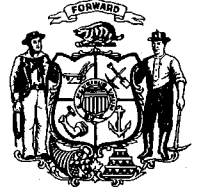


Frank Lasee
WISCONSIN STATE SENATOR
FIRST SENATE DISTRICT



Senator Lasee's Testimony

Senate Bill 601/Assembly Bill 713

Coordinating Local Floodplain Ordinances with Federal Maps

Almost nothing causes more problems for a property owner than when their property is mistakenly added or omitted from a floodplain. When FEMA updates their floodplain maps, they are mostly accurate, but the lines are sometime painted with a broad brush and as a result, some properties that aren't part of a floodplain are included in the floodplain when they shouldn't be and vice-versa.

The consequences of these errors are significant and create substantial obstacles for the sale of any homes caught up in the mistake. For example, these inaccuracies create problems with flood insurance and homeowners aren't allowed to maintain any structures that wind up in a floodplain.

When these miscalculations occur, property owners can work with FEMA to obtain a Letter of Map Amendment (LOMA). FEMA will then take a closer look at the property and amend the map when it's appropriate.

This bill simply ensures that when FEMA gives a homeowner a LOMA that the local floodplain determination and the local floodplain ordinances will be conforming.

The ownership of property is one of the largest investments a person will make in their lives. Coordinating local government floodplain ordinances and determinations with the FEMA findings will ensure that conflicts for property owners are minimized.

Please support this legislation.



ADAM JARCHOW

STATE REPRESENTATIVE • 28TH ASSEMBLY DISTRICT

Testimony – Senate Bill 601
Senate Committee on Insurance, Housing and Trade
December 13, 2017

Floods are difficult to predict. Actuarial sciences cannot predict floods and the costs associated to provide a comprehensive market solution, like with auto accidents. This difficulty creates a disparity between possible providers and homeowners wishing to protect their home from flood damage, resulting in homeowners either going without necessary protection or utilizing less reputable insurance programs that may be predatory. The National Flood Insurance Program (NFIP) was created by the federal government to close this market gap. Insurers are supported by the federal program and, in turn, provide insurance to homeowners for flood risk.

Wisconsin currently allows an amendment of floodplain maps only after water surface profile and floodplain zoning ordinances are amended and submitted for Department of Natural Resources approval. This means those who wish to be protected through the NFIP may be prohibited from participating based on the community's and DNR's decisions. Conversely, some homeowners may have had their property incorrectly mapped as in a floodplain, placing onerous floodplain zoning ordinances on a home or property that has no reason to be so highly regulated.

The Federal Emergency Management Agency (FEMA) has a process to amend floodplain maps, called a Letter of Map Amendment (LOMA). A LOMA is a determination by FEMA to change the status of a property on federal floodplain maps, utilizing an Elevation Certificate prepared by a Licensed Land Surveyor or Registered Professional Engineer. SB 601 uses FEMA's LOMA process to answer the aforementioned issues.

SB 601 relieves the burdens on homeowners wanting to protect their home and on homeowners being crushed by unnecessary regulatory schemes. This bill would require the governmental unit where the property is located to amend the floodplain determination of the requesting property to comply with a LOMA. Homeowners deserve protection and they deserve to have their homes properly mapped. SB 601 provides confidence to homeowners, assurance their home can be protected, and certainty in the mapping of floodplains.

Thank you to the committee chair and members for hearing testimony on SB 601. I ask for your support in protecting homeowners across Wisconsin through this legislation.