

CAPISTRANO BAY DISTRICT
AGENDA REPORT
October 4, 2016

Old Business

ITEM 9c

FEMA Revision to Flood Insurance Rate Maps (seven pages total)

To recap from July, FEMA is proposing an ominous revision to the Flood Insurance Rate Maps (FIRM) for our coastal zone. Their intent is to reclassify the coastal wave runup hazard zones. The net result would be that almost all private property in our community will be designated for the high-hazard zone.

The impact will be with limitations on development standards and an increase in flood insurance costs. The Dana Point Zoning Code has strict limits on the extent of remodeling that can be done on a home that sits in this flood zone, so this is going to strictly curtail home improvements and renovations. Building a new home on concrete caissons will continue to be allowed but we'll see new homes sitting much higher off the sand.

The District is consulting with Dave Skelly, Coastal Engineer, to assist in the interpretations of the FEMA process. Mr. Skelly is providing analysis reports and recommendations for comments back to FEMA as the effort progresses.

The changes being proposed by FEMA will impact the entire Beach Road community and the platform of reaching the community through Board meetings is inadequate to reach all homeowners. The District will continue to monitor the developments by FEMA but individual property owners are going to have to make themselves aware of the future impacts to their property and ability to afford flood insurance.

The following six pages contain the District's letter opposing the FEMA effort and some information for homeowners to enable them to understand what is going on and how to follow along for themselves as FEMA work progresses.

Our consultant indicates that the new revised flood maps won't be coming out until late 2017 or early 2018. Homeowners are encouraged to seek flood insurance now so it is in place in 2018, thus enabling the homeowner to qualify for 'grandfathering' of lower rates when everything increases due to the increased flood risk that is expected in the near future.

September 16, 2016

FEMA Region IX
Attn: Ed Curtis
1111 Broadway, #1200
Oakland, CA 94607-4052

RE: Proposed Flood Zone Revisions/Flood Risk Review/FEMA Region IX

Dear Mr. Curtis;

The Capistrano Bay Community Services District, locally known as the Beach Road community, has been made aware of the flood risk review work currently underway with the Federal Emergency Management Agency to revise the Flood Insurance Rate Maps to reflect an expansion of the VE Hazard Zone. The proposed change would result in moving the current VE Zone boundary in a landward direction back to the roadway on the landward side of the homes along Beach Road.

The net result of this proposed change would place 100% of every residential structure (about 190 homes) in our community within the VE Zone where residential development standards for remodeling and maintenance are extremely limited. Should the existing FEMA Floodplain line move inland, the majority of the subject existing homes would not be able to keep their homes safe, remodel, make additions to or even properly maintain their homes as needed.

Currently, approximately half the existing home structures are out of the VE Zone either vertically or horizontally, or both. In some cases, only portions of home structures are within the VE Zone boundary either because they are sitting too low in elevation or are located too close to the water and thereby overlap the VE Zone boundary line.

The change in the VE Zone boundary that is being proposed would create a monumental hardship to the point that many of these homes may simply be abandoned as being unusable due to homeowners not able to get building permits for necessary home improvements. Flood insurance rates will go up or policies will be flat-out cancelled because fixed-income owners will not be able to afford the higher premiums. The overall effect will be to deflate home values and lead to the ultimate demise of the entire Beach Road community - a community which has withstood 88 years of ocean wave attack without homes flooding, even those currently in the FEMA floodplain.

It's worth noting that current science indicates that sea level rise may not be noticeable for twenty years or longer. Even if you were to factor the SLR to follow the 30-year mortgage cycle, for example out to 2050 (that's 34 years), the rise is predicted to be only about 8 inches.

The data for sea level rise shows a very broad range of scenarios over an 84 year period (to the end of the century). It would be more realistic to 'adjust' the VE Zone boundary in increments over the next 84 years to keep pace with the actual change rather than try to make the jump all at one time and negatively impact today's homeowners with a projected scenario that may not materialize to the degree that is being proposed.

It is the position of the Capistrano Bay District and the Beach Road community to go on record as strongly opposing any changes to the existing Floodplain lines and/or Flood Insurance Rate Maps as currently proposed by FEMA.

Sincerely,

Donal S. Russell, General Manager
Capistrano Bay Community Services District

Cc: CBD Board of Directors
Dave Skelly, Coastal Engineer
Ursula Luna-Reynosa, City of Dana Point
Brad Fowler, City of Dana Point

Item 9c continued



Preliminary FIRM Panels Issued

Open Pacific Coast Study, Orange County, California

Contact Information

If you have any questions or would like to discuss the status of the flood map project for your county, please contact the Federal Emergency Management Agency (FEMA) or BakerAECOM.

FEMA Region IX:
Ed Curtis
1111 Broadway, Suite 1200
Oakland, CA 94607-4052
(510) 627-7207
Edward.Curtis@fema.dhs.gov

BakerAECOM:
Aron Langley
GIT Lead
(720) 514-1127
ALangley@mbakerintl.com

Where Can I Find Digital Data?

PDF copies of the preliminary FIRM panels and FIS, and the GIS digital data are available on FEMA's Preliminary Flood Hazard Data website:
<https://hazards.fema.gov/femaportal/prelimdownload/>

PDF copies of the SOMA are available on the Orange County OPC Study page at www.r9coastal.org

Introduction

FEMA is currently updating coastal Flood Study information for the shoreline and coastal communities along the Pacific Coast.

The update includes new coastal hazard analyses to define the 1%- and 0.2%-annual-chance coastal flood events (the 100 and 500-year coastal flood events), and revise the boundaries of Special Flood Hazard Areas (SFHAs) along the coast of Orange County. SFHAs will be mapped based on the results of new coastal hazard modeling. These updates will impact some property owners in the unincorporated areas of Orange County and the cities of Dana Point, Huntington Beach, Laguna Beach, Newport Beach, San Clemente, and Seal Beach.

This fact sheet explains the next steps in the Post Preliminary Map Production Phase of FEMA's flood map revision process. Map production involves depicting results of new engineering analyses on updated Flood Insurance Rate Map (FIRM) panels using the best available data. These next steps include the comment and appeal processes, community and public meetings, community adoption/compliance requirements, future map change options, and flood insurance implications.

Review and Comment Period

On August 15, 2016, after the coastal hazard analyses and mapping work was completed, your community received a preliminary version of the FIRM panels, Flood Insurance Study (FIS) report, and Summary of Map Actions (SOMA) listing all Letters of Map Change (LOMCs) that FEMA issued for the flood map panels being revised. Next, FEMA will meet with community officials to formally present the study results, respond to comments

and questions, and discuss the floodplain management and adoption/compliance requirements associated with the SFHA changes shown on the revised FIRM panels. Following the meeting, community officials will have 30 days to provide initial comments, such as changes or corrections to non-technical information (such as corporate limits or road names). Any comments that FEMA receives will be assessed and incorporated, as appropriate, into the revised FIRM panels and FIS report.

After FEMA meets with community officials, your community is encouraged to hold a public meeting to present the study results and Preliminary FIRM panels. This meeting gives interested parties an opportunity to view the changes to the flood maps and ask questions about how the map changes will affect them.

Appeal Process

FEMA provides a 90-day appeal period when new or revised flood elevations are proposed and when any regulatory floodway or SFHA boundary or zone designations are added or modified. Before the appeal period is initiated, FEMA will publish the proposed Flood Hazard Determination (FHD) in the *Federal Register* and notify your community's Chief Executive Officer of the determination. FEMA will then publish information about the proposed FHD twice in the local newspaper. To make these notices available to a broader audience, the newspaper notices will direct readers to FEMA's "Flood Hazard Determinations on the Web" at http://www.floodmaps.fema.gov/fhm/scripts/bfe_main.asp#1, and to the Preliminary FIRM and FIS report online.





What Is an Appeal?

An appeal is a formal objection to the proposed new or revised flood elevations, the addition or modification of any Special Flood Hazard Area boundary or zone designation, and the addition or modification of any regulatory floodway. An individual or the community must submit *technical or scientific data* to support an appeal. All appeals should be submitted through the community. All other change requests are considered comments. For more information on FEMA's appeal process refer to:

www.fema.gov/library/viewRecord.do?id=4053

What Is a Comment?

Comments typically involve one of the following:

- Corporate limits
- Roads and road names

Where Can I Get More Information?

You may view Part 67 of the NFIP regulations on the FEMA Web site at www.gpo.gov/fdsys/pkg/CFR-2002-title44-vol1/pdf/CFR-2002-title44-vol1.pdf

More information on map amendments and revisions is available on FEMA's Web site at www.fema.gov/national-flood-insurance-program-2/letter-map-change

The appeal period provides the community and owners or lessees of property in the community an opportunity to provide data or documentation indicating that the proposed FHD is scientifically or technically incorrect. At the end of the 90-day appeal period, FEMA addresses all appeals and comments and finalizes the FIRM panels and FIS report.

To demonstrate that FEMA's analysis methodology is scientifically incorrect, the appellant must provide a justification that use of a different methodology or change in assumptions would produce more accurate results. Anyone can also appeal the FHD if it is technically incorrect, which means there is an error in the analysis. The error may involve data that are incorrect or errors in the application of the analysis. Under Part 67 of the National Flood Insurance Program (NFIP) regulations, the required scientific and/or technical data to support an appeal must be submitted during the 90-day appeal period to receive consideration before the final FIRM panels and FIS report are published.

All appeals and comments should be collected by your community and submitted to the FEMA Region IX office at:

FEMA Region IX
Attention: **Ed Curtis**
1111 Broadway, Suite 1200
Oakland, CA 94607-4052

Map Adoption/Compliance Requirements

After all appeals and comments are addressed, FEMA will issue a Letter of Final Determination (LFD) for each affected community, which establishes the final flood elevations and provides the new FIRM panels and FIS report to each community. The LFD starts the 6-month adoption and compliance period during which your community must adopt or

amend its floodplain management regulations to reflect the changes in the FIRM.

Map Change Options

In addition to the appeal process, community officials and citizens may submit scientific or technical data to improve the flood hazard information shown on the effective FIRM panels for their community at any time. FEMA established the Letter of Map Amendment and Letter of Map Revision Based on Fill processes for individual structures or lots, and the Letter of Map Revision process for more extensive changes. Detailed information on map revisions and amendments is provided in the *Guide for Community Officials* and on FEMA's Web site (see links in sidebar).

Flood Insurance Implications

If a property is *mapped into a high-risk area* (shown as a zone labeled with letters starting with "A" or "V") and the owner has a mortgage through a Federally regulated or insured lender, *flood insurance will be required when the FIRM panels become effective*. Property owners who obtain and maintain flood insurance before the FIRM panels become effective may be able to benefit from the NFIP's "grandfathering" insurance rating process and pay a lower premium. Everyone is at some risk from flooding—even those in low- or medium-risk areas. Therefore, FEMA encourages that everyone purchase flood insurance. Property owners should contact their insurance agent or visit www.FloodSmart.gov for more information.



FEMA



Building for Tomorrow's Risk

The Federal Emergency Management Agency (FEMA) is committed to reducing risk to life and property from natural disasters. Through the National Flood Insurance Program (NFIP) and its Risk Mapping, Assessment, and Planning (Risk MAP) initiative, FEMA seeks to furnish states, communities, companies, and individuals with the information they need to assess, plan for, and mitigate their risk.

Know the risk

The National Flood Hazard Layer (NFHL) is a continuously-updated geospatial dataset that reflects the best available regulatory flood hazard data for large portions of the country. Using the intuitive, map-driven interface on the FEMA GeoPlatform, users can quickly locate flood zone information for their areas of interest. Homebuilders can use this tool to identify locations where structures should be built to higher flood-resistant standards and codes – or where structures shouldn't be built at all.

Build for tomorrow's risk

Natural hazard risk is dynamic: it changes over time for many reasons. Flood maps provide vital snapshots of current risk, and they can also serve as a starting point for identifying areas where risk may rise in the future. Even then, it is important to note that people *outside* of mapped high-risk areas receive one-third of all Federal Disaster Assistance for flooding.

Building for tomorrow's risk isn't just good professional practice and due diligence – it is an investment in the quality and sustainability of a property. Structures built to higher standards can receive significant discounts on flood insurance and sustain less damage than those built to minimum compliant specifications. As a result, the more resilient structures are more valuable than they would be otherwise. Homebuilders, homesellers, and homeowners all benefit from homes of greater value.

Natural disasters pose a costly threat to our nation's housing stock and can contribute to housing availability and affordability pressures. Mitigating disaster risk through resilient home construction addresses those pressures, reducing the number of homes rendered uninhabitable and speeding up recovery and repair times. Moreover, when individuals and governments do not have to spend as much time and money in the aftermath of disasters, they have more resources available to put toward new housing, new investments, and renovating existing infrastructure and amenities.

For official flood maps, studies, and documents, visit the FEMA Flood Map Service Center: <http://msc.fema.gov>

To view the NFHL in the FEMA GeoPlatform, visit: <http://fema.maps.arcgis.com>

FEMA Resources for Home Builders, Developers, and Construction Professionals: <https://www.fema.gov/resources-home-builders-developers-and-construction-professionals>

FEMA Building Science: <https://www.fema.gov/building-science>

Questions about flood risks? Contact the FEMA Map Information eXchange:

Toll free: 1-877-FEMA MAP (1-877-336-2627)
FEMAMapSpecialist@riskmapcids.com
Hours of Operation: Monday – Friday, 8:00 am – 6:30 pm ET

For information about the National Flood Insurance Program, visit: <http://www.FloodSmart.gov>

RiskMAP
Increasing Resilience Together



FEMA



FEMA Resources

FEMA provides a wide range of resources that enable architects, engineers, homebuilders, and contractors to Build for Tomorrow's Risk. These include:

- FEMA P-55, Coastal Construction Manual: Principles and Practices of Planning, Siting, Designing, Constructing, and Maintaining Residential Buildings in Coastal Areas (<http://www.fema.gov/media-library/assets/documents/3293>)
- FEMA P-550, Recommended Residential Construction for Coastal Areas: Building on Strong and Safe Foundations (<https://www.fema.gov/media-library/assets/documents/3972>)
- FEMA P-85, Protecting Manufactured Homes from Floods and Other Hazards (<https://www.fema.gov/media-library/assets/documents/2574>)
- FEMA Building Code Resources, including information concerning the flood resistant provisions of the 2015, 2012 and 2009 International Codes® (I-Codes), the American Society of Civil Engineers 24-05 referenced standard, and NFIP requirements (<https://www.fema.gov/building-code-resources>)
- Introduction to Residential Coastal Construction – Emergency Management Institute Independent Study Course IS-386 (<http://training.fema.gov/is/courseoverview.aspx?code=IS-386>)
- NFIP Technical Bulletins, including information on requirements for openings in foundation walls, the use of flood damage-resistant construction materials, elevator installation, and other key topics (<http://www.fema.gov/national-flood-insurance-program-2/nfip-technical-bulletins>)



Photo by Kenneth Wilsey – March 19, 2013

Long Beach, NY, June 26, 2013 – The surge from Hurricane Sandy flooded the streets of Long Beach with four feet of water. Some homeowners have chosen to elevate their houses to avoid damage from future storms. -- K.C. Wilsey

Resilience STAR™

The Resilience STAR™ initiative, piloted by the U.S. Department of Homeland Security, recognizes homes that are voluntarily built or remodeled to include design features that are both affordable and scientifically proven to enhance resilience to make the homes more resistant to specific natural hazards.

- Homebuilders, contractors, homeowners and evaluators can learn more at <https://www.disastersafety.org/resilience-star/>

Blueprint for Safety®

The Blueprint for Safety Education Program® is an initiative of the Federal Alliance for Safe Homes (FLASH), a 501(c)3 non-profit organization with which FEMA has partnered to promote disaster safety and property loss mitigation.

- For detailed information and resources, including classroom training, on how to make homes more disaster-resistant, please visit <http://www.blueprintforsafety.org>

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