Surviving a Community Assistance Visit

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National Flood Insurance Program (NFIP)

**Three Goals:**

- Indemnify individuals for flood losses through flood insurance
- Attempt to reduce future flood damages through mitigation and states’ and communities’ implementation of floodplain management regulations
- Foster activities that reduce federal expenditures for disaster assistance and flood control

[Diagram showing INSURE, MITIGATE, UNDERSTAND with various icons and elements representing physical, economic, and social aspects.]
NFIP participation is voluntary, communities may join the NFIP. Participating communities agree to adopt and enforce minimum floodplain management standards outlined in the Code of Federal Regulations.

https://eCFR.gov
### Federal Role
- National program oversight
- Risk identification (mapping)
- Establish development/building standards
- Provide affordable insurance coverage

### State Role
- State program oversight
- Establish development/building standards
- Provide technical assistance to local communities/agencies
- Evaluate and document floodplain management activities

### Local Role
- Adopt/enforce local floodplain management ordinances that comply with Federal/State laws
- Issue or deny development/building permits
- Reviewing development to determine changes related to projects
- Inspect development and maintain records
- Development oversight & approval is local
- Submitting updates to FIRMs where development alters water course, floodplain extent or base flood elevation
What makes up a Floodplain?

- **Flood Hazard Area** (100-Year Floodplain)
- **Fringe**
- **Floodway**
- **Fringe**
- **Stream Channel**
- **Normal Water Level**

**Flood Level**

**PLACEMENT**
The Likelihood of Flooding

<table>
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<tr>
<th>Years in floodplain</th>
<th>Chance of at least one 10-year flood</th>
<th>Chance of at least one 50-year flood</th>
<th>Chance of at least one 100-year flood</th>
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<td>96%</td>
<td>45%</td>
<td>26%**</td>
<td>6%</td>
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The longer you occupy the floodplain, the greater your chance of being flooded.

FEMA has not identified all areas that may be at risk of flooding. Between 20%–25% of flood insurance claims are from areas OUTSIDE of the FEMA Special Flood Hazard Area in supposedly “low risk” areas.

**Over a 30 year mortgage, there is a 26% chance of a 100-year flood.

FEMA Special Flood Hazard Area*

One-percent or greater chance of flooding in any year.
(FEMA Flood zones A, AE, A1–A30, AO, AH)
Major Objective:

- Ensure NFIP communities are achieving the flood loss reduction objectives of the Community Assistance Program (CAP)

Community Assistance Program was established to identify, prevent and resolve floodplain management issues BEFORE they develop into problems that require enforcement action.
Why does FEMA do CAV’s?

- Annual CAV – Every few years – Tiered Visits
- CRS enrollment
- Known or suspected problems or deficiencies
- Population growth, development, policy count
- Following a disaster
Purpose

- Access
- Audit
- Assist

You will never know how well something is working until you *inspect* it and *measure* it....
Community Assistance Visit – Activities

CAV are conducted by:

- FEMA Region 6
  - Individuals
  - Team CAV for larger communities

- LADOT – State NFIP Coordinating Agency
  - Sometimes by contract
Community Assistance Visit – Activities

- Discuss/Resolve issues and/or problems
- Assess Community/Parish knowledge and understanding of NFIP requirements
- Provide floodplain management assistance
- Re-establish working relationships between community, State and FEMA
- Assess effectiveness of programmatic and regulatory aspects of NFIP nationwide
- Priority to communities experiencing rapid growth and development and where floodplain management problems are known or suspected
Community Assistance Visit – Activities

Assistance

- Technical Assistance
- Training
- Disaster Support

I really am here to HELP you!
Honest!
Community Responsibility

Quick Review!

Adopt a Resolution
(One Time Only)

The Resolution is a declaration of the Community’s intent to adopt and enforce the provisions required to conduct a credible flood damage protection program.
(a) In order for community to have the availability of flood insurance, the community must adopt/enforce floodplain management regulations consistent with Federal criteria.

(b) Regulations must be legally enforceable, applied uniformly to private/public land. These regulations take precedence over any less restrictive or conflicting local laws.
(c) Nothing in subpart modifies/replaces the general requirement for eligible communities to take into account flood hazards to the extent they are known in all official actions related to land management/use.

(d) These Criteria are minimum standards for the adoption of floodplain management regulations by flood-prone communities. Communities may adopt more restrictive, in that case, more restrictive take precedence.
Community Responsibility

The Regulations

- Minimum standards (higher encouraged)
- Adopt the proper level
- Use State Model or the checklist to develop your ordinance/court order
- Provided by FEMA Region 6 or LADOT
  - Ask for help if needed
60.3(d)(3) – prohibit encroachment of floodway, unless demonstrated that encroachment will not cause ANY (0.00) increase in BFE.

60.3(b)(3) – Proposed development in excess of 50 lots or 5 acres (lesser) includes BFEs.

60.3(c)(10) – no new construction, unless demonstrated that cumulative effect (existing + anticipated) will not increase BFE more than 1.0 foot at ANY point within community.
Higher Standards Reduce:

- work and administrative burden
- Risk and response/recovery efforts
- Costs for insurance and rebuilding

“Wouldn't you rather go into unknown waters with higher boots?”
Local regulations requiring pipes to pass 5-, 10-, 25- year events will be overtaken/inundated during larger storm events.
State Model Ordinance includes the following statement:

(8) When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.
Definitions of Interest

**Special Flood Hazard Area.** An area prone to flood hazards during the Base Flood, shown on a FIRM as Zone A, AO, A1-A30, AE, A99, AH, AR, V1-V30, VE or V.

**Base Flood Elevation.** The elevation of surface water resulting from a flood that has a 1% chance of equaling or exceeding that level in any given year.

**Reasonably safe from flooding** *(44 CFR 65.2).* Base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area (SFHA) and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
Community Assistance Visit (CAV)

It’s easy! Just call FEMA
Community Assistance Visit (CAV)

Preparations

FEMA/LADOT coordinate visit date(s) with the FPA

- A CAV is always prescheduled – no unannounced visits

A letter is sent to the community CEO

- Announces date(s) of CAV and location of the briefing
- History and policies of the NFIP
- Expected community preparation for the CAV
Introduction

Upon arrival conduct an in-briefing with community officials and the FPA.

- Introduce community officials & CAV Team members.
- Explain the Process – What are we going to do.
Community Assistance Visit

1. The Floodplain Tour
   - General familiarity with floodplain areas
   - Gather site-specific information for floodplain development
   - Identify potential problem practices
   - Identify accuracy and completeness of FEMA’s flood hazard information (FIRMs)

2. Meeting with Local Officials
   - Identify community & technical assistance needs
   - Define/discuss compliance problems
   - Review current ordinance, identify higher standards within
   - Build mutual trust and better relationships
Community Assistance Visit

Review Local Permit Files
- Review floodplain management permits
- Variance approvals/denials
- Review a number from each year since last CAV or last five years
- Confirm building are at/above BFE
- Confirm development information is being submitted for FIRM updates (LOMR/CLOMR)

Summary Meeting
- Summarize findings
- Identify follow up actions for issues identified during visit
- Offer technical assistance
Community Responsibility

As a participant in the NFIP, under 44 CFR 60.3(a)(2), communities are required to ensure, PRIOR to issuing a floodplain development permit, that the applicant is IN COMPLIANCE with local and NFIP regulations, AND has obtained all necessary Federal and State permits related to development.

- USACE wetland permits (404)
- When necessary, Endangered Species Act compliance

Community should assure applicant has required permits PRIOR to signing Community Acknowledgement Form for all Letters of Map Change (LOMR-F, CLOMR-F, LOMA, CLOMA, LOMR, CLOMR)
What is a Permit?

- Describe construction expectations
- Communicate development expectations
- Mandate elevation requirements - BFE
- Provide Jurisdiction’s authorization to commence development
- Helps ensure all required actions are taken at specific times or phases during construction

When all documents are executed and signed properly, a Permit becomes a legal record of all development activities — Beginning to end.
Duties of the Floodplain Administrator

- Review applications
- Make floodplain determinations
- Issue or deny permits
- Ensure all other permits are obtained
- Inspect development
- Record keeping
- Remedy violations

Keep good records! A project file should be kept for each development permit application to demonstrate that the project was built in compliance with your regulations.
Review local understanding of FPM

- Do you permit all development?
- Describe the permitting process
- Time in position
- Trainings – CFM?
- How many inspections, during development?
- How do you resolve non-compliance & violations.
- Carefully consider requests for variance.
- Establishment of BFEs where not determined by FEMA.
- Do you maintain records for review?
Community Assistance Visit - Review

Administrative and Records review

- Review ordinance for compliance.
- Review the permitting process
- Review past development – 3-5 years permits.
- Ensure proper documentation is maintained
  - All permits, Elevation certificates, floodproofing certification, required studies, variance documentation, etc.

Keep good records! A project file should be kept for each development permit application to demonstrate that the project was built in compliance with your regulations.
Community Assistance Visit (CAV)

CAV Guidance Documents

- Guidance for Conducting Community Assistance Visits – FEMA F-776 (2011)
  - Been around for awhile – but still very good
Development is defined as any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
Community Assistance Visit

Previous field survey tools
- Paper Maps
- GPS
- Camera

Lets Do CAV Site Survey
Community Assistance Visit

Let's Do CAV

Site Survey

Proper Vehicle?
Community Assistance Visit

Data Analytics

Let's Do CAV Site Survey
Community Assistance Visit

Let's Do CAV
Site Survey
Development

What do you think?

Is this structure “Reasonably Safe from Flooding?”

Maybe!
What do you think?

Is the flood opening(s) compliant?

How many?
Inspect Review – Lowest Floor
Inspect Review – Lowest Floor

BFE Opening 16" x 18" (typical)

Lowest Floor
Without vents, the lowest floor changes to the surrounding grade:
- Now non-compliant
- Insurance premiums are much higher
Inspect Review – Lowest Floor

The garage is considered an enclosure
Inspect Review – Lowest Floor

Residence under Construction

Structure in Zone AE
On community map
Local Ordinances adopt Federal Minimums

NFIP requires Minimum Standards:
- Consider Higher Standards.

Wouldn’t you rather enter unknown water with higher boots?

Just 1 inch of water can cause $25,000 of damage to your home.
When should a community require an H&H study for development permit review?
Inside SFHA

1 ft floodwaters

Proposed Single Family Home

• Inside SFHA
• 1 ft floodwaters
ZONE X

Floodway

44 CFR 60.3(d)(3)

Fringe

ZONE X

X

RM 2
Community Assistance Visit (CAV)

The Report

- Complete & deliver to community within 30 days
- Present findings
  - Deficiencies as well as outstanding achievements
- Specifically identify deficiencies
  - Reference prevision not met
  - ID specific corrections expected
  - ID expected timing of corrections
- Identify expected timing intervals of updates and reports
Summary

Ask for help if you need it!

Sources:

- LADOT
- FEMA Region
- Other LFMA members
- CFMs
Other Tools for Communities

- Code of Federal Regulations – Parts 59-72
- MT-1 Forms & Instruction Materials
- MT-2 Forms & Instruction Materials
- Floodplain Management 101 Course Materials – Unit 5 Encroachments
- Community Recovery Management Toolkit
- Guidance for Conducting Community Assistance Visits (FEMA 776)
- Floodplain Management Bulletin – Elevation Certificates
- Managing Floodplain Development in Zone A

- Call Me for additional assistance
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