



FEMA

JAN 14 2019

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Scott Schlefstein
Chair, Board of Supervisors
Sierra County
Post Office Drawer D
Downieville, California 95936

Dear Mr. Schlefstein:

I commend you for the efforts that have been put forth in implementing the floodplain management measures for Sierra County, California, to participate in the National Flood Insurance Program (NFIP). As you implement these measures, I want to emphasize the following:

- a Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed for your community;
- the FIS and FIRM will become effective on April 19, 2019; and
- by the FIS and FIRM effective date, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office is required to approve the legally enforceable floodplain management measures your community adopts in accordance with Title 44 Code of Federal Regulations Section 60.3(d).

As noted in FEMA's letter dated October 19, 2018, no significant changes have been made to the flood hazard data on the Preliminary and/or revised Preliminary copies of the FIRM for Sierra County. Therefore, Sierra County should use the Preliminary and/or revised Preliminary copies of the FIRM as the basis for adopting the required floodplain management measures. Final printed copies of the FIRM for Sierra County will be sent to you within the next few months.

If you encounter difficulties in enacting the measures, I recommend you contact the California Department of Water Resources. You may contact Raul Barba, CFM, the NFIP State Coordinator, by telephone at (916) 574-1441, in writing at 3464 El Camino Avenue, Suite 210, Sacramento, California 95821, or by electronic mail at Raul.Barba@water.ca.gov.

The FEMA Regional staff in Oakland, California, is also available to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for Sierra County and will ensure its participation in the NFIP. The Regional Office may be contacted by telephone at (510) 627-7100 or in writing. Please send your written inquiries to the Director, Mitigation Division, FEMA Region IX, at 1111 Broadway, Suite 1200, Oakland, California 94607.

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The NFIP State Coordinating Office for your State has verified that California communities may include language in their floodplain management measures that automatically adopt the most recently available flood elevation data provided by FEMA. Your community's floodplain management measures may already be sufficient if the measures include suitable automatic adoption language and are otherwise in accordance with the minimum requirements of the NFIP. The NFIP State Coordinator can assist you further in clarifying questions you may have about automatic adoption.

You may have already contacted the NFIP State Coordinator and/or the FEMA Regional Office, and may be in the final adoption process or recently adopted the appropriate measures. However, in the event your community has not adopted the appropriate measures, this letter is FEMA's official notification that you only have until April 19, 2019, to adopt and/or submit a floodplain management ordinance that meets or exceeds the minimum NFIP requirements, and request approval from the FEMA Regional Office by the effective date. Your community's adopted measures will be reviewed upon receipt and the FEMA Regional Office will notify you when the measures are approved.

I appreciate your cooperation to ensure that your community's floodplain management measures are approved by the FEMA Regional Office by April 19, 2019. Your compliance with these mandatory program requirements will enable your community to avoid suspension from the NFIP.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Sears". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Rachel Sears, Director
Floodplain Management Division
Mitigation Directorate | FEMA

cc: Robert J. Fenton, Jr., Regional Administrator, FEMA Region IX
Raul Barba, CFM, NFIP State Coordinator, California Department of Water Resources
Tim Beals, Planning Director, Sierra County



Joining the National Flood Insurance Program

FEMA 496

May 2005



FEMA

Joining the National Flood Insurance Program

The National Flood Insurance Program (NFIP) was established with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Over 20,000 communities participate in the Program.

The decision on whether to join the NFIP is very important for a community. There is no Federal law that requires a community to join the Program and community participation is voluntary. A benefit of participation is that your citizens are provided the opportunity to purchase flood insurance to protect themselves from flood losses. Another consideration is that a community that has been identified by the Department of Homeland Security's Federal Emergency Management Agency (FEMA) as being flood-prone and has not joined the NFIP within one year of being notified of being mapped as flood-prone will be sanctioned. This means that Federal agencies cannot provide financial assistance for buildings in flood hazards areas.

FEMA is required by law to identify and map the Nation's flood-prone areas. The identification of flood hazards serves many important purposes. Identifying flood hazards creates an awareness of the hazard, especially for those who live and work in flood-prone areas. Maps provide States and communities with the information needed for land use planning and to reduce flood risk to floodplain development and implement other health and safety requirements through codes and regulations. States and communities can also use the information for emergency management.

To participate in the NFIP, a community must adopt and enforce floodplain management regulations that meet or exceed the minimum requirements of the Program. These requirements are intended to prevent loss of life and property and reduce taxpayer costs for disaster relief, as well as minimize economic and social hardships that result from flooding.

When FEMA provides a community with a flood hazard map, the community should carefully review these maps and determine whether flood insurance and floodplain management would benefit the community and its citizens.

In making the decision whether to join the NFIP, communities need to keep in mind that homeowners' insurance policies generally do not cover flood losses, and many homeowners and other property owners are often unaware that their property is flood-prone. Even if your community has not been identified as flood-prone by FEMA, your community can still join the NFIP. By participating in the NFIP, property owners throughout the community will be able to purchase flood insurance.

Communities that have been identified as flood-prone by FEMA need to keep in mind that property owners in a non-participating community are ineligible for most forms of disaster assistance within the identified flood hazard areas. This does not affect communities that have not had flood hazards identified by FEMA.

What must a community do to join the NFIP?

To join the Program, the community must submit an application package that includes the following information:

- **Application For Participation in the National Flood Insurance Program (FEMA Form 81-64):** This one-page form asks for the following information:
 - Community name
 - Chief Executive Officer
 - Person responsible for administering the community's floodplain management program
 - Community repository for public inspection of flood maps
 - Estimates of land area, population, and number of structures in and outside the floodplain
- **Resolution of Intent:** The community must adopt a resolution of intent, which indicates an explicit desire to participate in the NFIP and commitment to recognize flood hazards and carry out the objectives of the Program.

IMPORTANT FACTS YOU SHOULD KNOW

Floods are the most common and most costly natural disaster in the United States.

Before most forms of Federal disaster assistance can be offered, the President must declare a major disaster.

Flood insurance claims are paid whether or not a disaster has been Presidentially declared.

The most common form of Federal disaster assistance is a loan, which must be paid back with interest.

There are about 4.7 million flood insurance policies in force in more than 20,000 communities across the U.S.

Over the life of a 30-year mortgage, there is a 26-percent (or 1 in 4) chance that a building in a floodplain will experience a flood that will equal or exceed the 1-percent-chance flood (100-year flood).

Since 1969, the NFIP has paid over \$14 billion in flood insurance claims that have helped hundreds of thousands of families recover from flood disasters.

Approximately 25% of all claims paid by the NFIP are for policies outside of the mapped floodplain.

CAN YOUR COMMUNITY AFFORD NOT TO PARTICIPATE?

- **Floodplain Management Regulations:** The community must adopt and submit floodplain management regulations that meet or exceed the minimum flood plain management requirements of the NFIP.

Please contact your FEMA Regional Office or the NFIP State Coordinating Agency for information about joining the Program. These offices will provide an application, sample resolution, and a model floodplain management ordinance. (See "For Assistance" on the back page for contact information)

What are the requirements that a community must adopt?

The NFIP requirements are designed to ensure that new buildings and substantially improved existing buildings in flood-prone areas are protected from flood damages. The minimum NFIP floodplain management requirements that a community must adopt are located in **Title 44 of the Code of Federal Regulations (44 CFR) section 60.3**. The specific requirements that a community must adopt depend on the type of flood hazard data that is provided to the community by FEMA.

In addition to meeting the requirements of the NFIP, a community's floodplain management regulations must be legally enforceable. This means that the regulations must meet applicable provisions of State enabling laws, which authorize communities to enact and enforce floodplain management regulations and be adopted through a process that meets applicable State and local due process procedures.

State authority for floodplain management varies from State to State. Some States require that communities regulate floodplains to a higher standard than the minimum NFIP requirements for certain aspects of floodplain management. Some States have a requirement that communities must submit their floodplain management regulations to the State for approval. Communities should contact the State NFIP Coordinating Agency for assistance on specific State requirements that must also be met.

As indicated above, the FEMA Regional Office or the NFIP State Coordinating Agency can provide the community with a model floodplain management ordinance and guidance on the specific requirements the community will need to adopt.

What type of regulations can a community adopt?

Community floodplain management regulations are usually found in the following types of regulations: zoning ordinances, building codes, subdivision ordinance, sanitary regulations, and "stand alone" floodplain management ordinances. How your community approaches floodplain management depends on State laws and regulations and also how your community chooses to manage its flood hazards.

What happens if a community is identified as flood-prone, but does not join the NFIP?

The following sanctions apply if a community does not qualify for participation in the NFIP within one year of being identified as flood-prone by FEMA. Non-participating communities that have not been identified as flood-prone by FEMA are not subject to these sanctions.

- Property owners will not be able to purchase NFIP flood insurance policies and existing policies will not be renewed.
- Federal grants or loans for development will not be available in identified flood hazard areas under programs administered by Federal agencies such as the Department of Housing and Urban Development, Environmental Protection Agency, and Small Business Administration.
- Federal disaster assistance for flood damage will not be provided to repair insurable buildings located in identified flood hazard areas.
- Federal mortgage insurance or loan guarantees, such as those written by the Federal Housing Administration and the Department of Veteran Affairs, will not be provided in identified flood hazard areas.
- Federally insured or regulated lending institutions, such as banks and credit unions, are allowed to make conventional loans for insurable buildings in flood hazard areas of nonparticipating communities. However, the lender must notify applicants that the property is in a flood hazard area and that the property is not eligible for Federal disaster assistance. Some lenders may voluntarily choose not to make these loans.

FOR ASSISTANCE

If your community needs assistance to join the NFIP, you can contact the FEMA Regional Office (see below for address and telephone number). You can also contact your respective State Coordinating Agency for the NFIP. You can go to <http://www.fema.gov/about/contact/regions.shtm> for a listing of the FEMA Regional Offices and the NFIP State Coordinating Agencies.

REGION I

CT, ME, MA, NH, RI, VT
99 High Street, 6th Floor
Boston, MA 02110
877-336-2734

REGION II

NJ, NY, PR, VI
26 Federal Plaza, Ste. 1307
New York, NY 10278
212-680-3609

REGION III

DE, DC, MD, PA, VA, WV
615 Chestnut Street, 6th Floor
Philadelphia, PA 19106
215-931-5608

REGION IV

AL, FL, GA, KY, MS, NC, SC, TN
3003 Chamblee-Tucker Rd.
Atlanta, GA 30341
770-220-5200

REGION V

IL, IN, MI, MN, OH, WI
536 South Clark Street
Chicago, IL 60605
312-408-5500

REGION VI

AR, LA, NM, OK, TX
Federal Regional Center
800 North Loop 288
Denton, TX 76210
940-898-5399

REGION VII

IA, KS, MO, NE
2323 Grand Boulevard, Ste. 900
Kansas City, MO 64108
816-283-7061

REGION VIII

CO, MT, ND, SD, UT, WY
Denver Federal Center, Bldg. 710, Box 25267
Denver, CO 80225
303-235-4800

REGION IX

AZ, CA, HI, NV, American Samoa, Guam,
Marshall Islands and Northern Mariana Islands
1111 Broadway, Suite 1200
Oakland, CA 94607
510-627-7100

REGION X

AK, ID, OR, WA
Federal Regional Center
130 228th Street SW
Bothell, WA 98021-9796
425-487-4600