

The techniques are innovative stormwater management practices that manage urban stormwater runoff at its source, and are very effective at reducing the volume of stormwater runoff and capturing harmful pollutants. Using vegetated areas that capture runoff also improves air quality, mitigates the effects of urban heat islands and reduces a community's overall carbon footprint.

The video highlights green techniques on display in 2008 at the U.S. Botanic Garden's "One Planet – Ours!" Exhibit" and at the U.S. EPA in Washington, D.C., including recently completed cisterns.

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Invitation to contribute to *Viewpoints*

The *NRF*, *A United Nations Sustainable Development Journal* is inviting your views on the following question for the *Viewpoints* section of the November 2009 issue:

“What would be the three key preconditions for jumpstarting or scaling up the transfer of environmentally sound technologies for climate change to developing countries?”

The *Viewpoints* section offers a platform for academics, practitioners and experts to share their perspectives and to feature these perspectives alongside other thoughtful responses in the journal. Each entry should be **200 words or less** addressing the above question. Our Editorial team will select those contributions that address an important dimension of the debate.

The deadline for submission to the *Viewpoints* for the November 2009 issue is: **30 July 2009**.

We look forward to receiving many contributions at nrforum@un.org. When submitting a contribution, please provide your name, title, affiliation and contact details.

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Submit your own items or suggestions for future topics to column editor Rebecca Quinn, CFM, at rcquinn@earthlink.net. Comments welcomed!

Here's Something You Might Find Interesting . . .

In December 2007, FEMA issued final regulations regarding local mitigation planning requirements (44 CFR §201). A new requirement states that the mitigation strategy “must also address the jurisdiction's participation in the National Flood Insurance Program (NFIP), and continued compliance with NFIP requirements, as appropriate” (§201.6(c)(3)(ii)). Thousands of communities have adopted mitigation

plans and many of them have started work on their required 5-year updates. So the question is – how do they satisfy this new requirement?

The “Local Multi-Hazard Mitigation Planning Guidance,” published last July by FEMA, clearly states that it is unacceptable to simply state that “[t]he community will continue to comply with the NFIP” (see page 61). Other than that, there’s little to go on. A little more guidance is captured in the “Plan Review Crosswalk for Review of Local Mitigation Plans” (July 2008) which suggests answering two questions:

1. Does the new or updated plan describe the jurisdiction(s) participation in the NFIP?
2. Does the mitigation strategy identify, analyze and prioritize actions related to continued compliance with the NFIP?

Given the scant guidance, recently I was asked to offer my thoughts about how communities can satisfy the requirement. My answer is founded on the “do it right the first time” philosophy. I have always believed that state and local mitigation plans should clearly describe how hazards are addressed in planning and development review processes. What better mitigation action is there than to identify and implement improvements (including those we typically call ‘higher standards’) that do a better job of guiding development away from high-hazard areas and assuring that buildings are even more resistant to hazards?

Here’s what I suggest communities include in their local mitigation plans to satisfy the requirement by answering the two questions posed in the crosswalk.

“Does the new or updated plan describe the jurisdiction(s) participation in the NFIP?”

1. Identify when the community joined the NFIP, the date of current effective maps, and description of any floodplain studies the community has undertaken.

Summarize NFIP data, including number of policies and number and amount of claims paid (see instructions below), and whether the NFIP identifies any properties as repetitive loss or severe repetitive loss (request data from states). Note that a map showing location of RL/SRL properties should be included in the risk assessment section of the plan to address the requirement in §201.6(c)(2)(ii). [Note that use of NFIP policy and claims data is protected under the federal Privacy Act of 1974, 5 U.S.C. Section 552(a); data may be used for planning purposes only.]

2. Summarize the administrative components of the local program:
 - a. The official designated as the Floodplain Administrator.
 - b. List the regulations that were adopted to meet the NFIP minimums, including date and section number (may include floodplain management ordinance, building codes, subdivision ordinance, etc.).
 - c. Describe any “higher standards” that exceed NFIP minimums.
 - d. Describe any floodplain management provisions that are integrated into other plans that the community uses to guide development (zoning ordinance, comprehensive plan, resource protection regulations, etc.).
 - e. The date the last Community Assistance Visit was conducted, the issues that were identified, and how they were resolved.
 - f. If community participates in the CRS, the CRS class and a summary of activities for which the community gets credit.

“Does the mitigation strategy identify actions related to participation in and continued compliance with the NFIP?” Communities that are already performing well (e.g., based on recent Community Assistance Visit) may determine that they do not want to modify how they operate, in which case a description of key elements that contribute to their effective programs should be acceptable. This should be a narrative of permit intake procedures, plan review to check for compliance, field inspections, collection of elevation data, and permanent retention of records.

Other communities may elect to identify some actions to improve their programs. Their plans should also include the above-described narrative to describe their programs, as well as specific actions that they decide are appropriate. Note that because these actions are related to “continued compliance,” they should focus on administration of local rules (i.e., to avoid creating new at-risk development), and not on mitigating existing problems. Communities should see this as an opportunity to identify one or more actions to be pursued over the next 5 years, such as:

1. Evaluate improvements to administration – some suggestions:
 - a. Evaluate permit application forms to determine whether modifications should be made to require identification of FIRM, date, zone and BFE; develop a checklist for review of building/development permit plans and for inspection of development in floodplains (a model is available).
 - b. Set a goal to have each plan reviewer and inspector attend a related training periodically (e.g., every three years). If the local official is a Certified Floodplain Manager, continuing education is required.
 - c. Sponsor a periodic workshop for surveyors and builders.
 - d. Encourage (or require) certain staff positions to obtain and maintain Certified Floodplain Manager certification.
 - e. Maintain a map of areas that flood frequently (e.g., areas where repetitive loss properties are located) and prioritize those areas for inspection immediately after the next flood.
 - f. Hold work session for newly elected officials and new appointees to planning commissions and appeals/variance boards, to provide an overview of floodplain management, the importance of participating in the NFIP, and the implications of failing to enforce the requirements or failing to properly handle variance requests.
 - g. Communities that have experienced multiple flood disasters can evaluate FEMA’s new Substantial Improvement/Substantial Damage Desk Reference (FEMA P-758, due out early Fall) for suggestions related to being prepared to handle post-disaster damage inspections.
 - h. Obtain FEMA’s Substantial Damage Estimator and attend training to be prepared to use it when damage occurs; develop agreements to augment local inspection personnel after major disasters.
 - i. Review other local regulatory programs and planning tools, such as the comprehensive plan and zoning ordinance, and report on opportunities to improve consistency with the objectives of floodplain management.
2. Improve public information related to floodplain regulations and reducing future damage, for example:
 - a. Maintain supplies of FEMA/NFIP materials to help homeowners evaluate measures to reduce damage.

- b. Develop handouts for permit applicants on specific issues (which may vary by community), such as installation of manufactured homes in FHAs according to HUD's installation standards (examples available), or guidance on improving/repairing existing buildings.
3. Evaluate possible program changes. In my opinion, every community should be able to commit to this because the act of evaluating changes, and documenting the process of evaluation, is an acceptable action even if the evaluation determines that no changes will be pursued. A plan cannot state that changes such as adopting a new higher standard will be adopted because it cannot forecast the outcome of the deliberative process:
 - a. Evaluate 'higher standards' that are proven to reduce flood damage, especially freeboard, setbacks, limitations on enclosure size, and prohibition on use of fill.
 - b. CRS communities should, at least every 5 years, examine CRS-eligible activities to determine if it is feasible to augment an existing activity or undertake a new activity.
 - c. Communities not in the CRS can request assistance to determine current activities that yield points and whether to apply (some states may provide summaries of the dollar savings that would accrue to policyholders as a function of possible CRS class).

Instructions: Recent data on the number of NFIP flood insurance policies in-force in every NFIP-participating community, and the number of claims/losses paid in those communities, are accessible online at <http://www.fema.gov/business/nfip/statistics/pcstat.shtm>

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Washington Legislative Report

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Legislative Process in Full Swing

When the Congress returns from its 4th of July Recess on July 6th, an exceptionally busy legislative agenda awaits. Both the House and Senate are on track to move the appropriations bills individually and on time this year and many of those bills have already been marked up in Committee or will be in July. Many are ready for House and Senate floor consideration. Climate change and health care legislation can be expected to share the stage with appropriations in dominating Congressional activity. Other interesting legislation is in various stages of development at the committee level, including legislation to extend the authorization of the National Flood Insurance Program (NFIP) and legislation to establish a system for sustainable watershed planning. As is often the case, there are also some legislative proposals that raise some concerns and there are some that have been introduced, notably with regard to mitigation proposals and floodplain mapping.

This next Congressional work period is expected to be particularly intense because of the pressure to act on legislation and appropriations before the month-long August recess.

NFIP Reauthorization

It appears that the House Financial Services Committee, rather than re-introducing the flood insurance reform legislation passed during the last Congress, will instead introduce a bill to simply reauthorize the NFIP through March 2010. The bill would also reauthorize the Severe Repetitive Loss program through 2010. This action would give the committee the time needed to more thoroughly consider issues and recommendations that have emerged since the earlier legislation was passed.