



September 4, 2020

United States
Department of
Agriculture

INFORMATIONAL MEMORANDUM

Farm Production and
Conservation

TO: All Approved Insurance Providers Writing in the State of Missouri

Risk
Management
Agency

FROM: Collin Olsen /s/ *Collin Olsen*
Director, Topeka RO

Topeka Regional Office

SUBJECT: Actuarial Rates Resulting from Breached Levees in Missouri

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Topeka, Kansas 66614-
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I. BACKGROUND

Telephone:
(785) 228-5512

Due to the 2019 flood event, levees along the Missouri and Mississippi Rivers and tributaries in Missouri were breached. The following is a 2021 crop year policy provision (“Breached Levee Statement”) in the Special Provisions for spring planted crops with a 6/30 filing date:

Fax:
(785) 228-1456

"Land flooded due to a breach in a levee resulting from prior year(s) flooding is insurable. The applicable rate will be assigned based on conditions of the levee and soils on the latter of the sales closing date or earliest planting date. If, by that date, the levee has not been repaired to prior specifications, or if damaged soil (if any) has not been restored to at least the same crop yield potential as prior to the flood event, the land will be classified as high-risk and will have the highest rate classification in the county. However, if the levee is repaired to prior design specifications, and the soil has at least the same crop yield potential as before the flood, the land will be restored to the classification designated prior to the breach. If the levee has been temporarily or permanently repaired, but not to prior design specifications, by the latter of the sales closing date or earliest planting date, and the soil has at least the same crop yield potential as before the flood, then RMA may adjust the rate to an amount consistent with the level of flood risk by written agreement, if applicable. For RMA to consider any levee repair, RMA must be provided a certification from the U.S. Army Corps of Engineers or signed and sealed certification from a professional engineer who is currently licensed and registered in the state where the levee is located. For soils to be considered restored to the same crop yield potential as before the flood, you must sign a statement that damaged soil (if any) has been restored to at least the same crop yield potential as prior to the flood event."

II. COUNTIES AFFECTED

The breached levee statement was placed in the Special Provisions in the following Missouri counties: Atchison, Buchanan, Callaway, Carroll, Chariton, Cole, Cooper, Holt, Howard, Lewis, Lincoln, Moniteau, Osage, Pike, Platte, Saline, and St. Genevieve.

III. CERTIFICATION REQUIREMENTS

The breached levee statement requires breached levee system repairs to be certified. For levee systems within the U.S. Army Corps of Engineers (USACE) jurisdiction, the Topeka Regional Office (TRO) should be able to obtain the necessary certification of repairs from USACE. For all other breached levee system, the TRO must be provided a signed and sealed certification from a professional engineer who is currently licensed and registered in the state where the levee is located. Failure to provide the Topeka Regional Office with the necessary certification will mean the breached levee statement will be applicable to the acreage flooded by a breach in that levee system.

The certification of levee system repair is only to address the breaches of the levee system. “Levee system repairs” means all the breaches in the levee system have been repaired. The certification should include the following information:

- i. The levee system name and location
- ii. The levee system has been repaired to prior specification (Y/N)
- iii. The levee system has been repaired to a temporary/permanent level of protection, but not to prior specifications (Y/N)
- iv. The date the levee system was repaired
- v. If temporary/permanent level of protection, but not to prior specifications, please provide the minimum overtopping height (in feet based on river gage station) of the repaired levee system. Please provide Gage Height (in feet) of minimum overtopping height and Gage Name

Note: For levee systems outside the jurisdiction of USACE (“private levees”), USDA Natural Resources Conservation Service (NRCS) in Missouri has offered engineering services to perform certification of repairs, as workload permits. Please contact your local USDA NRCS service center for more information and to make a request for certification services.

IV. STATUS OF BREACHED LEVEES AS OF SEPTEMBER 3, 2020

The following levees listed in subsection A, B, C is not a comprehensive listing of breached levees. The breach levee statement applies to all breached levees in the affected counties. There may be additional levees in the affected counties identified in Section II that may have breached. You may contact the Topeka Regional Office at rsoks@usda.gov, or 785-228-5512, to report a breached levee not identified in Section IV A, B, or C.

A. Certified Repaired to Prior Specifications

Repaired As of	Levee Name	County
8/25/20	Garden of Eden Section 2	Chariton
7/1/20	Northeastern Saline Levee Association	Saline

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A. Certified Repaired to Prior Specifications (Continued)

Repaired As of	Levee Name	County	
8/14/20	Malta Coles Saline-Lafayette Teteseau Districts	Saline	
6/30/20	Levee District No. 1 of Cooper County	Cooper	Moniteau
4/15/20	Private Levee #7	Osage	
7/7/20	Cambridge Levee	Chariton	Saline
6/26/20	Capital View Drainage District	Callaway	
TBD	Private Levee #4	Pike	
5/21/20	Weston Bottoms	Platte	

B. Not Repaired or Not Certified as Repaired

Levee Name	County	
L-536	Atchison	Holt
Rushville-Sugar Lake, Platte County DD No. 1 Section 1	Buchanan	Platte
Reveaux Drainage District	Callaway	
Herberger Levee	Carroll	
Brunswick Levee	Carroll	
Private Levee #8	Carroll	
Garden of Eden Section 1	Chariton	
MRLS 246-L	Chariton	
Prison Farm Levee	Cole	
Big Tarkio DD (left descend bank), Union Township, Holt County 10	Holt	
Holt County Levee District No 9	Holt	
Canon Drainage District	Holt	
Mill Creek, Corning LD, Big Tarkio DD (right descending bank)	Holt	
Private Levee #7	Pike	
Private Levee #5	Pike	
Clarence Cannon Wildlife Refuge	Pike	
Platte County DD No. 1 Section 2, Bean Lake	Platte	
Ste. Genevieve Levee #2	Ste. Genevieve	
Saline County LD No. 2	Saline	

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C. Certified Temporarily or Permanently Repaired, but not to Prior Specifications
(continued)

Repaired As of	Levee Name	Gage Hght (ft)	Gage Name	HR Classification	County
1/28/20	Union Township Levee/1	24.0	Gregory Landing	ZZZ	Lewis
3/20/20	Schramm Private Levee/1	31.6	Winfield Lock & Dam 25 (lower)	ZZZ	Lincoln
3/11/20	Howard County Levee District No 4/1	28.0	Boonville	ZZZ	Howard
March 2020	Jaeger Levee (Private)/1	30.5	Clarksville	ZZZ	Pike

/1 For levee systems temporarily or permanently repaired but to less than pre-flood level of protection, the High Risk acreage will have a map classification of ZZZ and the subcounty high-risk rate based on the level of protection in the above table. RMA will issue the ZZZ rate through a “BL Offer - Updated Actuarial Offer for Repaired Levees” via the RMA Regional Office Exceptions system. See Section V for more information.

V. **BL OFFER - UPDATED ACTUARIAL OFFERS FOR REPAIRED LEVEES**

For situations footnoted in Section IV which will be a “BL Offer - Updated Actuarial Offer for Repaired Levees”, producers do not need to submit a Request for Actuarial Change for a Written Agreement to RMA. For acreage in these situations, RMA can adjust the high-risk rate for all the acreage behind a repaired and certified levee system without insured’s submitting a written agreement request. Once RMA has received the necessary certification, RMA will be able to calculate the appropriate high-risk rate and apply it to all the acreage behind the levee system. RMA will notify your Approved Insurance Provider (AIP) of the acreage where the adjusted rate applies.

VI. **ACTION**

For crop land affected by a breached levee, the Approved Insurance Provider (AIP) is responsible for ensuring the stipulations in the breached levee statement are followed accordingly.

As noted TRO should be able to obtain the necessary certification of repairs from USACE. For all other breached levee system, the TRO must be provided a signed and sealed certification from a professional engineer who is currently licensed and registered in the state where the levee is located. Insureds, agents or AIPS can provide this information directly by contacting TRO. *Note: TRO only needs to receive one certification that a levee system is repaired to be able to consider that levee system as repaired.*

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For more information on the breached levee statement, including “prior specifications,” “damaged soil,” and requesting written agreements, please visit our Frequently Asked Questions document at www.rma.usda.gov/News-Room/Frequently-Asked-Questions/Breached-Levee-Statement.

The Actuarial Information Browser (AIB), was updated on **September 4** to reflect the appropriate map classification and subcounty areas of the land flooded by the breached levee(s). The AIB can be found at webapp.rma.usda.gov/apps/actuarialinformationbrowser/. The information in this AIB update reflects status of certifications received on breached levee repairs as of **September 3, 2020**.

To assist AIPs and provide the most up-to-date information, TRO will continue to issue maps of land flooded by the breached levees with the Informational Memos. We anticipate weekly update of these memos and maps. This information can be downloaded from the following: ftp://ftp.rma.usda.gov/pub/Miscellaneous_Files/Breached_Levees/

Disposal: Effective until otherwise superseded or the Special Provisions statement is removed from the counties’ actuarial documents.