg, Russ Wyckoff, Amy Brandley, Janet Meshek, Bill Robison, Brandon Claiborn, Leslie Lewis, Duke Altman, Ellen Stevens, and Ann Patton being accepted for the breakout sessions. Bill Smith and Joe Remondini will be presenting workshops during the meeting.

The next OFMA events are the Spring Workshop, scheduled for March 2, and the Legislative Reception, which will be held at the State Capitol during the early stages of the upcoming session. More information about these events will be posted on the OFMA website (www.okflood.org) as it becomes available. In January, the OFMA Chair and Vice-Chair will attend the FEMA Region 6 Community Assistance Program (CAP) Meeting along with OWRB personnel involved in floodplain management. This semi-annual conference provides updates about FEMA programs and general education. The conference will also focus on hazard mitigation. OFMA continues to provide support to the OWRB in presenting basic and advanced workshops for floodplain administrators throughout Oklahoma.

Oklahoma Floodplain Management Program

Oklahoma Water Resources Board

3800 North Classen

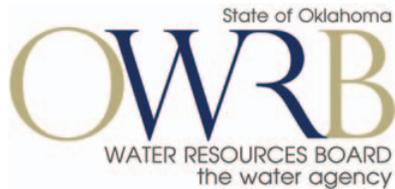
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State Floodplain Coordinator

The 1980 Oklahoma Floodplain Management Act authorizes communities to develop floodplain regulations, designate flood hazard areas and establish floodplain boards. Community floodplain administrators must become accredited and receive training through the Oklahoma Water Resources Board (OWRB). Consistent with protecting the natural functions of the floodplain and reducing flood losses, the OWRB values the No Adverse Impact floodplain management approach, promoting responsible floodplain development through community-based decision making. For more information about Oklahoma's Floodplain Management Program, go to www.owrb.ok.gov/hazard/fp/floodplain.php or visit the Oklahoma Floodplain Managers Association's web site at www.okflood.org.

**ASFPM 34th ANNUAL
NATIONAL CONFERENCE**



**BUILDING BLOCKS OF
FLOODPLAIN MANAGEMENT**
Bricktown - Oklahoma City, OK
May 16 - 21, 2010