



**ASFPM FOUNDATION**  
**ASSOCIATION OF STATE FLOODPLAIN MANAGERS**  
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#### Mission Statement

The mission of the ASFPM Foundation is to promote public policy through select strategic initiatives and serve as an incubator for long-term policy development that promotes wise floodplain management.

## CONTINUING TO HELP SHAPE FLOODPLAIN MANAGEMENT

The Foundation is in the planning phase of the 3rd Gilbert F. White Flood Policy Forum to be held in the Washington DC area in March 2010. The topic of the 3rd Forum is Flood Risk Management. The Forums are a signature event of the Foundation, assembling leading policy experts to evaluate a topic of concern. Past Forums have included evaluations of the 1% flood standard and the future of floodplain management in the year 2050. Using a different format as compared to past Forums, the Risk Management Forum will be the culminating event of a series of three meetings. The first meeting will focus on quantifying risk, the second on communicating risk and the Forum will focus on managing risk.

The concept of managing flood risk is receiving increased attention by many experts in the United States and throughout the world. Flood risk management, like other management strategies, would provide a framework for balancing the multiple complementary and competing

factors that affect risk. If properly structured, the strategy would focus all those factors toward an outcome such as reducing net flood losses to the nation. It is thought that flood risk management may prove to be a better means of minimizing the detrimental impacts flooding continues to have on humans than past strategies have been. At the same time, a carefully crafted flood risk management strategy must also consider associated risks and opportunities, such as protecting natural floodplain functions from the detrimental impacts of human use.

Although many experts are in favor of exploring the use of flood risk management, the disparate definitions, methods, approaches, and understandings at play ultimately will lead to confusion and ineffectual action by practitioners and policymakers alike unless a cohesive vision is developed. For additional information, please contact Doug Plasencia, Events Committee Chair.

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## **“FLOODMANAGER” INTERACTIVE SERIOUS CONTENT COMPUTER GAME**

In an effort to bring decision-making regarding floodplains and their management to the visual forefront with decision makers, the ASFPM Foundation has entered into contract with PlayGen, Ltd. a leading developer of serious games, simulations and game-based technology products. PlayGen is located in London, England, with representatives in Pennsylvania. The product from PlayGen will be an interactive serious content computer game known as “FloodManager”.

FloodManager was conceived as a simulator to teach decision makers the primary floodplain management principles they can apply to their community to increase resilience against flooding disasters and develop their community in a manner that most benefits the community while adhering to the tenets of ‘No Adverse Impact’ regarding the community’s environment. Economic development is the life blood of a community, both for individuals and the property and sales tax revenues of local governments, and it is why communities continue to allow development in their floodplains. In fact, in his dissertation, Gilbert White recognized that development of these areas was necessary – but he advocated a more rational and planned approach to adjust human occupancy patterns to the unique hazards of the floodplain environment.

As such, the goal of the FloodManager game is to make decisions that grow a typical town as much as possible over a given time span – both residences and businesses – producing a larger community with minimal flood damages. A short game could be 20 years, and a long game could be 40 years. The target audience is local decision makers.

The ASFPM Foundation anticipates having an alpha version of FloodManager available for viewing at the annual conference in Orlando. Various committee members will be asked to critically review FloodManager and offer comments and recommendations to be incorporated into the beta version that will be developed by the end of summer 2009.

### **AND NOW A WORD FROM OUR SPONSORS....**

We appreciate the generous support we receive from our corporate sponsors. We thank URS for their continued support of the Foundation. Below URS talks about their firm and their relationship with the Foundation:

URS is one of the nation’s leading green and sustainable design firms providing engineering, flood hazard analysis, mitigation, mapping/GIS, and management support services throughout the world. We strongly endorse the Foundation’s mission, research, and policy programs, which greatly benefit our profession and our clients.

URS steadfastly supports the Foundation with both financial contributions and technical support. To augment URS contributions to Foundation fundraising events, we also solicit donations from individuals, corporations, and philanthropic groups. Dale Lehman, PE, CFM, one of URS’ Vice Presidents, serves as the Chairman of the Foundation’s Development Committee. URS also provides technical staff for the evaluation of applications for project and research grants.

URS appreciates the benefits we derive through Foundation-supported programs, such as the Certified Floodplain Manager and No Adverse Impact programs. These programs provide consistent value to our corporation and our clients.

## **A COMPARATIVE LOOK AT PUBLIC LIABILITY FOR FLOOD HAZARD MITIGATION**

In light of the concern that many have in relation to liability issues, Dr. Jon A. Kusler, Esq. and Ed Thomas, Esq. have crafted a paper that takes a comparative look at government liability for flood hazard "mitigation" measures. The term "mitigation" is broadly used in the paper to include hazard reduction measures such as dams, levees and other structures. Mitigation measures also include loss reduction efforts such as flood hazard mapping, warning systems, evacuation planning, and floodplain regulations such as zoning and building codes. The paper briefly considers, as well, suits against government to compel payment of disaster assistance and government flood insurance.

It addresses topics not extensively covered by earlier papers, beginning with a comparison of liability for the full range of hazard reduction and loss reduction measures. Next, it considers various factors considered by the courts in determining whether a government is liable for flood or erosion losses. The liability implications of various steps or stages in government hazard and loss reduction and case law addressing individual hazard reduction and loss reduction measures are also discussed. It concludes with recommendations for governments to avoid or reduce potential liability.

This paper attempts to simplify a complicated subject. An effort has been made to make the paper understandable by those not in the legal field while, simultaneously, providing many footnotes to court cases for those versed in the law.

The authors address the liability of architects, engineers, landscape architects, surveyors, floodplain managers and other professionals in designing or constructing structures that are subsequently damaged by flooding or that damage adjacent properties by increasing flood heights or velocities. It also briefly considers the liability of landowners, contractors, builders, banks, real estate brokers, and insurance agents.

This paper is one of a series of papers concerning flood-related liability prepared by the authors with support from the Association of State Floodplain Managers Foundation. These also include papers

dealing with "no adverse impact" floodplain management, liability for levees and dams, and professional liability for construction in flood hazard areas.

[http://www.floods.org/PDF/ASFPM\\_Professional\\_Liability\\_Construction.pdf](http://www.floods.org/PDF/ASFPM_Professional_Liability_Construction.pdf)

### **WE'RE UPDATING OUR WEBSITE!**

This year, the ASFPM Foundation website will be updated with its own website address and a fresh look. The website is under construction and expected to be functional by the ASFPM Conference in Orlando. The new site will contain the functionalities of the current site and add new and improved features for donations as well as allow for better information sharing. Note that the current site is still fully functional and available through the ASFPM weblink at [www.floods.org](http://www.floods.org).

### **LIVE AND SILENT AUCTION EXCITEMENT COMING TO ORLANDO JUNE 8 - 10**

Visit the ASFPM National Conference Web Site at [www.floods.org/Conferences.%20Calendar/silentauction2009.asp](http://www.floods.org/Conferences.%20Calendar/silentauction2009.asp) and see what has already been donated for our Silent Auction which will run from Monday until Wednesday. You can also see the exciting items scheduled for our live auction Wednesday evening. Join the fun and excitement while helping our Foundation meet its fundraising goal for the year! See you there!



## FOUNDATION DONATIONS UPDATE

With a goal of \$170,000 this year, we still need your help! As of May 10, 2009, contributions equal \$93,559. Only through your generous support can we reach our final goal. Together we can help guide the future of wise floodplain management!

To donate online, please visit

<http://www.floods.org/Foundation/default.asp>

### Donors from July 1, 2008 to May 10, 2009

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