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Department of  
Agriculture

Farm Production and  
Conservation

Risk  
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INFORMATIONAL MEMORANDUM

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

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

SUBJECT: Actuarial Rates Resulting from Breached Levees in Nemaha, Otoe, and Sarpy counties in Nebraska

**I. BACKGROUND**

Due to the 2019 flood event, levees along the Missouri River and tributaries in Nebraska were breached. The following is a 2020 crop year policy provision in the Special Provisions for fall crops with a 6/30 filing date in

*“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 has been repaired to prior design specifications and the soil has at least the same crop yield potential as before the flood, the land will be classified as shown on the current crop year Actuarial map. If the levee has been restored to prior design specifications (e.g. same material and width from toe of slope to toe of slope), but at a lesser height by the latter of the sales closing date or earliest planting date, then RMA may adjust the rate to an amount consistent with the level of flood risk, by written agreement.”*

**II. STATUS OF BREACHED LEVEES AFFECTING NEMAHA, NE AS OF September 16, 2019**

A. Repaired to Prior Specifications:

The following breached levee(s) have been repaired to prior specifications:

- *None*

B. Not Repaired to Prior Specifications:

The following breached levee(s) have not been repaired to prior specifications:

- *L-575*
- *R-562 Peru*

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C. Repaired to Prior Specifications but at a lesser height:

The following breached levee(s) have been repaired to prior specifications, but to a lesser height:

- *None*

**III. STATUS OF BREACHED LEVEES AFFECTING OTOE, NE AS OF September 16, 2019**

A. Repaired to Prior Specifications:

The following breached levee(s) have been repaired to prior specifications:

- *None*

B. Not Repaired to Prior Specifications:

The following breached levee(s) have not been repaired to prior specifications:

- *R-562 Peru*

C. Repaired to Prior Specifications but at a lesser height:

The following breached levee(s) have been repaired to prior specifications, but to a lesser height:

- *None*

**IV. STATUS OF BREACHED LEVEES AFFECTING SARPY, NE AS OF September 16, 2019**

A. Repaired to Prior Specifications:

The following breached levee(s) have been repaired to prior specifications:

- *None*

B. Not Repaired to Prior Specifications:

The following breached levee(s) have not been repaired to prior specifications:

- *None*

C. Repaired to Prior Specifications but at a lesser height:

The following breached levee(s) have been repaired to prior specifications, but to a lesser height:

- *R-613*

V. **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.

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](http://www.rma.usda.gov/News-Room/Frequently-Asked-Questions/Breached-Levee-Statement).

To assist AIPs, the Topeka RO has developed a map of the land flooded by breached levee (s) identified in this memo. All information can be downloaded from the following: <ftp://ftp.rma.usda.gov/>.

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