



# CHAPTER 6

# FEMA AND

# FLOODPLAIN

# MANAGEMENT



## 6.01 FEMA

The Federal Emergency Management Agency (FEMA) is an agency of the United States Department of Homeland Security. FEMA is tasked with responding to, planning for, recovering from, and mitigating against natural disasters. The United States has a long history of natural disaster response dating back to the Congressional Act of 1803, commonly regarded as the first piece of national disaster legislation.

Up until 1979, emergency and disaster activities were fragmented. More than 100 federal agencies were involved in some aspect of disasters, hazards, water management, and emergencies. Parallel programs and policies existed at the state and local levels as well, compounding the complexity of national disaster relief. The National Governors Association sought to minimize the number of agencies with whom state and local governments were forced to work. The governors asked President Carter to centralize federal emergency functions. In response, FEMA was formed in 1979 merging many of the separate disaster-related responsibilities into a single independent agency. When a natural disaster occurs, the governor of the state in which the disaster occurred must declare a state of emergency and formally request from the President that FEMA and the federal government respond to the disaster.

One of the disaster-related responsibilities of FEMA is flooding and floodplain education, prevention, and relief. These duties, for the most part, are delegated to state and local authorities with the backing of FEMA. The Town of Collierville looks to TDEC as our state authority for instruction on the education and prevention with respect to flooding. FEMA has permitting programs on stormwater management for municipalities that are administered through TDEC as discussed in Section 5.02. These programs include the outreach to citizens through various publications, media outlets, and face to face interaction. The flooding relief efforts of FEMA come in the form of the National Flood Insurance Program (NFIP) and in emergency disaster relief in the case of natural disasters. The Town of Collierville participates in the National Flood Insurance Program (NFIP) which is made available through FEMA and discussed in detail in the next section. In the case of natural disasters such as flooding due to hurricanes, FEMA can provide onsite emergency relief in the form of supplies such as food and clothing as well as shelter.

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## 6.02 National Flood Insurance Program (NFIP)

Before 1968, the federal government's flood initiatives consisted of disaster relief to victims in the event of a flood, or flood control projects such as dams, levees and seawalls.



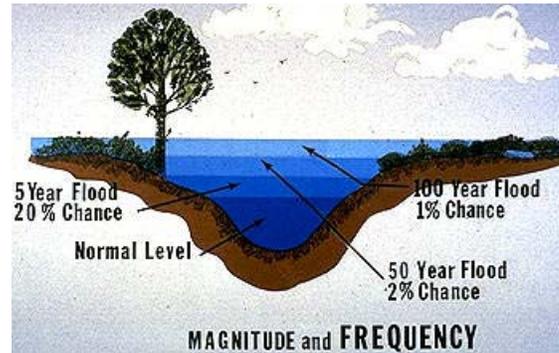
While well-intentioned, this approach did little to ease the financial burden of most flood victims. Worse, the public couldn't buy flood coverage from most insurance companies, which regarded floods as too costly to insure.

Congress established the National Flood Insurance Program (NFIP) to address both the need for flood insurance and the need to lessen the devastating consequences of flooding. The goals of the program are twofold: to protect communities from potential flood damage through floodplain management, and to provide people with flood insurance.

For decades, the NFIP has been offering flood insurance to homeowners, renters and business owners, with the one condition that their communities adopt and enforce measures to help reduce the consequences of flooding. Flood insurance is the best protection that home and business owners have against the devastating financial losses that floods cause.

When a community chooses to join the NFIP, it must adopt and enforce minimum floodplain management standards for participation. "Floodplain management" refers to an overall community program of corrective and preventive measures for reducing future flood damage. These measures generally include zoning, subdivision, or building requirements, and special-purpose floodplain ordinances.

FEMA works closely with state and local officials to identify flood hazard areas and flood risks. Floodplain management requirements within high-risk areas, known as Special Flood Hazard Areas (SFHAs), are designed to prevent new development from increasing the flood threat and to protect new and existing buildings from anticipated flood events. 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. The flood hazard and risk information presented on the FIRMs is the result of engineering studies that are performed by engineering companies, other Federal agencies, or communities, which are reviewed for compliance with FEMA guidelines and approved by FEMA.



The SFHAs and other risk premium zones applicable to each participating community are depicted on Flood Insurance Rate Maps. The Mitigation Division within the Federal Emergency Management Agency manages the NFIP and oversees the floodplain management and mapping components of the Program.

Communities participating in the NFIP must require permits for all development in the SFHA. Permit files must contain documentation to substantiate how buildings are actually constructed. The community must also ensure that construction materials and methods used will minimize future flood damage.

### 6.03 Flood Insurance Rate Maps (FIRMs)

Flood Insurance Rate Maps (FIRMs) are the official maps of a community on which FEMA has delineated both the special hazard areas and the risk premium zones applicable to the community. These maps serve many purposes for various groups of people. Private citizens and insurance and brokers use the FIRMs to locate properties and buildings in flood insurance risk areas. Community officials use them to administer floodplain management regulations and to mitigate flood damage. Lending institutions and federal agencies use the FIRMs to locate properties and buildings in relation to mapped flood hazards, and to determine whether flood insurance is required when making loans or providing grants following a disaster for the purchase or construction of a building.

FEMA uses the most accurate flood hazard information available and applies rigorous standards in developing the FIRMs. However, because of limitations of scale or topographic definition of the source maps used to prepare a FIRM, small areas may be inadvertently shown within an SFHA on a FIRM even though the property (legally defined parcels of land, structures) is on natural ground and is at or above the elevation of the 1-percent-annual-chance flood. This elevation is most commonly referred to as the Base Flood Elevation, or BFE. Such cases are referred to as "inadvertent inclusions."

For other small areas, earthen fill may have been placed during construction, thereby elevating a small area within the SFHA to an elevation that is at or above the BFE. This construction may have taken place during the time the engineering study was being performed or subsequent to that study. Because of the limited extent of the elevated area and the limitations of the map scale, it may not have been possible for FEMA to show this area as being outside the SFHA and so these areas have been incorrectly included in the SFHA on the FIRM.

Recognizing that these situations do occur, FEMA established administrative procedures to change the designation for these properties on the FIRM. These processes are referred to as the Letter of Map Amendment, or LOMA, process and the Letter of Map Revision Based on Fill, or LOMR-F, process. Through these processes, an individual who owns, rents, or leases property may submit certain mapping and survey information to FEMA and request that FEMA issue a document that officially removes a property and/or structure from the SFHA. In most cases, the applicant will need to hire a Licensed Land Surveyor or Registered Professional Engineer to prepare an Elevation Certificate for the property. Upon receiving a complete application forms package, FEMA will normally complete its review and issue its determination in 4 to 6 weeks.

Even if a home or business is not shown in the SFHA on the maps, the potential to flood is still there. Open channels, natural streams and enclosed storm sewer systems might become clogged, or other obstructions, such as fences or landscaping, might change the direction of flow, causing it to be collected into a portion of a system undersized for that flow. These things can greatly affect the way stormwater behaves.





## 6.04 Elevation Certificates

Elevation certificates are prepared by licensed surveyors and engineers, and determine the elevation of specific structures with regard to base flood elevations determined by FEMA. These certificates are required to rate certain flood insurance policies, based on their construction date, and are optional for other properties to determine if they qualify for a lower flood insurance premium.

FEMA has made it the borrower's burden and responsibility to prove the status of their situation if they disagree with the placement of their structure in the SFHA or if they dispute the flood premium required to pay, by the lender. In the event the elevation certificate shows that a structure was built in compliance and should be considered at a less risk in the 100 year flood plain, a citizen can apply to FEMA/NFIP for a LOMA.

