



## IMPORTANT NOTICE

August 2023

### To: All West Virginia State and Local Governmental Entities and Non-Profit Organizations

Pursuant to W.Va. Code §33-2-15a, the West Virginia Office of the Insurance Commissioner is responsible for issuing an annual communication to all West Virginia state and local governmental entities and non-profit organizations to make them aware:

- (1) That the 1988 amendments to the federal Robert T. Stafford Emergency Assistance and Disaster Relief Act (Stafford Act) imposes penalties in the form of reductions in Federal Emergency Management Agency (FEMA) disaster relief funds on public entities who fail to purchase adequate flood insurance on all property located in identified flood hazard areas;
- (2) Of the magnitude of risk exposure and potential financial loss that may result from these penalties; and
- (3) That low-cost, federally subsidized flood insurance may be available through the National Flood Insurance Program (NFIP).

Please review your eligibility for the NFIP. Penalties in the form of reductions in Federal Emergency Management Agency (FEMA) relief funds are possible for entities that fail to purchase adequate flood insurance on all property located in identified flood zones. Section 406(d) of the Stafford Act mandates a special reduction in the amount of public assistance funding for a structure that is:

- insurable under the NFIP,
- located in a Special Flood Hazard Area as identified by FEMA, and
- damaged or destroyed by flooding

For insurable structures that do not have flood insurance or carry inadequate coverage, FEMA will reduce eligible loss payments to the lesser of:

- the maximum amount of insurance proceeds that could have been obtained from a standard NFIP flood insurance policy, or
- the value of the structure at the time of the disaster.

If you are unsure as to whether your structure is located within a flood plain, contact your local county planning office or the NFIP at 1-800-358-9616. Flood maps are available at [www.msc.fema.gov](http://www.msc.fema.gov) and graphical flood information covering most of the State can also be found on the WV Flood Hazard Determination tool at [www.mapwv.gov/flood](http://www.mapwv.gov/flood). Any other questions may be answered by visiting [www.floodsmart.gov](http://www.floodsmart.gov) or by contacting the State Division of Emergency Management at [www.EMD.WV.Gov](http://www.EMD.WV.Gov) or (304) 558-5380.

Allan L. McVey  
CPCU, ARM, AAI, AAM, AIS  
Insurance Commissioner