



FEMA

# Understanding Mud and the NFIP

## Background on NFIP Coverage for Mudslides and Mudflows:

When Congress authorized the National Flood Insurance Program (NFIP), it was clear that they intended for the program to include mudslides within the NFIP's scope of coverage. FEMA uses the words mudslide and mudflow interchangeably. It's an event where there is actually a river of liquid mud flowing down a hillside, usually because of a loss of brush cover (typically from a fire) and subsequent heavy rains. Damage from those events is covered by your National Flood Insurance Program policy.

It is important to distinguish mudslides/mudflow from landslides. Landslides are the rapid downward movement of a mass of rocks and soil down a slope. Those events are not covered by your NFIP policy, but may be covered by other insurance.

Additional subject matter experts may be called upon to determine the primary cause of loss.

## Mudslides/Mudflows vs. Landslides

It is important to understand that the terms **mudslide/mudflow** and **landslide** are not interchangeable.

- A **mudslide/mudflow** is a flooding condition where a river of liquid and flowing mud moves on the surface of normally dry land areas.
- **Landslides**, on the other hand, occur when a dry or wet mass of earth or rock moves downhill, but the event is not tied to a flooding event. Though a flood may trigger a landslide, damage is caused by the falling mass of rock or earth, not the water.
- **Mudflows/mudflows** are covered by federal flood insurance (if they meet the definition outlined in the NFIP's Standard Flood Insurance Policy below)– **landslides** are not. There are some other exclusions to be aware of: land subsidence, sinkholes, and destabilization of land that results from accumulation of water in subsurface land area and gradual erosion are not covered.
- Per the SFIP, "Flood, as used in this flood insurance policy, means a general and temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties (at least one of which is your property) from:
  - a. Overflow of inland or tidal waters;
  - b. Unusual and rapid accumulation or runoff of surface waters from any source;
  - c. **Mudflow.**"

## **Debris Flow**

There may be events with significant debris that geologists or the media identify as debris flow. The SFIP will only cover a loss from debris flow when a “flood” as defined under the SFIP exists and the “flood” is the proximate cause of the debris flow event.

- The SFIP only covers damage to insured property when a flood defined by the SFIP exists, and causes flood-borne debris to damage insured property. Depending on the characteristics of the flood and the affected surface of the land, artificial and earthen debris, such as a boulder, tree, gravel, and sand, may float, or be forced along in or by floodwater, or in or by a mudflow and cause damage.
- The SFIP does not cover damage to insured property caused by earthen debris, unless there is physical evidence of a general condition of flooding as defined by the SFIP that directly caused debris to damage the insured property.
- The SFIP does not cover damage from other kinds of earth movement or gradual erosion.