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#### NDWR



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#### City of Las Vegas Becomes Class 5 CRS Community

Mapping Update

Las Vegas has earned the first Class 5 Community Rating System (CRS) ranking in Nevada. With this upgrade, Las Vegas joins the top 6% of CRS communities nationwide. Viva Las Vegas!

### Learning from Our Flood History

In a recent Sunday edition of the Reno Gazette Journal (January 27, 2013), an article by Marilyn Newton (who some may remember as having taken some of the most compelling photographs of the 1997 New Year's Floods) tells the history of the Town of Caliente, Nevada, and the impact that repeated flooding has had on this historic railroad town. In her article Ms. Newton describes construction of the railroad in the early 1900s and writes:

"Another problem facing the construction crews was the canyon, through which the peaceful Little Muddy River meandered. It was definitely not the best place to lay track, but other geographical handicaps made it the only logical location. Perhaps the engineers should have listened when a friendly, wizened, wrinkled Indian watched the progress, then shook his head and pointed to a place about 15 feet above the rail bed as if indicating that's where the track should go. According to legend, the learned engineers were not about to take the advice of the old man. That was a decision they would regret."

After repeated flood damages and destruction to railroad track and rolling stock during subsequent flood events, the tracks were eventually relocated, heeding the advice of the old man. Fast forward to 2013 and FEMA's implementation of the Biggert Waters Flood Insurance Reform Act of 2012. The Act calls for changes to the National Flood Insurance Program (NFIP) which are intended to repay the nearly \$18 billion debt to the U.S. Treasury that resulted from the devastating 2005 Hurricane season, and to make the program actuarially sound. To achieve these objectives, FEMA intends to phase in flood insurance premium increases to reach actuarially based rates and to phase out premium subsidies and discounts.

As these changes go into effect, flood insurance policy holders with property in high risk flood zones will be looking for ways to reduce their policy premiums. When flood insurance policies are written, the premium depends in large part on the way the insured structure is built. Insurance underwriters consider not only flood zone but also such things as the lowest floor elevation, elevation of machinery and equipment servicing the building, flood venting, and details of a crawlspace construction. Communities that enforce NFIP building requirements in Special Flood Hazard Areas are ultimately assisting property owners with controlling their

flood insurance costs. Communities that enforce higher standards, especially freeboard standards, provide further policy premium savings for property owners.

For communities with limited, existing development in Special Flood Hazard Areas, the impending premium increases should provide further incentive to guide inappropriate development away from areas susceptible to flooding. Participation in the Community Rating System (CRS) is another way in which communities can lower policy premiums for their constituents through CRS premium discounts.

Marilyn Newton's story of Caliente reminds us of the consequences of ignoring historical knowledge of local flooding and putting development and infrastructure at risk by locating them in the high risk flood hazard areas. Implementing and enforcing floodplain management standards not only makes sense for protecting development from future flood damages, it also keeps money in our Nevada communities through lower flood insurance premiums.

> Kim Davis, PE, CFM Nevada Floodplain Manager

### Carson River Coalition Reaffirms Main Message: Protect Floodplain from Development

By John Cobourn and Steve Lewis, University of Nevada Cooperative Extension, and Brenda Hunt, Carson Water Subconservancy District



Photo: Full rights remain the property of Wolf Products, Inc.—www.wolf-products.com

"Rivers were here long before man, and for untold ages every stream has periodically exercised its right to expand when carrying more than normal flow. Man's error has not been the neglect of flood control measures, but his refusal to recognize the right of rivers to their floodplain."

**Engineering News-**

Record 1937



Following the Carson River Coalition (CRC) Forum in February 2012, participants submitted feedback on the Forum via an electronic questionnaire. One question asked whether participants agreed or disagreed with the statement:

"Protecting the floodplain from future development should continue to be the CRC's main message." Of the 67 people who answered, 94% agreed (61.2% strongly agreed/32.8% agreed). This result reaffirms the CRC main message developed in 2003 that provided the impetus for the development and publication of the 2008 Carson River Watershed Floodplain Management Plan (CRWFMP, 2008).

Why is protecting the floodplain from development such a critical message to convey and task to accomplish for the Carson River Watershed community? The Carson River is prone to flooding every five years on average, and 17 of the Newton, Reno Gazette Journal) past 33 documented flooding events since 1852 have caused major flooding and extensive damage. Ensuring that floodplains within the river corridor and flood hazard areas are kept in an open and more natural state allows the river to access its floodplain during flood events, providing natural, low

cost, flood protection (CRWFMP 2008). This type of protection is often referred to as the "Living River" concept and is a best practice in floodplain management. Benefits of this concept include:

- The river remains connected to its floodplain.
- Open floodplains provide storage for floodwaters, which can limit the damage downstream.
- Wildlife, riparian and river habitat are minimally disturbed.
- Water quality and supply are enhanced.
- Structures are not built in hazardous, unstable and unsafe areas.

from the large 1997 river floods was over 30 times greater along the Truckee River than along the Carson River (UNCE Fact Sheet 11-69). The Truckee Flood Management Project is looking at a price tag of around 1.6 billion dollars to retroactively obtain a "living river." Do current and future residents of the Carson River Watershed want this to be their future? It is much less hazardous and costly to prevent development in floodplains than to protect development after it is built. Since floodplains are the water storage areas during flooding events, Carson Watershed communities can avoid future



Dangers of channel migration are severe. This home in the Dayton Valley was torn apart when banks were eroded by the force of floodwaters in the incised channel. (Marilyn

Truckee River floodplains provide a contrast to those of the Carson River. In the Truckee River Watershed, much of the floodplain through Reno and Sparks contains buildings, residences and roads. As a result, the estimated cost of damages

flood damages if they work now to keep the river's floodplains in agriculture and open space uses. Currently, most communities along the Carson River are not located in the floodplain; therefore,

catastrophic

we have a timely opportunity to achieve floodplain protection and safeguard our future.

The CRC's River Corridor Working Group is a voluntary partnership that works toward

... continued on page 3

# Carson River Flood Mapping Project

By Mitch Blum, HDR Engineering

HDR Engineering is developing detailed hydrology, hydraulic models, and floodplain mapping for approximately a 40 mile reach of the Carson River in Lyon County and Carson City, Nevada for the Carson Water Subconservancy District (CWSD) through a grant from FEMA Region 9. This work is being conducted under the FEMA Cooperating Technical Partners (CTP) program and is part of continuing efforts to provide sound floodplain management in the Carson River Watershed.

In order to assess spatial, temporal and volumetric flood impacts, complex unsteady flow HEC-RAS modeling was chosen for the project. It is envisioned that the modeling and mapping will be used for long term watershed-wide land use planning, with the immediate goal of submitting a Physi-



cal Map Revision (PMR) under FEMA guidelines and specifications. This particular PMR will result in updates to the Lyon County Flood Insurance Rate Map (FIRM) panels for the study reach. Other major project elements include: Project Management, Public Outreach, Data Collection, Field Reconnaissance, Hydrologic

Analysis, Hydraulic Modeling, Floodplain Mapping, Reporting and Data Management. The five-year work plan is to re-map the Carson River Floodplain from Alpine County to Lahontan Reservoir. The CRC's River Corridor Working Group, whose members hail from all parts of the watershed, are partners in this process.

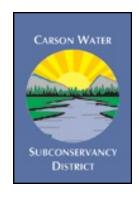
"Building in the floodplain is like setting your tent up on the highway when no cars are coming." Vicki Watson, University of Wisconsin

#### Protect Floodplain from Development, continued

the completion of the suggested actions outlined in the Floodplain Management Plan. These actions range from education and outreach to LiDAR imaging and floodplain mapping. The University of Nevada Cooperative Extension (UNCE) recently published four colorful brochures to inform the public about flooding hazards and the importance of floodplain management. These

brochures explain the functions and values of a protected floodplain for water quality, wildlife habitat and community safety; the benefits of maintaining agricultural land use in floodplains; and warn about the dangers of channel migration to structures built near river channels.

So what can you do to help? The CRC needs everyone to engage and inform our elected officials, floodplain property owners and the general public about flooding issues. If you have other ideas about how to promote this message effectively, or if you'd like to join the CRC, and/or obtain copies of the UNCE brochures, call or email Brenda at CWSD, (775) 887-9005, brenda@cwsd.org.





# Nevada Silver Jackets Team Signs Charter and Agrees to Work Together

Members of the Nevada Silver Jackets, a multi-agency flood risk management team, gathered on November 8, 2012 in the state capital of Carson City to attend a charter-signing ceremony. Nevada became the 34th state to join this national initiative. The Nevada team has been working together for more than a year, collaborating in flood mitigation, response, and recovery. Jason King, team member and State Engineer, stated, "Often, one agency doesn't have all the answers, but in working with other state, federal, tribal and local agencies, we can share information and experience, leverage resources, and reach comprehensive strategies and solutions."

The following core agencies have signed the charter and pledged to review it annually: Nevada Division of Water Resources, Nevada Division of Emergency Management, U.S. Army Corps of Engineers, Federal Emergency Management Agency, U.S. Geological Survey, National Oceanic Atmospheric Administration, National Weather Service, and U.S. Department of Agriculture, Natural Resources Conservation Service.

To quote a recent article in the *Nevada Appeal*, a daily newspaper for the state capital, which covered the signing event, "When the left hand of government does not know what the right hand is doing, sitcoms



Nevada Silver Jackets Team at November 8, 2012 Charter Signing Ceremony

and tragedies are born. A new partnership between federal and state agencies aims to let both hands know what the other is doing." The article continued to state that, with federal government funds shrinking, the simple act of working together is a way for agencies big and small to fund and complete projects and to avoid competing for limited federal budget resources.

Judy Soutiere, a SJ Team member from the USACE, said,

"When agencies choose to communicate, they all find a wealth of information, data, and knowledge in each other."

The Silver Jacket team format will lend itself to sharing information such as high water records, topographic mapping, hydrologic and hydraulic modeling, and flow information among the various agencies. By

combining the data collected by the various agencies, better flood maps and predictions can be made. As Steve Berris from the USGS noted, "We can leverage resources to get something better."

With only five team meetings so far since its inception, there still is a learning curve among the members. Kim Davis, Nevada's Floodplain Manager from the Division of Water Resources (DWR), said, "We've been in a phase of learning about each

other, as well as about agencies' authorities and limitations." Under the coordination and facilitation of the DWR, the team is committed at a minimum to meeting twice a year and will convene other meetings as necessary. In the event of a major flood event, most of the significant relationships with federal, state, and some local agencies will be in place so that after a disaster the team can hit the ground running to work on such activities as the development and implementation of a post-disaster mitigation action strategy. Judy reiterated a theme from the recent Flood Risk Management and Silver Jackets Workshop in her statement, "One of the purposes of building a Silver Jackets team is to make a friend before you need a friend."

"When the left hand of government does not know what the right hand is doing, sitcoms and tragedies are born."



#### NFIP Minus Rated Properties and CRS

By Rebecca C. Quinn, CFM, RC Quinn Consulting

The following discussion on the <u>loss of Community Rating System (CRS) discount for minus-rated properties</u> is reprinted from an article in the November 2012 issue of **The Insider**, a publication of the Association of State Floodplain Managers.

As a reminder, minus-rated properties are those that are rated with the lowest floor one foot or more below the base flood elevation. FEMA instituted this policy in part to ensure that only buildings that are compliant with the NFIP construction criteria receive the policy discounts available in Community Rating System communities. Last March, it was reported that more than 45,000 properties in 938 of the 1,192 CRS communities were minus-rated and affected by this policy.

In my last column I wrote that communities can request their minus-rated policy list by emailing NFIPCRS@iso.com (include the Community Identification Number). I also shared my experience where I saw some properties were likely minus-rated because of relatively minor compliance issues that should be easy to correct (e.g., heat pump lower than the lowest floor, noncompliant flood openings).

Cristina Martinez, a CRS Flood Technical Coordinator with ISO, and former state and local floodplain manager, got in touch and shared information from previous CRS newsletters. (ref. "Minus Rated" Properties and the CRS Discount, NFIP/CRS Update, March 2012). While noncompliance may indeed cause minus-rating, it's not the only cause and may not even be the primary cause. A large number of properties are minus-rated because of "disconnects" in the information used to rate the policies.

In 2008, after receiving their list of minus-rated properties, a number of CRS Coordinators took the initiative to help property owners understand the implications and options available to them. Martinez told me that her hands-on experience working with communities in Colorado and the experience of others revealed a lot about disconnects that result in minus-ratings.

After talking to Martinez, here's what I understand are some other the common causes of minus-rating, other than the obvious ones I saw myself:

- 1. Some pre-FIRM buildings were incorrectly rated as post-FIRM buildings even though they'd not been substantially improved or substantially damaged.
- 2.Buildings that were built in compliance with the effective flood map at the time of construction, but rated based on a more recent map that shows higher BFEs. These policies should be "grandfathered" because they were compliant when constructed. Many people, including agents, may not know how to access what FEMA calls "historic" FIRMs. Some (but probably not all) historic FIRMs are accessible through the FEMA Map Service Center (www.msc.fema.gov and click on "Product Catalog").
- 3. Some floodproofed non-residential buildings were rated using elevation certificates instead of floodproofing design certification (indeed, insurance agents may not even be aware that a building is floodproofed if the proper documentation isn't provided).
- 4.Buildings with "below-grade" crawlspaces generally are rated as having basements even if the floor above is properly elevated. But if it can be shown that a building with a below-grade crawlspace complies with the limitations and requirements in Technical Bulletin 11, *Crawlspace Construction for Buildings Located in Special Flood Hazard Areas*, insurance companies can re-rate these buildings. As a reminder, TB 11 does not permit use of below-grade crawlspaces everywhere it has some very specific limitations: the depth below grade shall be no more than 2 ft measured from the lowest adjacent grade to the top of the footing and the perimeter wall shall be no more than 4 ft high measured from the top of the footing to the top of the wall. Work through the numbers and you'll see this means below-grade crawlspaces can be used only in relatively shallow SFHAs, especially if freeboard is required.

There's no way the average property owner could figure out these compliance and rating problems. But once they realize their buildings are minus-rated, they can talk to their insurance agents to find out what's causing that rating. What they learn may lead to corrections of noncompliance or corrections of problems with ratings that can sometimes result in lower premiums. This can add up to real savings, especially in CRS communities because these policyholders will also regain the CRS discount! Plus, in some cases, insurance companies may be able to issue refunds of excess premiums paid in the current year.

Your role? Local officials should get the list of minus-rated properties in their communities and take some time to figure out how best to help their citizens identify and resolve what factors cause minus-ratings.

### Flood Insurance from the Lender's Perspective

The following Q&A is excerpted from the Office of the Comptroller of the Currency, U.S. Department of the Treasury website, Answers & Solutions for Customers of National Banks, <u>nww.helpwithmybank.gov</u>

#### What is flood insurance?

Unlike a standard homeowner's policy, flood insurance covers losses to your property caused by flooding. Some of the things a standard flood policy will cover include:

- structural damage to the building and its foundation
- the electrical and plumbing systems
- furnace, water heater, and central air conditioner
- refrigerators, cooking stoves, and built-in appliances
- permanently installed carpeting over an unfinished floor
- flood debris cleanup

You can also buy a flood insurance policy to cover the contents of your home, such as furniture, clothing, food freezers and the food in them, portable air conditioners, and certain valuable items, such as artwork and furs (up to \$2,500).

Policies are available in three forms: *Dwelling* (for most homes), *General Property* (for example, for apartment buildings and businesses) and *Residential Condominium Building Association* (condominiums).

When a property securing a loan is located in a Special Flood Hazard Area (SFHA) in which flood insurance is available under the Flood Disaster Protection Act (FDPA or Act), a national bank may not make, increase, extend, or renew any mortgage loan unless that property is covered by flood insurance. Under the Act, the *mandatory purchase* amount is the lesser of:

- The outstanding principal balance of the loan(s), or
- The maximum amount of insurance available under the National Flood Insurance Program (NFIP), which is the lesser of:
  - The maximum limit available for the type of structure (\$250,000 for a residential structure and \$500,000 for a nonresidential structure), or
  - The insurable value of the structure. Coverage must be obtained and maintained throughout the term of the loan.

To obtain flood insurance coverage, you must live in a community that participates in the NFIP.

## Can my lender require more flood insurance than the minimum required by regulation?

Yes. Lenders are permitted to require more flood insurance coverage than the minimum amount required by the Flood Disaster Protection Act (FDPA or Act). If the flood insurance requested by the lender is greater than \$250,000, then you or the lender may have to seek such coverage outside the NFIP.

#### How much can a bank charge for flood insurance?

Flood insurance premiums are calculated based on factors such as:

- Year of building construction
- Building occupancy
- Number of floors



Lenders are permitted to require more flood insurance coverage than the minimum amount required by the Flood Disaster Protection Act.



#### The Lender's Perspective, continued

- The location of the contents in the building
- The flood risk of the building (i.e., the flood zone)
- The location of the lowest floor in relation to the elevation requirement on the flood map
- The deductible you choose and the amount of building and contents coverage

You do not have to purchase the flood insurance policy from the bank. It may be purchased through insurance companies which sell policies through their network of agents. The coverage is offered through FEMA and its National Flood Insurance Program (NFIP).

If flood insurance is required in connection with a loan but the borrower does not purchase the required amount of flood insurance, the lender must *force place coverage* and may charge the borrower for the cost of premiums and fees incurred in purchasing the insurance. Force placed flood insurance coverage is often more expensive than coverage under a policy purchased directly by the borrower.

# My home is located in a Special Flood Hazard Area (SFHA). I am thinking about obtaining a home equity loan. Will I be required to have flood insurance?

Yes. Flood Insurance will be required if the loan is secured by a building or mobile home located in an SFHA in which flood insurance is available under the Flood Disaster Protection Act.

You can be exempt from purchasing flood insurance for a building or a mobile home in a SFHA only if:

- The original principal balance of the loan is \$5,000 or less; and
- The original repayment term is one year or less.

### When can lenders or servicers charge the borrower a fee for making a flood determination?

There are four instances under the Flood Disaster Protection Act (FDPA or Act) when the borrower can be charged a specific fee for a *flood determination*:

- 1. When the determination is made in connection with the making, increasing, extending, or renewing of a loan that is initiated by the borrower;
- 2. When the determination is prompted by a revision or updating of floodplain areas or flood-risk zones by Federal Emergency Management Agency (FEMA);
- 3. When the determination is prompted by FEMA's publication of notices that affect the area in which the secured property is located; or
- 4. When the determination results in force placement of insurance.

The loan agreement or other contractual documents between the parties may also permit the imposition of fees.

## Does the Flood Disaster Protection Act (FDPA or Act) apply to loans that are being restructured or modified?

It depends.

By definition, a designated loan is a loan secured by a building or mobile home that is located in a Special Flood Hazard Area in which flood insurance is available under the Act. If the loan being restructured or modified meets the definition of a designated loan, the Act would apply to that loan. Additional flood insurance may be required if the lender increases the amount of the loan.



Answers & Solutions for Customers of National Banks

Force placed flood insurance coverage is often more expensive than coverage under a policy purchased directly by the borrower.



#### FEMA Online LOMC



Additional documents required

• Elevation Form or Existing Elevation

within the Online LOMC application

FIRM Panel or FIRMette - This docu-

**Subdivision Plat Map or Property** 

Deed with Tax Assessor's Map or

located with the County/Parish Clerk,

Community

mented is located within the MSC Store

Other Suitable Map - This document is

Recorder, or Registrar of Deeds for the

\* NOTE: If the request is to make a determina-

Certificate has already been completed for this

Elevation Form. Check with your community to

see if an Elevation Certificate is already on file

tion on the structure and an NFIP Elevation

property, it may be submitted in lieu of the

for your property or structure.

Certificate\* - This document is located

when requesting a LOMA:

# What is a Letter of Map Change (LOMC)?

If a property owner thinks their property has been inadvertently mapped in a Special Flood Hazard Area (SFHA),

they may submit a request to FEMA for a Letter of Map Change (LOMC). A SFHA is defined as the area that will be inundated by the flood event having a 1percent chance of being equaled or exceeded in any given year. A LOMC reflects an official revision/amendment to an effective Flood Insurance Rate Map (FIRM). If the

LOMC request is

granted, property owners may be eligible for lower flood insurance premiums, or the option to not purchase flood insurance.

# What is the Online LOMC?

The Online LOMC is an internet-based tool that allows applicants to easily request a Letter of Map Amendment (LOMA). A LOMA is a letter from FEMA stating that an existing structure or parcel of land - that is on naturally high ground and has not been elevated by fill - would not be inundated by the base flood. This new tool is a convenient way for applicants to upload all information and supporting documentation and check the status of their application online. Users can submit LOMA requests through this tool instead of filing the MT-EZ paper form via mail.

# Who can use the Online LOMC?

Anyone, including home or property owners, their representatives, and professional surveyors and engineers, may submit a LOMA request using the Online LOMC. Certification by licensed engineering or surveying professionals is required for some supporting documentation, which may be scanned and uploaded by the applicant.

# What are the benefits?

- Applicants may save information online and finish applying at their convenience
- Clear and intuitive interface makes applying userfriendly
- Frequent applicants can manage multiple LOMA requests online
- Applicants can check their application status in real-time
- More efficient communications with LOMC processing staff
- Coming soon! Request all LOMC types via the Online LOMC

For More Information . . .

www.fema.gov/online-lomc



# Certified Floodplain Managers in Nevada

In Spring of 2004, the Nevada Floodplain Management Program reported that there were 25 Nevadans who had earned Certified Floodplain Manager (CFM) designation from the Association of State Floodplain Managers. Today there are 67 CFMs around the Silver State:

North Las Vegas 2

Boulder City 3	Gardnerville 1	Las Vegas 22	Reno 13
Caliente 1	Hawthorne 1	Minden 3	Sparks 4

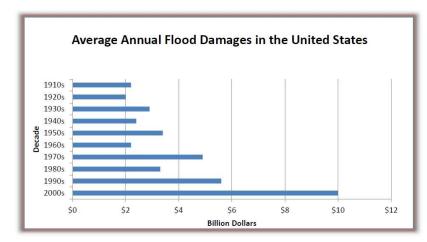


#### **Costs and Impacts of Flooding**

Henderson 13

#### **Association of State Floodplain Managers**

Carson City 2



The Costs and Impacts of Flooding, from "Flood Mapping for the Nation, A Cost Analysis for the Nation's Flood Map Inventory" March 1, 2013, ASFPM



Washoe Valley 2

ASFPM's report entitled "Flood Mapping for the Nation, A Cost Analysis for the National Flood Map Inventory" March 1, 2013, and other policy resources may be found on the ASFPM website:

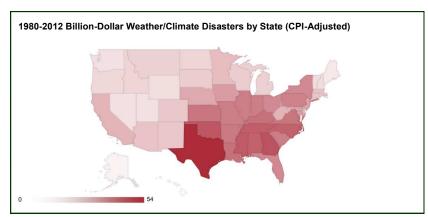
www.floods.org

Floods are the leading cause of natural disaster losses in the United States, having cost approximately \$50 billion in property damage in the 1990s and accounting for more than two-thirds of federally declared natural disasters (National Research Council, 2009).

#### **Billion Dollar Weather/Climate Disasters**

#### **National Climatic Data Center**

**National Oceanic and Atmospheric Administration** 



Please note that the map reflects a summation of billion-dollar events for each state affected (i.e., it does not mean that each state shown suffered at least \$1 billion in losses for each event).



Billion Dollar Weather/Climate Disasters may be found on the NOAA National Climatic Data Center website: www.ncdc.noaa.gov /billions

#### **NDWR**

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Nevada Floodplain Management News is a publication of the Nevada Floodplain Management Program.

The Nevada Floodplain Management Program was established in the Department of Conservation and Natural Resources, Division of Water Planning by the 1997 Nevada State Legislature after the need for a statewide flood management program became apparent when damages from the 1997 New Years Flood on the Truckee River were assessed.

In the Spring of 2001 the Nevada Floodplain Management Program was transferred within the Department of Conservation and Natural Resources and was later confirmed by Governor's Executive Order, dated April 10, 2003, to its current residence within the Division of Water Resources under the direction of the Nevada State Engineer.

## Nevada Flood Hazard Mapping Update



For more information contact Luke Opperman, lopperman@water.nv.gov.

Carson City	Vicee, Ash & Kings Can- yon PMR	Appeal period ends April 17, 2013.
Elko County	West Wendover Appeal Resolution	Elko countywide DFIRMs, approximate effective date September 4, 2013.
Lander	County Wide DFIRM	Letter of Final Determination approximately in May 2013.
Lyon		FEMA 2-D modeling with topographic survey data supplied by community of Yerington. Preliminary map release estimated within 2-4 months.
Mineral	County Wide DFIRM	Effective date of countywide DFIRMs November 16, 2012.
Nye County		FEMA and community of Pahrump worked to refine certain areas depicted on pre- liminary maps. Revised-preliminary maps have been shared with community.
Washoe County	Evans Creek and White Lake PMR	Effective date June 18, 2013

PMR - Physical Map Revision; LOMR - Letter of Map Revision; LFD—Letter of Final Determination; DFIRM - Digital Flood Insurance Rate Map; CTP - Cooperating Technical Partner; CWSD - Carson Water Subconservancy District