

MINUTES
FLOOD CONTROL DISTRICT ADVISORY COMMITTEE/PUBLIC REVIEW
March 16, 2011

Committee Members Present: Keith Brann, Andy Dinauer, Marcela Fontes, Carl Larson, Dave Parker, David Pfordt, Doug Shakel, Linwood Smith, Justin Turner, Mike Zeller

Flood Control District Staff Present: Chris Cawein, Deputy Director; Terry Hendricks, Chief Hydrologist; Tamara Jorde, Special Staff Assistant; Bill Zimmerman, Planning & Development Division Manager

Others Present: Fritz Laos, Town of Oro Valley; Jennifer Gagnon, HDR Engineering; Scott Altherr, Kimley Horn & Associates

The meeting was held at 97 E. Congress Street, Tucson, Arizona, 3rd Floor Conference Room.

APPROVAL OF MINUTES

The committee approved the meeting minutes of February 16, 2011.

QUERY TO THE AUDIENCE

No business.

CONTINUING BUSINESS

D-FIRMs Update

Terry Hendricks, Regional Flood Control District, stated that all of the community outreach should be completed by the end of March 2011. In addition the District will be offering two Flood Insurance Workshops after the open house meetings have been completed. The target audience will be insurance agents. The maps will be effective on June 16, 2011.

There will be a jurisdictional meeting regarding D-FIRMs issues following the FCDAC meeting today.

Regulatory Updates

Dave Parker stated that on February 16, 2011 the San Francisco District of the U.S. Army Corps of Engineers issued a public notice to solicit comments on the proposed set of revised Nationwide Permits at: <http://www.gpo.gov/fdsys/pkg/FR-2011-02-16/pdf.2011-3371.pdf>. The Corps will accept written comments for a 60-day period that ends on April 18, 2011. Comments may be submitted by e-mail to NWP2012@usace.army.mil or through the Federal eRulemaking portal at: www.regulations.gov at docket number COE-2010-0035. Please DO NOT submit comments on the proposed NWPs through you local District Office.

Keith Brann provided the following FEMA update for existing levees:

**FEMA ADMINISTRATOR AGREES TO COCHRAN & WICKER REQUEST
TO END "WITHOUT LEVEE" ANALYSIS IN NEW FLOOD MAPS**

Agency to Account for Existing Levees, Flood Control Structures in Assessing Risks

WASHINGTON, D.C. - U.S. Senators Thad Cochran (R-Miss.) and Roger Wicker (R-Miss.) today praised the Federal Emergency Management Agency (FEMA) decision to end its current policy of disregarding some levees and flood control structures in the process of updating Flood Insurance Rate Maps (FIRMs).

FEMA Administrator Craig Fugate today informed the Senators that he has directed his agency to discontinue the practice of using "without levee" modeling in the FIRM modernization process. Early last month, Cochran, Wicker, and U.S. Senators Dick Durbin (D-Ill.) and Mark Pryor (D-Ark.) spearheaded a letter to Fugate that was signed by 27 Senators-14 Republicans and 13 Democrats in all-asking that "without levee" modeling be terminated because it completely wiped some flood control structures off the map instead of more precisely determining their effectiveness.

"I appreciate Administrator Fugate's common sense decision to use modeling methods that more accurately reflect existing flood protection around the country. Recent heavy rains in Mississippi remind us that flood risks are real and that the flood map modernization process is a necessary part of protecting ourselves. Those at risk should purchase flood insurance," Cochran said. "This is just the beginning of our effort to find more practical solutions that protect communities and jobs as Congress considers a broad reauthorization of the National Flood Insurance Program."

"I am glad that FEMA was willing to work with us and take another look at the methodology so all communities receive fair treatment in determining their flood zone status," said Wicker. "It makes sense to take existing flood control structures into account. This should be a significant help to residents in areas that faced higher insurance rates."

In correspondence delivered to Senators today, Fugate announced that he has directed FEMA staff to end the use of the "without levee" standard, agreeing with the Senators that his agency has the technical ability to affordably and efficiently produce more accurate flood maps.

"In order to increase the credibility of our Flood Insurance Rate Maps in areas where levees are not accredited, I have directed my staff to replace the 'without levee' modeling approach with a suite of methodologies that are technically-sound, credible and cost-effective," Fugate wrote. "The approach will better meet the needs of our citizens while providing more precise results that better reflect the flood risk in areas impacted by levees."

Fugate also indicated that FEMA "will temporarily withhold issuing final determinations for those communities whose levees do not meet accreditation requirements and would clearly benefit from this new approach."

FEMA indicated that mapping will be delayed by a matter of months in these situations as it determines the methodologies and policies it will have to put in place to replace the "without levee" approach. As it moves forward in making these determinations, FEMA has said it would engage the public to ensure the new approach is suitable for those affected.

The FEMA Administrator's decision addresses the concerns raised by the Senators, who argued that discounting the existence of uncertified levees and flood control structures ignored actual flood protection and could require property owners in those areas to purchase National Flood Insurance Program policies unnecessarily.

If FEMA determines an area has a 1 percent annual chance of flood, property owners in that area are required to purchase National Flood Insurance Program coverage to protect against such hazards if their mortgage is backed by the federal government. Communities across the country have complained that FEMA and the Army Corps of Engineers have disregarded locally-funded flood control projects and repairs that may provide some level of actual protection in the development of the new flood maps.

Cochran, Durbin, Pryor and Wicker have joined forces to continue to seek out bipartisan, responsible and cost-effective solutions to the challenges facing communities protected by flood control infrastructure.

In addition to Cochran, Durbin, Pryor and Wicker, the February 3 letter to Fugate was also signed by Senators Lamar Alexander (R-Tenn.), John Boozman (R-Ark.), Roy Blunt (R-Mo.), Mike Crapo (R-Idaho), Mike Enzi (R-Wyo.), Kirsten Gillibrand (D-N.Y.), Tom Harkin (D-Iowa), Kay Bailey Hutchison (R-Texas), Mike Johanns (R-Neb.), Mark Kirk (R-Ill.), Amy Klobuchar (D-Minn.), Mary Landrieu (D-La.), Frank Lautenberg (D-N.J.), Claire McCaskill (D-Mo.), Jeff Merkley (D-Ore.), Jerry Moran (R-Kan.), James Risch (R-Idaho), Pat Roberts (R-Kan.), Charles Schumer (D-N.Y.), Jon Tester (D-Mont.), David Vitter (R-La.), Jim Webb (D-Va.) and Ron Wyden (D-Ore.).

An identical letter from the House of Representatives to Fugate on Feb. 18 was signed by 49 Members of Congress.

Technical Policy 27 – Private Driveways

No action.

REPORT FROM FLOOD CONTROL DISTRICT STAFF

Chris Cawein stated that the Arroyo Chico project continues and will be completed at the end of 2011. Once completed, there is approximately \$7 million of work left to be done. In addition, the Pantano Wash bank protection project will go to bid in June or July 2011.

CALL TO THE AUDIENCE

No business.

AGENDA ITEMS – MARCH 16, 2011 MEETING

No new business.

The meeting adjourned at 8:30 a.m.