



Consultation Coordination Officer Meeting

Passaic, NJ

June 23, 2015

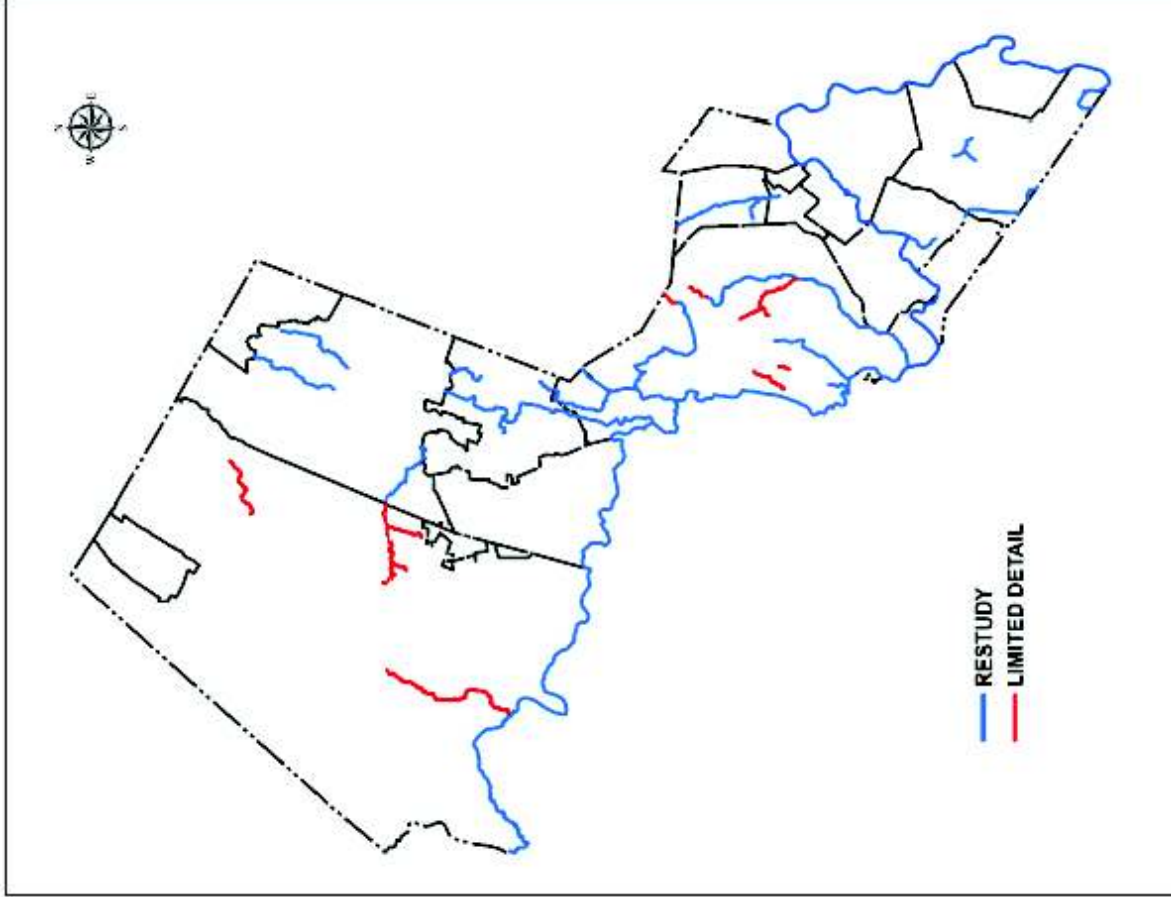
RiskMAP
Increasing Resilience Together



Agenda and Objectives

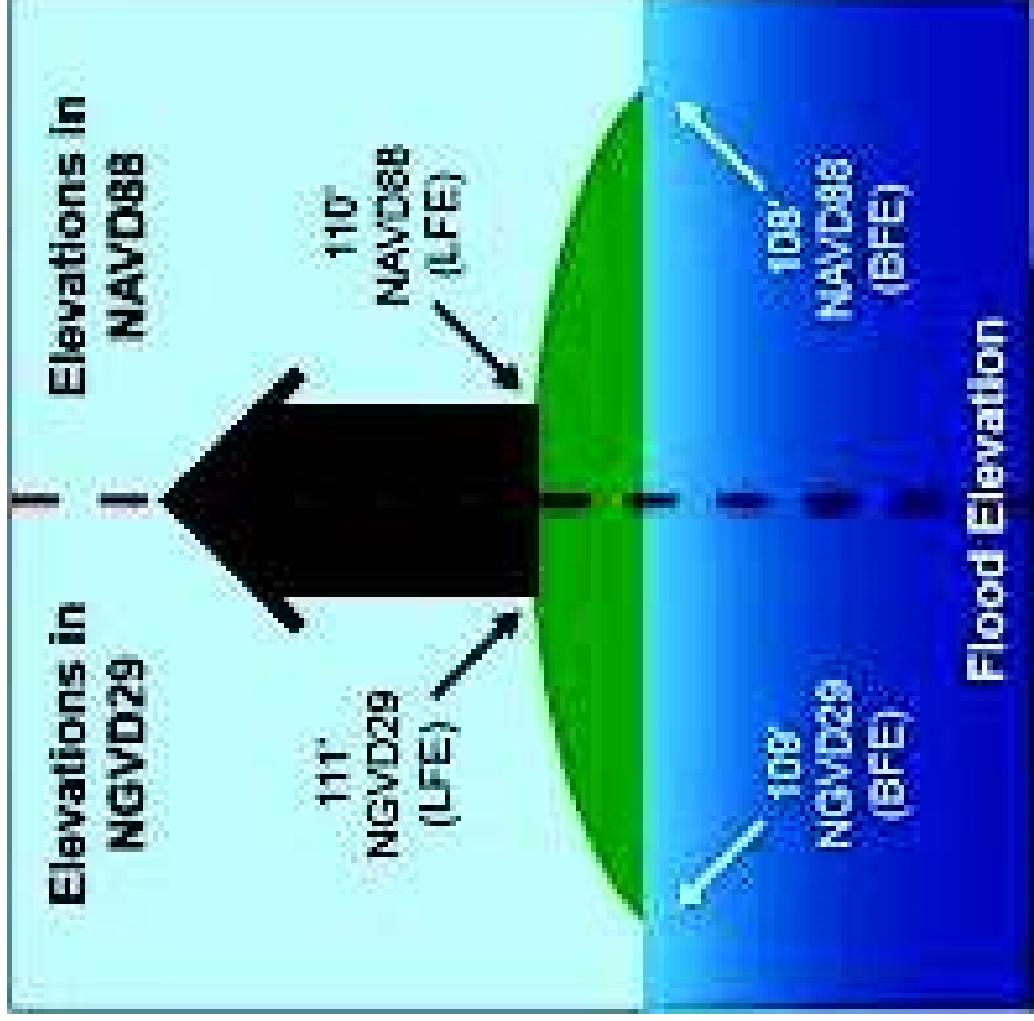
- **Map Overview**
- **Risk Communication**
- **Floodplain Management**
- **National Flood Insurance Program**
- **Next Steps: Local Ordinances, Open House, Appeals**
- **Review and Summary**

Passaic County, NJ — FIRM Overview



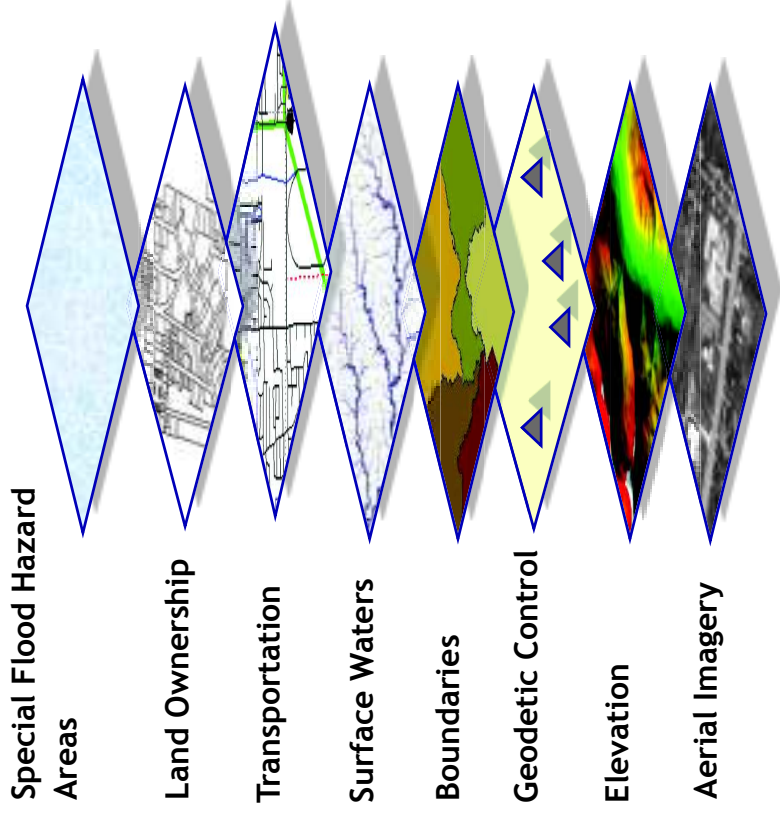
- Revised flood hazard data for 101.3 miles of detailed streams
- 15.5 miles of limited detail riverine analysis
- Updated 2012 NJ orthophotography
- Datum conversion (NGVD29 to NAVD88)

Datum Conversion (-0.796)



Passaic County, NJ FIRM Product

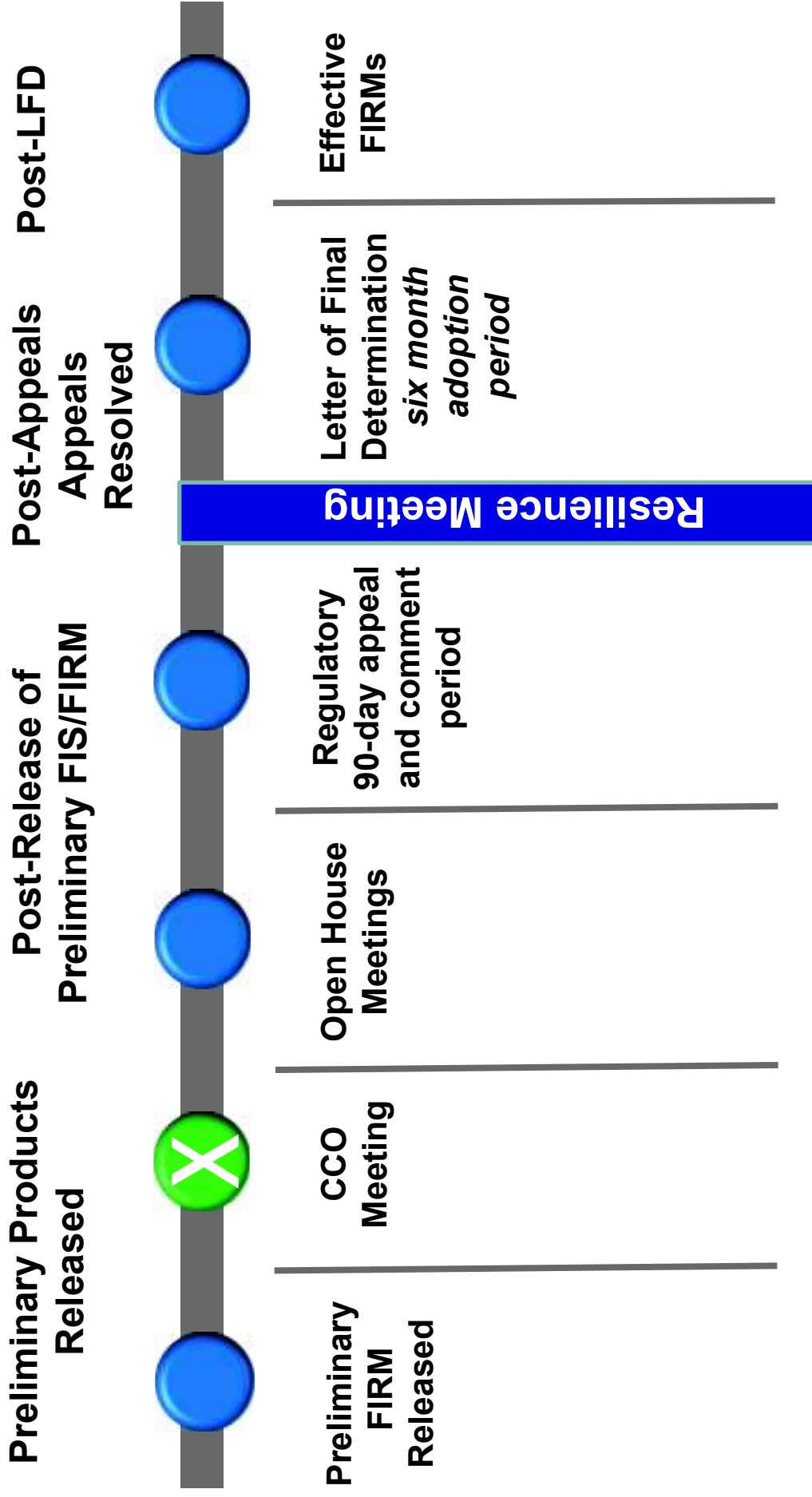
- **Components of a FIRM**
 - Base map
 - Topographic data
 - Flood hazard data
 - FIRM Database
 - Metadata
 - Flood Insurance Study (FIS) report
 - Back-up data (models, etc.)



Summary of Map Actions *(continued)*

- **Summary of Map Actions Categories:**
 - **Category 1: Shown on the new FIRM panel**
 - **Category 2: NOT shown on the new FIRM panel due to scale limitations (revalidated after the new FIRMs become effective)**
 - **Category 3: Superseded, and no longer valid, due to revised flood hazards**
 - **Category 4: Must be re-determined**

Timeline for Passaic County



Regulatory Process: Comments & Appeals Periods

- **Local constituents must submit their concerns through the local community**
- **Local official will review the concerns prior to submittal to FEMA by the community Chief Executive Officer**
 - **Duplicate concerns should be combined, and all concerns should be divided into one of two categories: appeals or comments**

Regulatory Process: Comments

- Comments are any input and/or feedback on the Preliminary FIRMs that *do not* relate to new or modified BFEs, base flood depths, SFHA boundaries or SFHA zone designations
 - Comments include, but are not limited to:
 - Changes in the floodplain that should have been submitted to FEMA
 - Corporate limit revisions
 - Road name errors and revisions
 - Changes affected by a Letter of Map Change

Regulatory Process: Appeals

- Appeals are challenges to the Preliminary FIRMs that relate to new or modified BFEs, base flood depths, SFHA boundaries or SFHA zone designations and that are believed to be scientifically or technically incorrect
 - Appeals may result in revisions to the Preliminary FIRMs
- Appeals must be:
 - Submitted within the designated 90-day Appeals period
 - Accompanied by sufficient technical information (see *Criteria for Appeals of Flood Insurance Rate Maps*) at:
[http://www.fema.gov/media-library-data/5270aa93d5b892c8420248bc8f40a1ee/FIRM+Appeals+\(EAP\)+Criteria.pdf](http://www.fema.gov/media-library-data/5270aa93d5b892c8420248bc8f40a1ee/FIRM+Appeals+(EAP)+Criteria.pdf)
 - Technical information must comply with FEMA's *Guidelines & Specifications for Flood Hazard Mapping Partners*
<https://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping/guidelines-specifications-flood-hazard-mapping>

Map Adoption

- After appeals are resolved, communities will receive a letter of final determination
 - Maps effective after six months
- Before FIRM effective date, communities must adopt FIRM(s) and FIS into their local laws
- This is a good time to update existing local laws

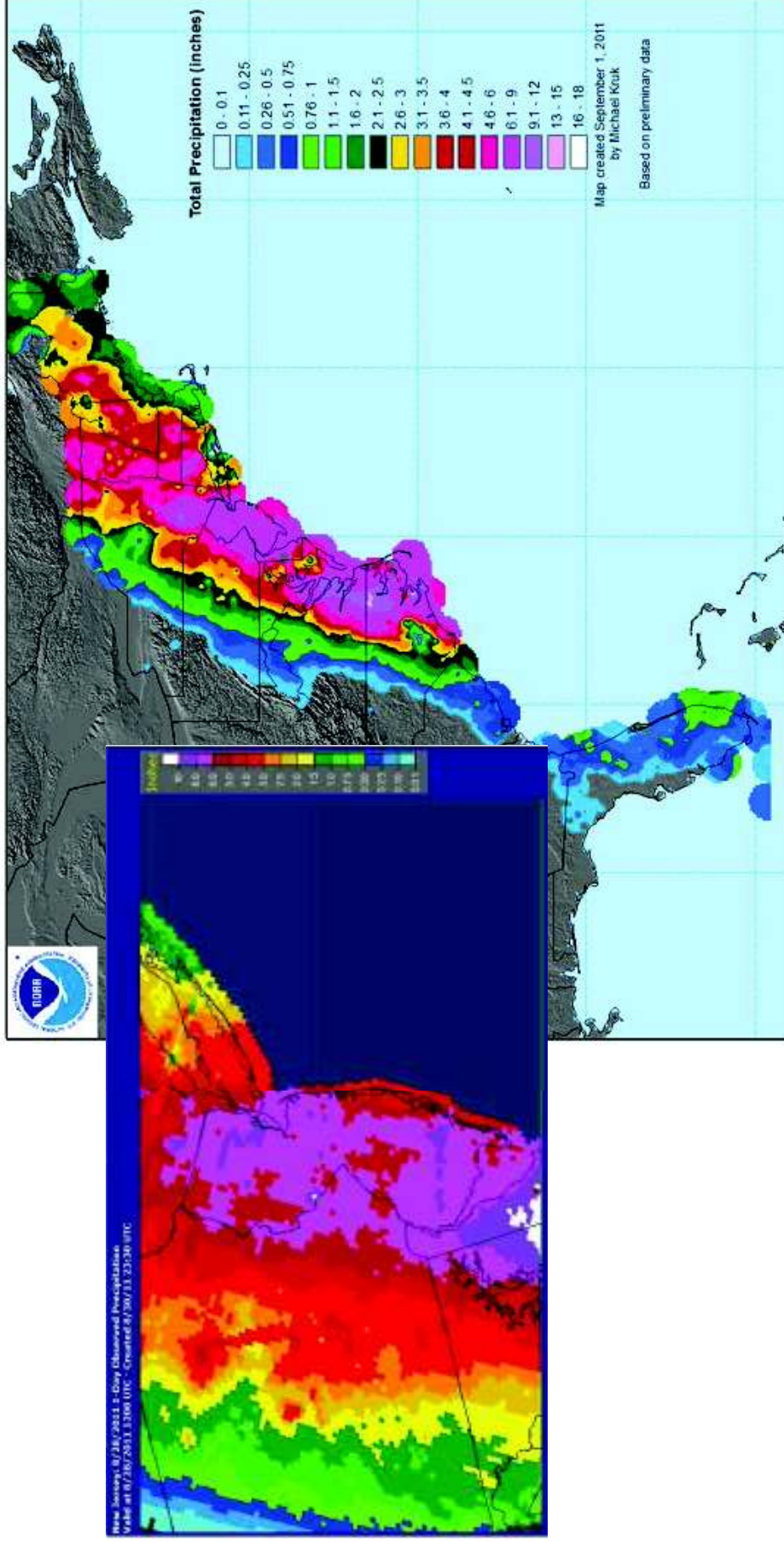


Risk Communications

- **Federal/State/Local goals:**
 - Creating safer communities reducing risk to lives and property
 - Effectively communicate risk and increase public awareness, leading citizens to make informed decisions
- **Key factors:**
 - Community engagement and exchange of flood risk information
 - Effective collaboration through partnerships
 - Strategic communications plan development

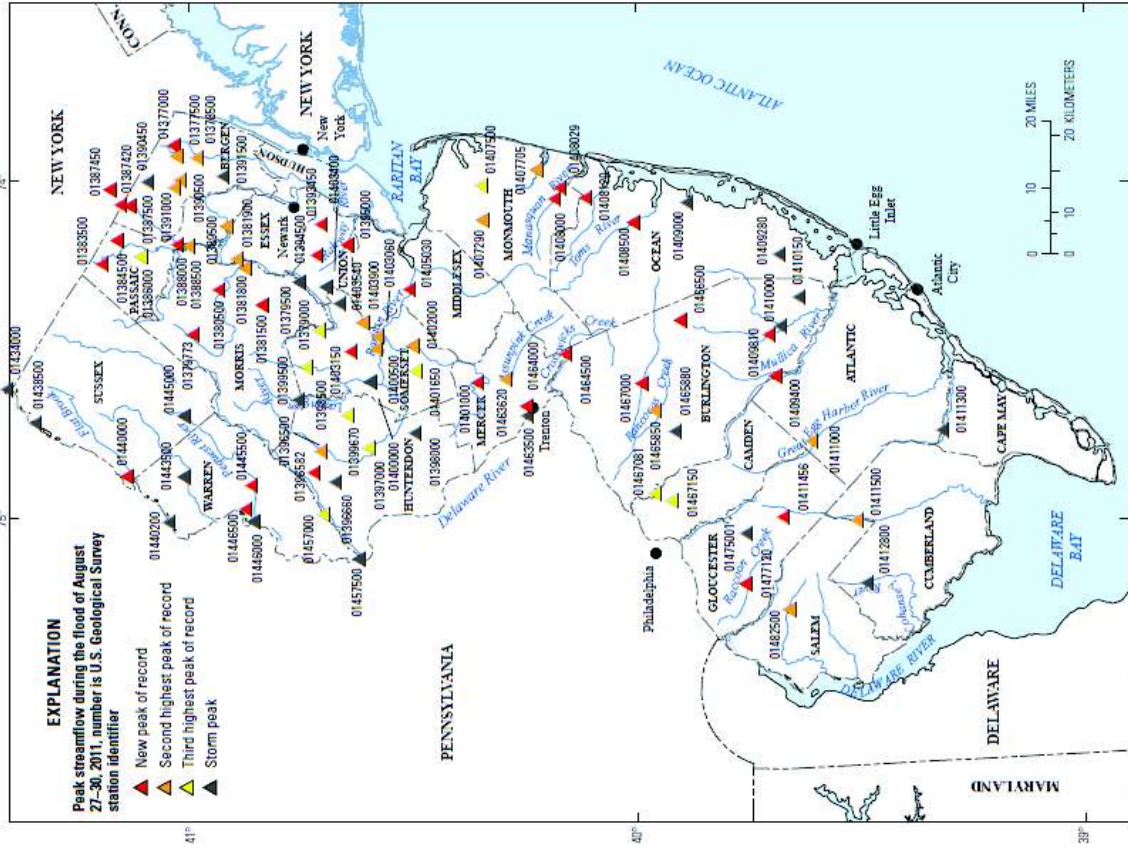
USGS Observations

Hurricane Irene from August 25-29, 2011

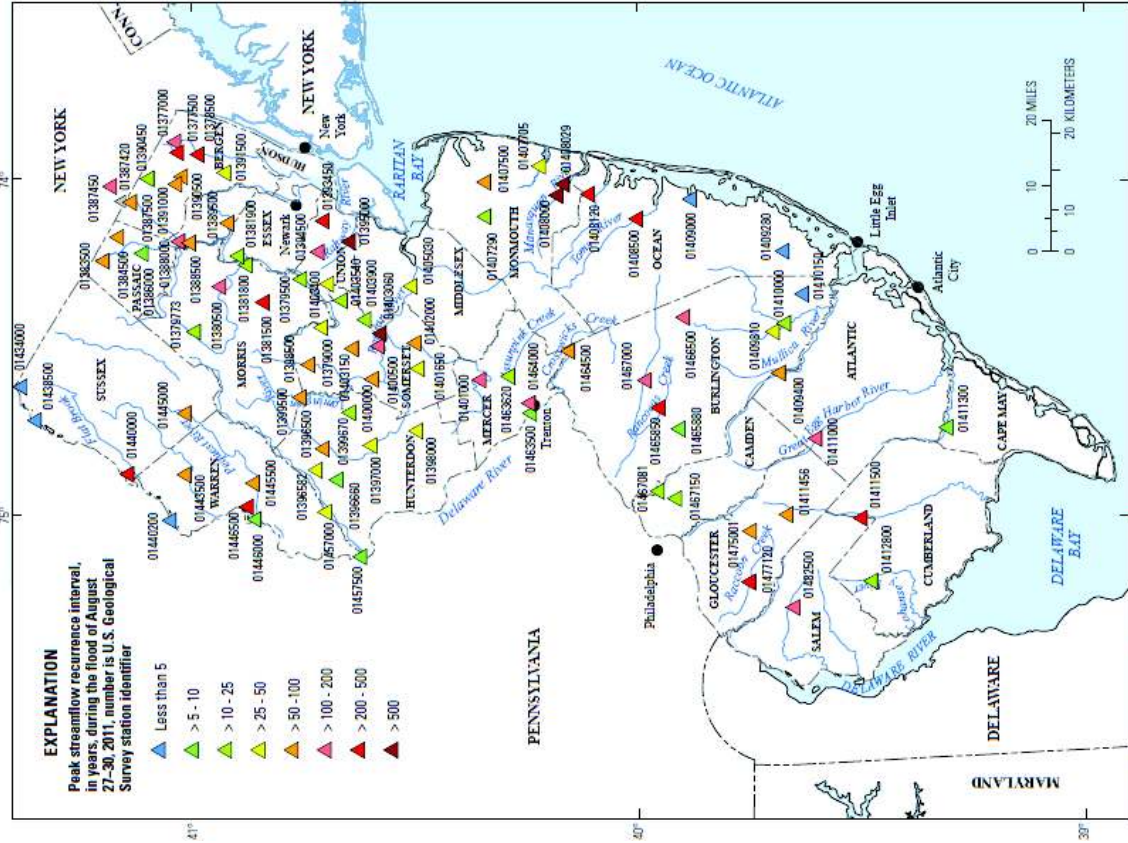


Hurricane Irene and Associated Floods of August 27–30, 2011, in New Jersey
Scientific Investigations Report 2013–5234

USGS NJ Streamflow Statistics



Base from U.S. Geological Survey digital line graph files, 1:24,000, Universal Transverse Mercator projection, Zone 18, NAD83



Base from U.S. Geological Survey digital line graph files, 1:24,000, Universal Transverse Mercator projection, Zone 18, NAD83

The National Flood Insurance Program (NFIP)

- Voluntary program based on a mutual agreement between the Federal government and the local community
- In exchange for adopting and enforcing FPM ordinance, Federally-backed flood insurance is made available



Governmental Roles

- **Federal**
 - Risk Identification and Mapping
 - Building /Development Standards
 - Flood Insurance
- **State**
 - Building Code
 - Technical Assistance
- **Local**
 - Adoption and Enforcement of Development and Building Standards

Minimum Standards for NFIP Building Requirements

- **Zone A Building Requirements**
 - Developments over 5 acres or over 50 lots must provide a BFE
- **AE Zone Building Requirements**
 - The lowest enclosed area, including the basement, must be at or above the Base Flood Elevation (BFE)
 - Non-residential buildings may be flood proofed
 - No development in the regulatory floodway that would raise BFE
 - FEMA encourages States and Local Communities to adopt higher standards, such as Freeboard

Floodplain Management Considerations

- Repetitive Loss
- Cumulative standards to address non-compliant structures
- Local Communities need to take ownership of ordinance and map adoptions
- Homeowner Flood Insurance Affordability Act (HFIAA)

Can You Buy NFIP Flood Insurance If...

- You live in a Flood Hazard Area?

YES!!!

- You Don't Live in a Flood Hazard Area?

YES!!!

- As long as your community participates in the NFIP, you can purchase flood insurance
 - Except when structure has been placed in Section 1316
 - No structures insurable over water

More Changes are Coming to the NFIP

- On March 21, 2014, President Obama signed the Homeowner Flood Insurance Affordability Act of 2014 into law
 - Repeals and modifies certain provisions of Biggert-Waters
 - Makes additional program changes
 - Leaves some parts of Biggert-Waters intact.
- Policyholders SHOULD NOT cancel policies!
- FEMA is working with our Write Your Own (WYO) insurance company partners, Congress, others to implement
 - Prior to restoring and refunding premiums, the law requires FEMA to consult with its WYO insurance companies to develop and finalize guidance and rate tables within eight months; FEMA and the WYOs have up to eight months to implement
 - To date, NFIP has held at least seven conference calls and met in person with senior company representatives



Refunds, Rates, and Surcharges

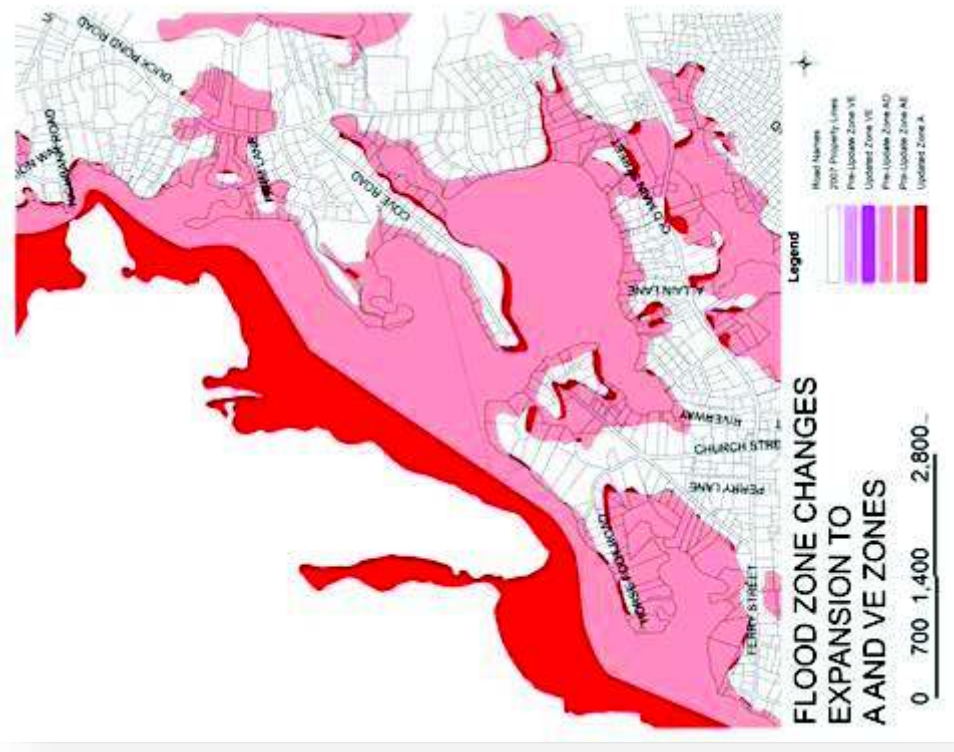
Mandatory Surcharges (Sec. 8)

- Applies to all policies
- A policy for a primary residence will include a \$25 surcharge
- All other policies will include a \$250 surcharge
- The fee will be included on all policies, including full-risk rated policies, until all Pre-FIRM subsidiaries are eliminated
- Surcharges are not considered premium and therefore are not subject to premium increase caps required under Section 5 under the new Act

Refunds, Rates, and Surcharges

Grandfathering (Sec. 4)

- HFIAA restores FEMA's ability to grandfather properties into lower risk classes
- For newly identified properties, the law sets first year premiums at the same rate offered to properties located outside the SFHA (Preferred Risk Policy rates)
- With limited exceptions, flood insurance premiums cannot increase more than 18 percent annually
- Grandfathered policy holders are not entitled to refunds



Refunds, Rates, and Surcharges

Pre-FIRM Primary Residence Policies in High-Risk Areas

- For most pre-FIRM primary residences in high-risk areas, subsidized rates remain in effect, but with newly required minimum increases—and an 18 percent limit for any individual policy—until premiums reach their full-risk rates¹

POLICY TYPE	IMPACT ON RATE
Existing policies	Policies can be renewed at subsidized rates. ²
Newly written policies	Policies can be issued and renewed at subsidized rates.
Policies on newly purchased buildings	Policies can be issued and renewed at subsidized rates.
Policies re-issued after a lapse ³	Policies for pre-FIRM buildings in high-risk areas that lapsed due to a late renewal payment (received after the 30-day grace period but less than 90 days after expiration) can be re-issued and renewed at subsidized rates.

¹Full-risk rates are determined using data from an Elevation Certificate.

²Full-risk rates could be lower than subsidized rates.

³Buildings with lapsed policies are not eligible for the subsidy unless the lapse was the result of the policy no longer being required to retain flood insurance coverage.

Refunds, Rates, and Surcharges

Pre-FIRM Building Policies in High-Risk Areas

- For other pre-FIRM buildings in high-risk areas, subsidized rates continue, but will increase more quickly to reach full-risk rates

POLICY TYPE	IMPACT ON RATE
Policies for non-primary residences (secondary or vacation homes or rental properties)	25% annual increases at policy renewal until premiums reach their full-risk rates.
Policies for business buildings	Future 25% annual increases at policy renewal.
Policies for Severe Repetitive Loss properties	25% annual increases at policy renewal for severely or repetitively flooded properties that include 1 to 4 residences.

Refunds, Rates, and Surcharges

Other Policies

- For most other policy types, rates will increase by no more than 18 percent for any individual policy

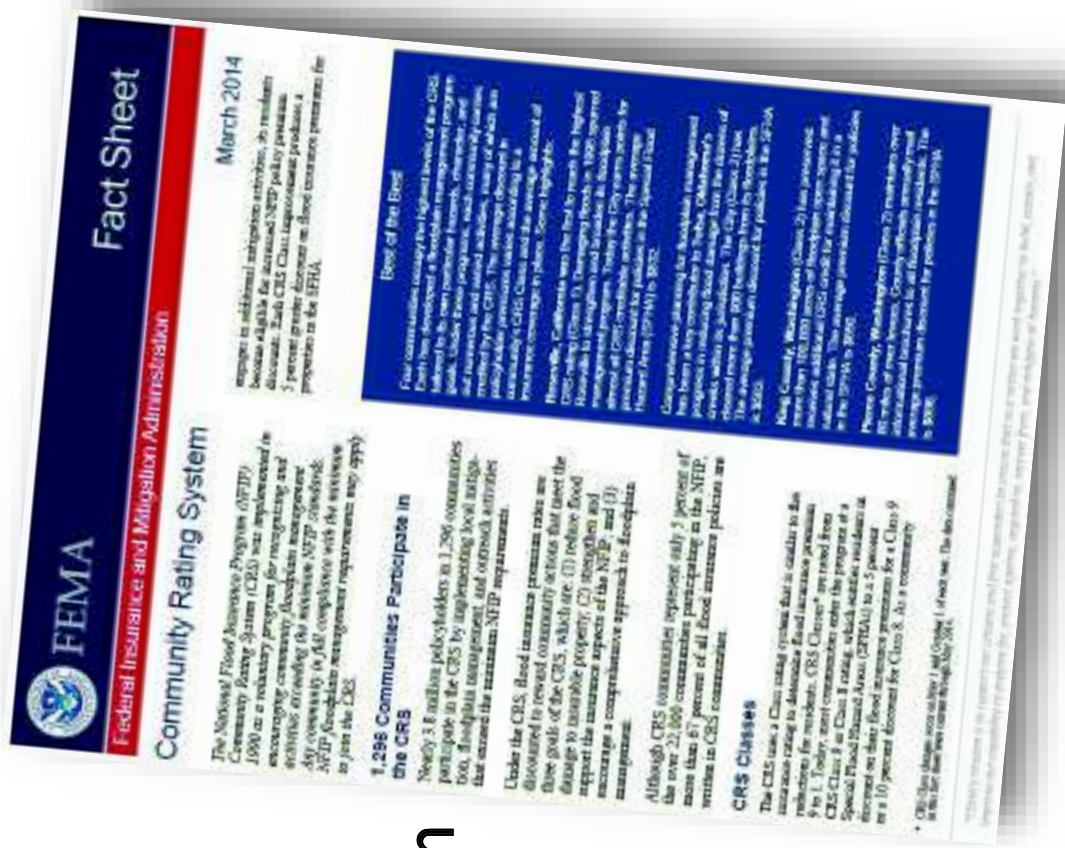
POLICY TYPE	IMPACT ON RATES
Policies for newer (“post-FIRM”) buildings in high-risk areas	Not affected by subsidies; already paying full-risk rates.
Policies for buildings in moderate- to low-risk areas	Not affected by subsidies; properties in these areas (shown as B, C, or X zones on flood maps) do not pay subsidized rates.
Policies for buildings “grandfathered in” when map changes show higher flood risk	Grandfathering remains in effect at this time. Buildings constructed in compliance with earlier maps or continuously covered by flood insurance stay in their original rate class when maps change or properties are sold.
Policies for buildings covered by Preferred Risk Policy Eligibility Extension (PRP EE)	Properties continue to be eligible for lower, preferred-risk rates for the first year after a map change. Starting the following year, rates will increase by no more than 18% for any individual policy until premiums reach their full-risk rate.

Increased Cost of Compliance (I.C.C.)

- Upon a letter of Substantial Damage determination from community, an NFIP insured may qualify for up to \$30,000 to relocate, elevate, or demolish their structure
- Local community should track damages for all structures in flood hazard area through Substantial Damage Estimating
- Cumulative standards are optional but effective higher regulatory standards used to address RL properties
- I.C.C. remains available for substantial damage even if community does not adopt cumulative damage definition

Community Rating System (CRS)

- Provides incentive for local officials to implement requirements exceeding NFIP minimum criteria
- Grants flood insurance program credits calculated for activities undertaken to:
 - Reduce flood losses
 - Facilitate accurate insurance rating
 - Promote awareness of the benefits of flood insurance



Insurance FAQs

- **Will new maps increase flood insurance rates?**
 - Possibly “yes” for some structures effected by a flood hazard zone change, flood elevation increase, or both
- **Will flood insurance become unavailable?**
 - No, as long as community maintains NFIP participation, flood insurance remains available
- **Mandatory Flood Insurance Purchase Requirements**
 - Applies to structures within SFHA where the owner has a Federally - backed mortgage

Higher Than Minimum Standards

- New Jersey Department of Environmental Protection (DEP) will provide some options; these will be noted as optional
- Higher than minimum standards can increase safety, decrease flood insurance rates, and provide the community with points in the CRS



Compliance and Map Adoption Period

- Begins at date Letter of Final Determination is sent and ends at FIRM effective date
- Community officials review and revise the community's flood damage prevention ordinance to ensure compliance with NFIP regulations
- To avoid suspension from the NFIP, the community must adopt a compliant flood damage prevention ordinance, and submit its ordinance to the NJDEP for approval prior to the end of this period

The Road to Ordinance Re-Adoption

- 6 month: FEMA 6-month LFD Letter
- 5 month: NJDEP Assistance Letter
- 3 ½ month: Draft Ordinance
- 3 month: NJDEP review of draft ordinance
- 3 month: FEMA 90-day Reminder Letter
- 1 month: FEMA 30-day Reminder Letter

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

What is the responsibility of the community during this period?

Local Flood Damage Prevention Ordinance to include:

- Updated FIS and FIRM Panel numbers
- Local Floodplain Administrator Designation
- Updated Map Effective Date
- Appeal Board Designation
- Penalties for Noncompliance

Common Local Law Mistakes

- Failure to provide map repository location
- Failure to name a floodplain administrator office (must be an office; not a name)
- Incorrect FIRM or Flood Insurance Study reference
- Failure to name Town/Village/City Board or Council as appeals board
- Inconsistent section numbering
- Failure to include all sections
- Failure to adopt State laws

Questions? Need Ordinance Assistance?

Visit our website:

www.nj.gov/dep/floodcontrol

Contact our office:

NJDEP, NJ State NFIP Coordinator's Office

(609) 292-2296

Alan (Chris) Gould

Alan.gould@dep.nj.gov

Is this contact
still accurate for
this purpose?

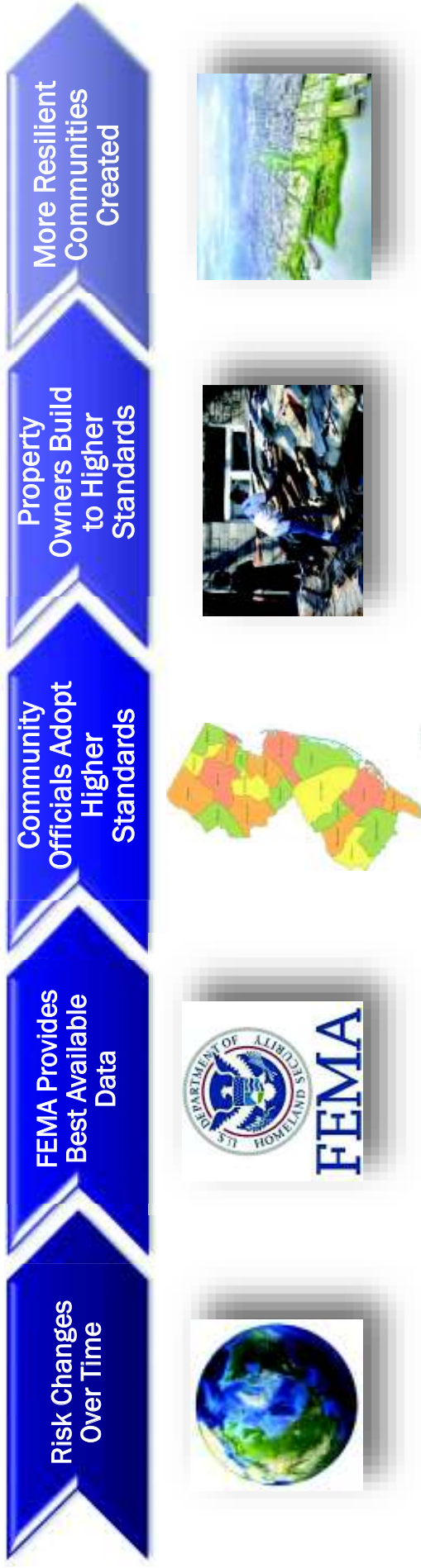


Review and Summary

- Map Overview
- Risk Communication
- Floodplain Management
- National Flood Insurance Program
- Next Steps: Local Ordinances, Open House, Appeals
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Together, we all can create stronger and safer communities.

Questions



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