

# Flood News for Michigan Floodplain Managers

A Newsletter of the  
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## **CRS Article by Kelly DeGuia, FEMA, Region V**

Thank you for Lansing's efforts in working to resolve issues and potential violations identified in the Community Assistance Visits (CAVs) as well as the City's interest in the Community Rating System (CRS). I understand the community's interest in making flood insurance more affordable for their citizens, however, it is important to understand that while CRS points may be awarded for demos/acquisitions, warning systems, and other mitigation projects, the threshold to get into CRS lies in being fully compliant with NFIP minimum criteria and demonstrating that the community has an effective floodplain management program in place.

In order to assess a community's compliance with the NFIP minimum criteria, the state or FEMA conduct CAVs, which are intended to be a comprehensive assessment of the community's floodplain management program and its knowledge and understanding of the floodplain management requirements of the NFIP. In part, it is during this visit of a community's administration of their ordinance – including permitting, record keeping, and how a community addresses compliance problems – that indicates whether or not a community has an effective floodplain management program. The expectation is that CRS communities have administrative, permit, and enforcement procedures in place that meet and exceed NFIP minimum standards. Communities with open CAVs or outstanding issues are not eligible to apply for CRS. At a minimum, prerequisites to CRS participation are as follows:

1. In Regular Phase of NFIP at least 1 year
2. In full compliance with NFIP minimum criteria
3. Agree to maintain Elevation Certificates
4. Assess and address repetitive loss properties
5. Maintain all flood insurance policies required for community-owned buildings
6. Coastal communities agree to show LiMWA on FIRM

Only after FEMA establishes the community is compliant and an eligible CRS community can the CRS enrollment process move forward with an ISO/CRS Specialist sent out to evaluate credits, etc. In regards to the Elevation Certificates (ECs) and CRS, all ECs are required to be kept on file for all new construction and substantially improved structures. As part of the enrollment and cycle review processes, ISO looks at all ECs and requires 90% compliance or face ineligibility for CRS participation or retrograding. While ISO may allow for some time to correct deficient ECs during their review, it is not intended to provide extensive technical assistance to establish or correct EC/documentation procedures.

I hope this is helpful as the City of Lansing works to close this CAV. Donna will remain the City's contact for resolving any outstanding CAV issues, but please let me know if you have any CRS-related questions.

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## **Flipping the Figure: How Can We Mitigate Flooding's Cost? National Disaster Resilience Competition**

The cost of disaster relief is “hidden.”

The *Washington Post* reports that between 2011 and 2013 natural disasters in the United States cost the Federal Government \$136 billion—that’s nearly \$1.3 billion a week or \$400 a year per American household! But these figures remain largely unknown to many Americans. As it happens, disaster relief funding is not shown as, nor is it part of the annual federal budget. Rather, disaster relief is considered “emergency funding,” and is funded via special bills in Congress, as requested, thereby masking the true year over year cost of reactive disaster relief.

The dollar amounts quoted above account for all disaster relief and while not all disaster costs cited above were for flooding, the majority of them were. From 1953 to the first half of 2014, of the nearly 2,200 declared disasters, over 1,300 were for flooding, or about 61% of the total.

Not surprisingly, while the percentage of flooding declarations to total natural disasters has remained fairly consistent over the past six decades, (generally between 55% and 70%), the sheer number of flooding disasters has greatly increased from an average of eight per year in the 1950s to 35 during the first half of the 2010s. (Other decennial averages per year: 1960s, 13; 1970s, 24; 1980s, 15; 1990s, 26, and 2000s, 32.) Of course, while there is a greater willingness by the Federal government *to declare* an event a Federal Disaster, the trend of more frequent flooding disasters seems to be clear.

There will always be a need for recovery monies, but how can we assure that funds spent are being used to encourage and enhance a community’s resilience to the next flooding event *before* the disaster? Can we be more than reactive? Can we help communities identify more appropriate solutions? While it may not be possible to fully eliminate the damage caused by flooding, how do we begin to plan and mitigate before it happens?

*“Can that home be removed from the flood zone (through relocation or demolition)?”*

*“Should that flooded fire station be built back in place or are there measures that can be taken to protect it from the next disaster?”*

*“Could that open land be acquired by the community for flood water storage?”*

How do we change our recovery behavior to become more resilient to future natural hazards? How do we change the statistics? How do we increase the amount of funding for projects to protect us from the next disaster *before* it occurs? How do we “flip” the ratio of monies from recovery to mitigation? In the end, how do we increase our resiliency?

As the Association of State Floodplain Managers notes on the Mitigation Page, of its National Policy and Programs – Mitigation Assessment: <http://www.floods.org/index.asp?menuid=%20333> (assessed September 4, 2014). “successful mitigation is often not well understood because few people notice when a disaster does not happen.” Success in avoiding the flood is not dramatic.

The Federal Emergency Management Agency (FEMA) estimates that for every dollar spent on mitigation, four dollars are saved in recovery. Furthermore, the pain of disaster does not end with the cleanup and recovery. The National Federation of Independent Businesses found that 30 percent of small businesses fail to reopen following a presidentially declared disaster, damaging the community for years to come in lost wages, tax revenue, and “spirit”.

It is far more cost effective to mitigate the potential disaster by removing assets out of harm’s way, physically preventing the flood from reaching residents and property, or by not allowing construction in the floodplain in the first place. But all of these methods (and others) have a cost.

In an effort to build on the mitigation funding efforts of FEMA and other state and Federal agencies, in June 2014, the Obama Administration announced that nearly \$1 billion dollars would be made available to communities for mitigation projects through the National Disaster Resilience Competition in an effort to address the issue of mitigation and resiliency. The competition is designed so that communities that are working to increase safety and security, and that have recently experienced a natural disaster, may compete for funds to help them rebuild and increase their resilience to future disasters. The White House press release announcing the competition may be read [here](#).

Of the \$1 billion, approximately \$820 million will be available for all non- Hurricane Sandy impacted areas across the United States who have had a Presidential Disaster Declaration in 2011, 2012, and/or 2013. States with qualifying disasters, and those units of local government who received Community Block Grant Disaster Recovery (CDBG-DR) funding under PL 113-2 for disasters occurring in 2011-2013, are eligible to apply. Beyond those qualifications, in FEMA Region V the governments of the city of Chicago and Cook and Du Page Counties in Illinois are also potential applicants.

The key to a successful application will be a demonstration of how a granted award would help fund future resilience from the disaster that the community is currently recovering from (that is, the event that triggered the Presidential Disaster Declaration at any time during 2011-2013). The U.S. Department of Housing and Urban Development’s (HUD) notes that actions such as a proposed suite of building code changes, infrastructure audits, or pilot green infrastructure investments would be good examples of the possible aim of a grant.

The six objectives of the competition are:

1. To assure a fair and objective dispersal of the CDBG-DR funds;
2. To create science-based examples of disaster recovery;
3. To institutionalize sound approaches to addressing future risk;
4. To provide resources to increase local resiliency;
5. To explain the risk of climate change; and
6. To partner with non-governmental organizations to discover local solutions to local problems.
7. Winners will receive funds through HUD’s CDBG-DR funds from the Disaster Relief Appropriations Act of 2013. A factsheet from HUD more fully explaining the competition may be downloaded from HUD’s [website](#).



## **Lansing, Michigan: Floodplain Acquisition Efforts**

Lansing, Michigan's location along multiple waterways and the estimated 2,000 homes built in local floodplains has led to the city's commitment to find a balance between benefitting from these nearby rivers and tributaries while ensuring citizens and property owners are not negatively impacted by those same natural resources.

The city has not had a major flood since 1975; however, Lansing officials recognize the flood risks still exist due to ongoing development in all areas of the watershed, and the fact that 85 percent of the city's housing stock was constructed prior to effective floodplain construction requirements put in place to reduce potential flood damages.

To mitigate these flood risks, the city's hazard mitigation plan (HMP) places a great deal of emphasis on non-structural answers to its flooding problem as well as acquisition from high-risk areas.

Lansing, like many mid-sized cities in the country, has a shrinking population base. According to their HMP, "Lansing views the nationwide phenomenon of shrinking cities as an opportunity to improve the quality of life for its residents...floodplain acquisition [can] improve ...quality of life by moving [residents] out of a hazard area, while creating recreational space".

Lansing's future zoning map envisions large swathes of the city's southeast quadrant rezoned from single family homes to open space and parks and large parcels in other parts of the city left free from development. In its pilot floodplain acquisition program, the city is focusing on 130 properties primarily located in two areas of the city.

Mitigation project decisions are based a number of factors, including the depth of potential flooding, the location of the structure relative to the floodway, opportunities for adjacent property acquisitions to minimize maintenance costs, type of ownership (rental or owner-occupied), resident interest and maintenance of community cohesiveness. With limited funding, the Lansing officials seek to be as cost-effective as possible. As of 2013, the city had obtained \$2.8 million to fund the purchase of 47 homes in the floodplain.

Community involvement is a key factor in the success of Lansing's floodplain acquisition effort. City leaders understand that they cannot have a successful program without the buy in and assistance of affected residents, community leaders, non-profits (such as land banks and environmental groups), and other pertinent stakeholders. The two areas targeted for the pilot program are served by community centers, which was one of the factors that led the city to select those neighborhoods. The neighborhood centers were critical in the initial outreach to property owners, and as a result, there has been very little opposition to the program.

To help ensure property owners still feel part of a cohesive community, the city is offering the opportunity to lease adjoining vacant land for a nominal cost to residents who remain. Residents may then use the leased lot as an extension of their own yard for gardening or other floodplain-appropriate purposes in exchange for maintaining it.

In addition, while Lansing is trying to move residents out of harm's way, they are actively working to keep the owners of acquired properties within the city. As an incentive for property owners participating in the buyout program, the city is offering down payment assistance if they purchase another home within the city limits. Intra-city moves also qualify for additional assistance to help with the cost of making repairs and improvements to a new residence.

Lansing sees their flood mitigation efforts as a long term investment in the city. Even in cases where demolition seems like the only solution, the city works with partners in the community to evaluate whether an alternative—such as elevation or retrofitting—can be found to keep the home a part of the neighborhood, but safe from flooding. And even on those lots where a home used to stand, Lansing is determined to make the area beneficial for the community around it.

For more information on the city's mitigation projects, please see the city of Lansing's Hazard Mitigation Plan which can be found online at [lansingmi.gov/media/view/Hazard\\_Mitigation\\_Plan/5769](http://lansingmi.gov/media/view/Hazard_Mitigation_Plan/5769) or contact Ms. Ronda Oberlin, CFM, City of Lansing, Office of Emergency Management by email at [Ronda.Oberlin@lansingmi.gov](mailto:Ronda.Oberlin@lansingmi.gov). In addition, a flyer outlining the city's floodplain acquisition effort can be found online at [lansingmi.gov/flood\\_mitigation](http://lansingmi.gov/flood_mitigation).

*(The authors would like to thank Ms. Oberlin for providing extensive background information for this article.)*



## **Resilient Michigan: A Coalition of Solutions**

The potential for flooding in high-risk areas is not a question of if, but when. How well has the community prepared for it? How fast will the community bounce back? At what cost? To be resilient is to be prepared for the next emergency. Preparedness can save money, lives, and property.

Resilient Michigan is an organization that seeks to assist Michigan communities with finding solutions to address changes in climate and flooding in the future. This organization was developed by the Land Information Access Association (LIAA), in partnership with organizations in local and state government, academia, and professional associations. Their goal is to support community-wide planning efforts that lead to the adoption of significant revisions to existing master plans to promote community resilience in the face of rapid economic changes and increasing climate variability.

Much of the work and information collected by this organization overlaps with the data and activity requirements of the National Flood Insurance Program's Community Rating System. These similar goals or concepts include the analysis of the physical and cultural make up of at-risk neighborhoods, the location of critical facilities, and the availability of services during a flooding event, and many other topics related to strengthening communities prior to a flooding emergency.

The group seeks to involve local citizens in their projects. They are currently working with seven Michigan communities and the National Guard at three of its installations. One of these communities—St. Joseph, located along Lake Michigan—just began an innovative and transformational re-evaluation of the city's planning process.

To kick-off the effort, a survey was mailed to approximately 6,000 local addresses to gain a greater understanding of services, goals and other activities residents believe should be prioritized with the city's funds. In addition, Resilient St. Joseph is engaging the communities adjacent to the city in an acknowledgment that planning and resiliency doesn't stop at a community's border because watersheds don't recognize political lines on the map. In St. Joseph, a critical goal is to make the connection between planning and emergency management because it's not always clear that the decisions made today can impact a community well into the future.

Similarly, the goal of Resilient East Jordan is to encourage public participation in the planning process. Prior to an August 2014 meeting, the East Jordan City Administrator noted that "the involvement of citizens in the formulation of policies and strategies...is essential to ensure that the master plan prepared by the planning commission is in agreement with the wishes of the people." He further noted that the participation of the public in the process also instills a greater sense of belonging and ownership.

In 2014, public meetings and Community Action Team (CAT) sessions were held to engage East Jordan residents. The CAT sessions are important because they focus on addressing specific issues, such as access and transportation, energy and economy, environment and natural systems, human and social systems, and neighborhoods and infrastructure. Citizens, elected officials, planning commissioners, and staff members worked together to learn the strengths and weaknesses of each and how to enhance them.

In March 2014, Resilient Michigan announced that four local governments were teaming up to establish Resilient Ludington. Since its inception, a web-based survey has been used to solicit input from residents about future development. In addition, a three-day planning meeting was held to discuss the future of the US 10/US 31 corridor in support of this resiliency planning effort.

Resilient Michigan's vision extends beyond local government. The organization has started working with federal and state governments to address the lands they own, and the impact they have on the communities surrounding them. Resilient Michigan is also working with the Department of Defense and the Michigan Army National Guard to plan meetings at three Michigan military installations that are aimed at making National Guard facilities more resilient to potential emergencies now and into the future.



## **The Community Rating System's Community Self-Assessment Tool: Not Just for CRS Communities!**

The National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions to reduce flood damage to insurable property, strengthen and support the insurance aspects of the NFIP, and encourage a comprehensive approach to floodplain management.

While joining the CRS program may not be the right path for every community, many communities can benefit from a more thorough understanding of their flood hazard and a comprehensive cataloging of those properties, areas, and assets that are most at risk. The Community Self-Assessment is designed to do just that—it is a tool that will enable a community to better understand its flood exposure and begin the process of deciding how they wish to reduce their risks. The tool can be found at [crs2012.org/self-assessment/](http://crs2012.org/self-assessment/). It could also be a useful tool during the development of a community's Hazard Mitigation Plan.

The over 100 questions and follow-ups function as a foundation for greater understanding of the flood risks to the community using the knowledge of local community officials and others.

Before using the tool, the community will want to have a few materials on hand; however, every community may need to have different materials available in order to complete the assessment. Therefore, the suggestions below are not meant to be all inclusive, but rather only suggestive of what material might be helpful in assessing the flood risk.

Not all the documents listed may be available to the community in a timely manner, but a few of the most helpful items include: a map of the community (GIS-based, if possible); the Flood Insurance Rate Map and Flood Insurance Study (if applicable) for the jurisdiction; the community's Hazard Mitigation Plan; records of high water marks (if available); and other data including photos, news articles, and other ephemera of past flooding events. Also helpful are lists naming or locating critical and essential facilities, major employers, and industrial and commercial areas.

The tool can be used to identify flood risk reduction activities and develop programs that are most appropriate for the community. On the flip side, not all programs and activities are appropriate for all communities. For example: Non-coastal communities will find little value in activities related to Coastal A Zones, and a densely-populated urban village might not be able to utilize Open Space Planning activities if it is built out with limited parkland or other unused areas. The tool is meant to help focus a community's efforts in an efficient manner. This information will help a community identify appropriate flood risk reduction activities to pursue.

The Self-Assessment is designed to be able to be completed by one person in about a day. However, the tool becomes much more valuable if representatives from all the departments that will be included in a community's flood risk reduction efforts are involved. Dependent on the community, its size, population, flood exposure, and other factors, this may mean that representatives from the community's executive's office, clerk's office, and departments of public works, environmental, sanitation, parks, emergency management, police, fire, utility, planning, zoning, GIS, building, and other pertinent offices should be involved in the exercise.

Of course, not all communities will have these departments, but the net should be cast as wide as possible to garner the widest available body of knowledge about the community's flooding risk.

When the Assessment team has been gathered, it is time to get to work. The questions of the Self-Assessment are grouped into five subject task areas or “steps”. They are:

1. Your Floodplain (What’s in your floodplain? What data do you have?)
2. Identifying and Mapping Your Hazards (Which hazards threaten your community? Where?)
3. Identifying Assessment Areas (Which types of areas are at risk from which types of flooding?)
4. Analyzing Your Assessment Areas (What’s in these specific areas?)
5. Overview and Next Steps (Given all of this, how might you reduce your exposure?)

These five steps can provide a roadmap to more resilient communities by providing a framework to more thoroughly understand the physical threats to the jurisdiction and comprehensively cataloging those properties, areas, and assets most at risk.

**Step 1** will build the framework for later analysis with foundational questions that serve to paint a picture of the geography of the flooding in the community and how the community is currently equipped to handle a flooding emergency.

**Step 2** asks the community to literally map out the hazards it faces. This may have already been done in a general way, but Step 2 enables those participating in the exercise to think even more critically about the problem.

There are no assessment questions in **Step 3**. Rather, this step is to be used as a way of identifying areas of concern. Using the map created or updated in the prior section, the team will identify unifying traits for those areas determined to be at risk. A trait, or “characteristic”, can be nearly any common feature or attribute to the people, buildings, use, geography, or other identifier in an area. A characteristic can be language spoken, age of residents, land use, other hazards (such as sinkholes or ice jams), dam failure inundation areas, critical facilities, rental properties, etc. Any quality that may make an area unique should be considered. Importantly, the area may not actually even be in a mapped flood hazard area, but may be an area that needs consideration in the event of an emergency.

In **Step 4**, the team will continue to break down each assessment area identified in Step 3. Thirteen questions for each area seek to better understand the needs and risk for that particular location. Each question asks that the team name specifically what the characteristics of the assessment area are and follows up with secondary questions for some answers. The team should be illustrative in this exercise. Remember, the point of this exercise is to lay the foundation for future flood resilience.

Finally, in **Step 5**, the community will have the opportunity to reflect on what they have learned during the Self-Assessment. A series of 15 statements for team consideration will, if checked as “true”, open a dialog box of recommendations and “next steps” that the community may have emailed to them for future reference and consideration in their flood hazard risk planning. For example, clicking “true” to the statement, “We have natural features that should be protected from development or areas that perform important natural floodplain functions,” will provide recommendations and suggestions on how to manage those areas to the benefit of maintaining their natural functions in helping reduce the flood risk to the community.

These recommendations can be collected and used as basis for further research and action in the community to address their flood risk, regardless of the community's intent to join the CRS. Following the completion of the CRS Community Self-Assessment, even those communities that had a good notion of their flood hazard should—hopefully, with the cross-pollination of knowledge and ideas from all the people on the team—leave the exercise with a deeper, more comprehensive understanding of the flood risk it faces, and the steps it can take to become more resilient.



## **MICHIGAN RISK MAP PROGRAM UPDATE** **Spring 2015**

FEMA's national Risk Mapping, Assessment, and Planning (Risk MAP) program is intended to result in local activities that reduce risk. In 2014, in partnership with the State of Michigan, FEMA Region V began an effort to engage cities in discussions about local risk reduction activities that result in safer communities.

Since then, FEMA Region V and state representatives have been facilitating meetings with community officials, mitigation consultants, and regional stakeholders to define local mitigation activity implementation steps, challenges, and needed technical support. This effort enhanced existing mitigation planning efforts by identifying federal and state tools, resources, and technical assistance that may enable progress on local disaster risk reduction activities.

In Michigan, FEMA, the Michigan Department of Environmental Quality and Michigan Homeland Security and Emergency Management have been working with STARR, FEMA's consultant, to discuss risk reduction options with Michigan communities, and develop a local implementation strategy for reducing risk from flooding or other hazards in the community. In addition, some communities have received technical assistance supporting local risk reduction efforts.

Participating Monroe County communities are being provided with depth grids to support improved floodplain management and permitting of properties at risk of flooding, grant application support is being provided to the City of Sterling Heights to help advance their mitigation of a repetitive loss property, along with support in mitigating Sterling Heights' residential basement flooding issues. FEMA and the State are assisting the existing mitigation planning efforts by identifying federal and state tools, resources, and technical assistance that may enable progress on local disaster risk reduction activities.

In Michigan, FEMA, the Michigan Department of Environmental Quality and Michigan Homeland Security and Emergency Management have been working with STARR, FEMA's consultant, to discuss risk reduction options with Michigan communities, and develop a local implementation strategy for reducing risk from flooding or other hazards in the community. In addition, some communities have received technical assistance supporting local risk reduction efforts.

Participating Monroe County communities are being provided with depth grids to support improved floodplain management and permitting of properties at risk of flooding, grant application support is being provided to the City of Sterling Heights to help advance their mitigation of a repetitive loss property, along with support in mitigating Sterling Heights' residential basement flooding issues. FEMA and the State are assisting the City of Detroit with a variety of efforts geared toward improved floodplain management, involvement with the Community Rating System program, reduced basement flooding and improved resilience.

In the coming months, outreach for this project will begin with the City of Grand Rapids, Plainfield Township, and more than 100 communities in the St. Joseph Watershed. The selected communities can anticipate hearing from STARR about meeting dates, and they may also be contacted to talk by phone about mitigation interests, needs and community goals in risk reduction. Communities are invited to identify organizations and stakeholders to participate in the conversation, which is geared toward helping each community plan a risk reduction activity and determining whether technical support may be needed from FEMA.

If you have any questions about the program, please contact any of the following project partners:

Byron Lane, MDEQ, at laneb@michigan.gov  
Matt Schnepf, MI HSEM, at schnepfm1@michigan.gov  
Marshall Rivers, STARR, at marshall.rivers@atkinsglobal.com



## **MICHIGAN STATE POLICE EMERGENCY MANAGEMENT AND HOMELAND SECURITY DIVISION POLICY**

Subject: Community Emergency Response Team (CERT)  
Identification Tags  
Effective Date: TBD  
Policy Number: TBD

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### **I. PURPOSE**

The Michigan State Police EMHSD oversees the State's Community Emergency Response Team (CERT) Program. These volunteers could be activated in many scenarios, including but not limited to, weather related emergencies or disasters, missing people, damage assessment, etc. The primary purpose of activating these members is to assist local emergency responders with their duties. The following is the EMHSD's policy as it relates to the issuance of Community Emergency Response Team (CERT) Identification.

### **II. EMHSD Policy**

The State of Michigan will encourage local emergency managers and CERT team coordinators to utilize a standardized CERT identification card. The purpose of this is to clearly identify CERT team members anywhere in the state, thereby allowing them easier access to register and assist at the scene of a disaster.

### **III. CERT Identification Card**

- A. The CERT Id card will utilize the format as shown below:
  - a. These cards shall be issued by the local or county emergency manager in conjunction with the local CERT team leader. These cards are the property, responsibility of and are to be maintained by the local or county CERT team.  
Cards will have an expiration date of every three years, from the date of issue
  - b. Local or county CERT teams will be responsible for the issuance, and re-issuance, of these cards
  - c. Cards will only be issued to active CERT team members.
  - d. An active CERT team member is one who attends at least 50% of all local or county

- C. Four levels of CERT identification will be utilized on these cards. These levels are as follows:
  - a. Level I – Has completed a basic 20 hour CERT training class in Michigan and belongs to a local CERT team
  - b. Level II – Met level one requirements, is NIMS compliant, and is registered on the Michigan Volunteer Registry
  - c. Level III – Met levels one and two requirements and has some form of specialized trainings (i.e. advanced search and rescue, CPR, etc.)
  - d. Level IV – Met levels one, two and three requirements and has completed the State of Michigan’s CERT TTT and CERT Advanced Training class.
- D. CERT ID cards should be issued with a white background, black Arial font, with a green border, as shown below.

**IV. REVISION RESPONSIBILITY**

The responsibility for revision of this policy lies with the State of Michigan Citizen Corps Program Manager.

APPROVED:

\_\_\_\_\_  
W. THOMAS SANDS., CAPTAIN



**Michigan Training Opportunities – Fall/Winter Of 2015/16**  
**Michigan Department of State Police**

- [2015-2016 EMHSD Courses](#) 
- [PEM Program Manual](#) 
- [Emergency Management and Homeland Security Training Center \(EMHSTC\) Programs, Degrees, and Contacts](#)
  - FEMA Emergency Management Training at the **Emergency Management Institute** *16825 S. Seton Ave., Emmitsburg, MD 21727*; <http://www.training.fema.gov/emcourses/>
  - FEMA, National Training and Educational Division; NTE Course Catalog; <https://www.firstrespondertraining.gov/ntecatalog/EMI>

The FEMA website of <https://www.fema.gov/floodplain-management> has a great deal of training information to cover many areas of learning related to the having a successful floodplain management operations.

## **Mandatory Purchase of Flood Insurance**

(Much of the content of this article is taken verbatim from the FEMA F-083 Publication in order to make sure the facts are being properly provided.)

“Build and they will come” may have been the mantra of congress in 1968 when the National Flood Insurance Act came into being by congressional action. I’m sure there were great expectations that the nation’s flood impacted populations would clearly understand the ravages of floods. They would then flock to their insurance agents to obtain policies under the newly established federal source of insurance from the National Flood Insurance Program of the new 1968 act of congress. However, it was eventually realized that there is truth to the old adage that you can lead a horse to water but it may not be thirsty enough to drink.

The resultant low response to acquire available flood insurance from the government 1968 sponsored program gave cause for Congress to revisit its initial action and try to determine measures which should be added to the 1968 Act to address the lower than desired participation numbers in the federally sponsored flood insurance program. This led to further congressional actions under the “Flood Disaster Protection Act of 1973”. The major change established a “Flood Insurance Purchase” requirement mandating flood insurance for many projects. With this action, federally regulated lending institutions could not make, increase, extend, or renew any loan secured by improved real property located in a special flood hazards area (SFHA) of a NFIP participating community unless the structures securing the loans were covered by flood insurance policies for the life of the loan. This obviously leads to more policies being written and more premiums flowing into the NFIP coffers which is one of the intentions of the statutory changes.

The subject matter of “Flood Insurance” is often a confusing matter for existing and pending homeowners. Information that I have found with regards to the subject has been taken from the FEMA publication of FEMA F-083/August 2008. It seems the issue of “mandatory flood insurance purchase” is more often than not one of uncertainty and misunderstanding among many homeowners, lenders, and community officials. Hopefully, the information provided here-in will help clarify the subject to the many having to address flood insurance for their existing homes or those potential home buyers needing to understand how it may be a major factor in the purchase of a new home.

The historical development of “mandatory flood insurance purchase” under the passing of the “Flood Disaster Protection Act of 1973” was designed to regulate federal program lending institutions. This Federal action mandated flood insurance for many construction projects and the Federally regulated lending institutions could not make, increase, extend, or renew any loan secured by improved real property located in a special flood hazards area (SFHA) of a NFIP participating community unless the structures securing the loan were covered by a flood insurance policy for the life of the loan. Additionally and subsequently, it was determined that there was a need for greater incentive to cause more homeowners to obtain flood insurance for SFHA located structures. Thus, the National Flood Insurance Reform Act of 1994 (the 1994 Reform Act) was birthed as part of the Title V of the Riegle Community Development and Regulatory Improvement Act of 1994 and amended 42 U.S.C. 4001 et seq. The new regulation provided for significantly new obligations on lenders and servicers and tightened the requirement for the receipt of disaster assistance. It strengthened homeowner compliance and ensured that flood insurance is purchased and maintained for the term of the loan by authorizing lenders to do the following:

1. Establish a requirement to escrow flood insurance premiums when escrowing for other purposes.
2. Provided statutory authority and requirement for lenders and servicers to force place coverage when it is determined that flood insurance is inadequate or non-existent.
3. Provided enhanced flood hazard notice requirements
4. Set forth new authority for lenders to charge reasonable fees for determining whether a property is located in a SFHA.
5. Established other provisions necessary to implement the 1994 Reform Act.

The 1994 Reform Act contained other reforms designed to improve the financial condition of the NFIP with a primary intent to strengthen compliance with the 1973 mandatory purchase of flood insurance by lenders, servicers, and secondary-market purchasers. Such reform act requirements/obligations were intended to provide additional income for the NFIP and decrease the financial impact of flooding to the Federal Government, taxpayers, and citizens in special flood hazard areas most prone to flooding.

The amendments to 42 U.S.C. 4001 et seq. Impacted Federally Regulated Lenders, Government-Sponsored Enterprises (GSEs) for Housing, and Federal Agency Lenders by directing them to ensure that structures and any applicable personal property securing a loan in a SFHA are covered by adequate flood insurance for the term of the loan. This is in addition to the intent of the law which is to require borrowers to purchase flood insurance.

The flood insurance purchase requirements, however, do not apply to lenders or servicers that are not federally regulated and that do not sell loans to the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) or other GSEs.

The 1994 Reform Act program amendments impact the following Federal financial regulatory agencies and their programs:

1. Board of Governors of the Federal Reserve System (FRS) (State-chartered banks that are members of the FRS)
2. Office of the Comptroller of the Currency (OCC) (Nationally chartered banks)
3. Office of Thrift Supervision (OTS) (Nationally chartered thrift institutions)
4. Federal Deposit Insurance Corporation (FDIC) (State-chartered banks that are not members of the FRS)
5. National Credit Union Administration (NCUA) (Nationally chartered credit unions)
6. Farm Credit Administration (FCA) (Institutions that make up the Farm Credit System)

These agencies were to develop regulations designed to direct their lenders not to make, increase, extend, or renew any loan on applicable property unless flood insurance is purchased. The regulatory agencies issued similar joint final regulations in 1996 and they can be found in Appendix 2 of the FDIC Regulations; the FDIC Law, Regulations, and Related Acts are a compilation of banking-related regulation material which includes the FDIC Act, FDIC regulations, FDIC Advisory Opinions, FDIC Statements of Policy, and a selection of banking-related materials issued by other dress all such regulations. The FEMA brochure FEMA F-083/August 2008 mentioned in this article and used as the basis for the article contents is an excellent source of information for more information and greater detail regarding these regulatory areas. Please consult the eCFR, the GPO, the Federal Register, or the promulgating agency's website for additional input on the subject.

Under the Federal Deposit Insurance 's Regulations of Part 12 CFR, Chapter III, PART 339—LOANS IN AREAS HAVING SPECIAL FLOOD HAZARDS there are Sections addressing the implementation of the NFIP requirements of the 1968 and 1973. Section 339.3 Requirements to purchase flood insurance where available requires the purchase of flood insurance for the term of the federally regulated loan. The amount of insurance protection must be the lesser of the outstanding principal balance of the designated loan or the maximum limit of coverage available for the type of property under the Act. The insurance coverage under the Act is limited to the overall value of the property securing the loan minus the value of the land on which the property is located.

There are two statutorily listed exemptions from the mandatory flood insurance requirement. One is for State-owned properties covered under a policy of self-insurance that is satisfactory to the Director of the FEMA. The second exemption is for property securing any loan with an original balance of \$5,000 or less and a repayment term of one year or less.



## **Gov. Rick Snyder proclaims September as Michigan's Preparedness Month**

Contact: See contact information below

September 3, 2015

LANSING. Gov. Rick Snyder has proclaimed September as Preparedness Month to encourage Michiganders to plan and prepare for natural and human-made emergencies and disasters.

"This is the time of year where we encourage all Michiganders to prepare for emergencies and disasters," Snyder said. "For the last couple of years, many communities have experienced severe weather disasters, with the most recent in Grand Traverse and Leelanau counties. By taking just a few crucial steps this month, Michigan families can be prepared for the worst, just in case." Throughout September, Michigan is joining federal, state and local governments and private and public organizations in supporting emergency preparedness and encouraging citizens to take action. Agencies nationwide are uniting under the banner "Don't Wait. Communicate." to encourage everyone to create a family communications plan.

"Preparing an emergency communications plan may seem like a big job because many people don't know where to begin," said Col. Kriste Kibbey Etue, State Director of Emergency Management and Homeland Security and Director of the Michigan State Police. "It doesn't have to be a chore. To get started, write a plan that outlines who to call, what to bring and where to go, and then share that plan with your family and friends."

The governor's proclamation also asks citizens to know the hazards that affect their communities, create an emergency communications plan and build a supply kit with enough food and water to last three days per person. Michigan is encouraging citizens to take action by downloading the free Michigan Prepares Emergency Plan App which enables users to quickly create an emergency plan on their mobile device.

"Smartphones are a big part of our daily lives. We keep a lot of important information and tools on our phones that we might need during an emergency," said Nick Lyon, Director of the Michigan Department of Health and Human Services. "The app uses resources already in your phone to make creating and sharing a basic emergency plan easy. The plan can be shared electronically with household members and printed so the entire family can be prepared for an emergency before it happens, even if smartphones aren't available."

Since 2013, Snyder has issued emergency or disaster declarations for incidents involving flooding, extreme cold, a tornado and straight-line winds. Last year, President Barack Obama declared a major disaster for Macomb, Oakland and Wayne Counties after flash flooding damaged thousands of homes and businesses and caused millions of dollars in damages.

The Michigan Prepares Emergency Plan app is available for free and can be downloaded in the App Store for iPhone or the Google Play store for Android.

To learn more, go to [www.michigan.gov/prepares](http://www.michigan.gov/prepares).

To learn more about preparing for emergencies and disasters, go to [www.michigan.gov/miready](http://www.michigan.gov/miready).

*The Michigan State Police, Emergency Management and Homeland Security Division (MSP/EMHSD) is responsible for coordinating state and federal resources to assist local government in response and relief activities in the event of an emergency or disaster, as well as coordinating homeland security initiatives and various federal grants.*

### **FOR ADDITIONAL INFORMATION:**

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