

From the Daniel McJunkin, Mayor of Simonton.  
September 18, 2013

RE: Follow Up After Town Meeting

Neighbors:

Following our "Town Meeting" on September 14, 2013, during which I presented changes to the National Flood Insurance Program (NFIP) caused by the "Biggert Waters Flood Insurance Reform Act" of 2012 (BW-12), I have been asked what the "take-away" should be for our residents. This letter provides my best ideas and suggestions for residents of our community. Because everyone's situation is different, I can imagine different approaches to dealing with the issues. I believe that a good approach is to provide the following information. Please choose for yourself whether it will work for you in your present situation.

### **New Flood Maps On the Way**

Several years ago, in order to better understand the actual risk of flooding in Fort Bend County, Commissioner's Court acted to remap many areas in Fort Bend County, specifically along the Brazos River. As a result of the remapping, it was determined that changes to the flood maps were necessary to help property owners and developers better prepare and protect against flood risks. These changes have raised the Base Flood Elevation (BFE) in our area up to Three Feet.

It is my understanding that at the time, Fort Bend County and its residents were advised by FEMA that there would be no financial impact to existing residents from raising the BFE because FEMA had a policy of "Grandfathering" existing policy holders when remapping placed their properties lower within the flood plain; however, this policy has changed due to the BW-12. "Grandfathering" is set to be withdrawn over an extended period for existing policy holders until they reach actual rates. Increases will occur at 25% per year for commercial and non-primary residences for four years and for primary residences, 20 % per year for five years.

It is our understanding that Fort Bend County's new Flood Insurance Rate Maps will become official on October 1, 2013. By that date, the County and the City of Simonton are expecting to receive the official "Letter of Final Determination" which will advise us that FEMA has officially adopted the new maps. Simonton will have six months to acknowledge this letter (April 1, 2014). Six months later, the new maps become effective for insurance purposes (October 1, 2014).

### **Get Flood Insurance Now**

If you are a citizen of Simonton or a concerned area resident and you do not currently have Federal Flood Insurance, I cannot state strongly enough that you should get flood insurance BEFORE October 1, 2013. Do not delay. After October 1, 2013, things will change. Flood insurance purchased after September 30, 2013, will likely not be eligible for "re-grandfathering" if that component is re-established under legislation currently under construction in Washington, D.C. , and you will have to pay the higher premium.

Also, to get the "preferred rate," you will need an "elevation certificate" from a Surveyor or Civil Engineer based on the "new" Flood Insurance Rate Map (FIRM) for this area. My concern is that the availability of such services could become more difficult to acquire as the October 1, 2013, deadline

approaches. I suggest you do this without delay. If you have had an elevation certificate completed in recent years, contact the firm that provided it. It is possible they might "update" it to comply with FEMA's requirements at a reduced rate.

Ask your FEMA authorized insurance agent about "Pre-FIRM" and "Post FIRM" rates: If your home was built "Pre-FIRM" you should currently qualify for subsidized, non-actuarial rates if they are more attractive than the Post-FIRM, risk-based (actuarial) rates.

### **Stay Calm**

For the moment, our best information is that other than premium rate increases, your costs should not increase significantly for some time. The implementation of BW-12 will begin for most people AFTER October 1, 2014: a full year from now. If you are currently living in your home at least 80% of the time, it is considered your primary residence. As such, you have a slightly extended time frame through which "grandfathering" will be withdrawn. For this group of people, your flood insurance rates will rise at 20% per year, or over a five-year period that begins not before a year from now. Plus, FEMA has said that they are still working on the details and mechanics about how the changes will be implemented. They have advised me that the October 1, 2014, date may be extended to allow for the rules to be revised.

So, the good news here is that we each have ample time to prepare and adjust to the changes.

### **Contact Your Insurance Agent**

Ignorance is not bliss. I recommend that you get with a FEMA authorized insurance agent (that may be found on [floodsmart.gov](http://floodsmart.gov)) as soon as you can to determine what changes, if any, you will face related to your flood insurance costs.

### **The Good News**

Let me say that there are many communities, counties and states that are pressing their Federal Representatives to change BW-12 because they recognize that it could create an undue burden on their citizens as well as a downward impact on their taxing jurisdictions. The good news here is that this is not a local problem that can get easily "swept under a congressional rug." It is one with far-reaching impact. Approximately 40-60% of the U.S. population lives in coastal communities.

Your City Council is deeply involved in working with local coalitions and groups and elected officials at all levels of government. Most notably, Congressman Pete Olson is a sponsor of HR 2199. This is a bill originated by Maxine Waters in an effort to correct her own legislation (BW-12) that caused the problem in the first place.

At last count, there was a list of 17 members of congress, both Democrat and Republican that are supporters to this particular piece of legislation and other legislative "fixes" under consideration.

If that's not enough, I want you to know that Congressman Olson is confident that there will be at least a one-year delay in implementation of BW-12 so that the impacts of it may be better considered and hopefully fixed.

### **Contact your Federal, State and Local Representatives.**

The City has links to our elected representatives on the City website: [SimontonTexas.org](http://SimontonTexas.org).

**Stay Informed**

The City will continue to update the City website, SimontonTexas.org, with information as we learn of it.

You should be aware that much of what the City has learned has not come directly from FEMA or the Federal Government. In fact, it has been through persistence and digging, attending meetings, and asking hard questions that we have been able to determine much of what we now know. It seems that we hear more each day that in some way clarifies our prior understanding.

Please take it upon yourself to become educated on this issue so that you will be prepared and able to make the best decisions possible for yourself or your family based on facts, not fear or rumors.

**Online Resources**

- FloodSmart.gov (For General Information)
- Google: Keywords: BW-12, Biggert Waters 2012 (Information on Biggert-Waters)
- Google: Keywords: Fort Bend County DFIRM, (Digital Flood Insurance Rate Map)
- Google: Keywords: HR 2199 (The Bill that Congressman Olson is a sponsor of)
- YouTube Video: BW 12 by Flood Forum, produced by H2O partners and describes the National Flood Insurance Program. <http://www.youtube.com/watch?v=tpeqSQr3ngY> (video explaining BW-12)

Regards,

Mayor Daniel McJunkin