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Farm Production and
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August 28, 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 AUGUST 27, 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
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)

Repaired 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	
3/12/20	Howard County No. 7, Sec 4 Howard County No. 2	Howard	
3/12/20	Cole’s Lake DD No. 2	Saline	
3/12/20	Private Levee #1	Ray	
3/12/20	Bonhomme Island Private Levee	St. Charles	
3/13/20	Brevator	Lincoln	
3/13/20	Boone County #1 (private)	Boone	
3/17/20	Old Monroe Private Levee	Lincoln	
3/17/20	Chamois Levee District (private)	Osage	
3/17/20	Howard Bend No. 5 (private)	St. Louis	
3/19/20	Iffrig Farm Private Levee on Spencer Crk	St. Charles	
4/2/20	Fortmeyer Levee/1	Jackson	
4/10/20	Mi-De Levee/1	Carroll	
4/14/20	Riverside Levee/1	Carroll	
4/14/20	Carr-Sal Levee/1	Carroll	Saline
4/14/20	Private Levee #2 (Tull Island Levee)/1	Carroll	
8/2019	Eccles Road Levee (private)	Chariton	
4/21/20	Stoner Island/2	Callaway	
5/4/20	Tebbetts Levee/3	Callaway	
5/8/20	Bonne Femme Levee District No 1/3	Howard	
5/11/20	Kuhs Levee/3	St. Charles	
6/2/20	Steedman/3	Callaway	

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A. Certified Repaired to Prior Specifications (continued)

Repaired As of	Levee Name	County	
6/26/2020	Capital View Drainage District/3	Callaway	
7/1/2020	Northeastern Saline Levee Assoc./3	Saline	
7/7/2020	Cambridge Levee/3	Chariton	Saline
4/15/2020	Private Levee #7/4	Osage	
8/14/2020	Malta Coles Saline-Lafayette Teteseau Districts/5	Saline	

/1 The Fortmeyer Levee, Mi-De Levee, Riverside Levee, Private Levee #2 (Tull Island Levee), and Carr-Sal Levee repairs were completed after the corn earliest planting date (4/1). The actuarial map will apply for corn unless a producer plants corn after the levee was repaired and has received a written agreement.

/2 The Stoner Island levee repairs were completed after the corn earliest planting date (4/1) and after the soybean earliest planting date (4/20). The actuarial map will apply for corn and soybeans, unless a producer plants corn or soybeans after the levee was repaired and has received a written agreement.

/3 The Tebbets, Bonne Femme, Kuhs, Steedman, Capital View Drainage District, Northeastern Saline Levee Assoc, and Cambridge levees were repaired after all crops' earliest plant dates. The actuarial map will apply for all crops unless a producer plants the crop after the levee was repaired and has received a written agreement.

/4 Private Levee #7, which was certified in early August, was repaired April 15, after corn earliest plant date, but before soybeans and grain sorghum earliest plant dates. A *BL Offer - Updated Actuarial Offer for Repaired Levees* ("BL Offer") has been generated for soybeans and grain sorghum. More information about *BL Offer* can be found in Section V of this memo, and specific information for the BL Offer for this levee in *Updated Actuarial Offers for Repaired Levees in Missouri* Informational Memo.

/5 The Malta Coles Saline-Lafayette Teteseau Districts Levee ("Malta Bend") was repaired to prior specifications after all crops' earliest plant dates. Note that the acreage behind the Malta Bend levee is also behind the Coles Lake Drainage District No.2 levee which was repaired to prior specifications in March 2020. The actuarial map for the acreage behind the Malta Bend levee reflects the protection provided by Coles Lake Drainage District No.2. As such, the actuarial map will apply for all crops.

For more information, please see our Frequently Asked Questions document at www.rma.usda.gov/News-Room/Frequently-Asked-Questions/Breached-Levee-Statement. For spring planted crops which have later earliest plant dates, RMA will offer the 2019 high-risk classification through a "*BL Offer - Updated Actuarial Offer for Repaired Levees*" via the RMA Regional Office Exceptions system. See Section V for more information.

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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	
Garden of Eden Section 1	Chariton	
Garden of Eden Section 2	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/1	Pike	
Platte County DD No. 1 Section 2, Bean Lake	Platte	
Weston Bottoms	Platte	
Ste. Genevieve Levee #2	Ste. Genevieve	
Columbia Bottoms	St. Louis	
Saline County LD No. 2	Saline	

/1 Previously listed as Private Levee #3, but was updated to Clarence Cannon Wildlife Refuge. Area of impact was updated on the map.

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

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

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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
2/3/20	Elm Point/2	Pre-flood LOP	Grafton	2020 AIB Subcounty Map	St Charles
3/4/20	Marion County DD/2	Pre-flood LOP	Quincy Lock & Dam 21	2020 AIB Subcounty Map	Marion
3/4/20	L575/2	Pre-flood LOP	Neb City	2020 AIB Subcounty Map	Atchison
3/4/20	L550/2	Pre-flood LOP	Brownville	2020 AIB Subcounty Map	Atchison
3/4/20	Vandiver-Oldham Levee/2	Pre-flood LOP	Leavenworth	2020 AIB Subcounty Map	Platte
3/11/20	Tri-County of Ray, Clay, and Jackson/2	Pre-flood LOP	Sibley	2020 AIB Subcounty Map	Ray
3/11/20	Dewitt D&L/2	Pre-flood LOP	Miami	2020 AIB Subcounty Map	Carroll
3/12/20	Wakenda Levee/2	Pre-flood LOP	Waverly	2020 AIB Subcounty Map	Carroll
3/20/20	Schramm Private Levee/1	31.6	Winfield Lock & Dam 25 (lower)	ZZZ	Lincoln
3/20/20	Ted Shanks Conservation Area/2	Pre-flood LOP	Louisiana	2020 AIB Subcounty Map	Pike
3/27/20	Elsberry / Kings Lake/2	Pre-flood LOP	Winfield Lock & Dam 25 (lower)	2020 AIB Subcounty Map	Lincoln
3/27/20	Elsberry / Kings Lake/2	Pre-flood LOP	Winfield Lock & Dam 25 (lower)	2020 AIB Subcounty Map	Pike
No Breach	Renz Levee/3	Pre-flood LOP	Jefferson City	2020 AIB Subcounty Map	Callaway
3/11/20	Howard County Levee District No 4/1	28.0	Boonville	ZZZ	Howard
March 2020	Jaeger Levee (Private)/4	30.5	Clarksville	See BL Offer	Pike
6/30/2020	Levee District No. 1 of Cooper County/5	Pre-flood LOP	Boonville	2020 AIB Subcounty Map	Cooper
6/30/2020	Levee District No. 1 of Cooper County/5	Pre-flood LOP	Boonville	2020 AIB Subcounty Map	Moniteau

/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

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through a “*BL Offer - Updated Actuarial Offer for Repaired Levees*” via the RMA Regional Office Exceptions system. See Section V for more information.

/2 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 (AIB) for the applicable map classification and subcounty rate.

/3 Based on the certification from the USACE, the partial breaches never impacted the previous level of flood protection.

/4 The Jaeger Levee (Private) was certified repaired in June 2020, but the repairs (made at less than the pre-flood level of protection) were completed prior to the earliest plant dates of all crops in the county. The applicable subcounty high risk rate for acreage behind the levee will be based on the certified repaired level of protection and issued using a *BL Offer Updated Rates for Repaired Levees*. The Jaeger Levee was identified in the map as a portion of Private Levee #5.

/5 Based on the certification from the USACE, the levee was temporarily repaired to the Level of Protection (LOP) it was prior to the levee breach. However, repairs were completed after all crops’ earliest plant dates. The actuarial map will apply for all crops unless a producer plants the crop after the levee was repaired and has received a written agreement.

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

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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.

The Actuarial Information Browser (AIB), was updated on April 24 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 **April 23, 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.