



The B.F.E.*

*Base Flood Elevation



OKLAHOMA FLOODPLAIN MANAGERS ASSOCIATION

DECEMBER 2015

VISIT
WWW.OWRB.OK.GOV
FOR UPCOMING
TRAINING

2015 OFMA ANNUAL FALL CONFERENCE 1

WORDS FROM THE CHAIR 2

NOTES FROM THE NFIP STATE COORDINATOR 3

BILL SMITH RECOGNIZES DRT VOLUNTEERS 3

2016 SPRING TECHNICAL WORKSHOP ANNOUNCEMENT 3

LEGISLATIVE UPDATE 4

FEMA REGION 6—VIRTUAL BROWN BAG WEBINARS 4

DRT CORNER 5

EMPLOYMENT OPPORTUNITY 5

OFMA 2015 FALL CONFERENCE AWARDS CEREMONY 6-10

TAKINGS LITIGATION — FLOODPLAIN REGULATION NOT A TAKING IN SOUTH CAROLINA 11

2015 OFMA ANNUAL FALL CONFERENCE CREATING A RESILIENT COMMUNITY: PLANNING, POLICIES & PRACTICES

The Embassy Suites in Norman, Oklahoma was once again the location of the OFMA Fall Conference, September 21-23 with over 240 attendees.

This year we ushered in two new awards to be presented during the Awards Ceremony on Tuesday night. It is with great honor that our organization pays tribute to three people who have served OFMA and its vision for many years.

J. Gavin Brady Floodplain Manager of the Year Award



This year, J. Gavin Brady, CFM, State NFIP Coordinator, retired from the Oklahoma Water Resources Board. Through his 32 years of service to the State of Oklahoma he has shown true dedication to the field of floodplain management. He has exemplified the ideals and standards that all of us have come to expect. He tirelessly and continuously assisted and mentored communities and individuals. Brady has been described as fair, considerate and displayed commitment to helping communities and individuals through the years.

As such, the Board dedicated the Floodplain Manager of the Year award to Brady and hence has renamed the award the J. Gavin Brady Floodplain Manager of the Year Award. This award recognizes an individual who has demonstrated dedication through the administration of his/her community's floodplain management program in pursuing the goals of flood loss reduction and in the prevention of loss of life.

Leatherbee-Robison Education Outreach Award

This year the OFMA Board also created another new award for education and outreach. It was presented to the Awards Committee in 2015 by Bill Smith, HIS, INC. He will be sponsoring this annual award to one or more individuals in order to recognize their exemplary accomplishments in Educating of the Public and/or Government officials. Furthermore, these individuals will have helped extend the knowledge of floodplain management through various methods of Outreach to educators, public safety agencies, Floodplain Administrators, and the general public. The first recipients of this award are Tom Leatherbee, AINS, MCP, CFM, City of Del City and Dee Robison, Retired.



Speakers this year represented the Cities of Broken Arrow, Del City, Stillwater and Tulsa, as well as ASFPM, OWRB, FEMA Region 6, USACE, INCOG, ODEQ, USGS. OEM and ISO, and consultants Utley & Associates, Flanagan & Associates, ESP Associates, Meshek & Associates, H₂O Partners, Dewberry, Vieux & Associates and CP&Y.

Thanks to all who participated in any way in this year's successful conference. We are looking forward to attending the 2016 Fall Conference in Tulsa! See you there!

WORDS FROM THE CHAIR, BY MONICA CARDIN, CFM, CCEA

On behalf of the Association, thank you for attending the Annual Conference in Norman. It was a celebration marking the 25th Anniversary of OFMA and a tribute to the resiliency shown by communities across the state following the Spring 2015 floods. The OFMA Board and Conference committee spent many hours planning the conference events and presentations, and your participation made the conference a huge success.

The conference theme was "Creating a Resilient Community: Planning, Policies and Practices." In the coming years, more and more focus will be placed on resiliency and a holistic approach to disaster preparedness and response. OFMA will continue to provide you with the most up to date training, whether through our conferences, advanced training workshops, email communications, and special events.

The OFMA Board held its Annual Strategic Retreat on October 26-28 in Tulsa. At the retreat, the board developed and prioritized OFMA's initiatives for 2015-2016. A concerted effort will be made over the next year to reach out the Floodplain Managers that are not members of OFMA and are not CFMs. Our Region Representatives will be mailing out a postcard to all FPAs in their region in an attempt to reach out to them and will follow up with

any individual expressing interest in participating in OFMA. Another effort will be made over the next year to get younger members and newer members to participate.

Much of the discussion at the retreat focused on building on our very successful Outreach efforts. We have deployed the Traveling Trunks program and will hold a training session during the Spring Workshop. OFMA and OWRB will continue to partner to produce and distribute road signs to mark low water crossings. Other upcoming outreach initiatives include:

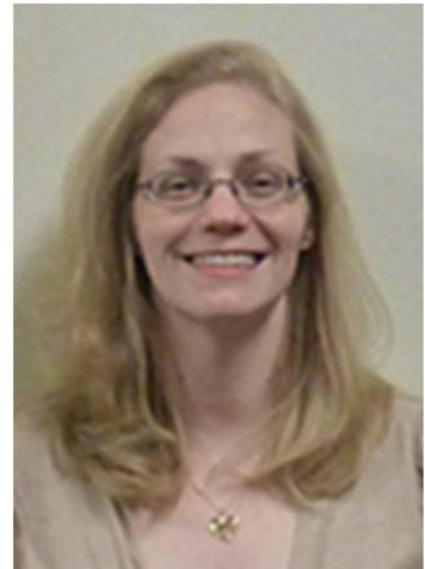
Completion and deployment of the OFMA Essentials "plug and play" outreach modules, including modules for local officials and tribal communities

Upgrades to the OFMA Website including timely updates on important news and upcoming events

Continued publication of the TADD calendar and upgrades to the TADD Poster Contest for elementary school children

Broadening of our social media program, including new efforts to reach out using platforms such as Twitter, Facebook, LinkedIn and Instagram

Planning is underway for next year's conferences. The dates of the 2016 Spring Technical Workshop has not



been set, but expect to be receiving emails with more information. The Annual Conference will be held at the Tulsa Southern Hills Marriott September 19-21, 2016. Please save the dates!

All OFMA members are welcome at the monthly Board of Directors meeting. Each month, our board members and committee chairs dedicate their time to doing the business necessary to keep the Association moving forward. There is no shortage of opportunity for new members to get involved. The approved meeting dates, which are generally the Fourth Thursday of each month, are shown at the bottom of the page.

On behalf of the OFMA Board, I would like to wish you and your loved ones a great 2015-2016.

OFMA BOARD MEETINGS			
DATE	LOCATION	DATE	LOCATION
1/28/2016	City of Del City Training Room	6/23/2016	City of Del City Training Room
2/25/2016	City of Del City Training Room	7/28/2016	City of Del City Training Room
3/24/2016	City of Del City Training Room	8/25/2015	City of Del City Training Room
4/28/2016	City of Del City Training Room	9/18/2016	Tulsa Southern Hills Marriot
5/26/2016	City of Del City Training Room	9/20/2016	Tulsa Southern Hills Marriot

NOTES FROM THE NFIP STATE COORDINATOR, BY MATT ROLLINS, CFM, OKLAHOMA WATER RESOURCES BOARD, NFIP STATE COORDINATOR

As the month of November nears an end, we will have completed 16 Community Assistance Visits in 2015. We have traveled to 4 borders of the state in conducting the CAV's, with many regions and geographies represented. We have seen much, yet so little which was good for Floodplain Management. We have begun planning for our 2016 CAV visits, so some of you will see us in the new year.

We are currently have 4 communities with active applications to join the NFIP, and 2 counties interested in joining the program. We are eager for these members to join to help mitigate future flood risk, and allow for responsible economic development.

Additionally, several communities have expressed a strong desire to enroll in the Community Rating System, including adopting higher standards, and we are working with them and the ISO Group on their enrollment.

The state CTP program continues to move with the proposed BLE/FOA studies, that will move the state to a baseline of flood risk mapping. We are working on our 2016 project submittals based on results from Risk MAP Discovery reports, State Business plan, and local FPA input.

As we move into the colder days of Winter, now is a prime time for local floodplain administrators to review the local Hazard Mitigation Plans, and



potential projects for grant funding. Best time is now to begin to plan, gather and formulate a mitigation project request. Last but not least, ensure your attend a workshop to maintain your state accreditation for your community!

Talk to you soon! MJR

BILL SMITH RECOGNIZES DRT VOLUNTEERS FOR SERVICE DURING THE MAY 2015 STORMS

During the 2015 OFMA Fall Conference Awards Ceremony, Bill Smith took the time to express his and OFMA's appreciation for the hard work of the DRT team. The storms across the state during May caused widespread flooding. The DRT, once again, showed up for work!

The following people received Stars:

Cache, Oklahoma: Bill Smith, P.E. CFM, DRT Coordinator

- Beth Wilhelm, CFM, OWRB
- Max Booth, Washita County Floodplain Administrator
- J. Gavin Brady, CFM, OWRB

Elk City, Oklahoma: Bill Smith, P.E. CFM, DRT Coordinator

- Monica Carden, CFM, Del City FPA
- Max Booth, Washita County Floodplain Administrator
- J. Gavin Brady, CFM, OWRB
- Jana Harris, CFM, Elk City FPA
- Tom Leatherbee, Assistant DRT Coordinator, Del City
- Matt Rollins, CFM, State NFIP Coordinator

Slaughterville, Oklahoma: Bill Smith, P.E. CFM, DRT Coordinator

- Marcia Blair, CFM, Slaughterville FPA

- Pittsburg County: Bill Smith, P.E. CFM, DRT Coordinator
- Richard Howry, CFM, Pittsburg County FPA

Del City, Oklahoma: Tom Leatherbee, Assistant DRT Coordinator, Del City

Monica Carden, CFM, Del City FPA

Okmulgee County, Oklahoma: Bill Smith, P.E. CFM, DRT Coordinator

- Tim Craighton, Okmulgee Co. FPA

To all our DRT volunteers, OFMA salutes your commitment to Floodplain Management and your generosity with your time.



OFMA'S SPRING TECHNICAL WORKSHOP WILL BE HELD APRIL 7, 2016 AT THE ARDMORE CONVENTION CENTER 2401 NORTH ROCKFORD ROAD, ARDMORE, OK STAY TUNED FOR MORE DETAILS!



CAPITOL RUMBLINGS, BY TOM LEATHERBEE, CFM INSURANCE AND REGULATORY AFFAIRS CHAIR, LEGISLATIVE DIRECTOR

OFMA forecasts a stormy year ahead...

While the 2016 legislative session is still a few months away, OFMA is preparing to represent our members' interests on a number of important issues. As the leading professional organization for floodplain management and stormwater professionals in Oklahoma, OFMA plays an important role in educating lawmakers, agency staff, and other stakeholders about issues affecting our members.

Oil and Gas

Last year was a very active year for OFMA's legislative education efforts, with our primary focus being education of lawmakers about possible unintended consequences of restricting local regulation of oil and gas exploration and production. Thanks to the efforts of OFMA members and our partners representing the banking, insurance and local government sectors, we were able to secure an amendment to SB 809 that preserved the ability of communities across the state to remain members of the

National Flood Insurance Program. There is much left in terms of implementation and interpretation of the oil and gas regulations contained in SB 809, and OFMA will continue to monitor this issue for potential impacts on floodplain management and related disciplines.

Right to Farm

Looking forward to the upcoming legislative session, the OFMA Board is very concerned about the potential impacts on floodplain management of the "Right to Farm" proposal. As written now, this proposed constitutional amendment could force NFIP communities out of compliance with minimum standards. We will monitor developments on this issue very closely.

Master Drainage Planning

Over the last year, OFMA has worked very hard to forge even deeper connections with our partners at OEM. This year, we hope to reopen the discussion about use of Hazard Mitigation Grant Program project money to complete Master Drainage



Plans. OFMA has long held that master drainage plans are critical for project selection and allow for the most efficient use of mitigation funds.

Legislative Reception

Shortly after the new year begins, OFMA will be able to schedule the annual Legislative Reception at the State Capitol. This event is a great opportunity for OFMA members to interact with legislators and legislative staff and to become familiar with the sometimes quirky legislative process in our state. Please be on the lookout for more information coming soon.

As always, if you have any questions or concerns about legislative matters, please do not hesitate to contact Tom

FROM FEMA REGION 6 – REGISTRATION INFORMATION FOR VIRTUAL BROWN BAG WEBINARS ON PAIRING DATASETS TO COMMUNICATE RISK

FEMA Region 6 has developed a suite of products to help communities better understand natural hazard vulnerability and take action to reduce risk. From simple "How-to" Recipe Cards to fact sheets and even recorded tutorials, these products can help you pair your local data with our Flood Risk Data to develop flood risk assessments and communication tools for your community.

These tutorials are intended for technical staff (GIS), Emergency Managers, Planners, Floodplain Administrators, and local officials. You will be able to see live demonstrations, ask questions, and learn how to pair this

data with your community's data to develop flood risk assessments and communication tools.

Don't miss the rest of our Virtual Brown Bags on other useful products. Schedule below:

- January 26, 2016 - noon-12:45 pm - CSLF
- February 23, 2016 - noon-12:45 pm - Percent Annual Chance Grids
- March 29, 2016 - noon-12:45 pm - Depth Grids
- April 26, 2016 - noon-12:45 pm - BFE Determination Tool - Using WSE Grids
- June 28, 2016 - noon-12:45 pm - Using the AAL

Also, please feel free to review the fact sheets, recipe cards and tutorials for Flood Depth Grids here:

- Fact sheet - http://riskmap6.com/documents/resource/FS_Flood_Depth_Grids_V3.pdf
- Recorded Tutorial - http://riskmap6.com/documents/resource/DepthGrids_Final_AudioOn.pptx
- Recipe Card - http://riskmap6.com/documents/resource/RC_Depth%20Grids_halfpage.pdf

These items are available on the RiskMAP6.com website under the Resources and Related Links tab, in the Information for Local Officials section.

DRT CORNER, BY W. B. "BILL" SMITH, PE, CFM, VICE-CHAIR, OFMA DRT COORDINATOR

Once again, it appears that so far this fall we have "missed" any needed DRT response request for local assistance for the OFMA DRT. THAT IS A GOOD THING!!

Our OFMA DRT Team is ready, and equipped for the next time Oklahoma is threatened by flooding or other natural disaster in a Special Flood Hazard Area. We continue to pre-sign up communities in advance of the need for support. If your community desires to pre-sign please contact Bill Smith at <wbsmith@hisinc.us> and he will send



you a draft letter agreement and a draft Council Resolution for your use.

This authorization is required prior to

the DRT assisting your community. As an alternative, if your community may be going through a Risk Map ordinance adoption process, presented below is a sample ordinance paragraph that could be adopted in your new ordinance. The City of Dell City, by Tom Leatherbee, FPA, created this paragraph that the their new ordinance will contain.

Section 16-73. Assistance in times of disaster.

In times of flooding or other disaster impacting structures within an area of special flood hazard, the floodplain administrator, with approval of the City Manager, is authorized to request and accept assistance from any qualified source, including floodplain administrators and building officials from other communities, staff from federal and state agencies including the Federal Emergency Management Authority and Oklahoma Water Resources Board, and members of disaster relief organizations including the Oklahoma Floodplain Managers Association's Disaster Response Team.

We continue to promote the DRT at various conferences throughout

the State and at FEMA. The November CAP meeting focused on Disaster Response and the OFMA DRT made a presentation of the May-June 2015 Responses.

Remember, wintertime, though cold, is also a relatively dry time and a good time to clean out the floodplain areas before the Spring 2016 rainy seasons. Also remember that any disaster, not just flooding, in a Special Flood Hazard Area in your community requires an evaluation of damage by the FPA. This includes flooding, tornado, hail, wind, earthquake, fire, etc.

The forecast for the Winter and Spring 2016 is for El Nino to be active once again with a slightly milder winter and more precipitation which brings ICE. So be prepared for possible ice storms this winter and heavy rains in the Spring.



EMPLOYMENT OPPORTUNITY – CITY OF PONCA CITY, OK – ASSISTANT CITY ENGINEER

Job Title: ASSISTANT CITY ENGINEER - Successful applicant to assist in the oversight of the activities and operations of the Engineering Division of the Department of Development Services; to analyze, design, prepare contract documents and perform construction oversight for various projects in the complex and difficult work of engineering practice; to provide responsible and complex administrative support to and under the direction of the City Engineer. Employees perform difficult and responsible types of duties including providing complex technical and administrative assistance to the City Engineer and supervising the work of consulting engineers and construction contractors. Employees at this level are required to be fully trained in all procedures related to assigned areas of responsibility.

For more information and to apply online: <http://www.poncacityok.gov/Jobs.aspx>



OFMA 2015 FALL CONFERENCE – CREATING A RESILIENT COMMUNITY: PLANNING, POLICIES & PRACTICES – AWARDS CEREMONY, BY JANET MESHEK, PE, CFM

Turn Around Don't Drown Poster Contest Winners:

- Honorable Mention – Owen Ellis, Mary White Elementary School, Haskell, OK



- 3rd Place Winner – Samantha Caldwell, Bridge Creek Elementary, Blanchard, OK



- 2nd Place Winner – Janessa Chastain, Maryetta Elementary School, Stillwell, OK (no photo available)



- 1st Place Winner – Makayla Pierre, Ridgcrest Elementary School, Lawton, OK



Outgoing Regional Representatives:

- Region 1 - Leslie Lewis, PE, CFM, ODOT
- Region 2 - W. B. Smith, PE, CFM, HISINC, LLC
- Region 3 - John Modzelewski, PE, CFM, McAlister
- Region 4 - Larry Wolcott, PE, CFM, Lawton

- Region 5 - Cody Whittenburg, CFM, Stillwater

Incoming Regional Representatives:

- Region 1 - Leslie Lewis, P.E., CFM
- Region 2 - Gavin Brady, CFM
- Region 3 - Jennifer Santino, CFM
- Region 4 - Dale Lasley, CFM
- Region 5 - Mike Beaty, P.E., CFM



Scholarship Award:



Kevyn Johnson - Freshman at University of Oklahoma with a GPA of 4.2, majoring in Math and Physics.



Daniel Williams - Freshman at University of Oklahoma with a GPA of 3.4, majoring Nuclear Engineering.

Silver Scoop Award:

- presented to key individuals that contribute significantly to the Association. Award recipients help make the Association click. The Silver Scoop symbolizes the importance of communal "channel maintenance" programs, as opposed to a one time clean up. Award recipients scoop a lot and scoop often. Scoop contents are always rich and organic -

The Silver Scoop Awards are given to those individuals that work hard in the floodplain management field and are always ready to help wherever they can. This year's award recipients are:

(Continued on page 7)

OFMA 2015 FALL CONFERENCE – CREATING A RESILIENT COMMUNITY: PLANNING, POLICIES & PRACTICES – AWARDS CEREMONY, CON'T.

(Continued from page 6)

- Beth Wilhelm, CFM, OWRB;
- Max Boothe, CFM, Washita County;
- Ed Cravens, CFM, McClain County
- Terry West, CFM, Tulsa County
- Anna Waggoner, CFM, Yukon



Congratulations all!

W. Kenneth Morris Honorary Lifetime Member Award:

- Given to Association member(s) that have made valuable and significant contributions over a significant number of years to the Association for the improvement of floodplain management in the State of Oklahoma -



This year's award was given to Ellen Stevens, Ph.D., P.E., CFM. Ellen Stevens joined OFMA in 20__ and has been a valuable asset to the Association ever since. Ellen has served on numerous committees and was Chair in 2009-2010 and I might add, as Vice Chair, organized one of the only Annual Conferences (OSU-Stillwater) to end in the black. Ellen always lends a hand as one of the OFMA's Advanced instructors and is usually on the Agenda at most OFMA Conferences. Ellen is a registered professional engineer in Oklahoma and Mississippi and is a CFM. She attended graduate school at Oklahoma State and Mississippi State Universities and undergraduate school at the West Virginia University Institute of Technology. She is sorry to have to say in this forum that WVU is her first love when it comes to college

football.

Ellen's expertise lies in Master Planning, Stormwater Management, Water Resources Education, Analysis and Modeling, FEMA Flood mapping and Statistics and Model Development. Ellen has worked with numerous Oklahoma municipalities, GRDA, OTA, Vance Air Force Base to mention a few.

Thank you Ellen for your long and continuous dedication and support to OFMA. You are very deserving of this prestigious award.

Special Recognition Award

- Given to individuals in the floodplain management business that have demonstrated excellence in an endeavor that is worthy of recognition -



This year two awards were given. Both Roberto Ramirez, CFM Floodplain Specialist, MIT Division, FMI, FEMA Region 6 and Michaelann Ooten, Deputy Director, Oklahoma Department of Emergency Management, have dedicated themselves to serve our great State in the aftermath of this year's torrential floods that affected most of Oklahoma.



They both spent long hours away from their normal work stations were instrumental in coordinating State and Federal (FEMA) efforts with DR-4222. They were both strong advocates for State mitigation and protecting our citizens during this stressful time. They both were instrumental in responding to both Individual and Public Assistance while being mindful of our economic base.

OFMA and the State of Oklahoma are thankful for your service.

Chairman's Award

- To recognize dedicated OFMA members who continue to make valuable and significant contributions to the Association, year after year, for the improvement of

(Continued on page 8)

OFMA 2015 FALL CONFERENCE – CREATING A RESILIENT COMMUNITY: PLANNING, POLICIES & PRACTICES – AWARDS CEREMONY, BY JANET MESHEK, PE, CFM, CON'T.

(Continued from page 7)

floodplain management in the State of Oklahoma -

This award was created in 2007 by the Chair of the Association, to be given to dedicated OFMA members who continue to make valuable and significant contributions to the Association, year after year, for the improvement of floodplain management in the State of Oklahoma.

This year's recipients are **Chris Duncan, P.E., CFM**, **Brandon Claborn, P.E., CFM** and **Chris Hill, GISP, CFM**, all from Meshek & Associates, PLC, for their dedication to OFMA Advanced Training, CTP Mapping/Discovery, long standing OFMA membership/sponsorship and committee work.



Charles Don Ellison Memorial Award

- To recognize an association member who has demonstrated significant long-term leadership and support which clearly influenced and advanced the Oklahoma Floodplain Managers Association -

In 1998, OFMA Board of Directors created this award to recognize an association member who has demonstrated significant long-term leadership and support which clearly influenced and advanced the OFMA. This award is named after Charles Don Ellison, a Federal Emergency Management Agency Region VI employee and native Oklahoman, who dedicated his life to flood loss reduction for Oklahoma and the nation. On July 23, 1995, Don left us at the early age of 59. His career exemplifies the spirit of this award. Don had the



foresight to envision this Association and its benefits. The OFMA Board of Directors presents this annually.

This years recipient embodies the spirit of this awards - **Marsha Blair, CFM, Town of Slaughterville, OK.** In her floodplain management

career Marsha has:

- Served as the Local Floodplain Administrator for the Town of Slaughterville since August 21, 1990,
- Attended first Floodplain Administrator's workshop in Oklahoma city in November 1990
- Attended Floodplain Administrator's state training conference at Lake Texhoma State Lodge March 5, 1991
- Been a member of the Oklahoma Floodplain Management Association since 1991
- Been a Certified Floodplain Manager since 1997
- Served on the OFMA PD/CC Steering Committee in 1997
- Been recognized as Floodplain Manager of the Year in 1996

Congratulations Marsha! A well-deserved honor!

Ronald D. Flanagan Platinum Project Award:

- To recognize Oklahoma communities or agencies for projects that go above and beyond the minimum -

This award was created in 2001 and re-named in 2005 for Oklahoma communities or agencies that go above and beyond the minimum.

This year's award goes to the **City of Edmond, OK** for its implementation of the **FEMA-1678-DR-OK City of Edmond Willowood Flood Protection Drainage Project #052.**



This project was implemented to address repetitive flooding within a residential neighborhood. Using the FEMA HMGP, this objective was realized through the modification after existing channel and street crossing to fully contain the 100-year event.

This project resulted in the reduction of the existing floodplain limits and removed all of 52 homes from the Regulatory Floodplain 32 of which were in the regulatory floodway.

(Continued on page 9)

OFMA 2015 FALL CONFERENCE – CREATING A RESILIENT COMMUNITY: PLANNING, POLICIES & PRACTICES – AWARDS CEREMONY, BY JANET MESHEK, PE, CFM, CON'T.

(Continued from page 8)

Ben Frizzell Media Award

- This award was created in 2000, to honor Ben Frizzell, who passed away May 15, 2000. In 1995, Ben became the Public Information Officer for the Oklahoma Department of Civil Emergency Management and did a marvelous job. Ben was recognized by FEMA in 1994 with their prestigious "Meritorious Service Award". The award cited his service during numerous disasters, including the 1992 Hurricane Andrew and the 1993 Midwest Floods. One of Ben's many sayings was "Life is too short, it's like a commercial, hit em' hard, make your point, then give something to laugh about and remember." This award can be presented each year for outstanding floodplain management related stories or publications produced in Oklahoma -

This year we have two outstanding reporters to receive this award.



Ziva Branstetter, Tulsa World - During the 2015 Legislative Session, Ms. Branstetter led the Tulsa World's coverage of a number of bills designed to restrict local control of oil and gas operations. After being contacted by OFMA regarding the possible

floodplain management consequences of these proposals, Ms. Branstetter researched and wrote a detailed story that brought these significant concerns to the forefront of the public discourse surrounding these bills. This story greatly assisted OFMA in its efforts to educate lawmakers and the public regarding the importance of allowing communities to remain in compliance with their NFIP obligations.

Kelcey King, Bartlesville Examiner - Nominated by Ron Flanagan for her efforts in educating the public on mitigation measures. She has done an outstanding job of covering the flooding and hazard planning issues, and educating the public.



Leatherbee-Robison Education Outreach Award

- To recognize exemplary accomplishments in educating the public and Government officials and extending the knowledge of Floodplain Management through various methods of outreach to educators public safety agencies, Floodplain Administrators, and the general public -

This new award was presented to the Awards Committee in 2015 by Bill Smith, current Vice-Chair for OFMA and Co-Chair of the DRT.



This year's recipients are the two individuals for whom the award is named and the two individuals who have accomplished so much in both of these arenas. Whether it be educating our legislators about the significance of floodplain management, teaching young

middle school kids through illustration the need to turn around and not drown or showing Oklahoman's at a county fair the importance of open space or at least elevation with a flood model. Tom and Dee both go the extra miles to superior work. They make the rest of us work harder and we still can't keep up! Congratulations Tom and Dee.



Public Official of the Year Award

- To recognize an official that has implemented public policy initiatives which demonstrate excellence in addressing present and future floodplain management needs for his/her community -

The Public Official of the Year Award is generally given to an official that has implemented public policy initiatives which demonstrate excellence in addressing present and future floodplain management needs for his/her community.

(Continued on page 10)

OFMA 2015 FALL CONFERENCE – CREATING A RESILIENT COMMUNITY: PLANNING, POLICIES & PRACTICES – AWARDS CEREMONY, BY JANET MESHEK, PE, CFM, CON'T.

(Continued from page 9)



This year's recipient is **J. Chris Stoner, P.E., State Conservation Engineer, USDA-NRCS.**

Chris Stoner is the State Conservation Engineer for the Natural Resources Conservation Service here in Oklahoma; a position he has held for the past 8.5 years. Originally from Amarillo,

Texas, Chris received a BS degree in Agricultural Engineering from Texas A&M University in 1987 and has been employed by NRCS ever since. Throughout his 28 year career, Chris worked across all of western and south Texas before moving to Stillwater, Oklahoma in 1998. In his role as State Conservation Engineer, Chris oversees 2107 NRCS assisted upstream flood control dams - more than any other state in the country. These dams represent a \$2 Billion investment and are crucial to the state's infrastructure, protecting roads, bridges, farmlands, homes, and lives. In this past spring and summer storms alone, the dams provided more than \$162 Million in benefits - damages that did not occur because of the flood control provided.

Chris is a registered Professional Engineer in the states of Oklahoma and Texas. He is a member of the American Society of Agricultural and Biological Engineers, the Soil and Water Conservation Society and the Association of State Dam Safety Officials.

J. Gavin Brady Floodplain Manager of the Year Award

- To recognize an individual who has demonstrated dedication through the administration of his/her community's floodplain management program in pursuing the goals of flood loss reduction and in the prevention of loss of life -

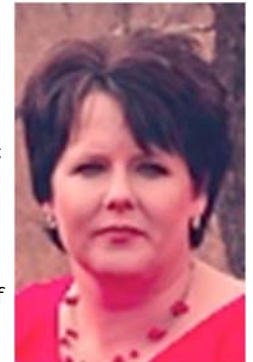
This year the Floodplain Manager of the Year Award was renamed and dedicated to **J. Gavin Brady.**

Through his 32 years of service to the State of Oklahoma in the field of floodplain management, he has exemplified the ideals and standards that we all have come to expect. Those communities and



individuals whom he has assisted and mentored have repeatedly and consistently spoken of his fairness, consideration, and commitment to helping them through the years. Gavin Brady, our longtime State NFIP Coordinator has shown a life-long commitment to helping local floodplain managers across Oklahoma build effective programs and navigate through the difficult tasks of implementing floodplain management regulations, effecting flood risk mitigation and providing disasters response

Each year, OFMA recognizes a member of the Association who has demonstrated excellence in the field of floodplain management. This individual personifies dedication and commitment to flood risk reduction and regulatory compliance through the day-to-day implementation of responsible community floodplain management. This year's award recipient is **Jana Harris, GISP, CFM, Director of Community & Economic Development at SWODA.**



Jana was instrumental in damage assessment in after the May 2015 flooding events that deluged most of the State including SWODA's jurisdictional area in west central Oklahoma. Jana was quickly on the phone updating the OWRB on numerous storms and after the last and most powerful moved through, requested DRT for Substantial Damage determination assistance in Elk City. Once DRT arrived and with less than a 24 notice, Jana and her SWODA team had 3 ring binders with addresses, photographs, high water marks and other descriptions to aid each DRT team with their initial assessment. What would have taken two days to complete was shortened to 1 day with Jana's assistance.

Elk City is fortunate to have SWODA and Janet as their FPA. Jana also serves as FPA for the communities of Bessie, Corn, New Cordell and Sentinel.

Congratulations to all of the 2015 OFMA Award Winners! Please be on the lookout in the upcoming year for those people who deserve these awards and nominate them! The Awards and nominating forms can be found at:

<http://www.okflood.org/awards/award-nominations/>

TAKINGS LITIGATION – FLOODPLAIN REGULATION NOT A TAKING IN SOUTH CAROLINA , BY JOHN ECHEVERRIALA



On August 12th the South Carolina Supreme Court produced an important ruling in a regulatory takings case involving floodplain management. In *Columbia Venture, LLC v. Richland County*, the Court issued a unanimous decision affirming a ruling by a Special Referee that county restrictions on development in a federally-designated floodway did not result in a taking. This ruling is consistent with an apparently unbroken string of precedent from around the country holding that floodplain development restrictions do not represent takings.

The case arose from a failed real estate venture involving some 4461 acres of land on the banks of the Congaree River in Richland County, a few miles from the state capitol of Columbia. For many years the property was owned by an individual who used it for agricultural and recreational purposes and harbored long-term development ambitions. A South Carolina firm became interested in developing the property and formed a joint venture with the landowner for the purpose of constructing a large-scale, mixed use development. At the time of purchase the County had adopted an ordinance prohibiting any development in a floodway that would impede floodwaters and FEMA had issued preliminary map revisions indicating that 70% of the property was in the floodway. Under FEMA regulations, development might have been possible behind new levees on the property, but construction of levees was blocked by the county rule barring construction in the floodway and by uncertainty over whether the County would agree to assume responsibility for managing the levees. Eventually the project foundered when FEMA finalized its new

floodplain maps, effectively making most of the property off limits to development under the county rules. A takings lawsuit seeking tens of millions of dollars followed a few years later.

The South Carolina Supreme Court made short work of several of the plaintiff's theories. The Court rejected the claim that the county regulations resulted in a per se taking on the theory that the County had appropriated a "floodage easement" over the property, pointing out that the County's floodway development restrictions were "simply limitations on land use." The Court also summarily rejected the plaintiff's Lucas claim, pointing out that 30% of the property was not subject to the floodway designation and that the entire property retained substantial value for agricultural and other purposes.

The real action in the case focused on the Penn Central analysis. The Special Referee found that the regulations resulted in a "significant" decrease in the value of the property (without getting a whole lot more specific), leading to the conclusion that the economic impact factor weighed in favor of the takings claim, and the Supreme Court accepted that analysis. However, the Special Referee also found that the investment-expectations and character factors weighed against the Penn Central claim. The Supreme Court agreed, and accordingly affirmed. As to the expectations issue, the Supreme Court stated that the floodway ordinance and the pending FEMA remapping were formidable regulatory obstacles in place when the joint venture acquired the property, and any subjective expectation plaintiff had that it could overcome these obstacles "was

not objectively reasonable." As to the character factor, the Court emphasized that the county regulations serve "the important public purposes of mitigating the social and economic costs of flooding," as well as the fact that the regulation did not target the plaintiff's property but instead applied to all property in the county within a floodway, some 16,500 acres.

In a modest nod to the climate change dimension of floodplain regulation, the Court explained that the County's strict floodway regulations went beyond the bare minimum mandated by FEMA. The Court quoted a former county planning director's explanation that the County did not wish to rely on FEMA's "retrospective" approach to hazard assessment but instead wanted to be "forward-looking," and focus on "the potential of increased flooding in the future from urbanization or from the possibility of more intense storms due to climate change."

John Echeverria is a Professor of Law at Vermont Law School where he teaches courses in the law of property and a wide range of environmental and natural resource law topics. He has represented state and local governments, environmental organizations, and planning groups in a variety of legal matters at all levels of the federal and state court systems. In 2007, Professor Echeverria received the Jefferson Fordham Advocacy Award from the American Bar Association to recognize outstanding excellence within the area of state and local government law over a lifetime of achievement. He has a JD degree from the Yale Law School.

Oklahoma Floodplain
Managers Association, Inc.
PO Box 8101
Tulsa, OK 74101-8101

ADDRESS CORRECTION
SERVICE

FUNDING ACKNOWLEDGEMENT

Funds to produce *The B.F.E.* come in part from the National Flood Insurance Program and State Support Services Element of the Community Assistance Program, which is administered by the Federal Emergency Management Agency.

VISIT US AT
WWW.OKFLOOD.ORG

Ex Office:

Mr. J. D. Strong
Executive Director
Oklahoma Water Resources Board
3800 North Classen Blvd
Oklahoma City, OK 73118
Phone: (405) 530-8800
Fax: (405) 530-8900

Chair:

Ms. Monica Cardin, CFM, CCEA,
CCEO
City of Del City
3701 SE 15th St.
Del City, OK 73115
Office: 405-670-7315
mcardin@cityofdelcity.org

Vice Chair:

Mr. Bill Smith, PE, CFM
Hydropower International Svcs.
28508 W. 41st Street South
Mannford, OK 74044
Phone/Fax: (918) 865-6977
Cell: (918) 625-2449
wbsmith@hisinc.us

Secretary:

Ms. Kasie Stambaugh, CFM
707 N. Robinson Ave.
Oklahoma City 73102
Phone: (405) 702-5164
kasie.stambaugh@deq.ok.gov

Treasurer:

Ms. Carolyn Schultz, CFM
Corps of Engineers—Retired
3527 South 401st West Avenue
Mannford, OK 74044
Phone: (918) 906-3922
Fax: (918) 669-7546
cshultz@cimtel.net

Region 1 Representative:

Ms. Leslie Lewis, PE, CFM
ODOT
200 NE 21st Street
Oklahoma City, OK 73105
Phone: (405) 521-6500
Fax: (405) 522-0134
llewis@odot.org

Region 2 Representative:

Mr. J. Gavin Brady, CFM
OWRB (Retired)
6756 E. 83rd St. N.
Owasso, OK 74055
Phone: (918) 520-8024
jgbrady61@gmail.com

Region 3 Representative:

Ms. Jennifer Santino
City of McAlester
P.O. Box 578
McAlester, OK 74502
Phone: (918) 423-9300
Jennifer.santino
@cityofmcalester.com

Region 4 Representative:

Mr. Dale Lasley, CFM
Caddo County
P.O. Box 96 · 1225 N Hazlett
Fort Cobb, OK 73038
Phone: (405) 643-9213
gdasley@sbcglobal.net

Region 5 Representative:

Mr. Mike Beatty, PE, CFM
City of Stillwater
723 S. Lewis Street
Stillwater, OK 74074
(405) 742-8215
mbeatty@stillwater.org

Past Chair:

Mr. Marc R. Utley, P.E., CFM
Utley & Associates LLC
10001 Forest Glade Drive
Oklahoma City, OK 73151
Phone: (405) 213-0529
marc@utleyengr.com

Honorary Board Member:

Mr. Joe Remondini, PE, CFM
PDCC Chair
PO Box 8101
Tulsa, OK 74101
Phone: (918) 361-8636
jremondini@aol.com

Honorary Board Member:

Mr. Ken Morris
Oklahoma Water Resources Board
Retired
5400 E. Tecumseh Rd.
Norman, OK 73026
Phone: (405) 573-7990

State NFIP Coordinator:

Mr. Matt Rollins, CFM
Oklahoma Water Resources Board
3800 North Classen Blvd
Oklahoma City, OK 73118
Phone: 405.530.8861
Fax: 405.530.8900
Cell: 405.365.6706
matt.rollins@owrb.ok.gov

BFE Editor:

Ms. Janet K. Meshek, PE, CFM
Meshek & Associates, PLC
1437 South Boulder Avenue, Ste 1550
Tulsa, OK 74119
Phone: (918) 392-5620
Fax: 918-392-5621
Cell: 918-688-1400
jmeshek@meshekengr.com

Honorary Board Member:

Mr. Ronald D. Flanagan, CFM
R.D. Flanagan & Associates
2745 East Skelly Drive, Suite 100
Tulsa, OK 74105
Phone: (918) 749-2696
Fax: (918) 749-2697
rdflanagan@rdflanagan.com

