

Statement of Congressman Dave Loebsack - Hearing on “Legislative Proposals to Reform the National Flood Insurance Program”

Financial Services Subcommittee on Housing and Community Opportunity

April 21, 2010

I want to thank Chairwoman Waters and Ranking Member Capito for the opportunity to provide a statement for this important hearing examining proposals to reform the National Flood Insurance Program.

I represent the 2nd Congressional District of Iowa. In the summer of 2008, the State of Iowa was devastated by severe flooding, leaving 85 of 99 counties Presidentially declared disaster areas. The majority of the damage from this flooding in the state and throughout the Midwest was in my District.

That being said, my constituents and I certainly understand and have seen firsthand the importance of the National Flood Insurance Program. It has, in fact, been helpful to hundreds of homeowners recovering from the Floods of 2008.

There are many communities in my 15-county Congressional District that are currently in various stages of FEMA’s Flood Map Modernization effort. Two of these communities, one for which the process is just beginning and one for which the process has just ended, provide particularly helpful insights into issues that I hope can be addressed by the Subcommittee regarding FEMA’s map modernization effort.

The first community is Louisa and Des Moines County and the City of Oakville in Iowa. The preliminary DFIRM for this area was just released in October 2009 so they are just in the beginning of the process. Already, two County Boards of Supervisors and numerous citizens have contacted my office expressing concerns about the inaccuracy of the data being used in the preliminary maps.

They have also pointed out that less accurate data is being used for the current Flood Insurance Study than was used in the previous one performed in 1991. Unfortunately, in this process, the onus to disprove the preliminary DFIRM, and the cost to do so, is on the community and affected homeowners.

The second community is the City of Cedar Rapids, Iowa. This community’s final map took effect on April 5, 2010 and the preliminary DFIRM was released in December 2008.

My office was contacted by many different homeowners in three separate areas of town who had no idea the map modernization effort was even going on in their community and were only made aware of it after receiving a letter in February 2010 from the city informing them their positioning in a flood risk zone would take effect in April 2010.

While I understand that FEMA is required to place a notification in a prominent local newspaper and that the majority of the onus for notifying homeowners is on the local participating governments, surely Congress can require FEMA to do better than a one-inch box in the legal notice section of one newspaper in the community.

This notification problem could likely easily be resolved by requiring FEMA to provide notice to a prominent television or radio outlet in addition to the prominent local newspaper like they already do. I can't imagine it is too difficult to send one more legal notice than is already required. We could also examine how to encourage and assist communities to get the word out in a more efficient way.

In addition to the notification problem the City of Cedar Rapids experienced, many of these homeowners are currently appealing their status in a flood risk area which again brings up the issue of the accuracy of these maps and the onus being placed on communities and homeowners having to foot the bill to disprove the data.

I certainly believe that flood insurance is one of the most important investments a homeowner can make but also believe that homeowners should have a fair opportunity to participate in the established process of modernizing flood maps that will ultimately affect their home's value and should not have to be burdened with disproving the data that is being used.

I would also like to enter for the record a letter I am sending to FEMA and the US Army Corps of Engineers in collaboration with Congressmen Phil Hare, Sam Graves, and Blaine Luetkemeyer along with over 50 additional Members of the House, that expresses a number of concerns we have with the map modernization process and asks FEMA and the Corps to detail what steps have been taken to address these concerns.

I hope the Subcommittee will take some of these ideas and also some of the concerns expressed in this letter into account while working to reauthorize the National Flood Insurance Program.

As a Member of Congress from a state that experienced devastating flooding in both 1993 and 2008, I understand the importance of the National Flood Insurance Program for homeowners but also realize the importance of making sure FEMA gets it right.

I look forward to working with you to improve the NFIP and thank you again for this opportunity.

Sincerely,

Dave Loebsack
Member of Congress

Enclosure:

The Honorable Craig Fugate
Administrator
Federal Emergency Management Agency
500 C Street, SW
Washington, DC 20472

The Honorable Jo-Ellen Darcy
Assistant Secretary for Civil Works
U.S. Army Corps of Engineers
441 G Street, NW
Washington, DC 20314

Dear Administrator Fugate and Secretary Darcy,

As Members of Congress, we recognize that the U.S. Army Corps of Engineers (USACE) and Federal Emergency Management Agency (FEMA) have distinct but complementary roles in flood prevention and recovery at the local level. Recent hurricanes along the Gulf coast and flooding in the Midwest and Northeast regions have renewed the country's focus on preventing the loss of life and property, and FEMA is addressing the issue through the Flood Map Modernization Program. Updating our nation's Flood Insurance Rate Maps (FIRMs) is an important task and we support efforts to better inform and educate residents about flood risk in their communities. However, we are very concerned about the way USACE and FEMA have approached the process and the challenges that have been created for affected communities.

We represent a diverse population with a variety of problems that have arisen as the FIRMs have been updated. Our constituents have expressed several concerns about the flood mapping program, including:

- A lack of communication and outreach with local stakeholders;
- A lack of coordination between FEMA and USACE in answering questions about flood mapping, flood insurance and flood control infrastructure repairs;
- A lack of recognition of locally funded flood control projects when determining flood zones;
- The affordability of flood insurance;
- Inadequate time and resource to complete repairs to flood control structures before flood maps are finalized;
- Lack of consideration to extend deadlines for locally-funded flood control projects who work in good faith to make progress toward improvements;
- Limited use of LiDAR mapping as available, and the reluctance to postpone finalization of floodplain maps if LiDAR information is to be available within one calendar year of proposed deadline;
- The potential impact that new flood maps may have on economic development, particularly in small and rural communities;
- Inaccuracy of DFIRM data and the onus placed on homeowners and communities to provide accurate data; and
- Lack of coordination between FEMA and USACE on levee recertification.

Additionally, you may be aware that many of us have attempted to address these issues on multiple occasions in the past. However, the underlying problems with regard to the Flood Map Modernization Program have yet to be resolved. It is our hope that we are able to work together

to find solutions to the overarching problems that our constituents are facing. If legislative solutions are called for, we would welcome your guidance.

We would also like to thank you for testifying before the House of Representatives several times over the course of the 111th Congress. Our understanding is that a bipartisan group of Senators has also recently contacted you with similar concerns. Because the annual flooding season is approaching and time is of the essence, we respectfully request a timely response to this letter indicating what actions have been completed or are currently being taken by FEMA and USACE to address the above-mentioned concerns of our constituents. If you have any questions or would like to discuss the issue with our staffs, please do not hesitate to contact us. Thank you for your attention to this matter and we look forward to hearing from you.

Sincerely,

Phil Hare	Sam Graves	David Loebsack	Blaine Luetkemeyer
Member of Congress	Member of Congress	Member of Congress	Member of Congress