



The Torrent

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Repetitive Flood Loss Bill Signed into Law

On June 30, 2004, the Bunning, Bereuter, Blumenauer Flood Insurance Reform Act of 2004 was signed into law by President Bush. This legislation has been in development for many years under the leadership of Congressman Doug Bereuter (R-NE) and Earl Blumenauer (D-OR).

The bill creates programs to address the annual \$200 million drain on the National Flood Insurance Fund from repetitive loss claims. Stopping these unnecessary expenditures will significantly reduce the pressure to raise premium rates for all other flood insurance policyholders.

The bill increases funding for the regular Flood Mitigation Assistance (FMA) program and establishes two programs, a \$40 million pilot program and a \$10 million "direct offer" program.

The pilot program is to be operated through states and/or communities and authority is provided for both. The direct offer program authorizes FEMA to work directly with a policyholder, but only if the state or community does not have the capacity to manage the program or are not meeting certain requirements.

The definition of repetitive loss for the pilot program is new and more restrictive. A property is considered a repetitive loss property if there

have been 4 claims, each over \$5,000, totaling over \$20,000 or if there have been 2 claims totaling more than the value of the insured property.

Those properties form the group within which offers of mitigation may be made by a state or community if a cost effective mitigation option exists. Mitigation options include elevation, buyout, relocation, demolition, and flood-proofing.

If communities meet certain requirements in their repetitive loss strategy, mitigation offers will be 90% federal funds and 10% local match. The legislation also provides for use of the Increased Cost of Compliance (ICC) funds collected through a flood insurance policy surcharge to be used for the local match. This means that in some cases, a mitigation offer may provide 100% of the cost.

If a cost-effective mitigation option exists and the policyholder refuses an offer of mitigation, the policy premium will increase by 50% each time a claim is filed, up to the actuarial rate. There are specified conditions for which a refusal of an offer would not result in any rate increase. An appeal process is provided.

For a summary of the Act, go to the Association of State Floodplain Manager's (ASFPM) web page at <http://www.floods.org/policy/reploss.asp>

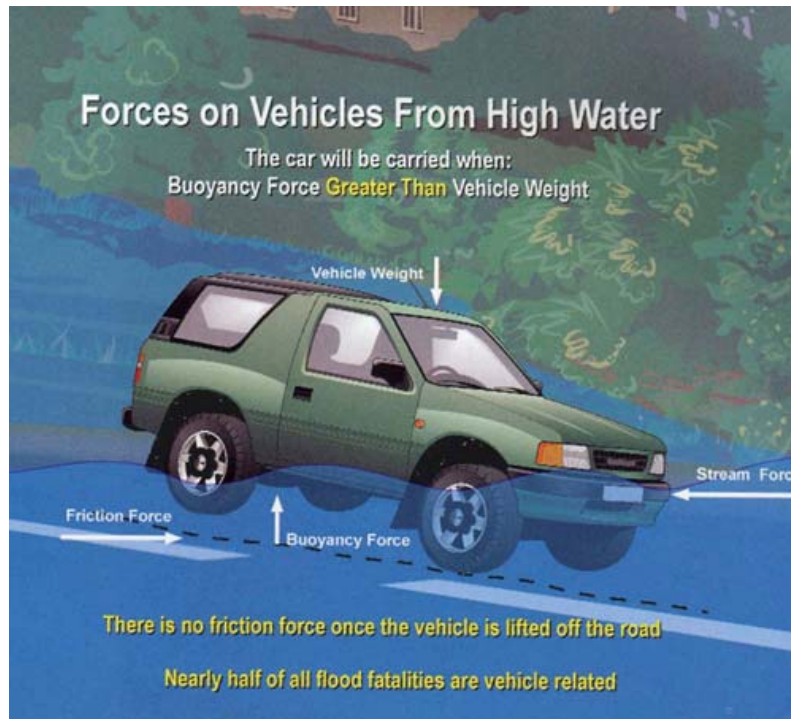
Turn Around Don't Drown

Each year, more deaths occur due to flooding than from any other severe weather related hazard. The main reason is people underestimate the force and power of water. The Centers for Disease Control (CDC) report that over one-half of all flood-related drownings occur when a vehicle is driven into hazardous floodwater. Walking into or near floodwater accounts for the next highest percentage of flood-related deaths.

Many of the deaths occur in automobiles that are swept downstream. Of these drownings, many are preventable, but too many people continue to drive around the barriers that warn a road is flooded. The National Oceanic and Atmospheric Administration's (NOAA) National Weather Service (NWS) has launched a new information campaign titled "**Turn Around Don't Drown**" designed to enhance public awareness of the dangers of driving or walking into flooded areas.

The message is simple. Stay out of flooded roadways. The water may be much deeper than it appears if the bed of the road is washed out. Respect the "road closed" barrier that may be posted to warn of danger. This message also applies to anyone attempting to walk or wade through moving water. As little as six inches of rapidly moving water can sweep you off your feet. Consider carefully where you camp and/or park your vehicle along a stream, especially

during threatening conditions. Be especially cautious at night when it is harder to recognize flood dangers. Finally, know when you are at risk by keeping apprised of the latest weather watches and warnings from the NWS or through your local news source.



Ironically, many drivers rescued from flood waters report that they were in a hurry to reach the safety of their home as a reason for attempting to cross a flooded road. Automobile commercials advertising the ability to drive through water leads to a false sense of security at best and tragic consequences at worst. However it appears, and despite what car commercials depict, driving into floodwater may be the most dangerous thing one might ever do.

Where does the idea that a heavy vehicle will keep drivers safe in floodwater? It comes from the false trust in the weight of the vehicle you are driving.

Many believe their vehicle weighing 3,000 pounds or more will remain in contact with the road surface and that it is too heavy to float.

Why do vehicles float? They float for the same reason aircraft

carriers weighing 97,000 tons float - buoyancy. In fact, most cars can be swept away in 18 to 24 inches of moving water. Trucks and SUVs do not fare much better with an additional 6 to 12 inches of clearance. Streams can rise very rapidly and the road bottom can also wash away making the water much deeper than it appears.

Actually, in moving water, all that needs to happen is for the vehicle to become buoyant enough for the force of the moving water to push it sideways. Once swept downstream, the vehicle will often roll to

one side or perhaps flip over entirely. The driver then only has a few seconds to escape the vehicle. Many drivers panic as soon as the vehicle submerges and are found later with their seat belts still fastened.

For more information or outreach materials: <http://tadd.weather.gov>.



Coastal Access Guide Website

The CTDEP Office of Long Island Sound Programs (OLISP) has announced the release of its new Connecticut Coastal Access Guide website. The new interactive website can be accessed at: www.dep.state.ct.us/coastalaccess.

This new Internet version of the popular 2001 Connecticut Coastal Access Guide map provides detailed descriptions of 285 sites where the public is welcome to fish, boat, swim, observe wildlife or otherwise enjoy Connecticut's coastal shoreline.

CT Stormwater Quality Manual

The Connecticut Stormwater Quality Manual is now available on the CTDEP website at: www.dep.state.ct.us/wtr/stormwater/strmwtrman.htm. The manual provides guidance on the measures necessary to protect the waters of the state from adverse impacts of post-construction stormwater runoff. The manual focuses on site planning, source control and pollution prevention, and stormwater treatment practices.

The manual is intended for use as a planning tool and design guidance document by both the regulated and regulatory communities involved in stormwater quality management.

Hard copies of the manual are not currently available but should be available by late autumn 2004. Email Cheryl Chase at cheryl.chase@po.state.ct.us to be informed of final publication.

CRS Milestones

On May 1, 2004, the Town of Stonington officially joined the NFIP Community Rating System (CRS) with a Class 9 rating. Residents will now receive a 5% discount on flood insurance premiums. As of October 1, 2004, the Town of East Haven will improve its CRS rating to a Class 8. Residents will now receive a 10% discount on their flood insurance premiums.

In order to maintain this rating, Stonington and East Haven conduct numerous floodplain management activities, such as community outreach, drainage system maintenance, preserving open space, early flood warning, and enforcing building codes.

If you would like more information on the CRS program, contact Carla Feroni at the CTDEP at (860) 424-3390 or via e-mail at carla.feroni@po.state.ct.us.

International Residential Code NFIP Manual

Effective September 1, 2004, the 2003 International Residential Code (IRC) became effective in Connecticut and contains requirements for residential construction in flood hazard areas. Previously, builders of one and two family homes in these flood hazard areas used the Building Officials and Code Administrators (BOCA) code.

"Reducing Flood Losses Through the International Code Series: Meeting the Requirements of the National Flood Insurance Program" is a guide intended to help community officials who are responsible for regulating land development and enforcing building codes.

This publication can be downloaded from the internet at www.fema.gov/hazards/floods/floodlosses.shtm, or is available for a modest fee from the following code groups: SBCCI (888) 447-2224, BOCA (860) 214-4321 x777, and ICBO (888) 699-5441.

Flood Insurance Premiums Rise

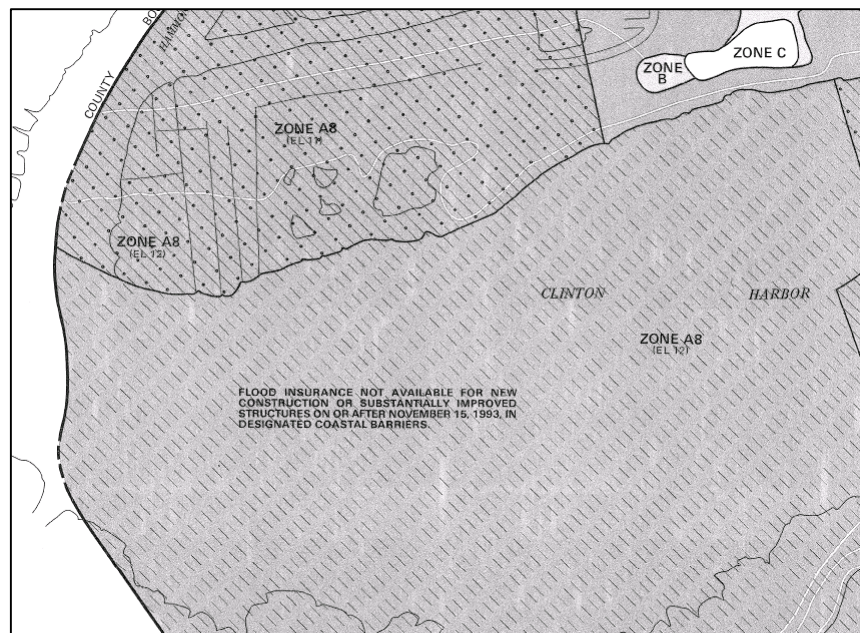
Effective May 1, 2004, National Flood Insurance Program (NFIP) premium rates were increased. Flood insurance premiums have increased an average of 3 percent for policies written or renewed on or after May 1, 2004. The premium increases vary by flood zone.

In V Zones (coastal high velocity zones), larger rate increases have been implemented again this year as a result of the Erosion Study conducted by the [Heinz Center](http://www.heinzcenter.org). The Congressionally mandated study indicated that previous rates significantly underestimated the increasing hazard presented by steadily eroding coastlines. Rate increases range from 6 to 8 percent depending on the age of the home and when the community entered the NFIP. In A Zones (non-velocity areas, primarily riverine zones), flood insurance premiums have increased approximately 3 percent.

Floodplain Focus: COBRA Zones

Coastal barriers are unique landforms that provide protection for diverse aquatic habitats and serve as the mainland's first line of defense against the impacts of coastal storms and erosion. Congress recognized the vulnerability of coastal barriers to development and passed the Coastal Barrier Resources Act of 1982 (COBRA) and the Coastal Barrier Improvement Act of 1990 (CBIA), establishing a system of protected COBRA areas and Otherwise Protected Areas (OPAs) known as the Coastal Barrier Resources System (CBRS). The Acts protect these areas by prohibiting the expenditure of most Federal funds, including "any form of loan, grant, guarantee, insurance, payment, rebate, subsidy or any other form of direct or indirect federal assistance". Federal disaster assistance is limited to emergency relief – there are no loans or grants to repair or rebuild structures in CBRS areas. COBRA also banned the sale of National Flood Insurance Program (NFIP) flood insurance for structures built or substantially improved on or after October 1, 1983 in these areas. By restricting federal expenditures and financial assistance which have the effect of encouraging development of coastal barriers, Congress aimed to minimize the loss of human life and damage to fish, wildlife, and other natural resources associated with coastal barriers.

Congress is the only entity that may authorize a revision to a CBRS boundary. After Congress approves additions to the CBRS, the new areas are assigned an effective date after which Federal assistance prohibitions apply. If an existing insured structure is substantially improved or damaged, any NFIP policy will not be renewed. If an NFIP policy is issued in error, it will be canceled and the premium refunded. No claim can be paid, even if the error is not found until a claim is made. On a Flood Insurance Rate Map (FIRM), COBRA zones and OPAs are identified as "Undeveloped Coastal Barriers" in the map legend and their identification dates are also given. NFIP regulations governing floodplain development still applies in COBRA zones just like in any other designated flood zone.



COBRA Zone on a Flood Insurance Rate Map (FIRM)

In Connecticut, COBRA zones and OPAs are located in the following municipalities: Branford, Bridgeport, Clinton, East Lyme, Groton (City, Town & Groton Long Point Association), Madison, Milford, New Haven, New London, Norwalk, Old Lyme, Old Saybrook (including Borough of Fenwick), Stonington (Borough & Town), Stratford, Waterford, West Haven, Westbrook and Westport. More information on COBRA areas can found on the FEMA website at: www.fema.gov/nfip/cobra.shtm

UPCOMING CONFERENCES & WORKSHOPS

October 21-22, 2004: FEMA Coastal Construction Manual Workshop, Old Lyme, Connecticut. Sponsors: FEMA, CTDEP, NEFSMA. Contact: Diane Ifkovic, CTDEP. Phone: (860) 424-3537, email: diane.ifkovic@po.state.ct.us.

October 26-28, 2004: International All-Risk Symposium, Baltimore, Maryland. Sponsor: Oklahoma State University. Contact OSU/FPP, 930 North Willis, Stillwater, OK 47078. Phone: (405) 744-2919, email: coordinator@osu-iars.org, internet: <http://www.osu-iars.org>.

November 4-5, 2004: Annual Institute of Business and Home Safety (IBHS) Congress, Orlando, Florida. Sponsor: IBHS. Contact: IBHS, 4775 East Fowler Avenue, Tampa, FL 33617. Phone: (813) 286-3400, email: info@ibhs.org, internet: <http://www.ibhs.org/congress>.

November 6-9, 2004: Annual Conference and Exhibit of the International Association of Emergency Managers (IAEM), Dallas, Texas. Contact: IAEM, 111 Park Place, Falls Church, VA 22046. Phone: (703) 538-1795, Fax: (703) 241-5603, email: info@iaem.com, internet: www.iaem.com.

June 12-17, 2005: 29th Annual Conference of the Association of State Floodplain Managers (ASFPM), Madison, Wisconsin. Email: asfpm@floods.org, internet: <http://www.floods.org>.

UPCOMING EMERGENCY MANAGEMENT INSTITUTE COURSES

The Emergency Management Institute (EMI) is located at the Federal Emergency Management Agency (FEMA) National Emergency Training Center (NETC) in Emmitsburg, Maryland. EMI serves as the national center for emergency management training of federal, state, and local government officials. Tuition, housing, and all books and materials are provided at no cost. Participants are responsible for the cost of a meal pass (\$90). The following is a list of upcoming EMI courses through September 2004. To apply, call Diane Ifkovic, CT DEP, (860) 424-3537. For more information on the courses listed, visit the EMI website:

<http://training.fema.gov/emiweb/>

- E125 **Organizing & Sustaining CERT & Citizen Corps Activities** – Feb. 28-March 3, 2005.
- E155 **Building Design for Homeland Security** – February 8-11, 2005.
- E170 **Advanced HAZUS MH for Hurricanes** – October 18-21, 2004, Feb. 28-March 3, 2005.
- E172 **Advanced HAZUS MH for Flood** – March 3-6, 2005.
- E190 **Intro to ArcGIS for HAZUS Mitigation Users** – February 7-10, 2005.
- E194 **Advanced Floodplain Management Concepts** – February 7-10, 2005.
- E210 **Recovery from Disaster: The Local Government Role** – October 25-28, 2004.
- E273 **Managing Floodplain Development Through NFIP** – Nov. 15-18, 2004, Jan. 17-20, 2005.
- E276 **Benefit-Cost Analysis: Entry Level Training** – November 8-10, 2004.
- E278 **NFIP/Community Rating System (CRS)** – March 21-24, 2005.
- E296 **HAZUS MH/DMA 2000 Risk Assessment** – March 28 – 31, 2005.
- E313 **Basic HAZUS Multi-Hazards (MH)** – October 4-7, 2004, February 14-17, 2005.
- E326 **Introduction to Hurricane Planning** – March 14-18, 2005.
- E360 **Mitigation Grants** – March 7-18, 2005.
- E386 **Residential Coastal Construction** – March 21-25, 2005.
- E905 **IEMC/Hurricane: Preparedness and Response** – January 10-14, March 7-11, 2005.
- E906 **IEMC/Hurricane: Recovery and Mitigation** – January 17-21, March 14-18, 2005.
- E910 **IEMC/Earthquake: Preparedness and Response** – October 25-29, 2004.
- E911 **IEMC/Earthquake: Recovery and Mitigation** – November 1-5, 2004.
- E915 **IEMC: Homeland Security** – November 8-12, December 13-17, 2004, Feb. 21-25, 2005.