

KANSAS

FLOODPLAIN MANAGEMENT TIPS



April 2022

CRS Overview

The Community Rating System (CRS) program empowers communities to be safer by rewarding points for additional floodplain management activities that go beyond the National Flood Insurance Program (NFIP) minimum requirements. The CRS is broken down into a class system, requiring a minimum number of points and other prerequisites depending on the class level. Each class level earns a discount on flood insurance for all citizens within the community that are at their actuarial insurance rate, whether in the Special Flood Hazard Area (SFHA) or not. Citizens receiving a discount outside of the SFHA is a new feature that applies to all existing flood insurance policies in CRS-participating communities as of April 1, 2022. This is an incentive for many communities to participate in the program and create a safer community. These communities create a better working relationship with citizens who are receiving discounts, as well as community officials who will appreciate the work you are doing.

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To join the program, the community must first undergo a Community Assistance Visit (audit of the floodplain program) to ensure compliance with the NFIP. Once the audit is closed, the community has 6 months to submit a letter of interest and complete the application process. The Kansas Department of Agriculture Division of Water Resources (DWR) recommends communities enter the program at the lowest level, Class 9, to get a feel for the program and the additional workload. A Class 9 is usually easily achievable with many activities the community is already doing, making it manageable for most communities. A total of 500 points must be earned to enter at this level. As progress is made and the program benefits the community, it may enter new class levels later, as it is able to take on additional activities and prerequisites to qualify for a higher class level. The community works closely with a CRS Specialist to document and verify activities as they are done, as well as to review other documentation. Only one prerequisite is required for a Class Level 9 — construction certificates such as elevation certificates, floodproofing certificates, and no-rise certificates are reviewed on an annual basis for accuracy. The accuracy level must be at least 90%. Your specialist and DWR can help you review these documents before the official review. If mistakes are found, the community has a chance to get them corrected and resubmitted. There must be a set of procedures for managing these certificates in place, and DWR has a template of procedures that can be used. All activities including these procedures are reviewed annually for any required updates as well as on a more in-depth 5-year recertification cycle.

CRS activities are measured by documentation and then scored according to the CRS Manual (2017) and the accompanying addendum (2021). Activities are worth a maximum number of points that are then adjusted for the specific elements that are accomplished, and for the areas of the community or SFHA they apply to. There are 9 CRS classes: the highest is Class 1 which receives a discount of 45% off flood insurance, and the lowest is Class 9 which receives a 5% discount. Your CRS specialist will provide a “what if” table to show you what savings your community would have at different class levels based on existing policies in your community.

Insurance savings should not be the only goal for a community to participate in CRS. Most importantly, the community will be taking action to improve its resilience to flooding by implementing additional activities that promote planning, outreach, education, wise use of the floodplain, and more. For this reason, the CRS program awards participating communities with a plaque in a ceremony that demonstrates to citizens and community leadership that the efforts are commendable.

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The various activities available for credit are broken down into 4 series from 300 to 600. The 300 series is made up of public information activities. For example, Activity 320 credits communities who make information available to citizens who call in or visit in person about floodplain maps and what areas should be protected. This activity has a maximum point value of 90 based on various elements. For example, providing basic information from the Flood Insurance Rate Map (FIRM) is worth 30 points, and providing additional information not shown on the FIRM is worth 20 points. Providing information on the natural floodplain functions for areas that should be protected is an additional 20 points. Public information activities in the 300 series are usually an easy way for communities to accumulate points to enter the program.

The 400 series is for mapping and regulatory activities. These activities include flood hazard mapping, open space preservations, higher regulatory standards, flood data maintenance, and stormwater management. Each are adjusted for their impact on the SFHA and their individual elements. The 500 series is for flood damage reduction activities, including floodplain management planning, acquisition and relocation projects, flood protection projects, and drainage system maintenance. The 500 series has a new credit available under Activity 510: floodplain management planning for utilizing the new web-based mapping tool, Flood Risk Endangered Species Habitat (FRESH) from the Federal Emergency Management Agency (FEMA). Finally, the 600 series is for warning and response activities, such as levees and dams.

Any community interested in CRS participation should contact the DWR floodplain team to put together a letter of interest, schedule the Community Assistance Visit, and find at least 500 points for the entry level of a Class 9. There are over 40 CRS-participating communities in Kansas.

Updating the Floodplain Management Ordinance

Communities should check their floodplain ordinance adoption date. If it is more than 10 years old, the community should consider doing an update. The floodplain ordinance (or resolution for counties) is the basis of floodplain management, ensuring the community is following both federal and state requirements, in addition to any higher standards the community has chosen to adopt. Legally required phrasing and state/federal requirements change over time. Keeping the ordinance updated is an important foundation to keeping the community safe. Some changes to phrasing are minimal and can be hard to amend, especially with older ordinances, so DWR will ask for a full update to the ordinance. If the ordinance is more recent, there is template language available for a strike and replace amendment. Some communities may be apprehensive to do a full update, but most can still be done relatively easy if they follow the formatting of the model ordinance. Some communities regulate floodplains through zoning regulations, which may take longer but is still manageable using the model ordinance.

DWR provides model ordinances that are appropriate to the community's level of risk and up to date on required language. The model ordinances are fill-in-the-blank style and can be filled out over the phone in about 10 –15 minutes with the help of the DWR floodplain team. Draft ordinances must be reviewed and approved by the Chief Engineer at DWR before adoption. The community should refer to its current ordinance for the sections that require their input, such as length of time before enforcing nonconforming use for structures, fines for violations, and higher standards.

Communities that participate in the NFIP are required to adopt new mapping products before they become effective, which often requires a full ordinance update. DWR will be in frequent contact with communities throughout the years of the mapping process, and then six months before the products become effective to help with adoption of new regulations. If the community is updating an existing ordinance, a notice of public hearing must be published in the newspaper at least 20 calendar days before adoption. After adoption, the community may adopt by reference, whereby, a summary of the ordinance is published to save on publishing costs, and the full document is available at city hall or online. DWR has templates available to help with formatting the notice and writing the adoption by reference.

Higher standards that are adopted into the ordinance are creditable for CRS points under Activity 430. The CRS Manual has a list of higher standards that are creditable, many of which can be found in the model ordinance section on "Additional Recommended Higher Standards." For

For creditable standards that are not found in DWR's model, DWR can find examples of adoptable language, as long as it applies to the community, e.g., tsunami higher standards are CRS-creditable, but don't apply to Kansas.

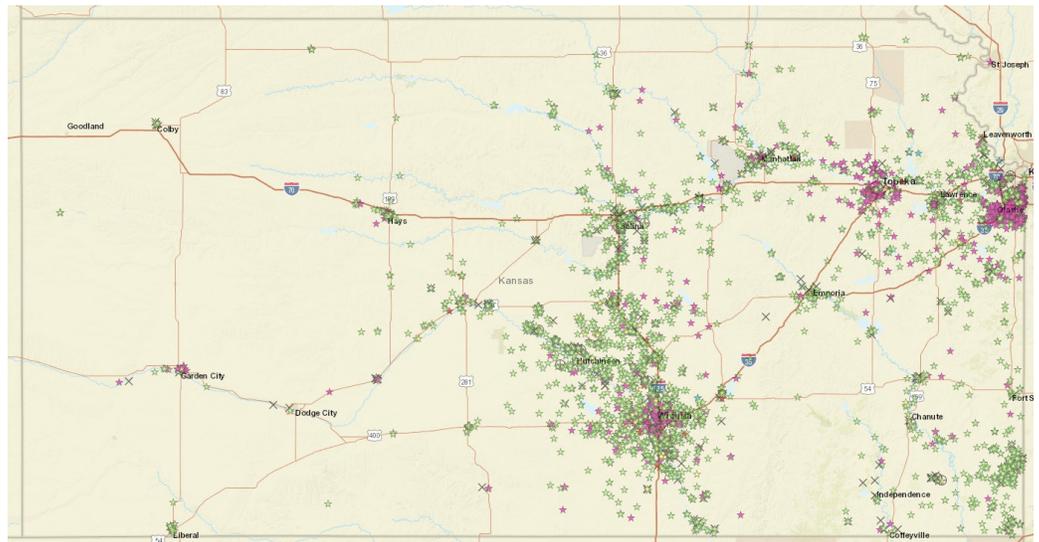
The DWR floodplain team should be contacted for any questions or interest in changes to floodplain ordinances. Once a draft for a new ordinance is complete, please submit it to the floodplain team. It will be quickly reviewed, as ordinance reviews are a priority to the team. The draft will be approved, or the team will work with the community to correct any issues. Once sorted, the team will return the draft with an approval letter and further instructions on adoption.

Letters of Map Change

DWR gets many questions about letters of map change (LOMC). LOMCs are determinations from FEMA that a property, section of property, or structure is not in the floodplain. There are different types of LOMCs, each with their own specifications and requirements for the different type of development, or lack thereof, to document that these areas or structures are officially out of the floodplain.

A letter of map amendment (LOMA) is the most common type of LOMC. These letters are for properties that are on natural grade that is above the floodplain, but inadvertently mapped in. To prove property or a structure is above natural grade, a survey needs to be done to prove the lowest adjacent grade (LAG) is above the base flood elevation (BFE). It is a simple application and free to file because the LOMA is a correction to the FEMA map, whereas all other LOMCs have associated fees. We are often asked if we keep copies of LOMAs. They can usually be found at the FEMA Map Service Center at <https://msc.fema.gov/portal/home>, or you can search them on our LOMC search webmap at <https://agriculture.ks.gov/divisions-programs/dwr/floodplain/mapping/kslomc>. These two resources are for all LOMCs, not just LOMAs. Physical copies of LOMAs can often be found with the County Recorder's office for that community.

A letter of map revision based on fill (LOMR-F) are for properties or structures that have been elevated on engineered fill. Fill in the floodplain has a separate state permitting process, so check with DWR on getting a determination. This is another common type of LOMC and is usually found in less dense areas of population, so not to divert water onto other structures. The letter of map revision (LOMR) is more complicated than the LOMR-F or LOMA. These are usually bigger projects or for projects that are in the floodway and require an engineering study.



LOMCs in Kansas via DWR LOMC Search Webmap

The last LOMC is the Physical Map Revision (PMR), which would be a larger project taken on by DWR to update one or more map panels to reflect current flood hazards. This often means incorporating LOMCs and other changes on behalf of a community that has requested it. These are less common and usually take over a year to complete, by far the longest LOMC process.

To learn more about LOMCs, visit the DWR training page: <https://agriculture.ks.gov/divisions-programs/dwr/floodplain/training> and find recorded classes on the various types of LOMCs and how to obtain them.

Training Opportunities

"Preparing an Annual Recertification" - is a great opportunity to learn about the Recertification process, the package that is sent out, and how to successfully complete and submit it to ISO. There will be tips on how to easily keep track of documents and complete the annual reports so as not to reinvent the wheel every year. The goal is to show communities it is not as overwhelming as it may appear. ISO wants communities to be successful! Participants should leave with a better understanding of what needs to be submitted and how to do it more efficiently. Approved for 1 CEC towards the CFM certification.

How to register:

<https://crsresources.org/training/>

Click on the link – scroll down to Registration and click on the blue highlighted words “Click here” – click on the “Upcoming” tab and it will list the webinars that are coming up – look for the Preparing for an Annual Recertification webinar and click the blue register button on that row.

Find more information about floodplain management from Kansas Department of Agriculture
Division of Water Resources online 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. In the case that you are getting this newsletter by postal mail and would prefer email please contact Cheyenne Sun Eagle at: cheyenne.suneagle@ks.gov.

To find and register for upcoming training, as well as recordings of previous trainings, please see our new
Floodplain Management Training webpage at:

<https://agriculture.ks.gov/divisions-programs/dwr/floodplain/training>

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.

**To find and register for upcoming training, as well as recordings of previous trainings, please see our new Floodplain Management Training webpage at: <https://agriculture.ks.gov/divisions-programs/dwr/floodplain/training>

** Any individual with a disability may request accommodation in order to participate in training. Persons who require special accommodations must make their needs known at least five working days prior to training. For more information, including special accommodations, please contact Cheyenne Sun Eagle at 785-296-0854 or by email Cheyenne.Suneagle@ks.gov.

Please scan and email your registration to: cheyenne.suneagle@ks.gov

Or mail to:

KANSAS DEPARTMENT OF AGRICULTURE
FLOODPLAIN MANAGEMENT PROGRAM
1131 SW Winding Road, Suite 400
TOPEKA, KS 66615

For questions about training, please contact Cheyenne Sun Eagle by email at cheyenne.suneagle@ks.gov or by phone at 785-296-0854. You may also contact Steve Samuelson by email at steve.samuelson@ks.gov or by phone at 785-296-4622.

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 785-296-0854 or email cheyenne.suneagle@ks.gov to report the change.

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Floodplain Management
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Topeka, KS 66615

Kansas Association For Floodplain Management Conference in Lawrence

The 2022 KAFM Conference will be August 31-September 1, at the Double Tree by Hilton in Lawrence, Kansas.

Association of State Floodplain Managers 2022 Conference in Orlando

The 2022 ASFPM Conference will be May 15-19, at the Caribe Royale Orlando Hotel in Orlando, Florida.

**KDA/DWR Water Structures
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