



# Post-Disaster Flood Risk Reduction

## *Legal Issues & Making the Case for a Proactive Planning and Regulatory Approach*

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22<sup>nd</sup> Annual Land Use Conference



## ASFPM'S MISSION

Mitigate the losses, costs, and human suffering caused by flooding.

*and...*



Protect the natural and beneficial functions of floodplains.



## What does ASFPM do?

- ✓ National and State Policy Issues
- ✓ National CFM® Certification
- ✓ State Chapter Services & Support
- ✓ Develop Tools, Publications, & Resources for State and Local Floodplain Managers
- ✓ No Adverse Impact (NAI)
- ✓ Conferences & Events
- ✓ Training (ASFPM Webinar Series)
- ✓ Applied and Legal Research (ASFPM's flood Science Center)





## After the Flood, What Keeps You Up at Night?

- Are you worried about your liability for enforcing standards, or not enforcing standards?
- Do you think you have enough legal standing to take an enforcement action?
- Are you afraid of being sued for a takings?
- What about a moratorium until you can figure out how to recover more resiliently?
- Are your standards or flood maps good enough?
- Will/do citizens complain to local officials about flooding in areas that were properly permitted?

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## Disclaimer

This presentation is neither intended to be, nor may it be taken as legal advice. I am a floodplain manager, not an attorney. My understanding of legal issues is based on experience and from the viewpoint of a practicing floodplain manager on the local and state level.

For legal advice, consult with an attorney licensed to practice in your jurisdiction and demonstrating expertise in applicable subject matter.

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"Post-Disaster Regulation"