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Agriculture

Farm Production and  
Conservation

Risk  
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March 13, 2020

## INFORMATIONAL MEMORANDUM

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

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

SUBJECT: Actuarial Rates Resulting from Breached Levees in Missouri

### I. **BACKGROUND**

Due to the 2019 flood event, levees along the Missouri and Mississippi Rivers and tributaries in Missouri were breached. The following is a 2020 crop year policy provision ("Breached Levee Statement") in the Special Provisions for spring planted crops with a 11/30 filing date:

*"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 classified as shown on the current crop year Actuarial Map. 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, Boone, Buchanan, Callaway, Carroll, Chariton, Clark, Cole, Cooper, Franklin, Gasconade, Holt, Howard, Jackson, Lewis, Lincoln, Marion, Moniteau, Osage, Pike, Platte, Ray, Saline, St Charles, St. Genevieve, St Louis County, and Warren.

### 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 MARCH 12, 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](mailto: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

As of	Levee Name	County
1/22/20	Pike Grain #3	Pike
1/31/20	Kissinger	Pike
1/31/20	Foley, Cap Au Gris, Winfield	Lincoln
1/31/20	Winfield Pin Oak	Lincoln

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A. Certified Repaired to Prior Specifications (continued)

As of	Levee Name	County	
2/21/20	Big Bend Levee	Carroll	
2/25/20	Hartsburg Levee Section 3	Boone	
3/2/20	Morrison Lower	Gasconade	
3/2/20	Tuque Creek Levee	Warren	
3/2/20	Gregory Drainage District	Clark	Lewis
3/3/20	Ray-Carroll Levee	Carroll	Ray
3/3/20	Sugartree Bottom Levee	Carroll	
3/4/20	Mississippi Fox - Upper	Clark	
3/4/20	Garden of Eden Section 3	Chariton	
3/9/20	Mississippi Fox – Lower	Clark	
3/10/20	Easley-Wilton (private)	Boone	
3/11/20	Labadie Bottom Section 4	Franklin	
3/11/20	West Glasgow Levee District	Saline	

B. Not Repaired or Not Certified as Repaired

Levee Name	County	
L-536	Atchison	Holt
Boone County #1 (private)	Boone	
Rushville-Sugar Lake, Platte County DD No. 1 Section 1	Buchanan	Platte
Capital View Drainage District	Callaway	
Stoner Island	Callaway	
Steedman	Callaway	
Tebbetts Levee	Callaway	
Reveaux Drainage District	Callaway	
Renz Levee	Callaway	
Wakenda Levee	Carroll	
Riverside Levee	Carroll	
Private Levee #2	Carroll	
Carr-Sal Levee	Carroll	Saline
Mi-De Levee	Carroll	
Herberger Levee	Carroll	
Brunswick Levee	Carroll	
Cambridge Levee	Chariton	

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B. Not Repaired or Not Certified as Repaired (*continued*)

Levee Name	County	
Garden of Eden Section 1	Chariton	
Garden of Eden Section 2	Chariton	
MRLS 246-L	Chariton	
Prison Farm Levee	Cole	
Levee District No. 1 of Cooper County	Cooper	Moniteau
Big Tarkio DD (left descending bank), Union Township Levee, Holt County LD No 10	Holt	
Holt County Levee District No 9	Holt	
Canon Drainage District	Holt	
Mill Creek, Corning LD, Big Tarkio DD (right descending bank)	Holt	
Howard County No. 7, Sec 4		
Howard County No. 2	Howard	
Howard County Levee District No 4	Howard	
Bonne Femme Levee District No 1	Howard	
Fortmeyer Levee	Jackson	
Elsberry / Kings Lake	Lincoln	Pike
Brevator	Lincoln	
Old Monroe Private Levee	Lincoln	
Schramm Private Levee	Lincoln	
Chamois Levee District (private)	Osage	
Private Levee #7	Osage	
Ted Shanks Conservation Area	Pike	
Private Levee #5	Pike	
Clarence Cannon Wildlife Refuge*	Pike	
Private Levee #4	Pike	
Platte County DD No. 1 Section 2, Bean Lake	Platte	
Weston Bottoms	Platte	
Private Levee #1	Ray	
Kuhs Levee	St. Charles	
Bonhomme Island Private Levee	St. Charles	
Ste. Genevieve Levee #2	Ste. Genevieve	
Columbia Bottoms	St. Louis	
Howard Bend No. 5 (private)	St. Louis	

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B. Not Repaired or Not Certified as Repaired (continued)

Levee Name	County
Malta Coles Saline-Lafayette Teteseau Districts	Saline
Northeastern Saline Levee Assoc.	Saline
Saline County LD No. 2	Saline
Cole's Lake DD No. 2	Saline

\* Previously listed as Private Levee #3, but was updated to Clarence Cannon Wildlife Refuge. Area of impact was updated on the map.

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

As of	Levee Name	Gage Hght (ft)	Gage Name	County
1/28/20	Union Township Levee	24.0	Gregory Landing	Lewis
2/3/20	Elm Point	Pre-flood LOP*	Grafton	St Charles
3/4/20	Marion County DD	Pre-flood LOP*	Quincy Lock & Dam 21	Marion
3/4/20	L575	Pre-flood LOP*	Nebraska City	Atchison
3/4/20	L550	Pre-flood LOP*	Brownville	Atchison
3/4/20	Vandiver-Oldham Levee	Pre-flood LOP*	Leavenworth	Platte
3/11/20	Tri-County of Ray, Clay, and Jackson	Pre-flood LOP*	Sibley	Ray
3/11/20	Dewitt D&L	Pre-flood LOP*	Miami	Carroll

\* Based on the certification from the USACE and private engineering firms, the levees were temporarily repaired to the Level of Protection (LOP) it was prior to the levee breach. Therefore, for the 2020 crop year, the acreage behind the levee will carry the same map classification and subcounty rate it had prior to the levee breach. Please see the 2020 Actuarial Information Browser for the applicable map classification and subcounty rate.

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.

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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.*

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).

The Actuarial Information Browser (AIB) was updated on March 12<sup>th</sup> to reflect the appropriate map classification and subcounty areas of the land flooded by the breached levee(s). The information in this AIB update reflects status of certifications received on breached levee repairs as of **March 4<sup>th</sup>**.

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/](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.