

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Yugal K. Lall, City Engineer/Public Works Director 

**DATE:** April 7, 2010 (CC Meeting of 04/21/10)

**SUBJECT:** Consider Update on Filing of Letter of Map Changes (LOMC) to Federal Emergency Management Agency (FEMA) for the 2010 Digital Flood Insurance Rate Map (DFIRM)

**SUMMARY**

On November 21, 2009, the City Council appropriated \$100,000 from the General Fund Reserve to hire a consultant to process Letter of Map Changes (LOMC) to the Federal Emergency Management Agency (FEMA) for residential structures within the 100-year floodplain per the January 20, 2010, Digital Flood Insurance Rate Map (DFIRM). This report provides an update on the work to date related to the processing of the LOMC.

**BACKGROUND**

In September 2005, FEMA issued the preliminary DFIRM for the County of Ventura including the City of Moorpark. This map was last revised in September 1986.

On November 9, 2005, a public meeting was held at the City Council Chambers, wherein the preliminary DFIRM was discussed along with flood insurance requirements.

In January 2006, the City Council authorized staff to appeal the preliminary DFIRM based on technical and scientific data.

On January 9, 2008, FEMA accepted the City's appeal as warranted. The appeal resulted in the following: 1) reduction of the floodway to within the limits of the Arroyo, with a maximum width of approximately 500 feet; 2) removal of many structures on the north side of the Arroyo from the floodway including the Villa Campesina community; 3) removal of approximately 520 structures from to the 100-year flood plain; and 4) addition of approximately 170 homes to the 100-year floodplain in the Butter Creek Road/Pepper Mill Street area.

In June 2008, FEMA determined that the levee owned by Villa Del Arroyo was not acceptable for

certification and approximately 240 homes in this area were added to the revised DFIRM 100-year floodplain. A second appeal was not filed with FEMA as there was no more new technical and scientific information available to the City to support an appeal.

On July 20, 2009, the City was advised by FEMA of the approved DFIRM and on October 7, 2009, the City received the official DFIRM map advising that the new DFIRM will be effective January 20, 2010. There are approximately 1,400 new structures within the 100-year floodplain DFIRM map as compared to the 1986 map where there were approximately 50 structures. Three letters were mailed to all affected properties within the 100-year floodplain advising of the flood insurance requirements and recommending to grandfather to the prior flood zone.

On November 2, 2009, a public a meeting was held to address concerns regarding the City's appeal, flood insurance requirements and grandfathering requirements.

On November 21, 2009, the City Council appropriated \$100,000 from the General Fund Reserve to hire a consultant to process LOMC's to FEMA for the residential structures within the 100-year floodplain per the January 20, 2010, DFIRM.

During the period October 2009 to present, staff has responded to hundreds of calls from residents on the various issues pertaining to the new DFIRM.

In November 2009, a Request for Proposal was forwarded to four consultants for LOMC services and three response were received. MR Consulting, LLC (MRC) was selected to perform the services based on their superior expertise and qualifications and also being the lowest price. MRC has over 25 years experience working directly with FEMA and FEMA contractors. On February 5, 2010, a contract was executed with MRC in an amount of \$79,000 to process LOMC's as necessary to remove residential structures from the 100-year flood zone. The contract processing was delayed due to insurance requirements.

In January 2010, the Ventura County Water Protection District (VCWPD) submitted a Letter of Map Amendment (LOMR) to FEMA for the removal of the properties within the Villa Del Arroyo Mobile Home Park (VDA) from the 100-year flood zone.

On March 23, 2010, the LOMR was approved by FEMA and all 240 residential structures within the VDA were removed from the 100-year flood zone and rezoned in Zone X, not requiring flood insurance. On March 31, 2010, Mayor Parvin sent a letter to Congressman Gallegly's office requesting refunds to the residents that purchased flood insurance.

## **DISCUSSION**

During the period February to March 2010, MRC has collected data and documentation used in the preparation of the 2010 DFIRM from VCWPD, City of Moorpark, FEMA and FEMA's contractor. MRC has also made field visits and obtained field data. MRC has completed the review and found differences in the actual computer generated model developed by FEMA and

the actual field condition.

MRC has revised and refined the effective hydraulic model for the Arroyo Simi based on these findings discovered during field visits and the additional data obtained during their study. The preliminary findings to date reflect major reductions in the floodplain boundaries and 100-year base flood elevations.

As a result of this refinement, approximately 394 residential structures, including all the homes within the Butter Creek tract, and 27 commercial structures along Los Angeles Avenue are identified to be out of the 100-year floodplain as indicated by the hatched area on Attachment 2, page 1. In addition, a large amount of vacant land on the south side of Los Angeles Avenue is also identified out of the 100-year floodplain. The above results will be subject to review and approval of a map amendment by FEMA.

This revised floodplain model will be formally submitted to FEMA within two weeks, as a request for a Letter of Map Revision (LOMR). It is anticipated that FEMA will expedite review and in 6 to 8 weeks issue a LOMR that includes a revised flood map with Base Flood Elevations. Using the revised map and Base Flood Elevations, MRC will conduct field surveys of remaining structures to measure their elevations compared to the new Base Flood Elevations. The goal will be to determine as many of the remaining structures as possible are higher than the new Base Flood Elevations. A request for a Letter of Map Change (LOMC) would then be submitted to FEMA for these structures.

The previous revalidation letters for LOMC's for Tract 5133 and other residential structures will be incorporated into the revised floodplain map.

Some structures will remain within the 2010 DFIRM FEMA 100-year floodplain boundaries. However, these structures will be within revised floodplain boundaries that have FEMA's designation of Zone AE with Base Flood Elevations as opposed to the present Zone AO which means less costly insurance.

### **FISCAL IMPACT**

The City Council has previously appropriated \$100,000 from the General Fund Reserve to fund this study.

### **STAFF RECOMMENDATION**

Continue with the study and process the LOMC to FEMA and return to the City Council with a final report on the map amendments on obtaining the determination from FEMA.

#### Attachments

- 1 Glossary of Terms
- 2 Preliminary Floodplain

## GLOSSARY OF TERMS

LOMA

A letter from DHS-FEMA stating that an existing structure or parcel of land that has not been elevated by fill (natural grade) would not be inundated by the base flood.

CLOMA

A letter from DHS-FEMA stating that a proposed structure that is not to be elevated by fill (natural grade) would not be inundated by the base flood if built as proposed.

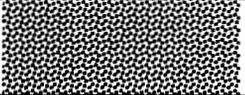
LOMR-F

A letter from DHS-FEMA stating that an existing structure or parcel of land that has been elevated by fill would not be inundated by the base flood.

CLOMR-F

A letter from DHS-FEMA stating that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed.

DFIRM 2010

	<b>Special Flood Hazard Areas Subject to Inundation by the 1% Annual Chance Flood</b>
The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard included Zones A, AE, AH, AO, AR, A99, V and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.	
Zone A	No Base Flood Elevations determined.
Zone AE	Base Flood Elevations determined.
Zone AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
Zone AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
Zone AR	Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
Zone A99	Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
Zone V	Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
Zone VE	Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
	<b>Floodway Areas in Zone AE</b>
The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.	
	<b>Other Flood Areas</b>
Zone X	Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

