

ELTON GALLEGLY
24TH DISTRICT, CALIFORNIA
www.house.gov/gallegly/

2309 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0523
(202) 225-5811

2829 TOWNSGATE ROAD, SUITE 315
THOUSAND OAKS, CA 91321
(800) 423-0023
(805) 497-2224

485 ALISAL ROAD, SUITE G-1A
SOLVANG, CA 93463
(800) 423-0023
(805) 886-2525

Congress of the United States
House of Representatives
Washington, DC 20515-0524

November 16, 2009

W. Craig Fugate, Director
Federal Emergency Management Agency
500 "C" Street, S.W.
Washington, D.C. 20472

Dear Director Fugate:

I read with great interest an article from the *Ventura County Star* dated Friday, November 13, 2009, titled, "Flood Map's Delay Sought". (copy enclosed) The article discusses the possibility of FEMA delaying the finalized new flood insurance map for the city of Oxnard, which would raise insurance rates for 1,800 property owners.

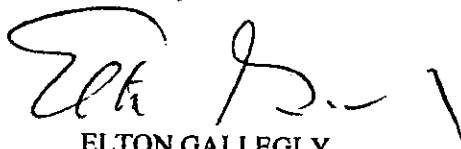
City and county officials have argued that FEMA may be premature in finalizing the flood map for Oxnard due in part to errors FEMA has made in technical and procedural areas during the process. My district staff attended FEMA meetings in other areas of the county and these same issues were raised by many of my constituents in Camarillo, Moorpark and Fillmore.

My concern lies with this paragraph of the *Ventura County Star* article that states, "While there are more than 10,000 property owners in Moorpark, Camarillo, Fillmore and Oxnard affected by new federal flood insurance rate maps, the focus of the conference call Friday with Doug Bellomo, FEMA's director of risk analysis, was focused on Oxnard."

I am writing today to request that you extend this delay in finalizing the new flood insurance maps to the entire County of Ventura, which would include the communities of Camarillo, Moorpark and Fillmore.

Thank you for your consideration in this matter.

Sincerely,



ELTON GALLEGLY
Member of Congress

Enclosure

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Flood map's delay sought

FEMA, local officials talk about Oxnard properties

By Scott Hadly

Friday, November 13, 2009

After a series of discussions with county representatives, federal officials said Friday they might delay finalizing a new flood insurance map that would raise insurance rates for as many as 1,800 property owners in Oxnard.

While there are more than 10,000 property owners in Moorpark, Camarillo, Fillmore and Oxnard affected by new federal Flood Insurance Rate Maps, the focus of a conference call Friday with Doug Bellomo, FEMA's director of risk analysis, was focused on Oxnard.

"He was very generous with his time, and we gave him a lot to think about," Ventura County Supervisor Steve Bennett said.

Bellomo told local officials that he would let them know within the next week whether FEMA would delay implementing the new flood map.

"I don't think they've done that anywhere else," Bennett said.

Ventura County is by no means alone in coming to terms with the Federal Emergency Management Agency's new flood maps.

Since hurricane Katrina tore through New Orleans, FEMA has spent years drawing new maps to more accurately reflect the areas vulnerable to a 100-year flood, a flood that has a 1 percent chance of happening in any given year.

But in communities in New York, New Jersey, Kansas, Nevada, Oregon and California, property owners who have suddenly found themselves included in flood zones have complained about the process. The designation requires that all properties with federally backed mortgages that are in flood zones to have expensive flood insurance.

Without a discount, the insurance would run a homeowner about \$1,700 per year, according to FEMA estimates.

Several communities have sued FEMA over the new maps, including Monmouth County in New Jersey, Douglas County in Nevada and Finney County in Kansas.

Oxnard City Councilman Bryan MacDonald, who participated in Friday's conference call, said he was hopeful that FEMA would reconsider opening up the process and delay finalizing the map.

Although property owners have hired an attorney, local officials said they're not yet considering taking legal action.

Ken Ortega, Oxnard's Director of Public Works, said FEMA officials have said that if the local property owners can show that FEMA has either made technical mistakes or erred in the process they may reopen the discussions.

"I think we can show there are procedural issues," Ortega said.

Federal officials have conceded that there are some significant technical issues still to be worked out that would affect how the map would be drawn, Ortega said.

Ventura County officials and officials from the city of Oxnard have argued that FEMA may be "jumping the gun" in finalizing the flood map for Oxnard. One issue involves mapping water flows with ground elevations.

Several residents in the affected area say the predicted "peak flow" data might be wrong. Even modest changes in the level of flows would have a significant effect on the number of homes included in the flood zone.

Richard Tentler, an attorney representing the group Flood Zone Justice Association, which includes more than 100 Oxnard property owners, said his clients have issues with the process and technical underpinnings for the new maps. Although he is focused on the Oxnard map, Tentler said he has been to public meetings in both Fillmore and Moorpark. While there are some issues specific to each city, residents in each community have complained about the lack of public notice.

"And I think that's been said in many other jurisdictions," Tentler said.

If FEMA officials decline to reopen the process in Oxnard, Tentler said he would like both the city of Oxnard and Ventura County to join property owners in taking legal action against the federal agency.

Attorney Jack Draper, who lives in the flood zone, has filed a "60-day letter" giving notice to FEMA that he is preparing a suit against the agency, saying an environmental review was not done prior to issuing the new maps.



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