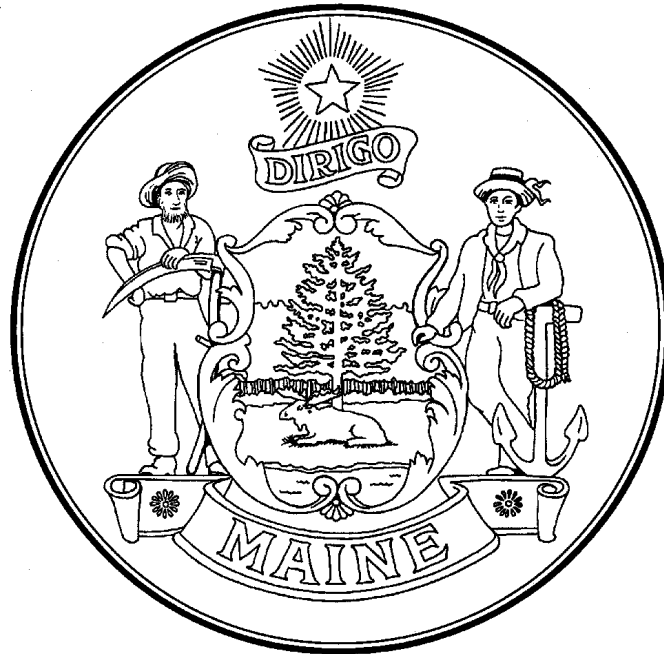


Management Work Plan Community Assistance Program/State Support Services Element (CAP/SSSE)



This plan is prepared in accordance with the Department of Homeland Security's Federal Emergency Management Agency grant guidelines for the Community Assistance Program–State Support Services Element (CAP-SSSE). The CAP-SSSE program derives its authority from the National Flood Insurance Act of 1968, as amended, the Flood Disaster Protection Act of 1973, and from 44 CFR Parts 59 and 60. This program provides funding to states to provide technical assistance to communities in the National Flood Insurance Program (NFIP) and to evaluate community performance in implementing NFIP floodplain management activities.

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5-Year Floodplain Management Work Plan

I. Purpose

Maine's Floodplain Management Program (MFMP) is responsible for managing the Federal Emergency Management Agency's (FEMA) Community Assistance Program – State Support Services Element (CAP-SSSE) and Risk Map Program.

This plan is a requirement for the state of Maine under FEMA's CAP-SSSE grant. It is intended to show the relationship of Maine's CAP-SSSE activities and resource allocation to achieving the flood loss prevention goals of the National Flood Insurance Program (NFIP) and to identify gaps that may prevent effective flood management in Maine.

II. State Authority

Maine is a home rule state. Land use authority is vested in local government.

Title 38 of the Maine Revised Statutes Annotated, section 440 provides for municipalities to enact zoning and subdivision controls, consistent with comprehensive plans, to avoid problems associated with floodplain management.

However, Maine has two relevant statutory provisions that expressly limit home rule authority: mandatory shoreland zoning and uniform building code.

Title 38 of the Maine Revised Statutes Annotated, chapter 3, subchapter I, article 2-B requires all municipalities to adopt, administer, and enforce ordinances which regulate land use activities within 250 feet of great ponds, rivers, freshwater and coastal wetlands, and tidal waters; and within 75 feet of streams as defined.

Title 10 of the Maine Revised Statutes Annotated, Chapter 1103 requires municipalities that have more than 2,000 residents to enforce the Maine Uniform Building and Energy Code.

On July 1, 1995, the State Planning Office was designated the state NFIP coordinating agency by Maine's governor. The Maine Legislature directs the State Planning Office to provide floodplain management technical assistance to communities.

Title 5 Maine Revised Statutes Annotated, section 3305-1 (D) directs the State Planning Office to oversee delivery of technical assistance and resources to municipalities for the purpose of floodplain management activities...as a part of comprehensive community development.

III. Vision for Floodplain Management

Maine comprises a larger land area than all the other New England states combined. With 5,300 miles of coastline, Maine's has more miles than California and, if stretched linearly, our coast would extend for one-third the length of the eastern seaboard. Maine has 5,779 lakes and ponds, 31,800 miles of rivers and streams, five million acres of wetland, and 2,772 square miles of floodplain.

Flooding is Maine's most frequent and costly natural disaster. Largely the result of coastal storms, heavy spring rains, runoff, and ice jams, flooding has been responsible for \$39 million of dollars of insured flood losses in the state since 1978. Currently, 93.5% of Maine's communities participate in the NFIP, accounting for 8,780 flood insurance policies, and coverage totaling approximately \$1.7 billion dollars. Two major goals of the Maine Floodplain Management Program are to bring the remaining, non-participating communities into the NFIP, and to increase the number of policies held in all communities. These steps will better protect Maine citizens during future flooding events.

The State of Maine envisions a state where all residents and businesses are appropriately protected from flood losses through active participation in the National Flood Insurance Program, adoption of accurate floodplain maps and current ordinances, and effective enforcement of those ordinances.

IV. Other Agencies Helping to Manage Floodplains

Maine Coastal Program

The Maine Coastal Program (MCP) at the State Planning Office is the lead policy and technical assistance agency responsible for implementing Maine's coastal policies. MCP "networks" the activities of various state agencies to form an integrated approach to protecting and enhancing coastal resources, including to: protect and improve coastal water quality, ensure that Maine communities have public access to the shore for fishing and recreation, discourage growth and new development in hazardous coastal erosion areas and areas subject to inundation from rising sea-level, encourage sound land use planning in the coastal zone, educate the public about coastal issues and promote good stewardship; and improve ocean and marine resource management.

Maine Code Enforcement Officer Training and Certification Program

The Maine Code Enforcement Office Program at the State Planning Office trains and certifies local code enforcement officers to administer building standards, shoreland zoning laws, land use regulations, and plumbing and wastewater regulations.

Maine Department of Conservation

The Maine Forest Service in the Department of Conservation regulates timber harvesting in shoreland areas. The Bureau of Public Lands in the Department of Conservation is responsible for the management of state-owned public reserve lands, coastal islands, and submerged lands. Under specific circumstances, structures located on submerged lands require a lease or easement. To qualify for a lease or easement, a proposed use cannot have adverse impacts on access to or over the waters of the State.

Maine Emergency Management Agency

The Maine Emergency Management Agency (MEMA) is the lead emergency management and disaster assistance agency in the state. MEMA, in addition to its lead role in the preparedness, response, and recovery phases of emergency management, is a key partner in the state's mitigation efforts. MEMA administers the Hazard Mitigation Grant Program, the Flood Mitigation Program, and the Pre-Disaster Mitigation Program.

Maine Department of Environmental Protection

The Department of Environmental Protection (DEP) administers the state's environmental laws that govern development in floodplains including the Natural Resources Protection Act, Maine Mandatory Shoreland Zoning Act, Site Location of Development Act, and Erosion and Sedimentation Control Law.

Maine Office of Geographic Information Systems

The Maine Office of Geographic Information Systems (MEGIS) houses the State GeoLibrary, maintains public GIS data sets, and works to improve those data sets. MEGIS is instrumental in assisting the Maine Floodplain Management Program acquire higher resolution, topographical data to improve flood maps quality.

Maine Department of Inland Fisheries and Wildlife

The Beginning with Habitat Program at the Maine Department of Inland Fisheries and Wildlife, a collaborative program of federal, state and local agencies and non-governmental organizations, is a habitat-based approach to conserving wildlife and plant habitat on a landscape scale. It provides towns and land trusts with the best available information on rare plants and animals, important habitats, riparian areas, and undeveloped habitat blocks. The state's wildlife management department also administers the Maine Endangered Species Act, which prohibits state agencies or municipal governments from permitting, licensing, funding or carrying out projects that will significantly alter the habitat of any animal species designated as threatened or endangered. Specifically, an alteration to wetlands, submerged bottomlands, or shoreland areas requires a state evaluation.

Maine Land Use Planning Program

The Maine Land Use Planning Program at the State Planning Office assists communities with identifying and protecting its natural and built assets through sound land use planning and regulation.

Land Use Regulation Commission

The Maine Land Use Regulation Commission serves as the planning and zoning authority for the state's townships, plantations, and unorganized areas. The Commission has land use regulatory jurisdiction over these areas because they have no form of local government to administer land use controls. The largest contiguous undeveloped land in the Northeast and comprising more than 10 million acres, Maine unorganized territory includes coastal islands, bays and inlets, and lakes and rivers, including 280 miles of shoreland along Maine's largest lake, Moosehead Lake. Moreover, the development pressure in the unorganized territory is greatest adjacent to these water bodies. The Commission restricts development in floodplain protection districts in the unorganized territories, where areas of special flood hazard have been identified.

Maine Department of Public Safety

The Maine Department of Public Safety (DPS) houses the Technical Building Codes and Standards Board. The board is responsible for adopting and administering Maine's Uniform Building and Energy Code.

Maine Department of Transportation

The Maine Department of Transportation (MaineDOT) maintains Maine's highway system. Transportation systems influence most important land use decisions, and thus shape communities, regions, and their economies. Recognizing the connections between transportation and land use, Maine has invested considerable effort to improve planning to minimize the impact of road location, construction and reconstruction on natural resources and providing better solutions to transportation problems. In 1991, Maine voters adopted the Sensible Transportation Policy Act (STPA). When transportation mobility needs arise, STPA requires an evaluation of a full range of alternatives before choosing to expand the capacity of the highway system. It gives preference to options like managing traffic and providing public transportation if those options are available and feasible. It requires the integration of land use planning with transportation planning, and promotes energy efficiency.

V. Best Practices

Maine's program has many of the components, program elements, and tools and techniques that contribute to effective state floodplain management. The following activities document some of the key best practices¹ that Maine undertakes using CAP-SSSE funds:

¹ Based on the Association of State Floodplain Managers' *Effective State Floodplain Management Programs*, 2003.

Guiding Development Away from Floodprone Areas

Maine works to prevent development in its floodplains and, where development occurs, to limit its impact on the floodplains' natural functions.

Maine's shoreland zoning, subdivision, and growth management laws limit the impact of development in floodplains. Maine's mandatory Shoreland Zoning Act designates floodways and velocity zones as protected resources and, as such, restricts development in several ways including: minimum development setbacks and an elevation standard of one foot above the base flood elevation for expansion or new construction. Also, the state's subdivision law requires subdivision housing located within the floodplain to be elevated to at least one foot above the 100-year flood elevation. In addition, municipalities that want to enact land use regulations must develop local comprehensive plans and ordinances that protect critical natural resource areas, including floodplains.

Most Maine communities prohibit construction entirely in undeveloped floodplains as part of their shoreland zoning ordinances. With some exceptions, state law requires municipalities to designate as resource protection districts all areas within the floodway or within the 100-year floodplain along rivers and in the velocity zone in areas subject to tides. Resource protection districts generally disallow development.

Finally, Maine protects critical shorelands from development through easements and land acquisition. Since 1987, the Land for Maine's Future Program has protected 1,100 miles of shoreline. Under this program, deed restrictions prevent future development and preserve the shoreland in perpetuity.

Protecting Property Owners

Since 1991, the Maine Floodplain Management Program (MFMP) has included higher development standards than required by the NFIP in its model ordinance. These standards include: 1) a 1-foot freeboard² minimum for all new construction and substantial improvements of buildings; and (2) in areas where no floodway is designated, the default width is one-half the distance of the floodplain in riverine scenarios (i.e. rivers, streams and brooks). In 2008, the Maine Legislature adopted a requirement for a uniform, statewide building code, which will institutionalize these standards statewide.

In addition, since 1988, the state has required local code enforcement officers to be certified by the state. They must pass a written examination demonstrating an understanding of the legal and administrative requirements of permitting and enforcement of state laws, codes, and ordinances. Knowledge of floodplain management is one area that must be certified, as part of the land use regulation exam. The MFMP offers floodplain management training annually around the state.

² A handful of communities have chosen to be more restrictive by adopting a 2-foot freeboard or have chosen to adopt cumulative substantial improvement.

As such, CEOs in Maine are provided the training and tools to successfully administer and enforce flood ordinances.

In addition, Maine's Floodplain Program Coordinator is a certified floodplain manager and she proctors the exam for others interested in becoming certified.

Protecting Natural Functions of Floodplains

State environmental laws plus corresponding local ordinances are designed to protect the natural resource values of the state's waterways and the natural areas around them including water quality, habitat, open space, and recreational attributes. The key laws include:

- Protection and Improvement of Waters Law
- Erosion and Sedimentation Control Law
- Endangered Species Act
- Natural Resources Protection Act
- Mandatory Shoreland Zoning Act
- Site Location of Development Act
- Stormwater Management Law
- Growth Management Act
- Sensible Transportation Policy Act

In addition, there are state programs designed to protect and improve those resources. A few of these include:

- Maine Coastal Program
- Beginning with Habitat
- Maine Farmland Protection program
- Land for Maine's Future Program
- Maine Farm and Open Space tax credit

The Maine Floodplain Management Program coordinates with these various agencies and programs to better protect floodplain resources.

VI. Significant Accomplishments

Enactment of Maine Uniform Building Code

In 2008, the Maine Legislature adopted a requirement for Maine's first-ever uniform building code. The Maine Technical Codes and Standards Board will modify the I-code series, published by the International Code Council, to meet Maine's needs and adopt a uniform code by June 1, 2010. Municipalities with over 2,000 residents are slated to begin enforcement of the code in December 2010. The uniform code will streamline code administration and bring more consistency to builders, developers, and towns. The MFMP staff is working with the technical code board to incorporate Maine's flood-related building standards.

Funding for Coastal LiDAR Project

In Spring 2010, the USGS approved funding for a proposal to acquire high resolution topographical data for coastal communities in a six-state region from New York to the Canadian border. If funded, this proposal will make available high resolution data for 3,211 square miles covering floodplains in Maine's eight coastal counties. Such data can improve the precision and accuracy of flood maps, reducing the risk to property owners, and save insurance ratepayers hundreds of thousands of dollars a year.

Providing Top-notch Technical Assistance

The MFMP is proud of its technical assistance record. It responds to 1,200 inquiries a year from municipal officials, building and banking professionals, insurance agents and realtors, state and federal agency staff, and property owners about floodplain development regulations, insurance questions, design issues, and lending matters as well as requests for map and ordinance interpretation. Even with reductions in program staff, inquiries are routinely responded to within one working day and the quality of assistance remains top-notch.

As MFMP has taken advantage of electronic media, the answers to more routine questions can be found on-line. So, while there has been a decline in the number of calls since 2001, the questions the program now handles are more complex. More policyholders look for help to resolve personal conflicts with lenders. In addition, municipalities look for assistance in interpreting and enforcing local codes. As new maps are released the associated technical assistance is becoming more time consuming. Staff estimates that where calls for technical assistance used to be simply answered over the phone or by referrals to information on the web site, today, individual calls can take up to 15-20 minutes each.

VII. Anticipated Challenges

Resolving Development Conflicts

Maine, like much of New England, is striving to breathe life back into its traditional downtowns, many of which were settled along rivers and waterways. Communities are looking at these inland and coastal waterways as business and tourist attractions. What's more, there still exist industrial plants and retail businesses along these coastlines and rivers, which are the lifeblood of some small towns.

Federal and state floodplain standards are designed to reduce property damage, personal injury, and associated economic losses caused by flooding, as well as to protect these natural resource areas. At the same time, state economic development and land use planning policies seek to encourage development in urban and downtown areas (many of which are in the flood zone) where policies and systems are in place to manage environmental impacts. State and federal policymakers and regulators must strike a balance between floodplain management requirements and the desire to revitalize communities, keeping in mind mitigation and long term sustainability.

Planning for Climate Change

Maine faces significant changes in sea level rise. There is a clear need to develop public policies that respond to measurable change that is already occurring; and to plan for the most likely impacts of change that will occur in the future. Maine is developing an accurate assessment of the risks associated with climate change. However these climate change impacts are likely to require major resource investments and policy and regulatory changes over the course of decades. Specifically we will need to improve mapping and characterization of likely storm and precipitation impacts to Maine's watersheds and coastal areas.

Improving Base Map Data

Poor topographical base maps continue to cost Maine property owners thousands of dollars each year and provide an inaccurate assessment of flood risk. Property owners bear the cost of identifying map inaccuracies and producing surveys to correct them. Since 1983, FEMA has processed 6,456 Letters of Map Amendment and 698 Letters of Map Revision in Maine costing property owners an estimated \$7 million in the nearly three decades.

Further, in a 2009 study of a sampling of nine³ of Maine's flood map panels, we found 117 properties were inaccurately placed in the floodplain. This translates into almost \$100,000 of unnecessary spending on annual insurance premiums. The study sample also showed that 54 properties (almost 400 acres of land) were not mapped in the floodplain that should have been putting at risk over \$4 million in property value. If we were to extrapolate this sample for all of Maine, the map inaccuracies would put a very large number of Mainers at risk.

VIII. Strategies to Improve Floodplain Management

The Maine Floodplain Management Program (MFMP) works with communities and building professionals to reduce the risk of flooding. The program provides technical assistance, outreach, and training in flood hazard mitigation. It assists communities interested in joining the National Flood Insurance Program. It provides technical assistance, current floodplain maps, and customized model ordinances to help communities retain their NFIP standing. It trains local code enforcement officers in ordinance administration and enforcement techniques. Staff also provides information about flood insurance to: homeowners, businesses, lenders, realtors, surveyors, engineers, and others. Finally, it supports mapping improvements.

The following are Maine's activities aimed conducting an effective state floodplain management program ordered by core and advanced program tasks:

Maintaining State Authorities and Compliance with Federal Regulations

CORE Tasks:

- Maintain/enhance state authority
- Comment on state/federal projects in the floodplain
- Ensure state building code meets/exceeds NFIP standards

ADVANCED Tasks:

³ Maine has 2,500 flood map panels statewide.

- None

Comprehensive, Integrated State Floodplain Management

CORE Tasks:

- Monitor community boundary changes
- Ensure Maine Department of Transportation compliance with floodplain regulations

ADVANCED Tasks:

- Coordinate with other state programs and agencies
- Coordinate state mitigation programs

Flood Hazard Identification and Risk Assessment

CORE Tasks:

- Maintain repository of flood data
- Participate in flood map update meetings
- Prepare state mapping needs annually

ADVANCED Tasks:

- None

Community Planning, Zoning, and Other Land Management Tool Assistance

CORE Tasks:

- Update model floodplain management regulations
- Review state building code changes/updates
- Review community floodplain management ordinances
- Coordinate Community Rating System (CRS)
- Assist with variance processes

ADVANCED Tasks:

- None

Floodplain Management Training/Workshops

CORE Tasks:

- Conduct floodplain management workshops

ADVANCED Tasks

- None

Community Compliance

CORE Tasks:

- Conduct Community Assistance Visits (CAVs)
- Conduct Community Assistance Contacts (CACs)

ADVANCED Tasks:

- None

Outreach and Technical Assistance

CORE Tasks:

- Provide general technical assistance

ADVANCED Tasks:

- Develop specialized outreach publications

Post-flood Recovery and Mitigation Assistance

CORE Tasks:

- Notify post-flood communities of NFIP compliance
- Participate in NFIP briefings

ADVANCED Tasks:

- Participate in Emergency Operations Center (EOC) and Joint Field Office (JFO) operations

State Program Monitoring, Evaluation, and Reporting

CORE Tasks:

- Input data into Community Information System (CIS)
- Administer CAP program, strategic/annual planning, GAP analysis

ADVANCED Tasks:

- None

State Staff Professional Development

CORE Tasks:

- Attend FEMA/state regional meetings
- Attend Emergency Management Institute (EMI) training courses
- Attend Association of State Floodplain Managers (ASFPM) annual conference

ADVANCED Tasks:

- None

For each core and advanced program element, the Maine Floodplain Management Program (MFMP) describes its activities:

1. Maintain/enhance state authority

MFMP is recognized as the state floodplain management coordinating entity in Maine. The Program enhances its effectiveness by leveraging the statutory authority and resources of other state and federal departments and programs. In addition, the Program represents floodplain interests on statewide task forces or in policy discussions, prepares and presents testimony on legislation effecting floodplains, and proposes changes to policies and program elements to meet evolving state floodplain management needs.

2. Comment on state/federal projects in the floodplain

MFMP staff participates in interagency reviews of state- and federal-funded projects that seek to develop infrastructure in the floodplain. The purpose of these reviews is to ensure

compliance with floodplain management regulations and to meet the objectives of federal Executive Order 11988.

MFMP staff estimates a demand for nearly 100 reviews per year. The Program has struggled over the past five years with keeping up with this demand. In 2007, the Program reported it had conducted 57 interagency reviews, while 80 went undone; an unmet need of 25%. In 2008, 38 reviews were completed, but again reviews lagged. In 2009, the Program hired an outside consultant to perform these reviews and catch up on pending reviews. The consultant conducted 109 reviews. In 2010, the MFMP halted individual project reviews due to the loss of funding for staff support and instead provides web-based guidance to allow project managers to do a self-evaluation. Program staff continues to respond to inquiries.

3. Ensure state building code meets/exceeds NFIP standards

Maine's statewide, uniform building code goes into effect June 1, 2010. The MFMP is working with the state technical board that will adopt the code to ensure that Maine's minimum flood resistant construction requirements are incorporated. Once the board adopts the uniform code, the program intends to provide a companion ordinance to the code that covers all other floodplain development (besides buildings). Towns enforcing the uniform building code would no longer have to adopt stand-alone flood ordinances.

4. Monitor community boundary changes

Maine municipalities report boundary changes to the state for emergency purposes to the State E-911 Office and for delineating voting districts to the Secretary of State. These state agencies provide the information to the Maine Office of Geographic Information Services, which reconciles and enters the data into the public library of GIS data. This data is available and accessible to the FPM on-line and can easily be mapped or otherwise tracked.

5. Ensure MaineDOT compliance with floodplain regulations

The MaineDOT has improved their planning systems to proactively address floodplain issues in road and bridge projects. With today's resource shortages, Maine cannot afford to have to rebuild or repair washed out roads. MaineDOT carefully considers impact to floodplains as part of every waterway crossing project. New crossings are constructed to accommodate at least a 50-year flood and to avoid adverse impacts to floodplains. Through the replacement of existing crossings, improvements are made to the extent possible given economic, environmental, and social issues. Recent projects have incorporated improvements to existing crossing to mitigate floodplain impacts. Some examples include: increasing the flow capacity of the crossing, realigning the crossing to match natural stream configurations, and installing floodplain culverts on either side of the crossing to accommodate flows exceeding backfull. The MFMP assists transportation planners with identifying flood areas and with understanding local ordinance provisions.

6. Coordinate with other state programs and agencies

(Advanced Task) MFMP coordinates with other state-administered programs that impact floodplain management such as Maine Emergency Management Agency, Maine Coastal Program, Maine Department of Environmental Protection, Maine Code Enforcement Officer Training and Certification Program, and others (See Task #1). By Maine law, the program sits on the Maine River Flow Advisory Commission, which meets annually each spring to assess river basin capacity and potential for rainfall and snowmelt storage. The MFMP state coordinator represents the State Planning Office Director to advise the Governor on flood potential of the state's rivers and streams.

7. Coordinate state mitigation programs

(Advanced Task) The Maine Emergency Management Agency administers HMA grants for the state of Maine. MFMP staff serves on the Interagency Review Council to review and score project eligible for hazard mitigation grants with a focus on repetitive loss properties.

MEMA is unable to administer the Flood Mitigation Assistance (FMA) grants and the MFMP is considering picking this up. This may not be possible with the cutbacks to the MFMP federal funding.

MFMP works with the Maine Emergency Management Agency, Maine Coastal Program, and local officials on mitigation activities. MFMP provides input to the state mitigation plan and assists MEMA, communities, and counties in an effort to comply with the Stafford Act requirements for hazard mitigation planning.

8. Maintain repository of flood data

The MFMP is the state's repository for flood studies and maps. The Program maintains an inventory of paper maps for distribution as needed. With the conversion of existing floodplain maps to a digital format, flood data is much more easily accessible.

9. Participate in flood map update meetings/Prepare state mapping needs annually

MFMP has been the lead agency responsible for coordinating state and federal efforts to digitize existing and develop new high-resolution FIRMs for Maine through the Risk Map program. Maine has a full-time mapping coordinator that coordinates local meetings, develops mapping priorities, scopes the mapping studies, attends scoping and final meetings, and assists communities with adopting maps. The mapping coordinator also seeks opportunities for improving map quality including acquiring higher resolution topographical data through LiDAR. He identifies priorities for data collection, seeks out funding partners, and prepares grant applications. Maine is working towards becoming a Cooperating Technical Partner (CTP) which would allow us to address unique mapping needs.

MFMP staff under CAP-SSSE assists with these efforts and provide mapping general technical assistance, ordinance assistance and reviews, outreach, and tracking and compliance support.

10. Update model floodplain management regulations

The MFMP maintains a model ordinance to keep current with changes to federal regulations, NFIP standards, or state laws, and to incorporate feedback from communities that have found better ways to achieve flood hazard mitigation via the regulatory scheme. Maine's current model ordinance includes higher standards than those required for NFIP participation. 91% of communities have adopted regulations since 1991, which is when the last major change in the federal NFIP regulations at 44 CFR 60.3 took place.

11. Review state building code changes/updates

Once the statewide uniform building code goes into effect on June 1, 2010, The MFMP staff will monitor amendments and work to ensure that any modifications are consistent with NFIP standards.

12. Review community floodplain management ordinances

The MFMP assists communities with updating and adopting floodplain ordinances to ensure that they comply with NFIP requirements. The program assists communities with ordinances in three ways:

- providing a customized, model ordinance tailored to fit the community's circumstances;
- assisting with adoption, attending town meetings, answering questions; and
- reviewing local ordinances for compliance with NFIP standards.

The implementation of Risk Map has increased the demands for ordinance assistance as digital mapping becomes a reality. Under Risk Map, Maine communities must adopt FEMA's new, digital, countywide flood maps as part of their ordinances. As part of this map adoption process, the Program reviews floodplain ordinances for the NFIP participating communities that are located in the counties receiving maps.

This implementation of Risk Map has increased appreciably the number of ordinances the Program reviews. Prior to Risk Map, the Program provided customized ordinances to 50 communities per year, on average. That number jumps to 140 in 2010. During the same time period, the Office reviewed 30 ordinances per year and this increases to 75 in 2010.

13. Coordinate CRS

Maine has 18 communities participating in the Community Rating System (CRS), which is more than any other New England state. Ten of the 18 or 55% have achieved a Class 8. Over

30% of Maine's flood insurance policy base lives in a CRS community. The MFMP encourages communities that are in good standing to participate in the CRS.

In 2010, MFMP dropped its assistance to communities to implement CRS flood management activities. The program lost funding for one staff person in 2009 and this, in addition to the increase in mapping outreach and assistance, makes us unable to sustain this activity. The Program will continue to encourage communities to consider CRS as a means to reduce flood insurance premiums and protect citizens from flood losses.

14. Assist with variance processes

The MFMP regularly assists communities with enforcing local ordinances and understanding the types of variances that are/are not allowed in the floodplain. Staff sometimes attend local planning board meetings and assist towns with answering developers' questions.

15. Conduct floodplain management workshops

The Program trains local community officials, particularly code enforcement officers who serve as the state's local floodplain management administrators. Annually, MFMP offers a program of comprehensive, floodplain management workshops. Topics addressed include: assessing substantial damage/improvement, dealing with unnumbered A Zones, making map determinations, and understanding the flood provisions of the International Code Series. Training sessions often include an update on flood mapping and hands-on mapping exercises.

The Program also provides training in floodplain management to local officials and emergency personnel as part of the Maine Emergency Management Agency's annual preparedness conference. The Program provides 4-6 hours of instruction on understanding floodplain regulations and how to apply them.

Total training effort reaches 300-350 code enforcement officers, local officials, and emergency personnel a year. For state-certified code enforcement officers, the training counts towards recertification requirements.

In addition, the Program provides training for approximately 100 engineers, surveyors, realtors, and other professionals to improve floodplain management and coordination in two-three sessions per year.

16. Conduct CAVs and Conduct CACs

MFMP staff conducts in-depth assessments of a community's performance administering its floodplain management program in order to identify potential compliance problems and needs for technical assistance. Community Assistance Visits (CAVs) involve on-site visits. Community Assistance Contacts (CACs) consist of a phone interview with the municipal official responsible for administering the community's floodplain management ordinance. The program follows up on each community assistance entry and provides technical assistance to correct program deficiencies and remedy violations to the maximum extent

possible. CAVs and CACs are prioritized based on 1) known problems, 2) request for entry or re-entry to NFIP, and 3) request for entry into the Community Rating System. Priority is given to communities with high flood insurance counts.

The number of CAVs and CACs has varied over time:

	# of CAVs	# of CACs
2005	4	20
2006	5	20
2007	1	16
2008	5	19
2009	3	27
2010 – projected	2	6

The decrease in community assistance entries in 2010 is the result of a purposeful shift of staff resources. Floodplain program staff has been re-directed to cover increased workloads in mapping assistance, ordinance assistance, and ordinance reviews. MFMP expects to maintain this reduced level of effort on CAVs and CACs for the term of the Risk Map project and then return to 2008 levels.

17. Provide general technical assistance

Technical assistance is the largest of the activities provided by the MFMP. Program staff answers calls and emails every day from community officials, architects, lenders, insurance agents, land surveyors, engineers, realtors, appraisers, attorneys, state and federal agencies, and property owners about floodplain development regulations, insurance issues, design issues, lending matters, as well as interpreting maps. The staff offers technical assistance through researching and answering questions, supplying NFIP-related materials, and acting as a liaison for FEMA.

As part of its general technical assistance, the Program works with communities to join the NFIP. Maine has 36 flood-prone communities that do not participate in the NFIP (about six percent of our total communities). When a community expresses a desire to join NFIP, the Program provides a customized ordinance, sample entry resolution, entry application, and model forms for administering the program; and assists the community with the application process.

Over the past 10 years, technical assistance contacts have declined.

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
# of GTA contacts	2,645	2493	2225	2037	1842	1751	2005	1294*	1408	1036

*incomplete data

We attribute this decline, in part, to an increased availability of web-based materials and, in part, due to a more knowledgeable customer base, especially lenders, realtors, and building professionals. In part, the decline is also related to staffing shortages. Staffing shortage and differences in how CIS counts a customer contact have made tracking the number of technical assistance contacts difficult since 2007.

18. Develop specialized outreach publications

(Advanced Task) MFMP staff creates and updates outreach materials to keep interested parties informed about NFIP and state floodplain management issues. Outreach activities include:

- An educational web site with information for homeowners and businesses, local officials, engineers and surveyors, lenders, and insurance agents;
- A newsletter that gives updates on NFIP and state floodplain management activities in Maine six times per year;
- A handbook for local floodplain management administrators;
- An annual press release reminding people of the risks of spring flooding and the importance of buying flood insurance; and
- Radio spots on flood awareness.

In 2008, Maine's Governor issued the state's first order proclaiming flood safety awareness week. The proclamation, issued on the first day of spring, is designed to raise awareness about the need to buy a separate flood insurance policy.

19. Notify post-flood communities regarding NFIP compliance

The Program works with FEMA to notify local floodplain administrators of their duties as a local official, post-flood. Historically, it has been difficult to send staff directly to flood-affected areas while still maintaining statewide coverage. The Program provides printed materials to communities and to the joint field office containing program contact information. MFMP staff maintains regular contact with MEMA and assists as needed. The Program also collaborates with MEMA on identifying post-hazard mitigation strategies that will benefit the local communities.

20. Participate in NFIP Briefings

When a flooding disaster impacts a Maine community, the MFMP staff represents NFIP at post-disaster briefings and meetings, answering questions about community participation, insurance policy counts, and general technical assistance. The Program also provides education and outreach following a disaster.

21. Participate in EOC/JFO operations

(Advanced Task) State floodplain management program staff participates in Emergency Operations Center (EOC) and Joint Field Office (JFO) operations, assisting with flood

insurance issues, mostly responding to flood insurance inquiries and providing guidance on rebuilding in floodplains.

22. Input data into CIS

The Community Information System (CIS) provides data and information about floodplain management, mapping, and insurance on NFIP communities. MFMP staff inputs data into CIS for core activities and works with FEMA to keep data current. The Program finds it difficult to retrieve exact activity information from the database. The state coordinators in Region 1 are working with FEMA to identify deficiencies in data reporting that will hopefully help make data more accurate and uniform.

23. Administer CAP program, strategic/annual planning, GAP analysis

The Program administers the CAP program including tasks to develop the annual work plan, prepare quarterly reports, develop the five-year strategic plan, and analyze gaps between resources and tasks to be accomplished.

24. Attend state/regional meetings and training

Program staff attends joint FEMA/state regional meetings, formal in-depth training, and the Association of State Floodplain Managers (ASFPM) annual conference. While the Program recognizes the importance of training and ongoing professional development, it is harder and harder to justify out-of-state travel under current state travel guidelines. Unless travel is required as a condition of funding, employee travel is restricted to emergency situations.

IX. Gap Analysis

Maine's progress in achieving its floodplain management strategies is reliant on the level of funding received for the CAP-SSSE activities. Over the past five years, Maine has seen a decrease in its federal funding for floodplain management.

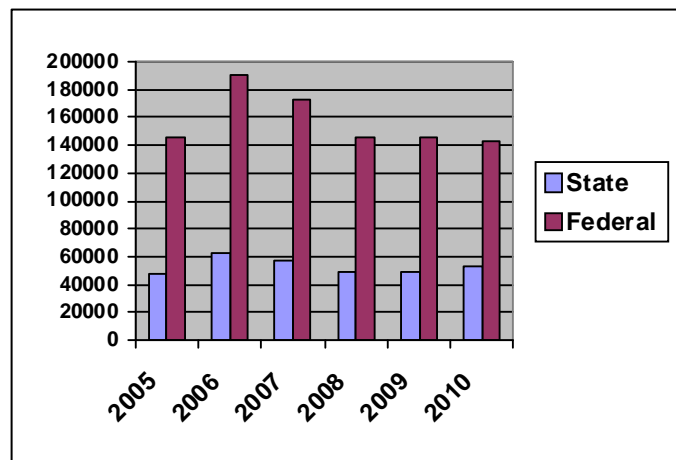


Figure 1: Federal and

State funding for Maine

Floodplain Management Program, 2005-2010

State funding has increased slightly since 2008 as cost of living adjustments are made to salaries. In 2010 and 2011, the Maine Legislature froze salaries. In addition, employees will be required to take 12 furlough days without pay. This has the effect of reducing total staff hours for the MFMP by 288 hours (144 hours per employee).

In 2009, because of a reduction in CAP-SSSE funding, the program reduced its staffing from three full-time employees to two. This has forced the Program to set priorities, reduce activities, and adjust its work plan accordingly.

While current CAP-SSSE funding allows the program to implement a comprehensive state program and to accomplish much of the program’s vision, unfortunately funding levels are not enough to adequately fund the core activities in 2010 or going forward. To implement the full scope of the core tasks required of CAP-SSSE, additional resources are needed.

Based on the FEMA CAP-SSSE gap analysis tool (See Table 3), the Maine floodplain management program needs the equivalent of two additional full-time staff (4,326 hours) to adequately resource the core tasks for the CAP-SSSE program.

Table 3: FEMA CAP-SSSE Gap Analysis Tool Summary and Analysis State of Maine			
YEAR:	2010		
GAP (HOURS):	-4,325.73		
GAP (\$\$):	-\$163,166.60		
	GAP SIZE (in hours)	MINOR	MAJOR
ELEMENT BREAKDOWN:			
Maintaining State Authorities and Compliance with Federal Regulations	-255.5	0	1
Comprehensive, Integrated State Floodplain Management	-270.6	0	1
Flood Hazard Identification and Risk Assessment	-62.1	1	0
Community Planning, Zoning, and Other Land Management Tool Assistance	-1756.4	0	1
Floodplain Management Training / Workshops	-434.1	0	1
Community Compliance	-2067.6	0	1
Outreach and Technical Assistance	+600.0	0	1
Post Flood Recovery and Mitigation Assistance	-130.0	0	1
State Program Monitoring, Evaluation, and Reporting	+132.0	0	1
State Staff Professional Development	-81.4	0	1
<p><i>*Minor Gap <25% variance from baseline (positive or negative)</i> <i>*Major Gap >25% variance from baseline (positive or negative)</i> <i>*GAP doesn't include expenses such as travel, equipment purchases, publications, etc.</i></p>			

Our analysis shows major gaps (positive or negative) in all program elements (>25%), except one, *flood hazard identification and risk management*, where there is a minor gap (<25%).

Analysis

In six areas, the MFMP spends fewer staff hours than the CAP-SSSE recommended baseline indicates as warranted (see Table 4).

Table 4: Key MFMP Program Elements with Negative Gaps in Staffing Hours				
Program Element	MFMP hours	CAP-SSSE Baseline	Gap	Comments
Comment on state/federal projects	0	187	-187	Temporary suspension of activity to focus on Risk Map ordinance review and map adoption activities
Prepare state mapping needs	20	124.7	-104.7	Rely on Risk Map Coordinator who has primary staff responsibility for this
Develop/update model floodplain management ordinance	6	59.5	-53.5	Program has spent considerable time on revising/updating our model ordinance in past few years. Do not anticipate major changes in 2010.
Review state building code changes	0	25.6	-25.6	Maine's new state building code will not go into effect until June 1. Primary emphasis at this time is making sure building provisions in the new code match state floodplain regulations.
Coordinate CRS	0	83.5	-83.5	Temporary suspension of activity to focus on Risk Map ordinance review and map adoption activities
Conduct CAVs and CACs	128.0	2195.6	-2067.6	Temporary reduction of hours to focus on Risk Map ordinance review and map adoption activities.

We have identified two areas where the MFMP spends more hours than the CAP-SSSE recommended baseline:

1. Provide general technical assistance

The MFMP spends 1600 staff hours per year providing general technical assistance (GTA). The Program is well-known and respected for the level and quality of assistance it provides and we believe it has a direct impact on building compliance. Nevertheless, we want to be able to reduce the hours for GTA in order to free up time to spend on other important core tasks. Program staff will identify ways to further prioritize and streamline our process for responding to inquiries.

2. Input data into CIS

The MFMP appears to spend more time than average entering data into the Community Information System (CIS). Part of this we know is the result of staff turnover that led to a short-term inability to maintain data entry. Part is an inability to extract the precise data we need for program monitoring and management purposes. Program staff will continue to work with FEMA Headquarters and Region 1 staff to improve the system to meet our needs. This will allow us to reduce staff hours for this program element and divert those hours where they are needed.

We have identified two areas where MFMP needs to spend more time:

1. Conduct CAVs and CACs

Many Maine towns are under 2,000 in population and don't have adequate codes administration capacity. While these communities may not have the insurance base sufficient to warrant a full CAV or CAC, we believe we can be more innovative in reaching out to them. The MFMP coordinator will look for ways to assist these communities with compliance.

2. Conduct floodplain management workshops

We would like to conduct more frequent and diverse workshops for local floodplain management administrators. We believe there is a demand for this kind of training, especially as the new statewide building code takes effect.

X. Evaluation of Performance

The State of Maine will evaluate its performance using the following performance metrics:

Performance Metrics

1. Percent of Maine floodprone communities that participate in the NFIP.

Why this is important: Communities that participate in the NFIP have better records with enforcing flood construction standards and implementing mitigation strategies. This will reduce the overall flood losses in Maine.

Baseline: 2010	Goal for 2015
93.5%	96%

2. Percent of Maine NFIP communities that adopt their flood maps by the FIRM effective date.

Why this is important: Communities that adopt their new flood maps will have clearly defined flood zones to help residents and businesses access flood insurance, qualify for mortgages and construction loans, and reduce flood losses.

Baseline: 2010	Goal for 2015
98%	100%

3. Number of Letters of Map Change (LOMCs) by county.

Why this is important: Inaccuracies in maps should be reduced as new FIRMs are produced. This is a way to measure improvements in mapping.

County	Baseline: 2010	Goal for 2015
Androscoggin	106	
Aroostook	119	
Cumberland	636	
Franklin	112	
Hancock	512	
Kennebec	229	
Knox	138	
Lincoln	111	
Oxford	220	
Penobscot	293	
Piscataquis	12	
Sagadahoc	48	
Somerset	177	
Waldo	130	
Washington	110	
York	480	

4. Percent of NFIP communities that have adopted a compliant floodplain management ordinance.

Why this is important: Participation in the NFIP requires the municipality to adopt a current floodplain management ordinance laying out local standards and requirements that will help reduce flood loss. 91% of communities have adopted regulations since 1991, which is when the last major change in the federal NFIP regulations at 44 CFR 60.3 took place.

Baseline: 2010	Goal for 2015
91%	

5. Percent of CAVs closed within six months

Why this is important: CAVs and CACs are the most effective way to assure NFIP compliance.

Baseline: 2010	Goal for 2015
0%	75%