
WATERLINES

News affecting the management and use of Indiana's water resources

DIVISION OF WATER
INDIANA DEPARTMENT OF NATURAL RESOURCES
SUMMER 2014

THE SANDY RECOVERY IMPROVEMENT ACT OF 2013

In recognition of the devastating impact of Superstorm Sandy along the East Coast in October 2012, Congress passed and President Obama signed into law the Sandy Recovery Improvement Act of 2013 (SRIA). This law granted FEMA new authorities and modified existing procedures to speed recovery from Sandy and any disaster whose application period was still open as of the date of enactment (Jan. 29, 2013), and all future disasters. SRIA amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Stafford Act), which is FEMA's primary legislative authority, and carries out lessons learned from the long and difficult recovery from hurricanes Katrina and Rita.

SRIA attempts to improve delivery of federal aid to state, tribal and local governments by increasing the flexibility of funds granted, speeding disbursement of funding, and providing incentives for the timely use of grant funds. In most cases, SRIA is requiring that funds be spent within two months of disbursement.

SRIA amended several portions of the Stafford Act. Amendments include (1) changing the processes for removal of debris and repair/restoration of certain facilities, (2) allowing pre-payment of up to 25 per-

cent of hazard mitigation grant funds, (3) amending the environmental and historical review process, (4) allowing tribes to directly request a disaster declaration, and (5) instructing FEMA to develop a national strategy for future disaster cost reduction.

Other initiatives enabled by SRIA include (1) the addition of child care under the Other Needs Assistance program within the Individuals and Households Program, (2) the reimbursement of salaries for government employees in certain cases, (3) allowing FEMA to deal with private owners of multi-unit rental properties to extend housing resources, (4) using alternative dispute resolution to settle cost and other issues, (5) examining what constitutes a "small project," and (6) reviewing the factors considered when assessing needs under the Individual Assistance program.

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Due to the extent and broad impact of SRIA, only a few of the most relevant changes to mitigation and related topics are covered in the summary below.

Public Assistance

A major revision of SRIA changes the way FEMA may distribute Public Assistance (PA) funds used to repair or replace damaged facilities. Prior to SRIA, reimbursement was generally limited to the final, actual costs of repair/reconstruction and grants based on estimates, capped at \$67,500. SRIA authorizes FEMA to award funding based on an estimate of anticipated costs, prepared by a licensed engineer, rather than final costs for all sizes of projects. However, when availing themselves of this new provision, the grantee accepts responsibility for any costs over the estimate. Conversely, any *unspent* grant funding for specific projects (if the estimated cost is higher than the final actual cost) may be used for eligible hazard mitigation and other activities that reduce risk from future disasters. In addition, SRIA allows multiple projects to be consolidated into a single project without penalty, thus allowing the applicant to rebuild what is *needed*, rather than what was destroyed. SRIA also eases the administrative burden on the applicant. One example is by consolidating damaged schools in one district.

Debris Removal

In an effort to expedite the removal of destroyed buildings and other debris for large projects, FEMA may now offer incentives for governments with pre-approved debris-removal plans and contracts. SRIA also authorizes FEMA to reimburse straight-time costs of public employees associated with debris removal. Previously, only overtime costs were eligible. In addition, a sliding scale will be used that rewards applicants for quick removal of debris within certain timeframes.



Union Beach, N.J., Nov. 8, 2012 — The remains of a home in Union Beach, NJ stood as a stark reminder of the power after Hurricane Sandy swept through the area. FEMA worked with state and local officials to assist residents affected by Hurricane Sandy. (Photo by Patsy Lynch/FEMA)

It is important to note that SRIA allows an applicant to retain any proceeds from recycling debris material with no impact on PA grant funding. This means that all proceeds from recycling can be used in addition to the already-awarded grant money for recovery. The purpose is to encourage applicants to recycle reusable materials rather than place them in a landfill or use another disposal method.

Unified Federal Review

SRIA requires that a Unified Federal Review process be established, addressing the needs and requirements of various federal statutes such as the National Historic Preservation Act, Endangered Species Act, Clean Water Act and others to provide an expedited interagency review process for projects in a disaster-impacted area.

Hazard Mitigation

SRIA seeks to streamline the distribution of Hazard Mitigation Grant Program (HMGP) funding. This provision requires that FEMA expedite review of the National Environmental Policy Act and the National Historic Preservation Act as they pertain to properties of interest for mitigation purposes. This procedure also allows multiple properties to

be considered as a group. It also permits FEMA to commit up to 25 percent of the estimated costs of mitigation projects to the state *before* the finalization of actual project costs. FEMA may now also omit the time generally used for notice and rule-making if it has been determined that this is needed to expedite the dispersal of the HMGP funding.

The long-term changes in disaster recovery enabled by the Sandy Recovery and Improvement Act are not yet known. There has been limited time to assess the changes to the process; however, it is expected that the Sandy Recovery Improvement Act of 2013 will enable residents and communities to begin the task of disaster recovery at a speed that was not possible after previous disasters.

INDIANA RISK MAP UPDATE

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 Indiana, FEMA Region V initiated efforts designed to engage selected communities in discussions about local risk-reduction activities that result in safer communities. Over the coming year, FEMA Region V and State representatives will meet with community officials, mitigation consultants, and regional stakeholders to define desired local mitigation activity implementation steps, challenges and needed technical support. This effort aims to enhance existing mitigation planning efforts by identifying federal and State tools, resources, and technical assistance that may enable progress on local risk-reducing mitigation activities. The meeting goals include development of a local implementation strategy for a community-selected mitigation activity and, in some cases, limited technical support toward progress on that activity.

In Indiana, FEMA, the Indiana Department of Natural Resources, and the Indiana Department of Homeland Security worked with STARR, FEMA's consultant, having springtime engagements with the cities of Columbus, Kokomo, Martinsville, Michigan City, Portage, Rochester, and Valparaiso; the

More Information:

The text of the Act itself may be found at govtrack.us/congress/bills/113/hr219/text.

A detailed discussion of the Act, written by the Congressional Research Service for members of Congress, can be found at fas.org/sgp/crs/misc/R42991.pdf.

A section by section update on the current status of implementation of the law can be found at fema.gov/about-agency/sandy-recovery-improvement-act-2013. ☞

Article submitted by FEMA

towns of Brooklyn, Mooresville, Morgantown, and Winamac; and Fulton, Howard, La Porte, Morgan, Porter, Pulaski, and Starke counties. In the summertime, engagement will begin with the cities of New Albany, Noblesville and Salem; the towns of Fredericksburg, French Lick, Paoli and West Baden Springs; and Floyd, Harrison, Jackson and Washington counties. Additional meetings are planned with communities in the winter. The selected communities can anticipate hearing from STARR about meeting dates, and 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 the community plan a risk-reducing activity that may include technical support from FEMA.

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

David Knipe, IN DNR, at dknipe@dnr.IN.gov
Jan Crider, IN DHS, at jcrider@dhs.IN.gov
Kirstin Kuenzi, FEMA RV, at kirstin.kuenzi@fema.dhs.gov

Emily Whitehead, STARR, at emily.whitehead@stantec.com ☞

Article submitted by FEMA

THE NFIP GROUP FLOOD INSURANCE POLICY: A HYBRID BETWEEN INSURANCE AND DISASTER ASSISTANCE

Has your community experienced a Presidentially declared disaster due to flooding? If so, perhaps you have heard from local media that your state or the Federal Emergency Management Agency (FEMA) is assisting property owners and renters by providing them with insurance coverage.

As you can probably imagine, this is not the typical flood insurance policy. For one thing, this “policy” lasts for three years; it is not the traditional single-year policy. What you are hearing about is actually a form of disaster assistance offered by your state in coordination with FEMA and the National Flood Insurance Program (NFIP). Called a Group Flood Insurance Policy (GFIP), it is part of the FEMA Individual and Households Program (IHP).

What is the GFIP?

The GFIP is a three-year policy that is part of a Master Policy. It is issued in a state’s name, not to the individual property owner. It is offered to owners and renters to provide insurance to protect their property and usually becomes effective 60 days after a Presidentially declared disaster. The GFIP is not available after all disasters.

If a GFIP is being made available for disaster assistance to applicants in your area, those applicants receive a letter from FEMA’s IHP notifying them that they may be eligible for this assistance. The policy cost is \$600 for the three-year period; it is paid for out of the IHP disaster-grant award to help the property owner after a flood loss.

The policy is serviced by the NFIP Direct Servicing Agent and is not sold through private insurers like the typical NFIP flood insurance policy. Once the NFIP Direct receives the full premium payment, the property owner’s name and property address, a 30-day waiting period is applied. After the waiting period, a letter with an individual

certificate, summary of coverage, and addendum of items not covered under the GFIP will be sent to the property owner, and a copy of the certificate is sent to the State. Throughout the course of the policy term, the property owner will receive several letters with updates and notices. The recipient will also receive notices prior to expiration of the GFIP indicating that the policy will expire and that in order to be eligible for future disaster assistance, he or she must purchase his or her own policy through the NFIP and is advised to contact a local insurance agent or call the NFIP Direct.

The GFIP is not the usual NFIP coverage

The GFIP is not a full-scale NFIP flood insurance policy. It provides less coverage than the regular policy: a maximum amount of coverage, currently \$31,900, to be used for building, contents, or a combination of both. It also includes a \$200 deductible for building and contents coverage. The limit is adjusted every October, based on the Consumer Price Index (CPI).

It is important to note that in most cases, the amount provided under the GFIP is not enough to insure the property to its full replacement cost value. To remedy this, owners can inquire about purchasing their own flood insurance policy any time during the three-year period by contacting a licensed property insurance agent or broker for a quote. Once an SFIP through the NFIP has been purchased and issued, the GFIP is canceled automatically and becomes null and void.

Federal requirements for recipients of federal disaster assistance

When property owners receive financial assistance from the federal government after a presidentially declared disaster, they may be required to purchase flood insurance coverage. This requirement is mandated under the National Flood Insurance Reform Act (NFIRA) of 1994. It is imposed when a building has been damaged and is located in an area that is at high risk of flooding. These high-risk areas are called Special Flood Hazard Areas (SFHA).

The NFIRA requirement applies to insurable buildings and personal property located in the SFHA that have been damaged by the disaster. Financial assistance can come in the form of federal disaster assistance grants or loans.

After the GFIP—next steps

Insurance agents must keep in mind that the GFIP is only an interim policy after a major disaster. Once a property owner receives federal financial disaster assistance, he or she must obtain a flood insurance policy within three years to protect that address. The property owner must inform any buyer of this requirement. While a GFIP is not a policy that an insurance agent can provide to the property owner, knowing a little background can help insurance agents properly guide their clients after a disaster—and it can be the road to providing a policy in the next few years.

For further information

If an individual needs help, including getting

information about the GFIP or about recovering from a presidentially declared disaster, he or she should refer to the FEMA Disaster Assistance Website, disasterassistance.gov.

If an individual needs to file a claim under a GFIP, he or she should call 1-800-767-4341. ☞

Excerpt from eWatermark (February 2014)



INAFSM CONFERENCE

2014 Indiana Association for Floodplain and Stormwater Management Conference

September 10-12, 2014, Brown County State Park, Nashville, IN

For more information, please visit inafsm.net/conference/upcoming.html. ☞

INDIANA NOW HAS 100 CFMS



Congratulations to Toby Fields, floodplain administrator and stormwater coordinator for the City of Bedford, and Robert Langager, project designer with

The Schneider Corporation. They passed the Certified Floodplain Manager (CFM) exam proctored by the DNR Division of Water in Indianapolis on March 27.

With each passing year the number of CFMs in Indiana increases, and we're now at the century mark. The importance of having informed professionals in our state increases every year. This is particularly true given the recent changes in the National Flood Insurance Program and

increased flooding across the state in recent years.

The CFM program is a national certification authorized by the Association of State Floodplain Managers (ASFPM). This certification recognizes the knowledge that enables the individual to pass the exam and requires continuing education and professional development.

Achieving CFM certification demonstrates not only awareness of the NFIP, but of comprehensive floodplain management.

There will be a CFM exam offering at the upcoming annual INAFSM conference in September. For more information on this program, visit the ASFPM Website at floods.org. ☞

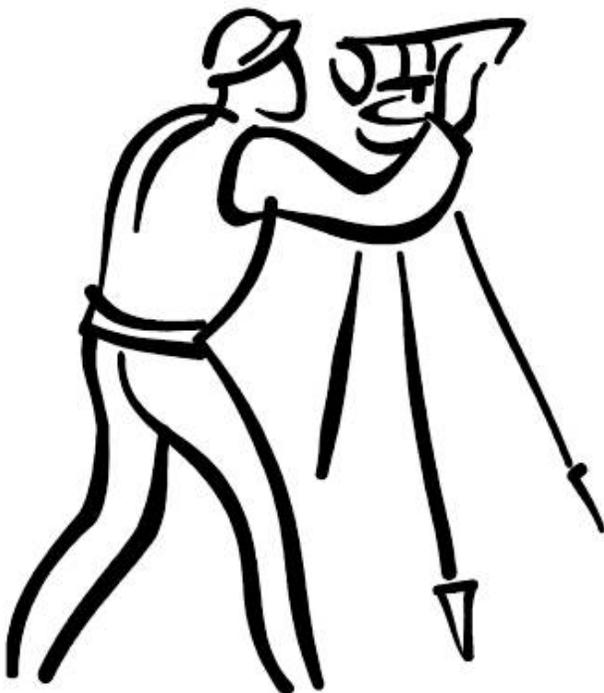
VERTICAL DATUM IN THE STATE OF INDIANA

By Rod Neese, Manager, Surveying Section, DNR Division of Water

What are vertical datums and how do they affect floodplain management?

Vertical datums are used to put Indiana and other states on a universal elevation grid. In other words, if the elevation of a first floor of a house was at 550.32 feet NAVD 1988, that first-floor elevation would be the same height in southern or northern Indiana, Michigan or Illinois. This gives us a way to compare vertical data anywhere in the world with proper adjustments.

There are four different vertical datums in use in Indiana. There is the International Great Lakes Datum (IGLD), the Ohio River Datum (ORD), the National Geodetic Vertical Datum of 1929 (NGVD 1929), and the North American Vertical Datum of 1988 (NAVD 1988). By far, the most common vertical datums used in Indiana are the NGVD 1929 datum and the NAVD 1988 datum. However any of these elevation datums can be used and converted to match any



of the other four datums as long as the starting datum elevation is known.

The original datum in Indiana for all practical purposes was the Mean Sea Level Datum of 1929 or MSL 1929. This datum was renamed to the National Geodetic Vertical Datum of 1929 (NGVD 1929) in 1973. This was only a name change to show that this was not a true mean sea level datum but a mathematical model of mean sea level. NGVD 1929 datum was later readjusted to the North American Vertical Datum of 1988 (NAVD 1988). This was a mathematical readjustment of the NGVD 1929 datum and is based on many factors so every elevation must be readjusted and the adjustment will vary from point to point. There is a computer program called Vertcon 2.1 that can be downloaded from the NGS web page that will convert NGVD 1929 to NAVD 1988 and vice versa.

For effective floodplain management the exact adjustment of NGVD 1929 to NAVD 1988 or any other vertical datum is not as important as understanding that there are different vertical datums on different Flood Insurance Rate Maps (FIRM). The datum of a flood map and elevation datum provided must be known and must be consistent. There are areas in Indiana that can be more than ± 1 foot if the wrong datum is submitted. When dealing in floodways and floodplains ± 1 foot is a significant error. Therefore, all elevations submitted to the Division of Water must have a called-for elevation datum, and preferably the datum will match the datum used by the FIRM.

Here is a list of locations to find conversion factors for datums in the State of Indiana.

ngs.noaa.gov/PC_PROD/pc_prod.shtml
Vertcon 2.1 NGVD to NAVD

dnr.IN.gov/water/files/ohio_datum.pdf
Ohio River Datum

dnr.IN.gov/water/3659.htm
International Great Lakes Datum \approx

CONFERENCE CORNER

INDIANA TRAINING OPPORTUNITIES – SUMMER/FALL 2014

State Deployed FEMA Course

L-273: Managing Floodplain Development through the NFIP. 12 Core CECs. Aug. 11-15, 2014.

This is a basic NFIP four-day course that lays the foundation for working with the NFIP in application in the field, and is targeted for local, State and federal floodplain managers. Topics covered include outreach, mapping (risk determination), rules and regulations, permitting, elevation certification, substantial damage and substantial improvement, flood insurance and legal issues, as well as other important topics. The DNR Division of Water is the host for this course. Classes will be held in the Conference Center, Rooms 4 and 5, Indiana Government Center South, 402 West Washington Street, Indianapolis, IN 46204. To register for this course, contact Anita Nance at anance@dnr.IN.gov or (317) 234-1110 by July 25, 2014. Class size is limited.

FEMA's Emergency Management Institute (EMI)

- E273: Managing Floodplain Development through the NFIP. 12 Core CECs. Sept. 15-18, 2014. This is a basic NFIP four-day course that lays the foundation for working with the NFIP in application in the field, and is targeted for local, State and federal floodplain managers. Topics covered include outreach, mapping (risk determination), rules and regulations, permitting, elevation certificate, substantial damage and substantial improvement, flood insurance and legal issues, as well as other important topics.
- E278: The Community Rating System. 12 Core CECs. Jun. 23-26; or Aug. 11-14, 2014. This is the all-purpose training course for the CRS. It is taught at both the Emergency Management Institute and at sites throughout the country at the request of interested communities, groups or

states, pending available funding. It is based on the 2013 CRS Coordinators Manual. For continuing education credit for CFMs, the ASFPM will award CECs earned at the E278 CRS course even if the CFM attended the course when it was based on a previous CRS Coordinators Manual. Please note: Some prerequisite courses apply. Please visit EMI's website below for more details.

- E284: Advanced Floodplain Management Concepts III. 12 Core CECs. Jul. 21-24, 2014. This advanced floodplain management course is a dynamic and interactive instruction that covers the following five topics in detail: floodway standards, disconnects between NFIP regulations and insurance, common noncompliance issues, Digital Flood Insurance Rate Maps (DFIRMs), and substantial improvement / substantial damage.
- E194: Advanced Floodplain Management Concepts. 12 Core CECs. Aug. 25-28, 2014. This advanced floodplain management course is a dynamic and interactive instruction that covers the following four topics in detail: NFIP rules & regulations in depth, Letters of Map Change (LOMCs), roles & responsibilities of the local FPM, and preparing for post-disaster responsibilities.

EMI also offers many other training classes and various webinar training opportunities. For additional information on EMI classes and webinars, please visit EMI's website at training.fema.gov/EMICourses/.

Indiana Department of Homeland Security (IDHS) – Training Branch

The IDHS offers training in multiple subjects for emergency managers on a regular basis. Please visit the IDHS Training Calendar at myoracle.in.gov/hs/training/public/calendar.do.

NFIP Sponsored WebEx Meeting Trainings

CRS Webinar Series: Introduction to CRS. One CEC for CFMs. Jul. 15, 2014 at 1:00 p.m. eastern EDT. Additional sessions are continually added. Please visit atkinsglobalna.webex.com/tc for more information and a current schedule of classes. ☞

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Editor – Anita Nance

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