



## **Pantano Wash Linear Park -Craycroft to Tanque Verde- Phase 3 Floodplain Map Revision**

### **Frequently Asked Questions**

#### **Overview**

The Pantano Wash Bank Protection and Park project has entered the third phase of design and construction. This phase will develop the river park between Fort Lowell Park and Tanque Verde Road. Studies have demonstrated the need to update the Flood Insurance Rate Maps due to changes in channel geometry and improved floodplain mapping technology.

#### **Why would the Floodplain for the Pantano Wash need to be remapped?**

The current Pantano Wash Floodplain as shown on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRMs) was established in the mid-1980s. Since then channel geometry and floodplain mapping technology has changed. The National Flood Insurance Program (NFIP) requires participating communities to re-map flood hazards to reflect changes in the flood plan and drainage infrastructure improvements.

The Pima County Regional Flood Control District (District) will submit a Conditional Letter of Map Revision (CLOMR) application to FEMA prior to construction to ensure the project is in compliance with the NFIP regulations. Once the project is complete, the District will submit a Letter of Map Revision (LOMR) application to formally modify the mapped flood hazard.

#### **What is a Flood Insurance Rate Map (FIRM)?**

FIRMs are issued by FEMA through the (NFIP), which reflect federally recognized flood hazardous areas. Communities participating in the NFIP are required to have building restrictions for any new construction in Special Flood Hazard Area (SFHA) to reduce the potential for flood damages. Property owners who own residences or businesses within flood hazard areas and who have mortgages through a federally insured lending institution are required to have flood insurance per the Flood Insurance Act. The FIRM panels reflect insurance risk designations for flooding. FEMA has a tutorial on their website entitled, "How to Read a FIRM." You may view this tutorial at:

[http://www.fema.gov/media/fhm/firm/ot\\_firm.htm](http://www.fema.gov/media/fhm/firm/ot_firm.htm).

#### **Will the project increase the regulatory (100-year) flood hazard on my property?**

There are changes in the floodplain and floodway limits. Those changes are attributable to changes in channel geometry and the use of more modern floodplain mapping technology. The current maps were created using a program that came from computer punch card technology. Current

mapping programs use digital terrain models. The proposed project meets all the current criteria of the NFIP program for CLOMR submittals.

#### **When does a map revision change a Flood Insurance Rate Map?**

Map revisions become effective once the Project is completed and FEMA accepts the post construction floodplain mapping. There will be a statutory Technical Period prior to the Effective Date. The Effective Date is listed on the map revision cover letter.

#### **Can I drop my flood insurance if my residence or business is removed from the floodplain by a Map Revision?**

The Flood Disaster Protection Act of 1973 and the National Flood Insurance Reform Act of 1994 directs federally regulated lenders to require flood insurance on loans secured by a building located in a SFHA. Once an area has been removed from a SFHA, the lender is no longer mandated by the National Flood Insurance Reform Act to require flood insurance.

#### **What if my lender requires me to carry flood insurance even if my residence or business has been removed from the floodplain?**

A few lenders may still require flood insurance based on their lending policies even when a structure lies outside a SFHA. If a residence or business has been removed from the SFHA by a LOMR, premiums paid on flood insurance could be decreased to reflect the lower flood risk.

#### **Can I get a refund on the flood insurance I have paid, once my residence or business has been removed from the floodplain?**

Property owners whose buildings have been removed from a SFHA and are now located in a Zone X or a Shaded Zone X may be eligible for a one-year premium refund. Your lender must provide you with a letter agreeing to remove the requirement for flood insurance. If your lender refuses to send you a letter stating that they will not require flood insurance, you will not be eligible for a refund. If you do not have a lender, you will not be eligible for a refund. To find out if you are eligible for a refund, please follow these steps:

1. View the revised flood maps to determine if your property has been re-mapped to a Zone X or Shaded Zone X. You may view the maps at the local map repository for your community (see next page). If a cover letter was attached to this information sheet, the letter may state what the floodprone status is for your property or will be once the LOMR becomes effective. If your property has been or will be removed from the floodplain, please follow steps 2 through 5.
2. Obtain a copy of the LOMR issued by FEMA.
3. Send your lender a copy of the LOMR along with a written request asking for a new flood map determination for your building based on this map revision. (Some lenders may charge a small fee.) Ask the

lender for a written confirmation to include the following:

- Flood insurance was required originally as a condition of the loan.
  - Flood insurance is no longer required based on FEMA's LOMR.
4. If your lender purchased the flood insurance policy for you and billed you for it, ask that the lender to cancel the flood insurance policy and issue you a refund. Many of the policies purchased by lenders are not backed by the NFIP and, therefore, have a range of different refund standards. If your lender purchased the policy, we encourage you to check with your lender to determine what refund policies apply to your case. If you bought your flood insurance policy directly from an insurance agent, read Step 5.
  5. If the lender provides you with a letter removing the requirement to carry flood insurance, send a copy of the letter along with a copy of the LOMR cover letter to your insurance agent and ask to have the policy cancelled. Typically, most insurance companies can process this refund within 60 days. A full refund of the premium is provided for the policy year in which the LOMR became effective provided the policy is currently active and there are no claims pending. The cancellation request must be received during the policy year, or within 6 months of the policy expiration date.

### **Who will regulate development around the Pantano Wash after the project is complete**

The Pantano Wash floodplain crosses two jurisdictions, the City of Tucson and Unincorporated Pima County. Each jurisdiction has separate and unique development criteria.

### **What if I disagree with the new maps?**

When FEMA issues a Map Revision, there is a 90-day Technical Appeal Period prior to the maps becoming effective. During that 90-day period, individuals who disagree with the new maps may submit technical or scientific data to FEMA to dispute the new information. Please be aware that FEMA will only accept technical and scientific data for appeals. Therefore, individuals who wish to make an appeal are strongly encouraged to use the services of a registered professional civil engineer.

If the Technical Appeal Period has passed, the new maps are effective. Changes to the SFHA would have to be processed through a new LOMR application. In some circumstances, it may be feasible to obtain a Letter of Map Amendment (LOMA) to remove a structure or property from the floodplain. To find out more information on the LOMR and LOMA processes visit the FEMA website at: <http://www.fema.gov>

### **Where can I go to view the new maps?**

You may view more map information for the Pantano Wash Linear Park project online at: <http://www.pima.gov/floodcontrol> and look in the "News, Notices and Alerts" section, or

visit the District's offices at 97 E. Congress St., 3<sup>rd</sup> floor.

### **If my Property has been removed from the 100-year floodplain. Does that mean it will never flood?**

Not necessarily. The 100-year flood has a one percent statistical probability of occurring during any given year; storms do occur that have intensities greater than the 100-year event. In addition, changes in river or watershed characteristics could increase flood depths and discharges. Finally, the FIRM maps only reflect major floodplains. Some properties are adversely impacted by tributary flow or by local drainage not reflected on the federal maps.

### **Can I still obtain flood insurance if my home/business is removed from the floodplain?**

Yes, unless a community has been put on suspension by FEMA for not following the NFIP guidelines.

### **What if I have additional questions about the project, or would like to get a copy of the technical floodplain data?**

For additional questions contact Larry Robison, P. E., Project Manager. Contact information is at the end of this document.

### **What If I have questions about the NFIP?**

For information about the National Flood Insurance Program, please call 1-800-427-4661 or visit the NFIP website at: [www.floodsmart.gov](http://www.floodsmart.gov).

### **LIST OF ACRONYMS:**

<b>FEMA</b>	Federal Emergency Management Agency
<b>FIRM</b>	Flood insurance Rate Maps
<b>LOMR</b>	Letter of Map Revision
<b>NFIP</b>	National Flood Insurance Program
<b>SFHA</b>	Special Flood Hazard Areas

### **LOCAL CONTACT INFORMATION:**

#### **Pima County Regional Flood Control District**

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