

# Flood News for Michigan Floodplain Managers

A Newsletter of the  
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# Conference Time Conference Time

**The 26<sup>th</sup> Annual MSFA Conference will be held in  
Battle Creek at the McCamly Plaza Hotel  
March 5 – 8, 2013**


The conference program will include a building code workshop, a building public support workshop, CFM one day refresher course, proctoring of the CFM exam. Presentations will be made on Michigan floodplain regulations, what is the National Flood Determination Association, low impact development, stormwater management, Great Lakes coastal flood study, climate trends, dam removals, beach closure economics and sampling, rock arch rapids, BMP polymer enhancement, pre-firm structures, substantial improvements, and the Kalamazoo River contamination cleanup--Enbridge Oil Spill, and more.

Registration forms available at: *(The link provided was broken and has been removed)*



## **SAVE THESE IMPORTANT DATES:**

**June 9-14, 2013, for ASFPM's 37th Annual National Conference,  
"Remembering the Past - Insuring the Future", at the Connecticut  
Convention Center in Hartford, CT.**



# Helpful Notice

Information from the FEMA Website

The FEMA is launching the **Online Letter of Map Change (LOMC) process**, a new way to submit a request to change a property's flood zone designation. The new Online LOMC application allows anyone to electronically submit required documents and property information when they are requesting the FEMA to remove their property from a Special Flood Hazard Area (SFHA).

What is a Letter of Map Change (LOMC)?

*If a property owner thinks their property has been inadvertently mapped in a SFHA, they may submit a request to the FEMA for a LOMC . LOMCs include Letters of Map Amendment (LOMA and Letters of Map Revision based on Fill (LOMR-F). A SFHA is defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. A LOMC reflects an official revision/amendment to an effective Flood Insurance Rate Map (FIRM). If the LOMC request is granted, property owners may be eligible for lower flood insurance premiums, or the option to not purchase flood insurance.*

Applicants at this time can now use this new website to request a LOMA instead of using the MT-EZ paper form. A LOMA is a letter from FEMA stating that an existing structure or parcel of land will not be inundated by the base flood. LOMA-eligible requests must be concerning properties on naturally high ground, which have not been elevated by fill. FEMA will roll out more features in the coming months!

This LOMC application process will meet property owner needs better with benefits including:

- being able to save information online and finish applying at one's convenience
- clear and intuitive interfacing making applying more user-friendly
- allowing frequent applicants the opportunity to manage multiple LOMA requests online
- more efficient communications with LOMA processing staff
- the opportunity for applicants to check their application status in realtime
- and Coming soon! The ability to request all LOMC types via the Online LOMC process

Some online program details follow and can be found on the FEMA website of [www.fema.gov/online-lomc](http://www.fema.gov/online-lomc) . If you do not wish to submit your request online, you may submit through the FEMA's other processes: [eLOMA](#) or through the [MT-EZ](#) or [MT-1 Paper Form](#) submitted through the mail. Go to the [Letter of Map Amendment](#) page to learn more.

If you believe your property was incorrectly included in a [National Flood Insurance Program \(NFIP\)](#) identified SFHA, you may submit an application to FEMA for a formal determination of the property's location and/or elevation relative to the SFHA. The SFHA is the area that has a 1-percent or greater chance of flooding in any given year; this area

is also referred to by some as the 1-percent-annual-chance floodplain, base floodplain, or the 100-year floodplain.

After FEMA reviews the LOMC request, it will issue a Determination Document, either approving or denying the map change. If FEMA grants the map amendment or revision request, the property owner may no longer be required to pay flood insurance. The property owner may send the Determination Document to their lender and request that the Federal flood insurance requirement for the structure be removed.

*To facilitate better LOMC processing service to the public, the online process has been developed.* It is an internet-based tool that allows applicants to easily request a LOMA. It is a convenient way for applicants to upload all information and supporting documentation and check the status of their application online. Users can submit LOMA requests through this tool instead of filing the [MT-EZ](#) paper form via US mail.

In the future the online LOMC system will be able to process all types of LOMC requests. Once all functionality is phased into the tool, the Online LOMC will be an alternative to the paper MT-1 and MT-2 forms in addition to the MT-EZ.

### *What is the Difference Between eLOMA and Online-LOMC?*

The eLOMA is a web-based application within the Mapping Information Platform (MIP) that provides licensed land surveyors and professional engineers (Licensed Professionals) with a system to submit simple LOMA requests to FEMA. This tool is designed to make a determination based on the information submitted by the Licensed Professional and allow them to generate a determination from FEMA in minutes. The initial release of an eLOMA will enable Licensed Professionals to make requests for existing single residential structures or properties, provided no fill has been placed to raise the elevations of the structure or property. Approximately half of the LOMAs processed annually (about 10,000 cases) meet the requirements of eLOMA. For more information on the eLOMA, [visit the eLOMA website:](#)

[https://hazards.fema.gov/femaportal/wps/portal!/ut/p/c4/04\\_SB8K8xLLM9MSSzPy8xBz9CP0os3gDCyNfM\\_OAYHcnA3cPH19vT28jAwjQL8h2VAQAxPOZIQ!!/?PC\\_7\\_082M67PSC\\_80C2G0BG6400000000000000\\_ContentData=%2Fresources%2Fwhatiseloma.htm](https://hazards.fema.gov/femaportal/wps/portal!/ut/p/c4/04_SB8K8xLLM9MSSzPy8xBz9CP0os3gDCyNfM_OAYHcnA3cPH19vT28jAwjQL8h2VAQAxPOZIQ!!/?PC_7_082M67PSC_80C2G0BG6400000000000000_ContentData=%2Fresources%2Fwhatiseloma.htm) )

The Online LOMC tool is available to any applicant who would like to submit a LOMA request directly to FEMA, and does not require a surveyor or engineer to submit. All LOMA requests may be processed through the Online LOMC. A determination resulting from information submitted via Online LOMC is not received until after FEMA reviews the supporting documentation. **This process may take up to 60 days.**

### *Who Can Use/Submit an Online LOMC Application?*

Anyone, including home or property owners, their representatives, and professional surveyors and engineers, may submit a LOMA request using the Online LOMC. Certification by licensed engineering or surveying professionals is required for some supporting documentation, which may be scanned and uploaded by the applicant.

### *Required Documents Needed to Complete the Online LOMC Application*

The Online LOMC application requires specific information regarding the property (parcels) of land or structure(s), including the location, legal description, and use of fill. In accordance with NFIP regulations, FEMA uses the information required in the Online LOMC application process to make a determination on whether a property is located within a designated SFHA.

In order to complete the LOMA request and receive a case number and a final determination from FEMA, the designated additional documentation is required. In certain instances, additional data may be required. A FEMA representative will notify the applicant of any additional requirements needed to complete the request.

*Additional documents required when requesting a LOMA*

- **Elevation Form or Existing Elevation Certificate\*** - This document is located within the Online LOMC application
- **FIRM Panel or FIRMette** - This document is located within the MSC Store
- **Subdivision Plat Map or Property Deed with Tax Assessor's Map or Other Suitable Map** - This document is located with the County/Parish Clerk, Recorder, or Registrar of Deeds for the Community
- **Community Acknowledgement Form** - This document is located within the Online LOMC application
- **ESA Compliance Documentation\*\*** - This document can be found by contacting the National Marine Fishery Service, U.S. Fish and Wildlife Service, State Wildlife Agency Office, or Independent Biologist

\* **NOTE:** If the request is to make a determination on the structure and an NFIP Elevation Certificate has already been completed for this property, it may be submitted in lieu of the Elevation Form. Check with your community to see if an Elevation Certificate is already on file for your property or structure.

\*\*NOTE: The purpose of the ESA is to conserve threatened and endangered species and the ecosystems upon which they depend. Go to the "[Compliance with the Endangered Species Act for Letters of Map Change](#)" (do an internet search) to receive more guidance on how to obtain this documentation.

When you are ready to try this new online system, login by using the following Website address:

<https://hazards.fema.gov/femaportal/onlinelomc/signin>

*Valuable Online LOMC Resources*

- [Online LOMC FAQ](#): *(The link provided was broken and has been removed)*
- [Online LOMC Training Tutorial](#): *(The link provided was broken and has been removed)*

To receive updates about the Online LOMC sign up for the [Flood Hazard Mapping mailing list](#). This can be found by doing an internet search for "Subscribe to Receive Free Email Updates".

For questions about the Online LOMC, contact a FEMA Map Specialist by calling the FEMA Map Information eXchange (FMIX) at 1-877-FEMA-MAP (1-877-336-2627) or e-mailing [FEMAMapSpecialist@riskmapcds.com](mailto:FEMAMapSpecialist@riskmapcds.com).



## FINDING A FLOOD INSURANCE AGENT

I recently tried to provide a homeowner some assistance in finding an insurance agent in the homeowner's locale who would be able to write a flood insurance policy under the Federal National Flood Insurance Program (NFIP). In the past, I have guided homeowners to the

*(The link provided was broken and has been removed.)*

website where they can find an "agent locator search tool" to help in this matter.

On this occasion when the Lansing area homeowner was not available by phone at the moment, I decided to be well prepared and have ready a list of agents to give to him when we were able to connect.

The locator tool operates by searching on zip codes, so, I used the Lansing zip code of 48909 which is the code for downtown Lansing state departments such as MDEQ. The Lansing jurisdiction covers 22 zip code areas. The search quickly produced a list of agents for the 48909 zip code and I thought this would be a simple task to help the homeowner find a nearby agent to meet his needs. However, when I started looking at the addresses for the agents as listed, the closest agent listed was for an agent 90 to 100 miles away in Washington Township, Macomb County. Upon seeing this, I began to question the value in using the locator tool because it did not make any sense to me that the Lansing area (the Capitol City of Michigan) would not have any insurance agents within the city that would write a flood insurance policy under the NFIP.

So, for comparison I entered the zip code for the city of Pottersville which is about 12 miles southwest of Lansing and is my mailing address just to see what type of agent list that would produce. That search provided to my pleasant surprise

a list of six agents located in Charlotte, Eaton Rapids, East Lansing, Okemos, and Williamston all within about 20 miles of Lansing. This seemed to be a much more appropriate and certainly usable list to pass onto the homeowner to meet his needs.

The point of this experience is that for communities where there are multiple zip codes covering their jurisdictions do not rely on using just one zip code in the locator tool to obtain the most useful list for finding the agent closest to you. I would use several or all of the zip codes for a multiple zip code community. I would even find a nearby single zip code community and search on that code. Doing this will provide more than one list that you can compare and hopefully find a servicing agent within reasonable distance to your location.



## NOTICE ABOUT FEMA FORM UPDATES:

- *NFIP Elevation Certificate and Instructions*
- *Floodproofing Certificate*

The FEMA has updated the NFIP Elevation Certificate (FEMA Form 81-31) which shows an expiration date of March 31, 2012. The updated version is Form 086-0-33 (7/12) with the expiration date of July 31, 2015. The expired version (Form 81-31) may continue to be used during a 12 month phase in period which began August 1, 2012 and ends July 31, 2013. After July 31, 2013, the new updated Form 086-0-33 (7/12) **must** be used.

Also, updated has been the Floodproofing Certificate for Non-Residential Structures (FEMA Form 086-0-34) now expiring July 31, 2015.

PDF files of both forms may be accessed online at these addresses:

Elevation Certificate <http://www.fema.gov/media-library/assets/documents/160?id=1383>

Floodproofing Certificate *(The link provided was broken and has been removed)*

If you have any questions regarding this matter, please contact Mary Ann Chang at 202-212-4712.



## EC MADE EZ IS NOW ONLINE! OVERVIEW OF THE NFIP ELEVATION CERTIFICATE

From ASFPM Bi-Monthly 1/1/13 *Newsletter for Chapters*

**Available 24/7 with no registration needed. Video segments provide valuable information for Agents, Lenders, Adjusters, Surveyors and Community Officials**

EC Made EZ, one of our most popular classroom presentations, provides an overview of the NFIP Elevation Certificate - its purpose, where to find one and where to find a professional to complete an EC. It addresses all aspects of the NFIP Elevation Certificate including BFE, LFE, Pre-FIRM, Post-FIRM, calculating the elevation difference, and building types. Each of the 10 drawings of buildings included in the EC is discussed in detail. This information is essential for anyone who encounters the NFIP Elevation Certificate, including: Agents, Lenders, Adjusters, Surveyors or Community Officials. This segmented course is provided as an informational job aid to anyone wanting to learn about the different aspects of the NFIP Elevation Certificate. There are no credits associated with completing this course. There is no certificate provided for completion.

**AVAILABLE AT ANYTIME:** <https://www.h2opartnersusa.com/flood-insurance>



# COMMON PROCEDURES FOR DISPUTE RESOLUTION PRACTICES: FLOOD DETERMINATION INDUSTRY

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It is commonplace for flood determinations to be questioned or challenged, whether due to other conflicting documentation, flood maps issues, or simply because it is not the desired result. Flood determination companies have developed procedures and employ dedicated teams of tenured specialists to address these disputes with the purpose of providing exemplary service and to attempt to confirm the flood zone based on the flood map.

Flood determination companies provide flood determinations for lenders for the purpose of the mandatory purchase requirement as well as for insurance companies and agents for rating flood insurance policies through the National Flood Insurance Program (NFIP). When disagreements occur, either because of a discrepancy between the lender's determination and the rating of the insurance policy, or for any other reason, the flood determination company's dispute resolution process can be initiated. It is important to note that there may be discrepancies between a lender's determination and an insurance policy due to grandfathering or the NFIP's Preferred Risk Policy Extension program, so there may not be a need to involve the flood determination company.

In cases in which the determination itself is questioned, following is typical of the dispute resolution processes that companies will follow:

1.  When an individual disagrees with a flood determination, they should contact their lender (typically the loan servicing or insurance department) or insurance agent, depending on which determination is being disputed, and ask that the flood determination be reviewed by the company that produced it.
2.  Any available documentation in support of a different flood zone should be submitted with the request for review.
3.  The lender or insurance representative will contact its flood determination provider, supply the determination reference number and the documentation and ask for a review/recheck.
4.  The flood determination company will review the documentation, the recheck request, and the disputed determination. The findings will be returned to the client, either the lender or insurance representative. If the zone is revised, the flood determination company will provide an updated copy to the client.
5.  Beyond reviewing the flood zone on the flood map, flood determination companies often will provide additional services, such as working with other flood determination companies to attempt to reach a consensus, discussing the flood determination with other involved parties, and considering alternatives such as a Letter of Map Amendment through FEMA.

Flood determination companies embrace the dispute resolution process which ultimately benefits the company itself, its clients and others. Map issues are identified, system or process enhancements can be instituted, client relationships are solidified, and financial risk can be mitigated. The National Flood Determination Association (NFDA) shares this learned information among its membership and helps to improve best practices across the industry as a whole.





# MINIMUM PROGRAM ELEMENTS AND TASKS NFIP PARTICIPATING COMMUNITIES MUST HAVE AND DO TO BE NFIP COMPLIANT?

## *Program Elements*

### Community must have:

1.  Enabling statutory authority to regulate land use.
2.  Enabling authority to manage and regulate floodplain building development through the state construction code.
3.  A designated enforcing agent (building inspector) to administer the state construction code.
4.  A designated floodplain manager or similar position responsible for monitoring/managing all floodplain related development activities.
5.  Adopted current effective Federal Emergency Management Agency (FEMA) flood maps and the enforcing agent uses them to identify flood hazard prone areas to determine proper application of floodplain development criteria, or;
6.  Utilize flood elevation data from other federal, state, or other sources to identify flood hazard prone areas to know when floodplain development criteria must be applied if FEMA flood maps are not available .
7.  An up-to-date floodplain ordinance to identify new FEMA Flood Insurance Studies and new flood maps prior to whenever they become effective.
8.  Enforcement authority for its regulations affecting floodplain development.
9.  A consolidated/coordinated property development permit review process established so related programs (e.g. building, planning, and zoning) have an opportunity to review all development proposals for their respective program regulatory jurisdictions.

## **PROGRAM AREA I: ADMINISTRATIVE/STAFFING SUPPORT**

### Community must have:

1.  An administrator familiar with the community land use and zoning regulations and the state construction code.
2.  An administrator as a point of contact for citizens needing information, guidance, and explanation about property development issues related to their parcels and structures.
3.  A state construction code enforcing agent responsible for enforcing the state construction code.
4.  An established construction/development review permitting program (e.g. building/zoning permits) where some type of process exists in which floodplain impact concerns are reviewed and applicable construction criteria are appropriately applied by an approval/permitting action.
5.  An administrator that reviews all proposed construction/development (defined by the NFIP, CFR 44, Part 59.1 as any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials) to determine whether such development is proposed within flood-prone areas identified by effective FEMA flood maps or any other best available floodplain data.
6.  Notify FEMA of any increase or decrease resulting from physical changes affecting flooding conditions by submitting technical or scientific data. This should be done as soon as practicable, but not later than six months after the date such information becomes available.

## PROGRAM AREA II: PERMITTING

### The community must:

1.  Have a community official, i.e. floodplain manager, zoning/planning official, or building inspector, review **all** proposed construction/development (defined by the NFIP, CFR 44, Part 59.1 as any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials) to determine whether such development is proposed within a flood-prone area identified by effective FEMA flood maps or any other best available floodplain data.
2.  Ensure that all state construction code permit applications are reviewed for building locations to determine whether the proposed buildings are located in a flood hazard prone area and whether they will be reasonably safe from flooding.
3.  Not issue a permit for floodplain construction without first receiving an MDEQ floodplain permit or notice of no state floodplain authority.
4.  For all proposed structural construction determined to be located in a flood hazard prone area, the state construction code agent shall require compliance with all applicable flood resistant construction criteria of the effective state construction code (Michigan Residential Code, the Michigan Building Code, and the American Society of Civil Engineers "Flood Resistant Design and Construction" standards) especially requiring compliance with, but not limited to, the following as applicable:
  - Lowest floor elevation requirements confirmed with elevation certificates.
  - Floodproofing requirements.
  - Flood resistant materials usage.
  - Crawl space venting and grade elevation requirements confirmed with elevation certificates.
5.  Address substantial improvement and damage in its application of the state construction code to all building construction, especially during post flood disaster actions.

## PROGRAM AREA III: RECORD KEEPING AND PUBLIC INFORMATION

### The community must:

1.  Make current effective FEMA flood maps available for public viewing at an identified community office during regular business hours.
2.  Have an established central file system to accurately and thoroughly maintain records on each flood hazard prone parcel and its structures and future developments as they are proposed and reviewed.
3.  Maintain a file on each structure/parcel located in identified high risk floodplain areas.
4.  Each file must contain an elevation certificate for its existing structures.
5.  Each file must contain copies of any governmental (federal, state, or local) permits, denials, or letters of no jurisdiction for development on the parcel.
6.  Letters of map changes issued by FEMA need to be filed in the respective files.



# **T**HE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) offers the Preferred Risk Policy (PRP) Eligibility Extension, a cost-saving flood insurance coverage option for property owners whose buildings are newly mapped into a high-risk flood area.

From the FEMA Website November 2012

## **FLOOD MAPS CHANGE – FLOOD RISKS CHANGE**

Since 2003, FEMA has led a major effort to update the nation's flood maps to reflect current flood risks. FEMA is continuing to provide new maps through a program known as Risk MAP (Risk Mapping, Assessment & Planning). The new maps are digital, easily accessible, and represent the most accurate flood risk data available.

As new maps have been issued, many property owners have learned that their risk of flooding has changed. And for some, the change has meant new flood insurance requirements. If a building in a moderate- to low-risk flood zone is mapped into a high-risk Special Flood Hazard Area (SFHA), most lenders will require flood insurance.

Before January 2011, a property owner could buy a lower-cost Preferred Risk Policy (PRP) before the new flood maps became effective, but the policy converted to a more expensive standard-rated policy at subsequent renewals. On January 1, 2011, FEMA extended PRP eligibility, allowing the lower-cost PRP to be written for two years after a revised flood map's effective date.

Beginning January 1, 2013, FEMA continues to make the PRP available for properties that were newly mapped into an SFHA since October 1, 2008, even after the two-year extension ends. The PRP option will continue until FEMA completes its analysis and implementation of premium rate revisions put in place by the Biggert- Waters Flood Insurance Reform Act of 2012.

## **ELIGIBILITY FOR THE PRP EXTENSION**

To be eligible for the PRP, the building must meet certain loss-history requirements. If there have been two disaster relief payments, or claims for flood losses of \$1,000 or more, or three losses of any amount, the structure is ineligible for a Preferred Risk Policy.

Owners of buildings that meet the loss history requirements and were newly mapped into a high-risk flood zone (shown on a flood map as a zone beginning with the letter "A" or "V") since October 1, 2008, are eligible for a PRP. Property owners should contact their insurance agent to obtain or renew their insurance using this low-cost option.

Insurance agents will be required to provide documentation to their insurance company showing that the building is eligible for the PRP extension, including the current and prior map information. Both historic and current flood maps can be found on FEMA's mapping website (<https://msc.fema.gov/portal/home>). The community's floodplain manager also should have the maps on file.

## **STAY PROTECTED AND SAVE**

Property owners need to understand that they still are at a high risk for flooding. This extension provides them additional time to save and prepare for paying for the full risk premium when it is implemented. The extension also provides more time for the community to upgrade or mitigate flood control structures to meet FEMA standards and reduce the flood risk.

For additional information about flood insurance and the PRP Extension, visit [www.FloodSmart.gov](http://www.FloodSmart.gov) and *(The link provided was broken and has been removed)* or call the NFIP Help Center at 1-800-427-4661.

*FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.*



# UPCOMING CHANGES TO THE NFIP – RECENT FLOOD INSURANCE LEGISLATION WILL AFFECT SUBSIDIZED RATES FOR PRE-FIRM BUILDINGS

From Thursday, 31 January 2013 NFIP eWatermark newsletter

*(The links provided were broken and have been removed.)*

The Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12), which was signed into law on July 6, 2012, requires FEMA to take steps to eliminate a variety of existing flood insurance subsidies and calls for a number of changes in how the program operates. Here is some information about these changes.

## Change starts January 1, 2013

Subsidized premium rates for pre-Flood Insurance Rate Map (pre-FIRM) non-primary residences in Special Flood Hazard Areas (SFHAs) will begin to increase by 25 percent a year until they reflect full-risk rates. A pre-FIRM building is one that was built before the community's first flood map became effective and has not been substantially damaged or improved.

Read WYO Bulletin [W-12043](#).

## There will be more changes in the future

Some older residences in high-risk zones have been receiving subsidized insurance rates based on their pre-FIRM status. Subsidies will be phased out for severe repetitive loss properties consisting of 1-4 residences, business properties, and properties that have incurred flood-related damages where claims payments exceed the fair market value.

Please keep in mind, FEMA is still determining how this legislation will be implemented, so please keep in touch with your Write Your Own insurance (WYO) Company for underwriting assistance.

Read WYO Bulletin [W-12109](#).

## Changes already in effect – wildfire 30-day waiting period exception

Some changes went into effect the day BW-12 became law. BW-12 also includes an exception to the 30-day waiting period for coverage of wildfire-related flood damage. The policyholder's damage must be due to flooding on Federal land caused, or exacerbated, by post-wildfire conditions on Federal land. This 30-day exception was implemented July 10, 2012.

Read WYO Bulletins [W-12045](#) and [W-12079](#).

BW-12 also establishes an alternative effective date for flood insurance policies that were purchased on properties in the Missouri Basin between May 1, 2011, and June 6, 2011, and were impacted by the Flood in Progress exclusion. This change was implemented on October 19, 2012.

Read WYO Bulletins [W-11034](#) and [W-12080](#).

Agents should, as always, keep in mind the need to work with the WYO Companies to know how they are handling the specifics of these changes and how they maybe notifying their insureds.

### What is a Primary Residence?

For flood insurance rating purposes, a primary residence is a building that will be lived in by the insured or the insured's spouse for at least 80 percent of the 365 days following the policy effective date. If the building will be lived in for less than 80 percent of the policy year, it is considered a non-primary residence.

For more information, please refer to [www.Agents.FloodSmart.gov](http://www.Agents.FloodSmart.gov) or the [www.Agents.FloodSmart.gov](http://www.Agents.FloodSmart.gov) Resource Library to stay up to date on all upcoming NFIP changes and how they affect you.



## Biggert-Waters Flood Insurance Reform Act of 2012 (BW12) Timeline

Date of Implementation	Who Is Affected	What Will Happen	Why Is It Changing
<b>July 10, 2012</b>	<p><b>Owners of property:</b></p> <ul style="list-style-type: none"> <li>that is affected by flooding on Federal land caused, or exacerbated by, post-wildfire conditions on Federal land, and</li> <li>who purchased flood insurance fewer than 30 days before the flood loss and within 60 days of the fire containment date.</li> </ul>	<ul style="list-style-type: none"> <li>If a flood occurs under certain conditions, <b>an exception to the 30-day waiting period is implemented</b> for a policy purchased not later than 60 days after the fire containment date.</li> </ul>	<ul style="list-style-type: none"> <li>BW 12 <b>Section 100241</b> created a third exception to the 30-day waiting period for insurance coverage for private properties affected by flooding from Federal lands as a result of post-wildfire conditions.</li> </ul>
<b>October 19, 2012</b>	<ul style="list-style-type: none"> <li><b>Policyholders in the Missouri River Basin</b> (ND, SD, IA, NE, KS, MO) who had claims on a policy purchased from May 1-June 6, 2011, and were not damaged by flood for 30 days after purchase date.</li> </ul>	<ul style="list-style-type: none"> <li>When certain conditions are met, <b>an alternative effective date for the policy or the increased coverage is established</b> as the 30th day after the policy purchase date, without regard for the otherwise applicable flood in progress exclusion, for claims denied based on Exclusion V.</li> </ul>	<ul style="list-style-type: none"> <li>BW 12 <b>Section 100227(b)</b> provides an alternative effective date for qualifying policies that had claims from flooding of the Missouri River that started June 1, 2011.</li> </ul>
<b>January 1, 2013</b>	<ul style="list-style-type: none"> <li><b>Homeowners</b> with subsidized insurance rates on non-primary residences</li> <li>Properties receiving subsidized insurance rates are those structures built prior to the first Flood Insurance Rate Map (<b>pre-FIRM properties</b>) <b>that have not been substantially damaged or improved.</b></li> </ul>	<ul style="list-style-type: none"> <li><b>25 percent increase in premium rates each year</b> until premiums reflect full risk rates</li> </ul>	<ul style="list-style-type: none"> <li>BW 12 calls for the phase-out of subsidies and discounts on flood insurance premiums.</li> <li>This premium increase is outlined in <b>Section 100205.</b></li> <li>The phase out of subsidies affecting non-primary residences was also mandated by earlier 2012 legislation, <b>HR 5740.</b></li> </ul>

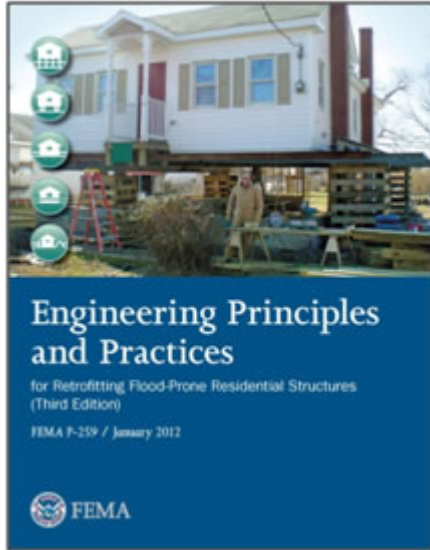
Date of Implementation	Who Is Affected	What Will Happen	Why Is It Changing
August 1, 2013	<ul style="list-style-type: none"> <li>• <b>Owners of business properties</b> with subsidized premiums</li> <li>• Owners of <b>severe repetitive loss</b> properties consisting of 1-4 residences with subsidized premiums.</li> <li>• Owners of any property that has incurred flood-related damage in which the cumulative amounts of claims payments exceeded the fair market value of such property.</li> </ul> <p><b>Owners of property</b></p> <ul style="list-style-type: none"> <li>• not insured as of the date of enactment of BW 12 (subject to a possible exception in Section 100207 of BW 12);</li> <li>• with a <b>lapsed NFIP policy</b>;</li> <li>• that has been purchased after the date of enactment of BW 12.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>25 percent increase in premium rates each year</b> until premiums reflect full risk rates.</li> <li>• Full-risk rates <b>will apply to these policies.</b></li> </ul>	<ul style="list-style-type: none"> <li>• BW 12 calls for the phase-out of subsidies and discounts on flood insurance premiums.</li> <li>• These premium increases are outlined in <b>Section 100205.</b></li> <li>• BW 12 calls for the elimination of subsidies and discounts on flood insurance premiums.</li> <li>• These premium increases are outlined in <b>Section 100205.</b></li> </ul>
2014	<ul style="list-style-type: none"> <li>• <b>Other property owners, including non-subsidized policyholders,</b> affected by map changes..</li> </ul>	<ul style="list-style-type: none"> <li>• Full-risk rates <b>will be phased in</b> over five years at a rate of 20 percent per year to reach full risk rates.</li> </ul>	<ul style="list-style-type: none"> <li>• BW 12 calls for the phase-out of subsidies and discounts on flood insurance premiums</li> <li>• This premium increase is outlined in <b>Section 100207.</b></li> </ul>



# ENGINEERING PRINCIPLES AND PRACTICES FOR RETROFITTING FLOOD-PRONE RESIDENTIAL STRUCTURES (THIRD EDITION), FEMA P-259

From Thursday, 31 January 2013 NFIP eWatermark newsletter

The third edition of *Engineering Principles and Practices for Retrofitting Flood-Prone Residential Structures* (FEMA P-259) is here! It is available from the FEMA Publications Warehouse at no cost at [\(The link provided was broken and has been removed\)](#).



The document's focus is residential buildings; it is intended to help engineers and architects select flood retrofitting measures that are feasible and cost-effective and to successfully implement them. The document contains current issues, modern techniques, and engineering concepts in floodproofing demonstrated through drawings, photographs, design equations, example problems, and case studies.

The flood retrofitting measures that are included are elevation of a structure, relocation of a structure, construction of barriers (floodwalls and levees), dry floodproofing (sealants, closures, sump pumps, and backflow valves), and wet floodproofing (using flood damage-resistant materials to protect utilities and contents). The book also discusses dry and wet floodproofing measures that are active – they require human intervention prior to flooding, and therefore require adequate warning. The other measures that are described are passive and do not require human intervention.

FEMA P-259 has been an important resource for engineers, architects, and local code officials in flood-prone areas since the first edition was published in 1995. The third edition includes:

- Updated regulations;
- Detailed information on evaluating, planning, and designing retrofitting measures;
- Site-specific load calculation guidance based on *Minimum Design Loads for Buildings and Other Structures* (ASCE 7) and *Flood Resistant Design and Construction* (ASCE 24);
- New case studies and example problems; *and*
- Programmatic and economic considerations in retrofitting.

Other related resources include:

- National Flood Insurance Program (NFIP) Technical Bulletins on the minimum requirements in NFIP regulations ([The link provided was broken and has been removed](#)); *and*
- *Homeowner's Guide to Retrofitting* (FEMA P-312), a guide on protecting homes from flooding for readers who have little or no experience in flood protection or construction (<https://www.fema.gov/media-library/assets/documents/480>).

The FEMA Publications Warehouse

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## FREE TRAINING OPPORTUNITIES EMERGENCY MANAGEMENT INSTITUTE (EMI) FY13

From the ASFPM January 2013 The Insider newsletter

Free training opportunities are still available at the Emergency Management Institute (EMI), the premier training institute of the Federal Emergency Management Agency. EMI is now offering high quality training for Floodplain Managers. Funding is available to reimburse eligible travel costs for State, Tribal and Local Government Floodplain Managers. This is high quality training taught by the premier floodplain managers in the U.S. - all located on a beautiful campus with peers from across the country. Who could ask for more?

Seats are still available in the following courses:

### **E273 Managing Floodplain Development thru the NFIP**

**Mar 11 – 14, 2013, Apr 29 - May 2, 2013, Jun 24 – 27, 2013, Sep 9 – 12, 2013**

*This course now requires the following online tutorials as prerequisites:*

1. *Flood Insurance Rate Map (FIRM) tutorial (30 minutes)*
2. *Federal Insurance Studies (FIS) tutorial (40 minutes)*

### **E194 Advanced Floodplain Management Concepts - Aug 26 – 29, 2013**

1. NFIP Floodplain Rules and Regulations in Depth (1 day).
2. LOMC - Procedures for Applying and Floodplain Management Implications (1 day).
3. Roles and Responsibilities of the Local Floodplain Manager (1 day).
4. Preparing for Post-Disaster Responsibilities (1day).

### **E282 Advanced Floodplain Management Concepts II - Mar 25 – 28, 2013**

1. Higher Standards in Floodplain Management (1 day).
2. Placement of Manufactured Homes and Recreational Vehicles in the Floodplain (1 day).
3. NFIP Flood Insurance Principles for the Floodplain Manager (1 day).
4. Hydrology and Hydraulics for the FPM (1day).

### **E284 Advanced Floodplain Management Concepts III - Jul 8 – 11, 2013**

1. Floodway Standards (1 day).
2. Disconnects between NFIP Regulations and Insurance (1 day).
3. Common Noncompliance Issues (½ day)
4. Digital Flood Insurance Rate Maps (DFIRMs) (½ day).
5. Substantial Improvement/Substantial Damage (1 day).

*Advanced Floodplain Management courses may be taken in any order.*

### **E278 NFIP/Community Rating System**

**Apr 1 – 4, 2013, May 13 – 16, 2013, Jul 29 - Aug 1, 2013**

*The CRS program is undergoing significant changes, the updated CRS Manual will be taught in the FY13 E278 CRS courses. Attendees of previous E278 CRS courses may want to repeat this course. Restrictions on repeat attendance at EMI and application of CEC's to CFM requirements have been waived. The "no more than 2 attendees per community may attend at one time" restriction still applies.*

### **E279 Retrofitting Floodprone Residential Bldgs - May 6 – 9, 2013**

### **E386 Residential Coastal Construction - Aug 5 – 8, 2013**

*This course has been updated to incorporate information from the new FEMA P-55 Coastal Construction Manual: Principles and Practices of Planning, Siting, Designing, Constructing, and Maintaining Residential*

