

KANSAS FLOODPLAIN MANAGEMENT TIPS



April 2015

How to Hire a Surveyor

Property owners will often need to hire a surveyor to do an elevation Certificate (EC) or to help them file for a Letter Of Map Amendment (LOMA). Community officials are sometimes asked to recommend a surveyor. That creates a problem for community officials who may want to recommend a surveying company they know is good but don't want the surveying companies they don't recommend to complain to the governing body.

We suggest that when someone asks about hiring a surveyor that you send them to the website for the Kansas Society of Land Surveyors: <http://ksls.com/>

On the right hand side of the home page there is a button that says, "Find a Surveyor". Click on the button and it shows a map of Kansas. Click on a particular county and the page will show a list of surveyors who do business in that county.

When calling surveyors we suggest that property owners be smart consumers and ask a few questions. Price is always a consideration. The experience of the survey company is a most important consideration. Ask if they have experience with Federal Emergency Management Agency (FEMA) forms such as LOMAs. Consider calling the next surveyor on the list if you are told they haven't ever done a LOMA or EC before.

There are times when speed is an important consideration. There could be a mortgage loan closing that is being held up while waiting on a survey. It is certainly good to ask how soon a survey could be done of your property. For those needing a LOMA before a deadline, ask if the surveyor is signed up for the FEMA eLOMA program. The eLOMA program allows surveyors to turn in LOMA documents electronically for automatic approval. Surveyors who have signed up for the program have gotten LOMAs approved in as little as three hours.

There are a lot of great companies that do survey work in Kansas. You'll easily find one by doing a little research. Remember to be a smart consumer and ask a few simple questions before you hire someone to do a survey of your property.

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The screenshot shows the homepage of the Kansas Society of Land Surveyors. At the top, there is a navigation bar with the title "Kansas Society of Land Surveyors" and contact information: "Kansas Society of Land Surveyors | PO Box 757 Andover, KS 67002 | 316.680.5159". Below this is a banner image with three panels: a surveyor using a total station, a close-up of a surveying instrument, and a surveyor in a field. The main content area is divided into several sections:

- Home**: A vertical menu on the left side containing links for Home, Calendar, Membership, Become a member, Officers, Board of Directors, Chapters, Committees, Organization, Continuing Education, Public Information, About Surveyors, Types of Surveys, Property Owner's Questions, Community Outreach Programs, Resources, Forms, Links, Statutes & Regulations, KDOT Policies, Kansas Surveying History, Career Center, Charitable Foundation, Surveying Education, Merchandise, Historical Records, Merchandise Section Lines, Newsletter, and Contact Us.
- Addresses and Information**: A central section providing contact details for the National Society of Professional Surveyors - NSPS (5119 Pegasus Court, Suite Q, Frederick, MD 21704) and the Kansas State Historical Society (6425 SW 6th Ave, Topeka, KS 66615). It also lists the NSPS Executive Director, Curtis W. Sumner, and provides a website link.
- Become a KSLs Member**: A button on the right side.
- Find a Surveyor**: A button on the right side with a small icon of a surveyor.
- Events 2015**: A section on the right side with a table for listing events.
- Section Line Newsletter**: A button on the right side.
- News**: A section in the center featuring a video player for "Land Surveying Technology Program - Butler Community College" and a "Mrs. Fields" logo.

At the bottom of the page, it says "The Northeast Chapter of the Kansas Society of Land Surveyors" and "KSLs Website".

KSLs Website

Criminal Littering

The Kansas Statute Annotated 21-5815 defines criminal littering. A part of that definition is, recklessly depositing or causing to be deposited any object or substance into, upon or about any lake, stream, watercourse or body of water, except by direction of some public officer or employee authorized by law to direct or permit such acts. This is not the entire statute but this particular piece of the statute has bearing on floodplain management. Lakes, streams, watercourses and other bodies of water are usually found in and are a large part of the floodplain.

You may have seen no dumping signs in floodplain areas. The criminal littering law, along with the community's floodplain management regulations, is another enforcement tool available to floodplain managers. Criminal littering is an unclassified misdemeanor with a fine upon the first conviction of not less than \$250 nor more than \$1000. In addition to the fines the convicted person shall also be required to pick up litter for a time set by the court.



Emergency Management Institute Class to be Offered in Kansas City

Many community officials from Kansas have attended training classes at the Emergency Management Institute (EMI) at the National Emergency Training Center in Emmitsburg, Maryland. The Federal Emergency Management Agency (FEMA) will field deploy the class EMI L273 Managing Floodplain Development through the National Flood Insurance Program course in Kansas City, Missouri on June 16-18, 2015 with an option for taking the Certified Floodplain Manager (CFM) exam on June 19, 2015. Class will be hosted by the FEMA Region VII office at 9221 Ward Parkway in Kansas City, Missouri.

This is an excellent class for people that are new to floodplain management, for those who are seeking a refresher or for anyone interested in taking the CFM exam. Class topics include flood maps, flood studies, concepts of floodplain management, ordinance administration and the relationship between floodplain management and flood insurance.

You can take this class here locally instead of flying out to Maryland for a week. There is no fee to attend this course, however travelers will need to arrange their own transportation, food, and lodging, and sign up prior to the deadline. Priority for attendance is given to local officials and floodplain managers located within FEMA Region VII, others may attend depending on class size.

There is a fee to take the CFM test. The CFM program has been established by the Association of State Floodplain Managers (ASFPM). You should sign up in advance and pay fees with ASFPM for the test on June 19, 2015. You'll find more information about the CFM program at www.floods.org.

For more information about attending, please contact Andy Megrail at andy.megrail@fema.dhs.gov or Todd Tucker at todd.tucker@fema.dhs.gov by May 28, 2015. You'll need to complete an EMI application form and get a student identification number (SID) assigned to you for your registration. Todd Tucker and Andy Megrail can help you with an application for their class.

Office of Insurance Advocate Established

December 22, 2014 was the starting date for the Federal Emergency Management Agency (FEMA) interim Office of the Flood Insurance Advocate. The Flood Insurance Advocate is a position established under Section 24 of the Homeowners Flood Insurance Affordability Act of 2014. This interim office for the Flood Insurance Advocate is being lead by David Stearrett.

The Office of the Flood Insurance Advocate specializes in assisting clients and policy holders with National Flood Insurance Program (NFIP) issues. The acting Flood Insurance Advocate and staff will assist the public as they deal with NFIP, educating the public, aid policy holders in verifying accurate flood insurance rate information when purchasing a new policy and leverage assistance from other FEMA resources. The acting advocate will be involved in developing long-term goals for mapping outreach and education strategies to increase public support.

FEMA has a website for the Interim Office of the Flood Insurance Advocate at <https://www.fema.gov/safer-stronger-protected-homes-communities/interim-office-flood-insurance-advocate> . According to this website the advocate will not have authority to reduce insurance premiums, will not help citizens to get a better insurance quote nor will the advocate address questions about insurance claims.

Citizens will often have questions and complaints about flood insurance. The first step for them will be to work through their local insurance agent or their own community official in charge of floodplain management. Next source of information would be the State NFIP Coordinator at Kansas Department of Agriculture/Division of Water Resources. Another resource is the FEMA Region VII office in Kansas City, Missouri. The public can contact the Office of the Flood Insurance Advocate by email at insurance-advocate@fema.dhs.gov. The phone number for the NFIP Help Center is 1-800-427-4661.

Executive Orders 11988 and 13690

The original Executive Order 11988 (E.O. 11988) was written May 24, 1977. The purpose of the order was to support the National Environmental Policy Act of 1969, The National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973. The general point of Executive Order 11988 was to reduce impacts of floods to the health safety and general welfare. Federal agencies are required to consider the effect of agency actions on the floodplain. Prior to taking an action an agency determines if the proposed action will be in the floodplain and to consider alternatives that would avoid adverse impacts to the floodplain.

Executive Order 13690 revises EO 11988. On January 30, 2015 an amended draft version of E. O. 11988 became available for public comment. The public comment period ends after 60 days. The 2015 changes to E.O. 11988 are not a complete rewrite of the original order. Main change to E.O. 11988 is to set a new strengthened flood risk management standard. There are three potential flood risk management standards for establishing a flood elevation for agency actions that occur in flood hazard areas.

-Use of best available data from climate-informed science.

-Elevating critical facilities 3 feet above the base flood elevation and all other facilities 2 feet above the base flood elevation.

-Using the area subject to 0.2% annual chance flood.

This is just a short overview of potential changes to floodplain management associated with E. O. 11988. To learn more, visit the website for the Association of State Floodplain Managers at: www.floods.org . The "What's New" section has information about E.O. 11988.

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.

Violations and Enforcement in the Floodplain.

This free class is intended for community officials responsible for enforcing floodplain management regulations. The course will focus on various types of violations, how to correct violations and enforcement procedures. Approved 3.0 hours toward CFM. Limited to 20 participants.

- Topeka - May 7, 2015 9:00 a.m.-12:30 p.m.

Elevation Certificates and Letters of Map Amendment

This free class is designed for community officials responsible for administering floodplain management as well as surveyors and engineers who complete Letters Of Map Amendment (LOMA) and Elevation Certificate forms. The course will focus on accurate completion of Federal Emergency Management Agency (FEMA) technical forms, building diagrams and base flood elevation. Approved 3.5 hours toward CFM. Limited to 12 participants.

- Erie– April 30 2015 8:30 a.m.-12:30 p.m.

Basics of the National Flood Insurance Program

This class is for officials responsible for administering their local floodplain management ordinance. The focus is on the National Flood Insurance Program (NFIP) and concepts of floodplain management, maps and studies, ordinance administration, and the relationship between floodplain management and flood insurance. Approved 3.5 hours toward CFM. Limited to 20 participants.

- Clay Center - June 25, 2015 8:30 a.m.-12:30 p.m.

Find more information about floodplain management from Kansas Department of Agriculture
Division of Water Resources on line at:
<http://agriculture.ks.gov/divisions-programs/dwr/floodplain>

Email saves money on postage. The electronic newsletter also has links and the photos are in color. If you are getting this newsletter by postal mail and would prefer email please contact Steve Samuelson at steve.samuelson@kda.ks.gov.

Mark your calendar. The Kansas Association for Floodplain Management 2015 conference will be September 2 and 3 in Kansas City. More information will be posted at the website: www.kafm.org. Registration will be done through a link on the website. If you have questions about registration please contact Don Slone, Chairman, at 913-667-1708.

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 else 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
6531 SE Forbes Ave., Suite B
TOPEKA, KS 66619
Fax to: 785-296-7155

For questions about training, please contact Steve Samuelson by email at steve.samuelson@kda.ks.gov or by phone 785-296-4622, or contact Tom Morey at tom.morey@kda.ks.gov and 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 785-296-4622, or email steve.samuelson@kda.ks.gov to report the change.

046-17
Kansas Department of Agriculture
Division of Water Resources
Topeka Field Office
Floodplain Management
6531 SE Forbes Ave., Suite B
Topeka, KS 66619

ASFPM 2015 National Conference in Atlanta

The 2015 Association of State Floodplain Managers National Conference will be May 31 to June 5, 2015 in Atlanta, Georgia. This conference is an excellent opportunity for floodplain managers to receive training on mapping technologies, regulations, permitting, outreach and best practices. It is estimated the conference will be attended by more than 1,000 floodplain management professionals. This conference is great chance to meet people for networking and to learn the latest news in floodplain management.

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