

Organizational Charter

Regional Flood Risk Management Team (RFRMT)

1 September 2009

1. Background: Record rains in June 2008 brought significant flooding to some Midwest River Basins. The States of Iowa, Illinois, Indiana, Missouri, and Wisconsin were affected. The Regional Interagency Levee Task Force (ILTF) was formally established to address the flood recovery effort for the June 2008 floods. Later, in the spring of 2009, the States of North Dakota and Minnesota also experienced major flooding along the Red River and many of its tributaries. Further background information can be found in the reference section.

As a result of these recent flood events, as well as previous Midwest floods, most notably in 1993 and 1995, it became clear that there was a need to continue the successes of the Regional ILTF and consider establishing a long-term, system-wide, flood risk management partnership. This partnership would be dedicated to implementing a broader flood risk management approach for the states of the Upper Midwest region and the nation and be determined to manage and reduce flood consequences.

This Regional Flood Risk Management Team (RFRMT) will integrate pre-flood mitigation with a long-term strategy to plan and implement pre- and post-flood emergency actions, while developing promising nonstructural alternatives and other flood risk mitigation actions recognized to reduce future flood risk within the region.

It is for the purpose of establishing a Regional Flood Risk Management Team that this organizational charter is established. This charter, sans the Background paragraph, may also serve as a generic model for establishing additional Regional Flood Risk Management Teams in other regions of the nation.

2. References:

- a. Executive Order 11988, May 24, 1977;
- b. Office of Management and Budget/Council on Environmental Quality (OMB/CEQ) memorandum, dated February 18, 1997, Subject: Floodplain Management and Procedures for Evaluation and Review of Levee and Associated Restoration Projects;
- c. U.S. Army Corps of Engineers (USACE) Engineering Regulation ER 500-1-1, Civil Emergency Management Program, dated 30 September 2001;
- d. USACE Engineering Regulation ER 11-1-320, Civil Works Emergency Management Programs, dated 1 October 1998;
- e. National Flood Risk Management Program established May 2006;
- f. Public Law 93-288, The Stafford Act; and
- g. Executive Order 12866 and the NRCS Emergency Watershed Protection Program.
- h. National Flood Insurance Reform Act of 1994.

Organizational Charter

Regional Flood Risk Management Team (RFRMT)

1 September 2009

- i. Unified National Program for Floodplain Management of 1994.
- j. NRCS/USACE Memorandum of Agreement (2005)

3. Authority: This charter is hereby established by the mutual consent of the signatory organizations, which have deemed it desirable to extend the goals and objectives of the ILTF. This charter is an extraction of the ILTF Charter established in response to recovery actions resulting from the June 2008 Midwest Floods by the Chief of Engineers under the authority granted USACE under Public Law 84-99 and references (c) and (d). The ILTF Charter expired 31 July 2009.

4. Purpose: The purpose of this charter is to establish a Regional Flood Risk Management Team (RFRMT) to enable the federal, tribal, state, and local governmental partners within the States of Minnesota, Wisconsin, Iowa, Illinois, and Missouri to coordinate and collaborate on flood risk management initiatives for the region. The proposed RFRMT framework will ensure that important dialog continues beyond the immediate aftermath of a disaster event, and will fill the void where federal and state actions are coordinated and financed as they relate to infrastructure, flood protection, and hazard mitigation issues in the 2-10 year timeframe after an event.

5. Goals: To achieve its purpose, the RFRMT will:

- a. Carry out flood risk and watershed management programs and activities that complement existing mitigation activities;
- b. Ensure that initiatives encompass federal, tribal, state, and local, programs and authorities from a holistic or systemic approach, with the objective to minimize risk to life, property, and agriculture, and protect natural resources in a reasonable and cost-effective manner;
- c. Ensure that both potential Structural Alternatives and Non-Structural Alternatives (NSAs) that have regional merit receive consideration;
- d. Lead a collaborative, comprehensive, and sustainable regional flood risk management strategy to improve public safety, reduce flood damages, and reduce holistic flood risk;
- e. Ensure vertical (national/tribal level to state level) and horizontal (interstate) communication and information sharing, to include developing a comprehensive intergovernmental approach to flood risk management planning, policies, and activities;
- f. Provide oversight of regional activities in consonance with the National Flood Risk Management Program;

Organizational Charter

Regional Flood Risk Management Team (RFRMT)

1 September 2009

- g. Pursue potential funding mechanisms from the represented agencies in order to address other requirements impacting the integrity of flood risk management systems and/or comprehensive study efforts within the flood affected areas (including upstream and downstream);
 - h. Develop, implement, and maintain an effective Interagency Public Outreach Program through a comprehensive communication and FRM policies and priorities education strategy to local governments, communities, and those who have property at flood risk; and
 - i. Grow in understanding of state long-term mitigation plans, and enable the implementation of those plans.
6. Applicability: This charter is nonbinding and applicable to those agencies self-identified as being committed to a joint partnership to affect the purpose and meet the goals of this charter. The purpose of this charter shall not usurp any authorities currently vested in any membership agency. The activities of the RFRMT are to be in synchronization with National Flood Risk Management activities.
7. Period: The period of time for the RFRMT is indefinite. The RFRMT can be discontinued by simple majority vote of the charter signatory organizations.
8. Membership: The RFRMT will be comprised of core members with voting rights (charter signatories) and advisory associate members (non-signatories). The RFRMT will include senior regional representatives from each involved federal agency.
- a. Core membership is as follows:
 - i. Federal members include representatives of:
 - USACE, Mississippi Valley Division (MVD)
 - USACE, Northwestern Division (NWD)
 - USACE, St. Paul (MVP), Rock Island (MVR), St. Louis (MVS), and Kansas City (NWK) Districts

(Lead Division and subordinate District Commands as appropriate in the generic form)

 - Department of Homeland Security (DHS), FEMA Region V
 - Department of Homeland Security, FEMA Region VII

(Regions as appropriate in the generic form)

 - U.S. Environmental Protection Agency (EPA)
 - Department of Interior, U.S. Fish and Wildlife Service (USFWS)
 - Department of Interior, U.S. Geological Survey (USGS)
 - Department of Commerce, NOAA/National Weather Service (NWS)
 - Department of Agriculture, Natural Resources Conservation Service (NRCS)

Organizational Charter

Regional Flood Risk Management Team (RFRMT)

1 September 2009

- ii. State members include designated state lead officials for the states identified in Paragraph 4.
 - iii. Representatives from Native American Tribes, as appropriate to flood risk management issues or the location of proposed projects.
- b. Advisory associate membership is as follows:
- i. Federal advisory associate members:
 - HQ USACE and other Division Commands as appropriate
 - Department of Agriculture, National Forest Service
 - Department of Commerce, Economic Development Administration (EDA)
 - Department of Housing and Urban Development (HUD)
 - U.S. Small Business Administration (SBA)
 - U.S. Department of Transportation (USDOT)
 - Federal Energy Regulatory Commission (FERC)
 - ii. State advisory associate members include state agencies and departments, as well as representatives of local levee and drainage districts (or watershed districts), and communities [land use decision authorities], as deemed appropriate by the states to address the business before the RFRMT.
- c. The State Flood Risk Management Team (State FRMT) (modeled after Silver Jackets) leader for the States of Minnesota, Wisconsin, Iowa, Illinois, and Missouri may participate in an advisory role. Because their focus is on flood risk management priorities within their individual states, the state-level teams will develop watershed recommendations and information for the RFRMT with the goal of reducing flood risk statewide and enabling implementation of state flood risk mitigation plans. If a state does not have a unique flood risk management team, its “all-hazards” mitigation team may designate a representative familiar with formulation and implementing the state’s flood risk management programs to participate in the business of the Regional Team.
- d. Member agencies may choose to cease participation on the RFRMT by providing 30 days written notice to the team leadership. Additional agencies may join the RFRMT, subject to the approval of the signatory agencies.
9. Leadership:
- a. The RFRMT 3-member leadership committee will consist of the Commander, Mississippi Valley Division (MVD), a signatory state, and a FEMA region member. The state member and the FEMA Region member will be rotated on an annual basis. FEMA Region 7 will sit in the leadership committee when the selected State is located within the FEMA Region 5 area of responsibility. FEMA Region 5 will sit in the leadership committee when the selected state is located within the FEMA Region 7 area of responsibility.

Organizational Charter

Regional Flood Risk Management Team (RFRMT)

1 September 2009

b. The leadership will work to obtain a consensus among the core members. When no consensus can be reached, the leaders may table the issue or return it to its proponent for further development.

10. Administration:

a. The RFRMT leadership is responsible for announcing meetings and ensuring preparation of a summary of each meeting.

b. The RFRMT leadership will conduct each meeting in accordance with *Roberts Rules of Order* and in a manner designed to promote active participation and open dialog among all members or their representatives. The agency holding the leadership reins will provide the support for the Team Staff Chairman or Program Manager.

c. Resolution of issues that impact national floodplain management policy or cut across agency lines may be identified by the RFRMT for endorsement to the National Flood Risk Management structure for dissemination to all other national offices as appropriate.

d. An annual report will be prepared by the RFRMT. The report will be submitted to USACE and DHS/FEMA Headquarters, and other national offices as appropriate. Each member agency will receive copies of the report for its use, and may include it in any other agency reports. This is in addition to any meeting minutes. Meeting minutes may be distributed via email and/or posted to a RFRMT-sponsored website.

11. Procedures:

a. The RFRMT will generally meet quarterly to conduct business, or at different intervals as agreed to by RFRMT members. The decision to hold the next scheduled meeting face-to-face shall be determined by the RFRMT leadership committee no less than 45 days prior to the proposed meeting date.

Examples of what Regional business meetings may include a discussion of:

- Statewide mitigation plans and initiatives
- State flood risk management team activities and decision papers
- Interstate and interregional issues
- Key state and federal projects (mitigation implementation)
- Policy guidance FROM the National Flood Risk Management Steering Committee
- Suggested policy improvements TO the National Flood Risk Management Steering Committee
- Updates from organizations such as the Upper Mississippi River Basin Association (UMRBA) or the Upper Mississippi, Illinois & Missouri Rivers Association (UMIMRA)
- Updates from Non-Governmental Organizations (NGOs)

Organizational Charter

Regional Flood Risk Management Team (RFRMT)

1 September 2009

- Professional Organization updates from organizations such as the American Society of Civil Engineers, the American Public Works Associations, Association of State Dam Safety Official, and others from an invitational perspective
 - Industry updates
- b. Any member agency may recommend a plan, initiative, issue, policy change, or project to the RFRMT. Proposed structural rehabilitation projects and/or nonstructural measures will be staffed to core members and selected advisory agencies by the RFRMT leadership. The state FRMT members will facilitate this process as needed. Members will typically have 30 days to provide comments and suggestions to the submitting organization. Electronic reporting and commenting will be used to expedite the review process.
- c. During the development of a flood risk management project or policy change proposal, member agencies should work together to develop details of the problem or potential problem and include their impacts and recommended solutions.
- d. When requests for information are received by the RFRMT staff from outside the team, the field investigation, assessment, or other necessary information will be furnished by the participating RFRMT members as soon as possible. This information will serve as an indicator of potential projects or issues that require further development, analysis, or discussion among the RFRMT. The RFRMT leaders are responsible for contacting and coordinating with the appropriate agency prior to that agency preparing a final report.
- e. Upon receipt of a request for information or report by a RFRMT member, the member will evaluate the document with consideration to applicable state and federal laws, treaties, and regulations, and then send their recommendations to the RFRMT leaders.
- f. The information collected will be formally presented at the next meeting of the RFRMT by the responsible agency RFRMT member.
- g. At the time of the formal presentation, one of three decisions can be made by the RFRMT signatory members:
- Concur with the recommendation as presented and endorse it under the Chairperson's signature to the responsible agency;
 - Return the proposal to the responsible member agency for further analysis and clarification; or
 - Determine the proposal has no immediate merit and archive it for possible future consideration.

Organizational Charter

Regional Flood Risk Management Team (RFRMT)

1 September 2009

12. Funding:

- a. As required by the Anti-deficiency Act, 31 U.S.C. § 1341 and 1342, all commitments and participation by each federal agency in the actions and activities covered by this Charter is contingent upon the availability of appropriated funds and budget priorities.
- b. State, tribal, and local agencies will fund participation of their own representatives.
- c. Nothing in this Charter, in and of itself, obligates the parties to expend appropriations or to enter into any contract, assistance agreement, interagency agreement, or other financial obligation.

13. Regional Flood Risk Management Task Force:

- a. Under reference (c), the Chief of Engineers has discretionary authority to form a specific Interagency Levee Task Force (ILTF) to address flood recovery of damaged flood reduction systems when a major flood disaster is declared in an affected state or subset of the region. This charter serves as the basis for the RFRMT to function as a levee task force to meet and act on flood risk recovery and other matters assigned to it. The task force would be headed by the Commander, Mississippi Valley Division, who shall temporarily assume the RFRMT leadership role in such circumstances.
- b. Additionally, this charter provides for the use of the State Flood Risk Management Teams to become the nucleus for the establishment of Interagency Flood Risk Management Working Groups (IFRMWGs) operating at the Joint Field Office (JFO) level at the discretion of the Federal Coordinating Officer [(FCO), the FEMA official located within the JFO who is responsible for synchronizing federal agency response and coordinating with the lead state agency], along with representatives from the federal agencies identified in paragraph 8 and appropriate state representatives, to facilitate integrated post-disaster recovery and mitigation solutions.
- c. When a structural or nonstructural plan or project is being evaluated relative to a damaged flood control work (FCW) by the RFRMT acting as an ILTF, copies of the reports received from the responsible agency are furnished to the other members as soon as possible. Within 72 hours of receipt of a report, each agency will provide comments to the IFRMWG Lead on the NSA checklist included in the report. The intent of this process is to ensure that an NSA has been appropriately considered in the early phase. If a plausible NSA is not found, then the responsible agency can proceed accordingly within the agency's authority for repair of the FCW. If the IFRMWG identifies a potential NSA not previously identified by the lead agency, the NSA proposal, as compared to the traditional alternative, will be formally presented at a monthly meeting to the RFRMT by the responsible federal agency RFRMT or IFRMWG member.

Organizational Charter
Regional Flood Risk Management Team (RFRMT)

1 September 2009

d. GIS/map support will be provided through the FEMA GIS unit within Regional Offices or an established JFO configuration when available. The availability of the maps will be dependent upon the operational capabilities and priorities of the Regional Office or JFO. Additional support will be provided through USACE, NRCS, and USGS as appropriate.

14. Charter Endorsement: This charter is adopted as written by the undersigned active participants, effective upon the date signed by its agency representative as outlined in paragraph 8.a [**See attached Signatory Page**]. This charter may be modified upon approval of the signatory agencies.