NFIP Compliance

Many floodplain administrators have asked about dealing with property owners who are failing to comply with floodplain ordinances. There are many ways you can improve your communication with these individuals.

There are often several options regarding fines and legal action for failure to comply with floodplain ordinances, but as we all know, it is to everyone’s best interest to gain compliance with the least aggressive methods available. Here are some tips for effective communication in the early stages of a situation involving potential compliance violation.

Know Your Ordinance
Thorough knowledge of your floodplain ordinance will allow you to speak with confidence. You will be able to address issues without the hint of uncertainty. It is also important to be very familiar with your Flood Insurance Rate Map.

Pay Attention to Body Language
The goal in any situation is to achieve compliance voluntarily, not by resorting to fines or other enforcement actions. Therefore, you should always remain professional, giving the impression that you understand the situation and wish to cooperate and be helpful, not confrontational. If an individual comes to your office and refuses to have a seat, you may be able to communicate better if you are standing too. Likewise, if they sit down, you should sit down too. Avoid crossing your arms and make sure you maintain eye contact. Hold all calls and give the individual your full attention. These strategies will help everyone see that you are there to listen and to help, and that a reasonable solution can be found.

Listen
Often, the property owner simply wants to be heard. To reassure the individual that you are listening and understand the situation, try paraphrasing what they have said and repeating it back. Allow them to correct anything that you have misunderstood. Try to empathize with them if you can. If mistakes have been made by your office, freely admit them without being defensive. Always keep in mind that the goal is compliance with the ordinance, not proving who is right or wrong. Take good notes, but make sure they are accurate and professional; your notes may end up as legal evidence.

Share Facts About Flood Insurance Rates
If a property owner is determined to build out of compliance with regulations and below the Base Flood Elevation (BFE), it might be a good idea to talk about the flood insurance implications they may run into. For example, flood insurance for a one-story home built one foot below BFE might cost about $6,700 per year, while flood insurance for the same home built two feet above BFE might cost about $650 per year. These types of examples may help demonstrate that you are trying to assist them, not just forcing regulations on them. If they are not planning on purchasing flood insurance, make sure they know that this decision could devalue their property.

Questions?
If you have questions or need additional guidance, call OWRB Floodplain staff at (405) 530-8800.

This edited article originally appeared in the June 2016 issue of Floodplain Management Today.
Elevation Certificates
Know what to look for to ensure a properly filled form.

Local floodplain administrators are responsible for reviewing all incoming Elevation Certificates (ECs) for accuracy and completeness. The sections listed below often contain errors, so review them carefully for the following mistakes.

Section A
A4. Building use is incomplete or incorrectly identifies the structure type. Additions should be noted in Comments Section D with a description of where the elevations were shot. Keep in mind the elevations in C2 are for the entire structure, not just the new construction or addition.

A7. Building diagrams may influence the insurance rate significantly, so verify the correct diagram is used. If you are unsure, select the one that most closely resembles the building being certified and add comments or a sketch to clarify where the elevations in C2 are shot.

A8-9. Verify the number of permanent openings within one foot above adjacent grade (interior or exterior) and check that the proper net area is calculated correctly.

Section B
B1-9. This section is simple to review, but is often overlooked. Make sure the correct Community Identification Number is used and the entire map/panel number is in B4.

B10. Verify the source of the Base Flood Elevation is correct. For detailed studies with profiles, the Flood Insurance Study profile block should be checked. The FIRM block should be checked in AH and AO Zones where there are no profiles.

Section C
C1. The “finished construction” EC should not be submitted until all mechanical equipment and final grading is complete. The finished construction EC must be maintained in your community files forever.

C2. Check that the benchmark utilized references the Permanent Identifier or other unique identifier. Using “GPS,” “USGS,” “Private,” “N/A” or leaving it blank is not acceptable.

C2a-h. Make sure to include “N/A” if the elevation does not apply for that section.

Section D
There should always be comments in this section. The more explanation, the better.

Section G
Please use this section to document the items noted and include comments. This information can be very useful in the event of staff changes.

Zone X Residents
Zone X rates and Preferred Risk Policies are not based on elevation data, which means ECs are not required. Many Zone X residents have unnecessarily hired surveyors to provide elevation information for Section C because they were advised by insurance agents that an EC would be required to obtain a Zone X flood insurance policy. Please help us correct this misinformation when you speak to your communities.

The 2015 Elevation Certificate (EC) recently expired. Please continue using the existing EC form until FEMA releases the updated version, which will be added to the OWRB’s floodplain web page when it becomes available.

FEMA
Elevation Certificate Training
The FEMA Emergency Training Institute offers two independent study courses to help with elevation certificates. Sign up today at training.fema.gov.

IS-1103.a - Elevation Certificate for Surveyors
IS-1105 - EC Made Easy: EC Overview
**Mark Your Calendar**

If you have questions about any of these opportunities, please contact OWRB Floodplain staff.

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**National Flood Insurance Program Training Videos**

NFIP training courses for insurance agents, claims adjusters, surveyors and community officials like Floodplain Administrators—traditionally delivered as classroom seminars and webinars—have moved online and are being offered through the FEMA Emergency Management Institute (EMI) Independent Study (IS) Program. IS courses are free and open to everyone.

The IS catalog is available at [http://training.fema.gov/is/crslist.aspx](http://training.fema.gov/is/crslist.aspx). Course exams require a FEMA Student Identification (SID) Number, which can be obtained at [https://cdp.dhs.gov/femasid](https://cdp.dhs.gov/femasid). Course content will be updated as program changes occur.

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**Upcoming Workshops**

The state accreditation year is half over! Sign up for a workshop to learn more about floodplain management and maintain your certification. Visit [www.owrb.ok.gov](http://www.owrb.ok.gov) to register.

Remaining workshops include:

- **March 7** • Clinton
- **March 27** • Chickasha
- **April 17** • Ponca City
- **May 14** • Woodward
- **May 29** • Ardmore

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**Outreach:**

**New Materials Available**

Community Assistance Contacts conducted in 2018 yielded many requests for new marketing materials that FPAs can distribute in their communities. In response, the OWRB has developed an 11x17 poster, a letter-size flyer, and a large postcard, each available in limited quantities aimed at communicating involvement and flood risk awareness. Contact Aaron Milligan at the OWRB for more information at 405-530-8800.

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**When Flooded Turn Around Don't Drown**

Oklahoma Water Resources Board (OWRB) has developed an outreach program to raise flood awareness and aid in flood preparedness. This program aims to educate community members about flood risk, through the use of educational materials and workshops. The OWRB's new materials include an 11x17 poster, letter-size flyer, and large postcard, which are designed to communicate flood risk to communities.

- **Poster**: Provides a visual representation of flood risk and encourages community preparedness.
- **Flyer**: Contains information on flood risk and steps to take in case of flooding.
- **Postcard**: Designed to raise awareness and promote community involvement in flood preparedness.

These materials are available in limited quantities and can be obtained through the OWRB. Community members and floodplain administrators can contact the OWRB to request these materials. Additionally, workshops are scheduled throughout the year to provide further education and training on floodplain management.

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**Flood Insurance**

Nearly 30% of all NFIP flood claims come from areas outside the 100-year floodplain. Homeowner’s and renter’s insurance do not cover flood damage. If you live in an area with low or moderate flood risk, you are 5 times more likely to experience flood than fire in your home over the next 30 years.

In 2016, the NFIP paid an average of $36,000 per claim. Uninsured residents received grants averaging only $8,000.

OKLAHOMANS can take steps to protect their financial wellbeing before disaster strikes by purchasing flood insurance. You are eligible to purchase flood insurance if your community participates in the National Flood Insurance Program (NFIP), managed by the Federal Emergency Management Agency.

**Ask Your FPA**

Purchase flood insurance by contacting your local agent or finding an agent online at [www.floodsmart.gov](http://www.floodsmart.gov) or by calling 1-800-427-4661. Policies for building and contents (personal property) coverage can be purchased separately.

**Know Your Flood Risk**

Learn more about flood insurance and risk at [www.floodsmart.gov](http://www.floodsmart.gov). If you live in a low-to-moderate-risk area, you may be eligible for a low-cost Preferred Risk Policy, which can start as low as $125 a year.

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**As the National Flood Insurance Program (NFIP) State Coordinator, the Oklahoma Water Resources Board partners with other state and federal agencies and local governments to prevent and mitigate the catastrophic effects of flooding disasters in Oklahoma.**

**For more information, go to [www.owrb.ok.gov/floodplain](http://www.owrb.ok.gov/floodplain) or call (405) 530-8800.**