

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Dave Klotzle, Interim City Engineer/Public Works Director 

**DATE:** December 6, 2010 (CC Meeting of 12/15/10)

**SUBJECT:** Consider Update on Request for Letter of Map Revision (LOMR) 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 located within the 100-year floodplain per the January 20, 2010, Digital Flood Insurance Rate Map (DFIRM). On June 14, 2010, a request for a Letter of Map Revision (LOMR) was submitted to FEMA. This report provides an update on the status of the City's request for the LOMR.

**BACKGROUND**

In 2005 FEMA updated the DFIRMs covering the County of Ventura including the City of Moorpark. The maps covering the City were previously revised in September 1986. In September 2005, the City received the preliminary updated DFIRM which showed a large number of structures newly added into the revised 100-year floodplain. Mandatory flood insurance would be required for most of these property owners.

During the period of 2006 to 2008, a City Council authorized appeal of the 2005 preliminary DFIRM was submitted to FEMA based on detailed 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 the 100-year flood plain
- 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 Mobile Home Park was not acceptable for certification and approximately 240 homes in this area were added to the revised DFIRM 100-year floodplain.

FEMA finalized the appealed DFIRM and notified the City of its approval on July 20, 2009. The official revised DFIRM and resulting flood insurance requirements became effective January 20, 2010 (Attachment 2). Approximately 1,410 structures (including the 240 mobile homes) were newly added to the 100-year floodplain 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 the purchase of flood insurance.

On November 2, 2009, a public a meeting was held to address concerns regarding the City's DFIRM appeal and flood insurance 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 shown on the January 20, 2010, DFIRM. On February 5, 2010, a contract was executed with MR Consulting (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 LOMR to FEMA for the removal of the properties within the Villa Del Arroyo Mobile Home Park from the 100-year flood zone. On March 23, 2010, the LOMR was approved by FEMA and all 240 residential structures within the Villa Del Arroyo Mobile Home Park were removed from the 100-year flood zone and rezoned in Zone X, which does not require flood insurance.

On March 31, 2010, Mayor Parvin sent a letter to Congressman Gallegly's office requesting refunds to the residents of Villa Del Arroyo Mobile Home Park that purchased flood insurance. FEMA responded to Congressman Gallegly's request on May 20, 2010, stating that refunds are not allowed for policies purchased prior to the DFIRM effective date of January 20, 2010. Mobile Villa Del Arroyo Mobile Home Park residents that bought policies after this date can submit a request for refund from their insurance company.

## **DISCUSSION**

During the period of March to June 2010, MRC collected data and analyses used in the preparation of the 2010 DFIRM from VCWPD, City of Moorpark, FEMA and FEMA's contractor. MRC also made field visits to obtain specific data. MRC has completed an analysis and found differences in 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 the

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.

The revised floodplain computer analysis and the formal request for LOMR were submitted to FEMA for consideration on June 14, 2010. A copy of the LOMR was also sent to VCWPD for review and concurrence. FEMA had 90 days to make a determination or request additional information for review. Over the next several months, FEMA requested additional data and analyses which were prepared and submitted.

On September 15, 2010, VCWPD signed a Letter of Acknowledgement concurring with the City's request for LOMR.

Supplemental field survey data was gathered in November 2010 and submitted to FEMA in an effort to maximize the number of residences to be removed from the 100-year flood plain. Notices of specific changes to the floodway and base flood elevations were sent to eight property owners as required by FEMA prior to the approval of the LOMR.

A final decision from FEMA on the City's request for LOMR is anticipated in the near future. If approved, the LOMR is expected to remove approximately 850 out of the approximately 1,220 structures currently located in the 100-year floodplain per the January 20, 2010 DFIRM. These include both residential and commercial structures. Approximately 570 of the removed structures are located north of Los Angeles Avenue and west of Spring Road, while approximately 280 are located south of Los Angeles Avenue including all of the Butter Creek area as shown on Attachment 3.

Approximately 370 residential and commercial structures are expected to remain in the 100-year floodplain upon approval of the LOMR. These are mainly located north of Los Angeles Avenue and east of Spring Road, and also on Harvester Street, Justin Court, Elderberry Avenue and Villa Campesina Avenue. In addition, the eastern end of Arroyo Vista Community Park will be located within the floodway.

Upon FEMA's approval of the LOMR, there is a statutory requirement for a 90-day period before the revised DFIRM and resulting changes to flood insurance requirements becomes effective.

After approval of the LOMR, MRC will prepare elevation certificates for as many residential structures that would benefit by qualifying for lower flood insurance premiums based on the their elevations compared to the 100-year flood elevations determined by the LOMR. The residences that may benefit in this manner are located on Harvester Street, Justin Court, Elderberry Avenue and Villa Campesina Avenue.

Staff recommends that upon FEMA's expected approval of the LOMR, a public meeting be held prior to the end of the 90-day period to discuss the final outcome of the LOMR and its

effects on property owners regarding flood insurance requirements. Proper notification of all affected property owners will be given well in advance of the public meeting.

**FISCAL IMPACT**

The City Council has previously appropriated \$100,000 from the General Fund Reserve to fund the efforts to remove as many residences from the 100-year floodplain as possible.

**STAFF RECOMMENDATION**

Direct staff to schedule a public meeting within thirty days of LOMR approval to discuss the final outcome of the LOMR and its effects on property owners regarding flood insurance requirements.

Attachments

- 1 Glossary of Terms
- 2 Rendering of DFIRM Effective January 20, 2010
- 3 Expected Structures to be Removed from Floodplain by LOMR

## 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.

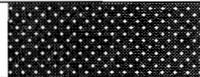
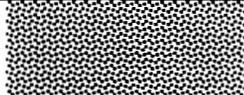
LOMR-F

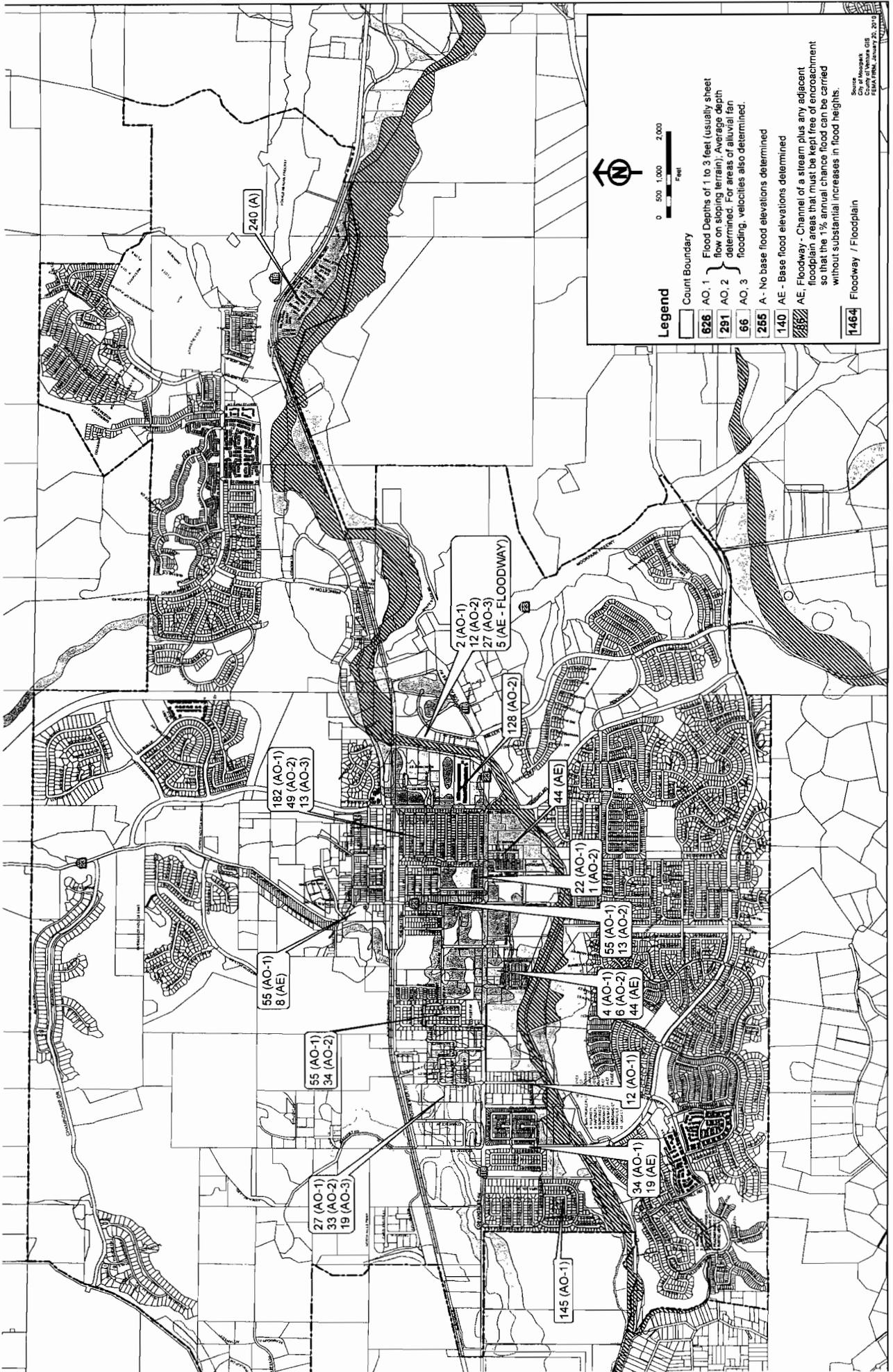
A letter from DHS-FEMA stating that an existing structure or parcel of land that has been elevated by fill would not be inundated by the base flood.

CLOMR-F

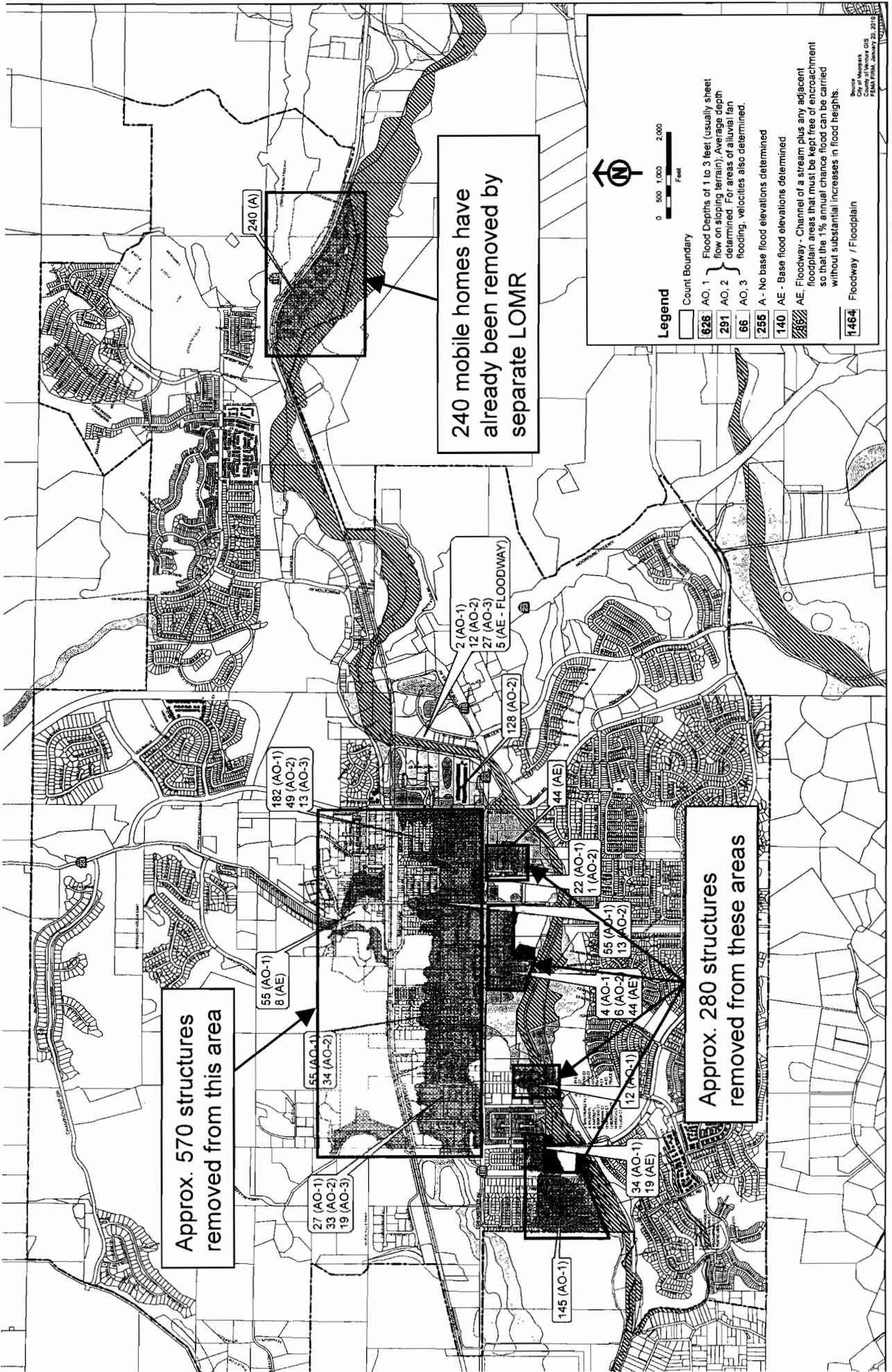
A letter from DHS-FEMA stating that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed.

## DFIRM 2010

	Special Flood Hazard Areas Subject to Inundation by the 1% Annual Chance Flood
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.
	Floodway Areas in Zone AE
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.	
	Other Flood Areas
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.



City of Moorpark Rendering of DFIRM Effective January 20, 2010



Expected Structures to be Removed from Floodplain by LOMR