



Department of
Environmental
Conservation

National Flood Insurance Program Compliance Issues in NYS

September 15, 2023

Course Information

This course has been approved by the Department of State for In-Service Training credit as follows:

- 1 hour(s), Topic 1 – Enforcement & Administration

Course number: T02-07-3110

Attendees must scan or sign the Class Registration List to receive credit

- Log In – Between 30 minutes before the scheduled start time to 15 minutes after the scheduled start time.
- Log Out – Between the scheduled end time to 30 minutes after the scheduled end time.

Logging in or out outside of the above time frames will prohibit attendees from receiving course credit.



Course Attendance Issues

The Division of Building Standards and Codes cannot give course attendees credit for a course without the required registration and logging in and out

DEC Floodplain Coordinators

Central Office Floodplain Management Coordinators

Main Number, 518-402-8185

| | | | |
|--------------------------------------|------------------------|--------------|--|
| Kelli Higgins-Roche, PE, CFM: | NYS NFIP Coordinator | 518-408-0340 | kelli.higgins-roche@dec.ny.gov |
| Brad Wenskoski, CFM: | Lead for Regions 5 – 6 | 518-402-8280 | brad.wenskoski@dec.ny.gov |
| Geoff Golick, EIT: | Lead for Engineering | 518-402-7350 | geoffrey.golick@dec.ny.gov |
| Bailey Sawyer: | Lead for Regions 1 – 4 | 518-402-9148 | bailey.sawyer@dec.ny.gov |
| Lauren Kelly: | Floodplain Coordinator | 518-402-9431 | lauren.kelly@dec.ny.gov |

Western NY Flood Hub Floodplain Management Coordinators

Assisting with Regions 7-9

| | | | |
|-----------------------------|--------------------------|--------------|--|
| Karis Manning, PE: | Chief, Western Flood Hub | 585-226-5445 | karis.manning@dec.ny.gov |
| Brienna Wirley, CFM: | Lead for Regions 7 – 9 | 585-226-5465 | brienna.wirley@dec.ny.gov |

Email us at floodplain@dec.ny.gov



Department of
Environmental
Conservation

DEC Regional Floodplain Coordinators



Region 8: North
Avon
 Jonathan Tamargo
 585-226-5451

Region 8: South
Elmira
 Brad Chaffee
 607-732-2214



Region 9: Buffalo
 Mandi Ohar
 716-851-7084



Department of
 Environmental
 Conservation

Workshop Comments

- This workshop is an overview of the NFIP compliance issues we see in NYS. Additional training workshops providing more detailed information on the NFIP are available.
- Topics pertain to the minimum standards of the NFIP although we will discuss some NYS higher standards
- NYS building code incorporates most, but not all, of those standards.
- Other related federal/state programs will not be covered
- Subject matter applies to the special flood hazard area, i.e., The 1-percent annual chance flood (otherwise known as the 100-year flood).

Agenda

- Determining Compliance Issues
- Common Property Violations in NYS
- Community Program Deficiencies
- The Compliance Process
- Enforcement Actions
- Prevention of Violations
- Resources

Determining Compliance Problems

Compliance Issue Discovery

- Community Assistance Visits (CAVs) / Community Assistance Contacts (CACs)
- Letters of Map Change Process (LOMCs)
- Regulatory Map Updates
- Submit for Rate Insurance Policies
- Other Federal Agencies
- Adjoining Communities
- Residents

CAVs and CACs

- Ordinance review for compliance with 44 CFR 60.3
- Review of permitting process
- Floodplain tour
- Review of issued permits




Letters of Map Change Process

- FEMA review of a LOMA, LOMR-F, or LOMR may indicate a potential violation
- A Potential Violation Notice (PVN) is sent to the FEMA Regional NFIP Specialist
- The FEMA Regional NFIP Specialist and/or the State NFIP Office work directly with the community to resolve the issue

Regulatory Map Updates

- Redelineation of Existing Special Flood Hazard Areas
- Conditional Letters of Map Revisions/ Letter of Map Revisions

|  Federal Emergency Management Agency Washington, D.C. 20472 | |
|--|--|
| CERTIFIED MAIL RETURN RECEIPT REQUESTED | IN REPLY REFER TO: 115-1 |
| December 16, 2020 | |
| The Honorable Byron Brown Mayor, City of Buffalo 65 Niagara Square, Room 201 Buffalo, New York 14202 | Community: City of Buffalo, Erie County, New York Community No.: 360230 Map Panels Affected: See FIRM Index |
| Dear Mayor Brown: | |
| <p>On January 31, 2020, you were notified of proposed modified flood hazard determinations (FHDs) affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the City of Buffalo, Erie County, New York. The statutory 90-day appeal period that was initiated on February 14, 2020, when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed FHDs for your community in the <i>Buffalo News</i>, has elapsed.</p> <p>FEMA received no valid requests for changes in the FHDs. Therefore, the determination of the Agency as to the FHDs for your community is considered final. The final FHDs will be published in the <i>Federal Register</i> as soon as possible. The modified FHDs and revised map panels, as referenced above, will be effective as of June 16, 2021, and revise the FIRM that was in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated above and on the maps and must be used for all new policies and renewals.</p> <p>The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1351 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to June 16, 2021, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 603.(d and e) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.</p> <p>It must be emphasized that all the standards specified in Paragraph 603.(d and e) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:</p> | |
| <ol style="list-style-type: none"> 1. Amending existing regulations to incorporate any additional requirements of Paragraph 603.(d and e), 2. Adopting all the standards of Paragraph 603.(d and e) into one new, comprehensive set of regulations, or | |



Submit for Rate Insurance Policies

- Flood Insurance Policies that identify a post-FIRM structure with the lowest floor below BFE (at least 2 feet)
- Agents send these policies to FEMA HQ for rating
- Information is shared with the FEMA Regional Office since these structures are potential violations.

Notification Through Other Parties or Programs

- Other Federal/State Agencies
- Adjoining Communities
- Resident Reports
- Neighbor Disputes

Question #1

How does FEMA or the State find out about compliance issues?

- A. CAV/CAC
- B. Letter of Map Change(LOMC) Process
- C. NYSDEC Permitting Process
- D. Complaints
- E. All of the Above

Common Property Violations

Common Violations

- Letter of Map Revision Based on Fill (LOMR-F)
- Lowest Floor Below BFE
- Encroachments in the Floodway
- Failure to Submit a CLOMR/LOMR
- Use of Flood Prone Enclosures
- Flood Openings
- Anchoring Fuel Tanks/ Manufactured Homes



LOMR-F Violations





| DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY PROPERTY INFORMATION FORM | | DS-66, NO. 3400-0015 Expires February 28, 2014 |
|---|--|---|
| PAPERWORK BURDEN DISCLOSURE NOTICE | | |
| Public reporting burden for this data collection is estimated to average 1.63 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collection Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 22209-3002, Paperwork Reduction Project (3440-0015). NOTE: Do not send your completed form to this address. | | |
| This form may be completed by the property owner, property owner's agent, licensed land surveyor, or registered professional engineer to support a request for a Letter of Map Amendment (LOMA), Conditional Letter of Map Amendment (CLOMA), Letter of Map Revision Based on Fill (LOMR-F), or Conditional Letter of Map Revision Based on Fill (LOMR-F) for existing or proposed, single or multiple lots/structures. In order to process your request, all information on this form must be completed in its entirety, unless stated as optional. Incomplete submissions will result in processing delays. Please check the form below that describes your request: | | |
| <input type="checkbox"/> LOMA | A letter from DHS-FEMA stating that an existing structure or parcel of land that has not been elevated by fill (natural or grade) would not be inundated by the base flood. | |
| <input type="checkbox"/> CLOMA | A letter from DHS-FEMA stating that a proposed structure that is not to be elevated by fill (natural or grade) would not be inundated by the base flood if built as proposed. | |
| <input type="checkbox"/> LOMR-F | A letter from DHS-FEMA stating that an existing structure or parcel of land that has been elevated by fill would not be inundated by the base flood. | |
| <input type="checkbox"/> CLOMR-F | A letter from DHS-FEMA stating that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed. | |
| <p>Fills defined as material from any source (including the subject property) placed that raises the ground to or above the Base Flood Elevation (BFE). The common construction practice of reusing available existing material (basins) and backfilling with inert structural material is not considered the placement of fill if the practice does not alter the existing (natural or grade) elevation, which is at or above the BFE. Fill that is placed before the date of the first National Flood Insurance Program (NFIP) map showing the area is a Special Flood Hazard Area (SFHA) is considered natural grade.</p> <p>Has fill been placed on your property to raise ground that was previously below the BFE? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when was fill placed? mm/dd/yyyy</p> <p>Will fill be placed on your property to raise ground that is below the BFE? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when will fill be placed? mm/dd/yyyy</p> <p>* If yes, Endangered Species Act (ESA) compliance must be documented to FEMA prior to issuance of the CLOMR-F determination (please refer page 4 to the MF-1 instructions).</p> | | |
| 1. Street Address of the Property (if request is for multiple structures or units, please attach additional sheet referencing each address and enter street names below) | | |
| 2. Legal description of Property (Lot, Block, Subdivision or abbreviated description from the Deed): | | |
| 3. Are you requesting that a flood zone determination be completed for (check one): | | |
| <input type="checkbox"/> Structures on the property? What are the dates of construction? _____ (MM/YYYY) <input type="checkbox"/> A portion of land within the bounds of the property? (If certified metes and bounds description and map of the area to be reviewed, certified by a licensed land surveyor or registered professional engineer, are required, for the preferred format of metes and bounds descriptions, please refer to the MF-1 Form 1 Instructions.) <input type="checkbox"/> The entire legally recorded property? | | |
| 4. Is this request for a (check one): | | |
| <input type="checkbox"/> Single structure <input type="checkbox"/> Single lot <input type="checkbox"/> Multiple structures (How many structures are involved in your request? List the number: _____) <input type="checkbox"/> Multiple lots (How many lots are involved in your request? List the number: _____) | | |



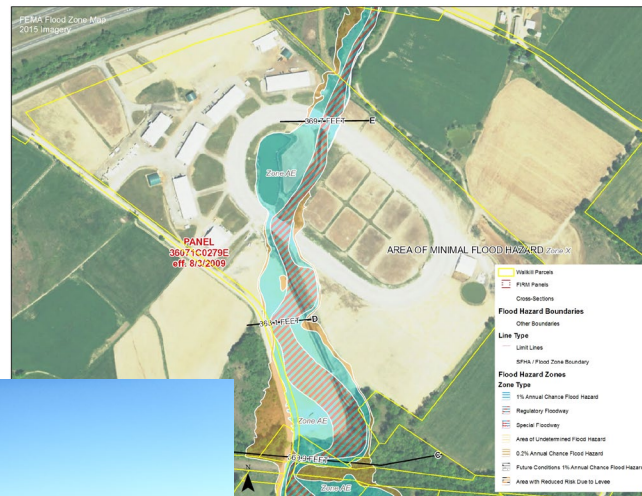
Lowest Floor Violations



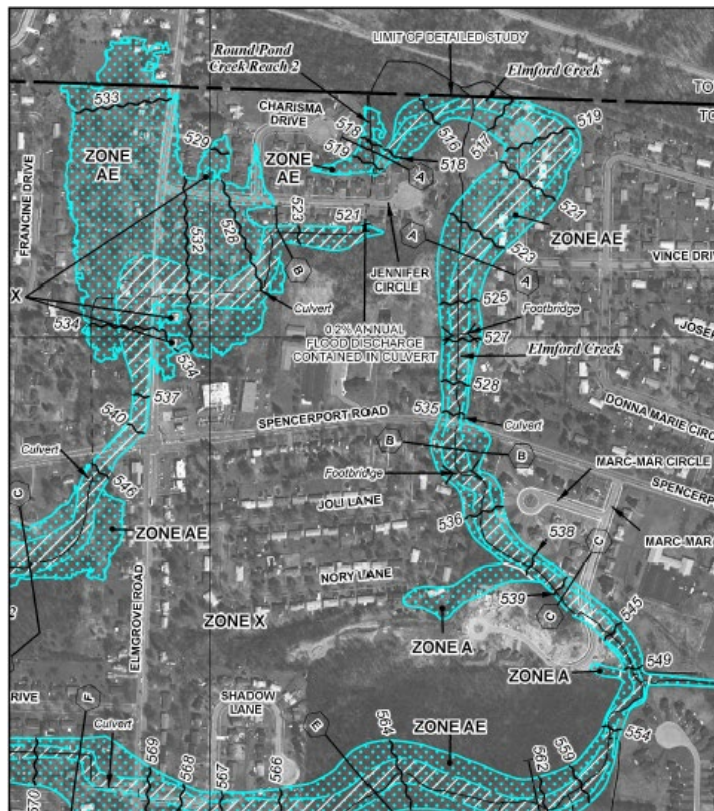
| | | | | |
|---|--|--|---|-----------------------|
| Page 1 of 4 | Issue Date: June 6, 2019 | Effective Date: December 6, 2019 | Case No.: 18-02-2089P | LOM#-APP |
|  Federal Emergency Management Agency Washington, D.C. 20472 | | | | |
| LETTER OF MAP REVISION DETERMINATION DOCUMENT | | | | |
| COMMUNITY AND REVISION INFORMATION | | PROJECT DESCRIPTION | BASIS OF REQUEST | |
| COMMUNITY | Town of Walworth Wayne County New York | NO PROJECT | FLOODWAY HYDRAULIC ANALYSIS HYDROLOGIC ANALYSIS NEW TOPOGRAPHIC DATA | |
| COMMUNITY NO.: | 361228 | | | |
| IDENTIFIER | Black Creek Flood Plain Revision | APPROXIMATE LATITUDE & LONGITUDE: | 43.118, -77.303 | DATE: 11/03/18 |
| | | SOURCE: | Precision Mapping Street | |
| ANNOTATED MAPPING ENCLOSURES | | ANNOTATED STUDY ENCLOSURES | | |
| TYPE: FIRM | NO: 3612280011C DATE: March 16, 1983 | DATE OF EFFECTIVE FLOOD INSURANCE STUDY: September 16, 1982 | | |
| TYPE: FIRM* | NO: 3612280011 DATE: March 16, 1983 | PROFILE: DSP | | |
| | | FLOODWAY DATA TABLE: 2 | | |
| | | SUMMARY OF DISCHARGES TABLE: 1 | | |
| Enclosures reflect changes to flooding sources affected by the revision. | | | | |
| FIRM - Flood Insurance Rate Map; * FIRM - Flood Boundary and Floodway Map | | | | |
| FLOODING SOURCES (S) & REVERSED REACHES (R) | | | | |
| Black Creek - From approximately 650 feet downstream of Staker Road to immediately downstream of Perfected Road | | | | |
| SUMMARY OF REVISIONS | | | | |
| Effective Flooding | Revised Flooding | Increases | Decreases | |
| Flooding | Flooding | NONE | YES | |
| Zone A1-A30 | Zone A1-A30 | NONE | YES | |
| BF's | BF's | NONE | YES | |
| DETERMINATION | | | | |
| The Department of Homeland Security's Federal Emergency Management Agency (FEMA) (LOMR) for the area described above. Using the information submitted, we have determined that flood Insurance Study (FIS) report under National Flood Insurance Program (NFIP) map is NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map for management purposes and for all flood insurance policies and renewals in your community. | | | | |
| NOTE: The enclosed documents provide additional information regarding this determination. If you have FEMA Map information exchange kit free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the SOO, Alexandria, VA 22304-6438. Additional information about the NFIP is available on our website at www.fema.gov | | | | |
|  Patrick "Tom" J. Gaskill, P.E., Branch Chief Engineering Services Branch Federal Insurance and Mitigation Administration | | | | |
| | | | 18-02-2089P | 102-14-C |



Floodway Violations



CLOMR/LOMR Violations



Flood Prone Enclosure



Flood Opening Violations



Anchoring Fuel Tanks



Utilities Not Elevated



Question #2

True or False?

If a property owner adds fill to a parcel and constructs a building with a basement prior to submitting the LOMR-F application to FEMA and getting approval, then the structure is a violation.

Community Program Deficiencies

Local Law Issues

- Failure to adopt dissolved villages
- Failure to adopt official LOMR
- New study/maps issued
- Does not meet minimum NFIP or State requirements

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-5001
www.dos.ny.gov

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Buffalo, NY

Local Law No. 2 of the year 2019

A local law Amending the Charter of the City of Buffalo in Relation to Flood Damage Prevention
(Insert title)

Be it enacted by the Common Council
(Name of Legislative Body) of the

County City Town Village
(Select one.)

of Buffalo as follows:

Section 1, that Article 31, of the Charter of the City of Buffalo, adopted pursuant to law is hereby amended to read as follows:

SECTION 31 Flood Damage Prevention
31-1 Statutory Authorization and Purpose

1.1 FINDINGS
The Common Council of the City of Buffalo finds that the potential and/or actual damages from flooding and erosion may be a problem to the residents of the City of Buffalo and that such damages may include: destruction or loss of private and public housing, damage to public facilities, both publicly and privately owned, and injury to and loss of human life. In order to minimize the threat of such damages and to achieve the purposes and objectives hereinafter set forth, this local law is adopted.

1.2 STATEMENT OF PURPOSE
It is the purpose of this local law to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(1) regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

(2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

FILED
STATE RECORDS
JUN 10 2019
DEPARTMENT OF STATE



Permitting



SI/SD Procedure



Variations

Use of procedures to process variations that are not consistent with NFIP variance criteria.*

- Variance granted must be the minimum necessary, considering the flood hazard, to afford relief
- Where the variance conflicts with the Uniform Code of NYS, there must also be a state variance through the regional board of review

*Refer to 44 CFR § 60.6(a) and FEMA P-993

Record Keeping

- Floodplain development permits and certificates of compliance
- Certifications of as-built lowest floor elevations of structures
- Floodproofing certificates
- Variances requested and whether issued or denied
- Notices required for any watercourse alterations



Question #3

True or False? Type text here

The NYSDEC Permit Unit considers local floodplain regulations and NFIP requirements during the review of **ALL** permit applications.

The Compliance Process

General Compliance Process

- FEMA regulations require violations be remedied to the maximum extent practicable
- Administrative deficiencies that led to the violation must be corrected
- As the participant in the NFIP, communities are responsible to remediate the violation
- FEMA and the State work with the community, not the property owner or the LOMC applicant
- The process can be time consuming
- Remediation is on a case-by-case basis



Full Compliance Options

- Demonstrate the Structure is not a violation of the NFIP
- Elevate
- Wet Floodproof
- Dry Floodproof (Non-Residential Structures and Enclosures)
- Remove the structure
- Relocate the structure
- Fill the basement or lower level
- Change use of the building
- Combination of options



Partial Compliance Options

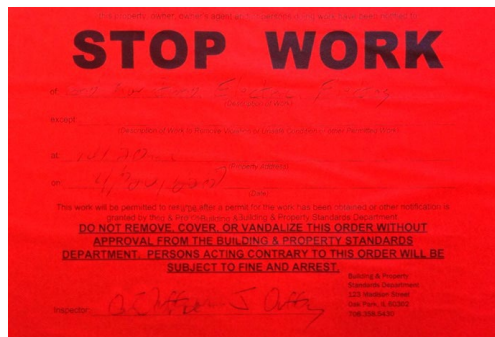
- Elevate Utilities
- Floodproof Utilities
- Construct Compensatory Storage
- Restrict use of lower levels
- Retrofit the building for wet or dry floodproofing
- Combination of options

Other Compliance Options at the Community Level

- Restriction on Building Use
- Submit to Rate: Can encourage the homeowner to take action due to insurance costs
- Phased approach that is documented through a Memorandum of Understanding.
- Section 1316: Denial Flood Insurance for an individual structure

Section 1316 of the National Flood Insurance Act of 1968

- A process for denying flood insurance to structures in violation of State or local floodplain management regulations.
- A community should exhaust all other available enforcement actions such as stop-work-orders and fines, before pursuing the 1316 process.



Question #4

A new residential structure was built in the floodplain with a full basement that is 5 ft. below grade and 6 ft. below the BFE. The furnace and hot water tank are located in the basement. How do you bring the structure into **full** compliance?

- A. Elevate the utilities
- B. Floodproof the utilities
- C. Fill in the basement to grade
- D. Both A and C

Enforcement Options

Remedy Violations

FPA has responsibility to mitigate violations

- Bring structure or other development into compliance
- Implement enforcement provisions
- Protect structure or other development from flood damages, i.e., retrofit
- Deter future similar violations by modifying procedures, and training



Property Owner Non-Compliance

Local Actions

- Formal notification of violations
- Fines (per violation, per day)
- Stop work orders
- Injunctions
- Imprisonment
- Litigation
- Section 1316 (44 CFR Part 73)

Community & Individual Non-Compliance

State Actions

- NYSDEC NFIP Coordinating Office
 - Provide Technical Assistance
 - Assist in Communications between FEMA and the Community
- NYSDOS Codes Division
 - Investigation of complaints
 - [Division of Code Enforcement and Administration \(ny.gov\)](http://www.nysdec.gov)



COMPLAINT AGAINST A CODE ENFORCEMENT OFFICIAL OR BUILDING SAFETY INSPECTOR AND/OR AGAINST A MUNICIPALITY RESPONSIBLE FOR ENFORCING THE UNIFORM CODE AND/OR ENERGY CODE

PURPOSE OF THIS FORM: This form may be used for either or both of the following purposes:

- (1) to file a complaint alleging that a Code Enforcement Official ("CEO") or a Building Safety Inspector ("BSI") has materially failed to uphold his or her duties as a CEO or BSI, or
- (2) to file a complaint alleging that a city, town, village, or county that is responsible for administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the "Uniform Code") and/or the State Energy Conservation Construction code (the "Energy Code") is failing to do so in compliance with the minimum standards established by the Department of State Regulations.

The Department of State will review this form and make a preliminary determination whether this Complaint is applicable to (1) the CEO or BSI named in this Complaint, (2) the city, town, village, or county named in this Complaint, or (3) both the CEO or BSI named in this complaint and the city, town, village, or county named in this Complaint.

INSTRUCTIONS: Please Complete Part 1, Part 2, Part 3, and Part 4; read Part 5; and date and sign this form in the place provided in Part 5. Please submit the completed, dated, and signed Complaint (and any additional supporting documentation you may wish to include as part of this Complaint) by email or mail to:

New York State Department of State
 Division of Building Standards and Codes
 99 Washington Ave.
 Albany, NY 12231-0001
 Email: Oversight.Codes@dos.ny.gov

PART 1 (please type or print)

Person filing this Complaint:

First Name: _____ Last Name: _____

Home Address: _____

Address related to complaint: _____

Telephone: _____ Email: _____

Community Non-Compliance

Federal Actions

- CRS Retrograde to a Class 10
- Probation
- Suspension
- Subrogation



Community Rating System Retrograde

The Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed minimum NFIP requirements.



National Flood Insurance Program
Community Rating System



Department of
Environmental
Conservation

Probation

- Formal notification to the community that FEMA regards the community's floodplain management program as not compliant with the minimum standards of the NFIP
- An additional \$50 dollar premium will be charged on policies sold or renewed during the probation period
- The maximum probation period is one year



Suspension

A community is subject to suspension unless it corrects program deficiencies and remedies all violations by the compliance deadlines set during the probation period.

- No new policies or renewals
- No Federally related financing within SFHA
- No Federal financial assistance or aid, including disaster assistance, within SFHA

SUSPENDED



Subrogation

This is an action brought by FEMA when flood damages have occurred, flood insurance has been paid, and...

...all or part of the damage can be attributed to acts or omissions by a community or other third party.

FEMA then sues the third party to recover flood insurance claims it has paid.



Other Factors to Consider

There may be other factors to consider when evaluating what are the best compliance actions for any given violation

- Mitigating Factors
 - Factors that may lessen the impact of the violation
- Aggravating Factors
 - Factors that may exacerbate the impact of the violation

Examples of Mitigating Factors

- Newly elected officials, or recently hired staff, have demonstrated a new attitude toward fulfilling the community's responsibilities under the NFIP
- There are isolated instances of violations, rather than a pattern of widespread or repeated violations
- A remedial measure to resolve a particular violation would undermine the credibility of local officials or their demonstrated efforts to achieve compliance
- The current owner of a property that is in violation was not the owner at the time the structure became noncompliant



Examples of Aggravating Factors

- Community has a history of violations that were previously identified and brought to the community's attention by the State or FEMA
- Community has not demonstrated willingness to take corrective actions to resolve past problems
- Community has adequate resources, including professional staff, but has not used those resources to administer or enforce its floodplain management regulations
- The present owner of a property that is in violation was the owner at the time the structure became noncompliant



Question #5

Who is responsible for mitigating violations?

- A. FEMA
- B. NYSDEC
- C. Local Floodplain Administrator (FPA)
- D. NYSDOS

Preventing Violations

Ways to Prevent Violations

- Enforce the community's ordinance and keep it up to date
- Create a strong permit procedures that include inspections and use of elevation certificate
- Require multiple inspections
- Require permit applicants to submit for CLOMRs and LOMRs
- Be aware of the community's responsibility when signing the Community Acknowledgement Form
- Keep Records
- Ask questions: Call FEMA and/or NYSDEC regarding compliance questions before you permit the development

Benefits of Proper Enforcement

- Safer, More Resilient Community
- Safer Public
- Decreased Flood Damages
- Lower Flood Insurance Rates
- Maintain Property Values
- Maintain NFIP Status and Access to Federal Funds



Resources

Ways to Learn

FEMA: Emergency Management Institute

[FEMA - Emergency Management Institute \(EMI\) Home Page](#)

DEC Workshops & Training Page

[Floodplain Management Training Resources - NYS Dept. of Environmental Conservation](#)

NYS Floodplain and Stormwater Managers Assoc.

[Home - New York State Floodplain and Stormwater Managers \(nyfloods.org\)](#)

Association of State Floodplain Managers

[The Association of State Floodplain Management | ASFPM \(floods.org\)](#)

FEMA NFIP Desk Reference

[NFIP Floodplain Management Requirements \(fema.gov\)](#)

Self-education and experience

Violations & litigation - Abiding by the regulations will hopefully avoid this method of learning!



Information on the Web

NFIP Insurance Forms

[Find an Insurance Form | FEMA.gov](#)

NFIP Technical Bulletins

[National Flood Insurance Technical Bulletins | FEMA.gov](#)

Mapping Guidelines and Specifications

[Guidelines and Standards for Flood Risk Analysis and Mapping Activities Under the Risk MAP Program | FEMA.gov](#)

FEMA Map Service Center

[FEMA Flood Map Service Center | Welcome!](#)

Flood Insurance Library

[Office of the Flood Insurance Advocate Library | FEMA.gov](#)

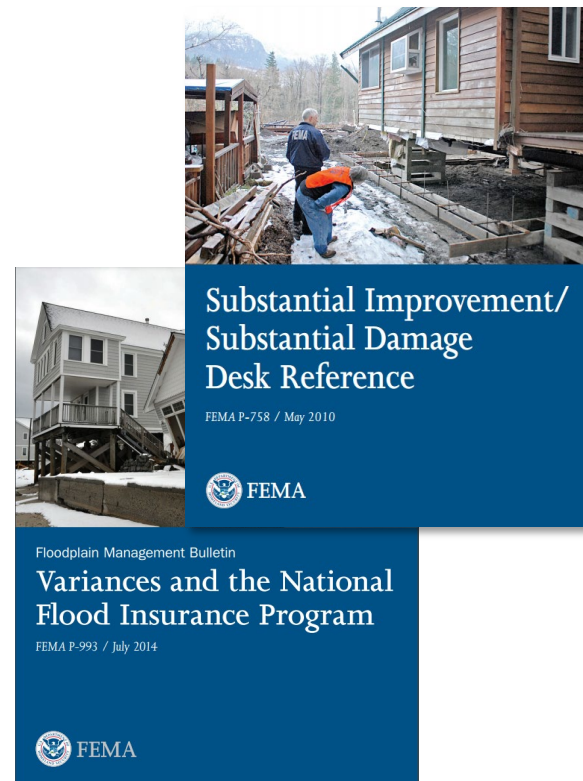
Floodplain Management Information

[Floodplain Management | FEMA.gov](#)



FEMA Resources

- Substantial Improvement/Substantial Damage Desk Reference, FEMA P-758 (https://www.fema.gov/media-library-data/20130726-1734-25045-2915/p_758_complete_r3.pdf)
- Answers to Questions about Substantially Damaged Buildings, FEMA 213 (<https://www.fema.gov/media-library/assets/documents/169099>)
- Variances and the NFIP, FEMA P-993 (https://www.fema.gov/sites/default/files/2020-08/FEMA_P-993_FPM-Bulletin_Variance.pdf)



Q&A

Brienna Wirley, CFM

Environmental Program Specialist

Western Flood Hub

585-226-545

brienna.wirley@dec.ny.gov

Connect with us:

Facebook: www.facebook.com/NYSDEC

Twitter: twitter.com/NYSDEC

Flickr: www.flickr.com/photos/nysdec



Department of
Environmental
Conservation