



# KANSAS



## ***FLOODPLAIN MANAGEMENT NEWSLETTER***

October 2010

### **Electronic Letter of Map Amendment**

FEMA has created an interactive online determination for the requests for a Letter of Map Amendment (LOMA). The online tool is called an electronic Letter of Map Amendment or eLOMA. This tool is to be used by licensed land surveyors and professional engineers.

The tool creates a system for a simple LOMA request to FEMA. Only LOMA requests for a single residential structure or an entire legally recorded property qualify for the eLOMA. Other types of LOMA requests need to go through the manual process.

The eLOMA tool is designed to make a determination in minutes. The determination is made automatically using standard checks instead of a manual review. Historically, with manual processing, it could take up to 60 days to have a LOMA approved. With eLOMA, the 60-day processing time is reduced to minutes. This saves time and money for everyone involved.

To use the eLOMA, licensed land surveyors and professional engineers must register and set up an account on the Mapping Information Platform (MIP). Registration is free. An eLOMA approval is also free. More detailed information about eLOMA is available online at [www.fema.gov/library/viewRecord.do?id=2230](http://www.fema.gov/library/viewRecord.do?id=2230). From this web link you can find an informational flyer that can be downloaded. The flyer has a telephone number to call if you need help with the online system.

Currently, many communities are in the process of receiving new Flood Insurance Rate Maps from FEMA. Owners of mortgaged property in areas affected by new flood maps are sometimes required to buy flood insurance by their lender. Typically, the property owner is given 45 days to buy the insurance or it will be force placed by the lender. Some of these property owners will want to apply for a LOMA. If there is a 45-day deadline from the lender, a standard LOMA request that takes up to 60 days to process creates a possible timing problem for the property owner. An eLOMA approved in minutes solves that problem.

The eLOMA program began in 2006 but still is not widely used. Many surveyors and engineers in Kansas are unaware of the program. If you are reading this and you know a surveyor or engineer, please pass this information along. Questions about eLOMA can be answered by FEMA by calling 1-877-FEMA-MAP.

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## **MSC + FMAC + FMIX**

(This information was copied from a release by FEMA)

The Map Service Center contact has been added to the current FEMA Map Assistance Contact Center (FMAC) to create a one-stop shop for a variety of information, products, services and tools that support the National Flood Insurance Program.

The toll-free number currently used by the FMAC, 1-877-FEMA MAP (1-877-336-2627), should be used instead of the Map Service Center number (1-800-358-9616). The Map Service Center number will still be in use for a while, but it will be discontinued by the end of April 2010.

Also, to reflect the consolidation of the contact centers, the name of the FEMA Map Assistance Center will change to the **FEMA Map Information eXchange, or FMIX**. The phone number for the FMIX is the same as before, **1-877-FEMA MAP (1-877-336-2627)**.

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## **Changes to Preferred Risk Policy**

Rules about Preferred Risk Policy (PRP) eligibility have changed. The biggest change is that the PRP can be in effect for two years following the effective date of a map change. This can create a significant savings for property owners in communities that are getting new flood maps. The changes to the policy can apply to communities that have had map changes already. The cutoff date is October 1, 2008. A new opportunity for grandfathering insurance is tied to this policy change for the PRP. If your community has recently had a map change, or if you expect to have a map change in the future, you should read through the FAQ document.

If you receive this newsletter by email, a summary of PRP extension is attached to the message. Details about the extension is also available online at:

[www.nfipiservice.com/stakeholder/pdf/bulletin/w-10076.pdf](http://www.nfipiservice.com/stakeholder/pdf/bulletin/w-10076.pdf)

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## **How to Find Base Flood**

Some flood maps show only A zones without a base flood elevation. This becomes a problem when communities need to calculate a base flood elevation. Kansas requires elevating one foot above the base flood level in those unnumbered A zones. There are some approximated methods for calculating a base flood elevation. Those approximated methods are not appropriate for a residential property. A more precise determination can be made by working with the US Army Corps of Engineers. If a survey is done of a cross section, Joe Remondini can calculate a base flood elevation. In the past, Remondini charged less than \$300 for each determination. He can be reached at: Joseph R. Remondini, P.E., CFM, US Army Corps of Engineers, 1645 S. 101<sup>st</sup> East Ave., Tulsa, OK 74128. His phone number is (918) 669-7198. He can explain the information he needs to calculate a base flood level.

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## Letter Of Map Amendment Out As Shown

Flood insurance is required when there is a federally backed mortgage on a property located in a special flood hazard area. Lending institutions use flood zone determination companies to tell them if a property is in a flood zone. In communities that are getting new flood maps, lenders are looking at existing loans to have new determinations made. Sometimes problems occur when there is an error in the flood zone determination.

The most common problem we've heard about is when there is a zone A floodplain on a small part of a lot. Although the house is not actually in the floodplain, the flood zone determination is made is that the house is in zone A. The bank informs the owner that he or she must buy flood insurance as a condition of the loan. However, since the structure is not in the floodplain, the determination is in error.

There are two ways to fix this kind of mistake. One involves an agreement from the bank to ask FEMA for a Letter of Determination Review (LODR). The fee is \$80 and the process takes about two weeks. Another method can take longer, but it does not require a fee. The Letter of Map Amendment Out as Shown (LOMA OAS) will require the property owner to fill out a form and provide some information.

The LOMA OAS uses the FEMA form called MT-EZ. The two-page MT-EZ form is typically used when a property is vertically high enough on natural grade to not be in the floodplain. Instead of completing the form to show the property is vertically high enough, the form is completed to show the structure is out of the floodplain horizontally.

The Division of Water Resources borrowed an idea from officials in Shawnee County. Alicia Benson created an easy-to-follow set of instructions on how to fill out the MT-EZ form. FEMA reviewers asked us to alter the instructions. Tom Morey spoke with the FEMA reviewers and updated our instructions. We now have instructions that FEMA reviewers have approved.

The MT-EZ form alone will not prove a structure is not in the floodplain. Supporting documentation should be sent with the completed MT-EZ form. We suggest three documents be sent with the LOMA OAS. The documents are a FIRMette, a copy of the deed, and an aerial photo that shows the structure is clearly not in the floodplain. If the structure is not clearly out of the floodplain, a LOMA OAS will not be approved.

If you would like to have a copy of the LOMA OAS instructions, please email [steve.samuelson@kda.ks.gov](mailto:steve.samuelson@kda.ks.gov). The instructions will be sent by email. In the future, these instructions may be added to the Kansas Department of Agriculture website.

If a LOMA OAS is approved, the property owner will get a letter from FEMA that states the structure is not in zone A. This information should be enough to satisfy most lenders that flood insurance is not required. Even if the lender does not accept the LOMA OAS, the letter from FEMA can be used to buy insurance at a cheaper rate. Whenever a community official helps a property owner save money, that creates goodwill in the community.

**IMPORTANT!** If a LOMA OAS is approved, please advise the property owner to consider flood insurance. Once a LOMA OAS is approved, the building qualifies for a Preferred Risk Policy (PRP). The PRP is affordable, and floods bigger than those shown on a flood map will happen.

## Training Opportunities

The Floodplain Management Program will host the following training sessions throughout Kansas. If you are interested in any of the no-cost training opportunities, please contact Tom Morey at (785) 296-5440 or Steve Samuelson at (785) 296-4622. A training registration form is in this newsletter.

### Basics of the National Flood Insurance Program

This is for officials responsible for administering their local floodplain management ordinance. The focus is on the NFIP and concepts of floodplain management, maps and studies, ordinance administration, and the relationship between floodplain management and flood insurance. Limited to 20.

Hiawatha

8:30 a.m. to 12:30 p.m.

December 1, 2010

Clay Center

8:30 a.m. to 12:30 p.m.

December 14, 2010

### Elevation Certificates and Letters of Map Amendment

This class is for community officials responsible for administering floodplain management and also for surveyors and engineers who complete the LOMA and Elevation Certificate forms. Focus will be on accurate completion of FEMA technical forms, building diagrams, and base flood elevation. There will be an important discussion of PRP extension at the beginning of the class. Limited to 20.

Erie

8:30 a.m. to 12:30 p.m.

December 7, 2010

### **Substantial Damage Estimator Now Available**

In 2009 and 2010, FEMA helped DWR offer classes on Residential Substantial Damage Estimation (RSDE). The software for RSDE has been replaced with a new version called Substantial Damage Estimator (SDE). SDE is slightly different from RSDE. It can be used for damage estimates to nonresidential structures as well as residences. Another change is that SDE looks at 12 key elements. RSDE looked at 16 elements. Elements that were not weighted heavily, such as hardware, have been eliminated. For more information, or to order SDE, visit the FEMA website: [www.fema.gov](http://www.fema.gov). Type "substantial damage estimator" in the search box. Students who took the RSDE class should take a look at the new SDE.

The Division of Water Resources newsletter, "Currents," can be read online at:

[www.ksda.gov/dwr/content/314](http://www.ksda.gov/dwr/content/314)

Mark your calendar. The Kansas Association for Floodplain Management 2011 conference will be September 7 and 8 in Topeka. More information can be found at the website [www.ekafm.org](http://www.ekafm.org). Registration should be made through Jon Bristol, KAFM Treasurer, 110 E 10<sup>th</sup> Street, Wellington, KS 67152. Bristol's phone number is (620) 326-2207.

Kansas Department of Agriculture  
Division of Water Resources  
Floodplain Program  
Training Registration Form

Name \_\_\_\_\_

Title \_\_\_\_\_

Organization \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Name, date and location of training you will attend \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Please share this invitation with anyone who could benefit from the training.

\*\*Classroom locations will be sent to registered participants one week before the training.

Please mail or fax your registration to:

KANSAS DEPARTMENT OF AGRICULTURE  
FLOODPLAIN MANAGEMENT PROGRAM  
109 SW 9<sup>th</sup> STREET, 2<sup>nd</sup> FLOOR  
TOPEKA, KS 66612-1283  
Fax to: (785) 296-4835

If you have questions about training, please contact Steve Samuelson at [steve.samuelson@kda.ks.gov](mailto:steve.samuelson@kda.ks.gov) or (785) 296-4622, or Tom Morey at [tom.morey@kda.ks.gov](mailto:tom.morey@kda.ks.gov) or (785) 296-5440.

Please help us keep our records current. If the name that appears on this newsletter is for an individual no longer with your organization, please call (785) 296-7769, or send an e-mail to [Alicia.benson@kda.ks.gov](mailto:Alicia.benson@kda.ks.gov) to

046-08  
Kansas Department of Agriculture  
Division of Water Resources  
Floodplain Management  
109 SW 9th Street 2nd Floor  
Topeka KS 66612-1283

### **ASFPM 2011 National Conference in Kentucky**

The 2011 Association of State Floodplain Managers national conference will be May 15-20, 2011, in Louisville, Kentucky. This conference provides an excellent opportunity for floodplain managers to receive premier training on mapping technologies, adopting new flood hazard maps, and to discuss topics directly related to mapping and Map Modernization. More than 1,300 floodplain management professionals and officials will attend the conference. It is hoped that you can attend this important event. In past years, DWR was able to provide financial assistance to community officials in Kansas so they could attend the ASFPM conference. There will be no funds available in 2011.

### **KDA/DWR Water Structures Floodplain Program Staff**

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