

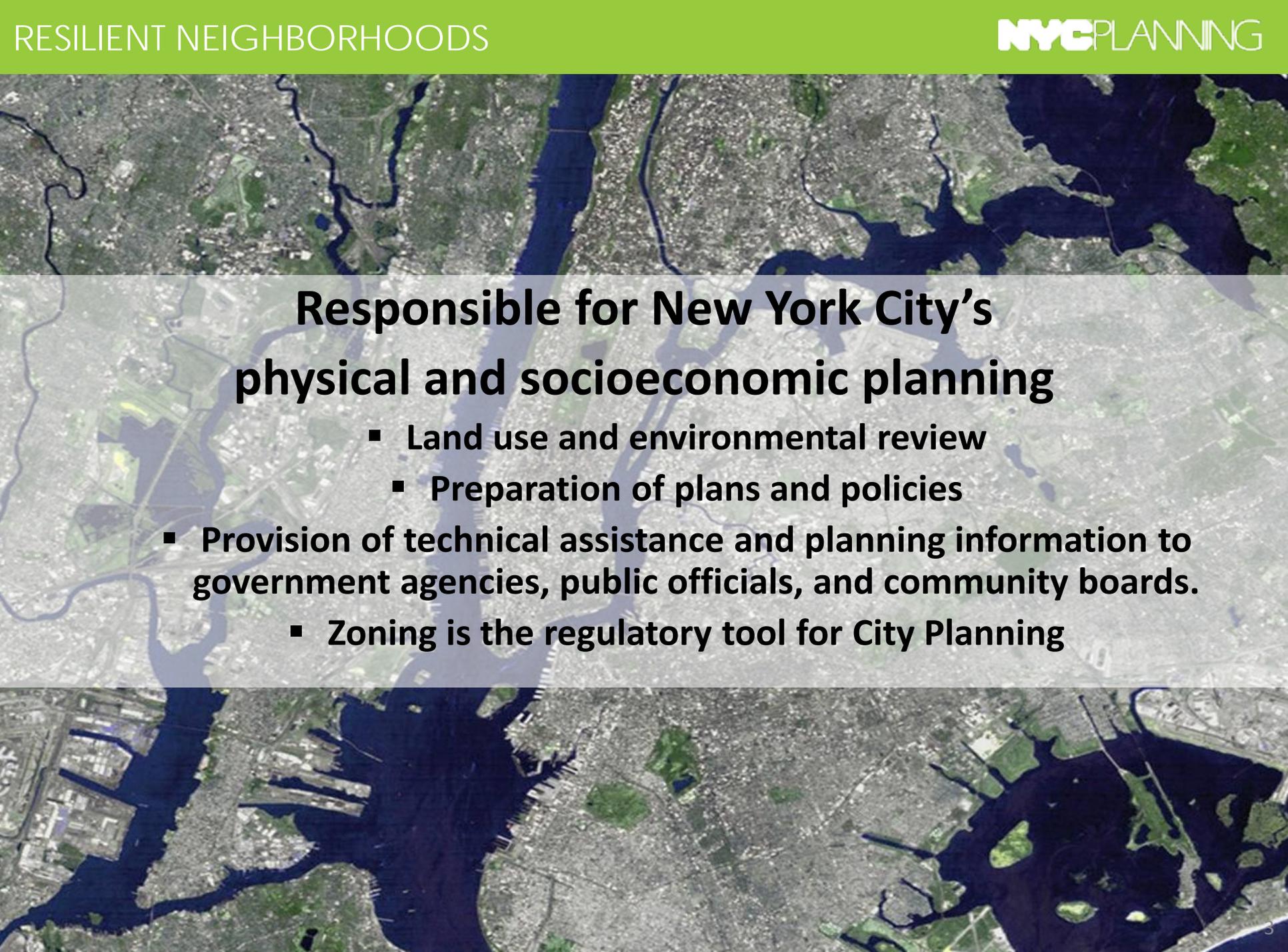
**RESILIENT NEIGHBORHOODS:
COMMUNITY MEETING
W/FEMA**

The Bronx - Edgewater Park
08/18/14



AGENDA

- **Introductions**
 - Department of City Planning (DCP)
 - Office of Resiliency and Recovery (ORR)
 - Federal Emergency Management Agency (FEMA)
- **Overview of DCP and Neighborhood Resiliency**
- **FEMA Presentation Flood Risk and Insurance**
- **Q&A**
- **Next Steps**

An aerial photograph of New York City, showing the Hudson River, the East River, and the city grid. A semi-transparent grey box is overlaid on the center of the image, containing text and a bulleted list.

Responsible for New York City's physical and socioeconomic planning

- Land use and environmental review
 - Preparation of plans and policies
- Provision of technical assistance and planning information to government agencies, public officials, and community boards.
 - Zoning is the regulatory tool for City Planning

REGULATORY FRAMEWORK

FEMA Flood Maps

The Federal Emergency Management Agency (FEMA):

- Creates flood maps
- Sets standards for flood-resistant construction.

New York City Building Code
Flood-Resistant Standards

Required to meet minimum criteria established by:

- FEMA
- New York State Building Code

New York City
Zoning Resolution

•The Zoning Resolution:

- Regulates building size, location, and use
- Must accommodate buildings that meet the standards established in the Building Code.

NYC Resiliency Challenges

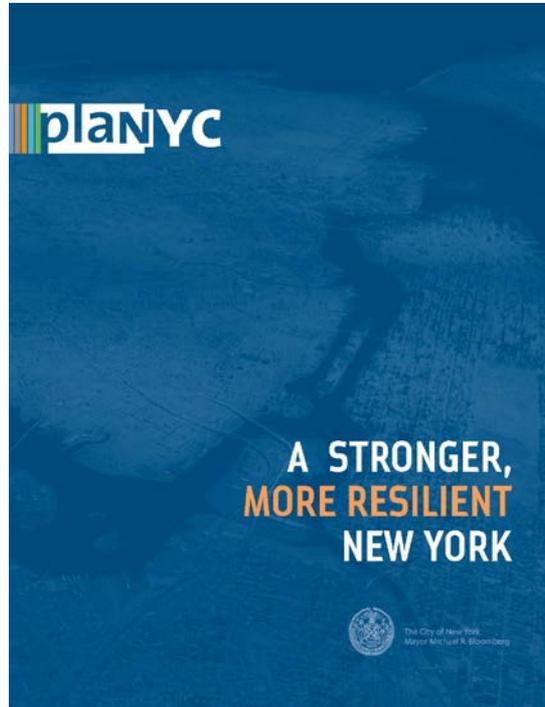
- Wholesale retreat is not an option for NYC.
- A lesson from Sandy: Buildings can be protected if built to contemporary code standards.
- Changes to flood maps and the National Flood Insurance Program pose a new economic challenge.
- NYC is taking a multilayered approach to resiliency, or the ability to withstand a recover from a storm.

100-Year Flood Zone	
Residents	398,000
Jobs	271,000
Buildings	68,000
1-4 Family	53,000
Floor Area (Sq Ft.)	534M

* Numbers are rounded for clarity

A Stronger, More Resilient New York

The City's plan to build resiliency and make all New Yorkers safer is a multi-layered approach that is ambitious, achievable, and based on the best available science.



Strengthen coastal defenses

- Complete existing USACE coastal risk reduction projects
- Expand natural protections and other innovative measures

Upgrade buildings

- Amend the building code to strengthen new construction
- Incent investments in existing buildings

Protect infrastructure and services

- Harden critical assets and supply chains
- Expand natural infrastructure systems

Make neighborhoods safer and more vibrant

- Advocate for flood insurance affordability
- Address underlying challenges during the rebuilding process

The City's 257 initiatives comprise a **comprehensive plan** to reduce the risk of extreme weather and climate change. This innovative plan includes funding, an implementation schedule, and **can be achieved over the next ten years.**



NEW YORK RISING COMMUNITY RECONSTRUCTION PROGRAM

Phase I Areas

- Breezy Point (Queens)
- Broad Channel (Queens)
- New Howard Beach and Old Howard Beach (Queens)
- Rockaway East (Queens)
- Rockaway West (Queens)

- Brighton Beach, Coney Island, Manhattan Beach, and Sea Gate (Brooklyn)
- Gerritsen Beach and Sheepshead Bay (Brooklyn)
- Red Hook (Brooklyn)

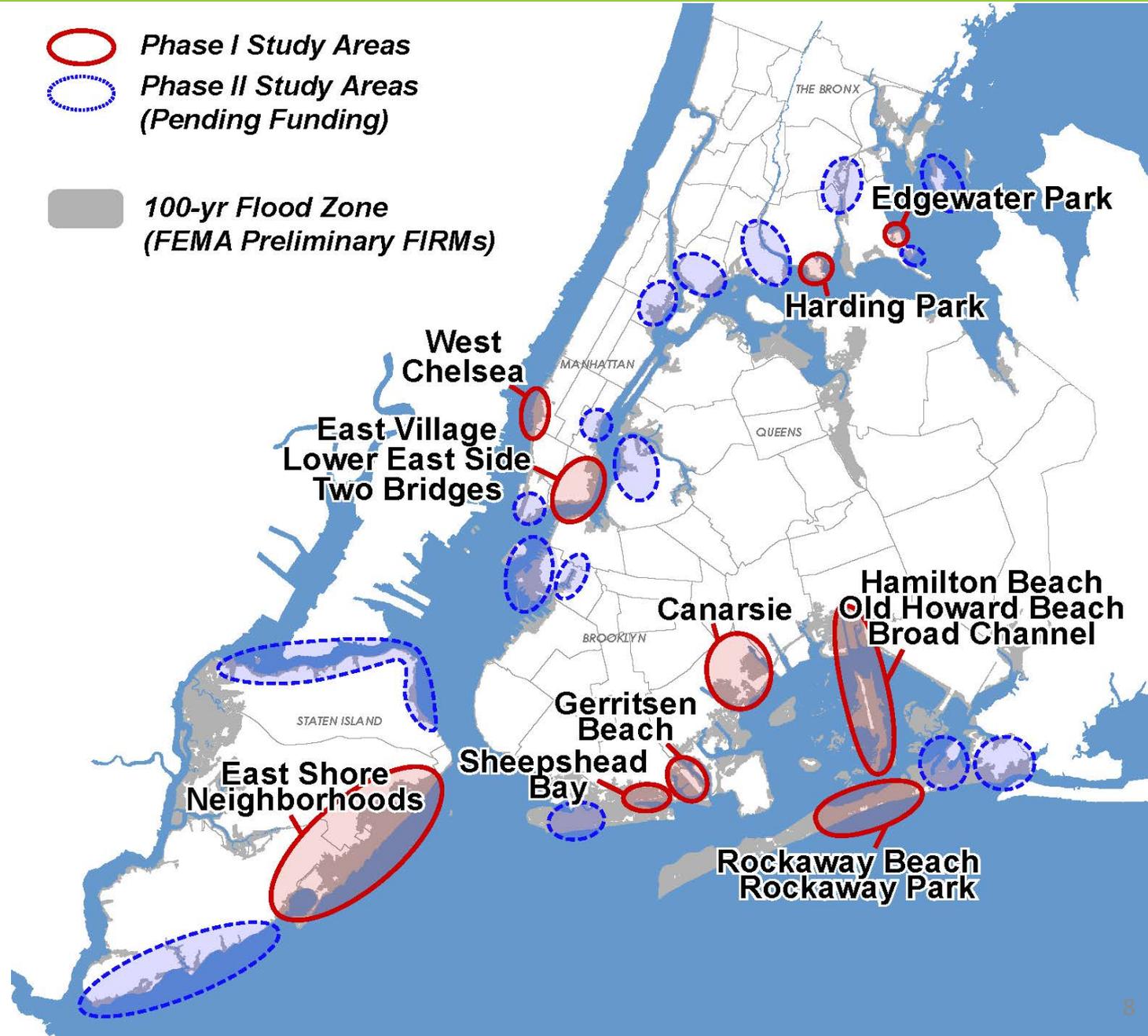
- Staten Island East and South Shore
- Lower Manhattan

Phase II Areas

- Rosedale (Queens)
- Springfield Gardens South, Brookville (Queens)

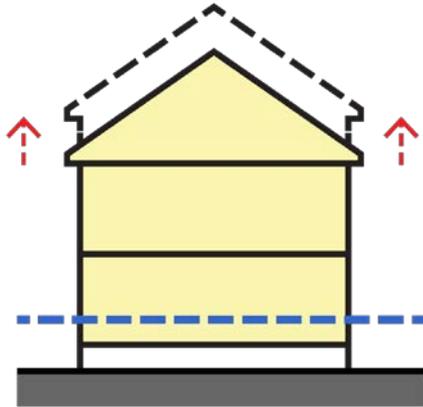
- Canarsie (Brooklyn)
- Georgetown, Marine Park, Bergen Beach, Mill Basin (Brooklyn)
- Gravesend (Brooklyn)

- Schuylerville, Throgs Neck, Edgewater Park (The Bronx)

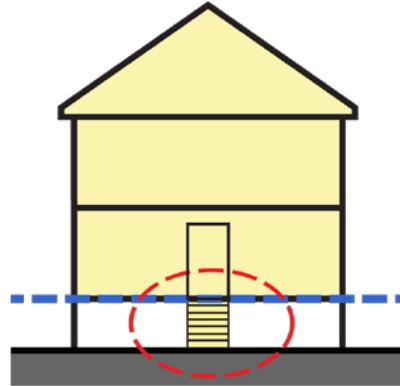


Citywide Planning – Flood Resilience Zoning Text Amendment

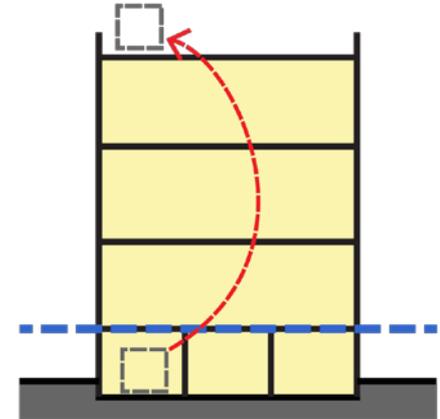
Adopted by City Council on October 9, 2013



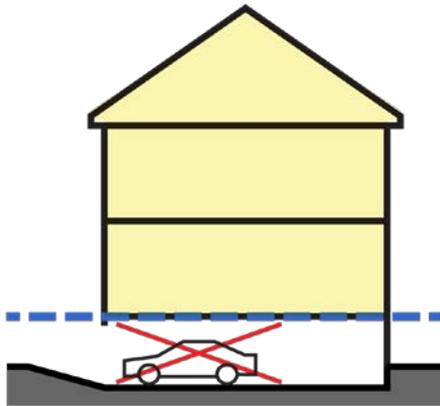
HEIGHT
must recognize elevation requirements in flood zones



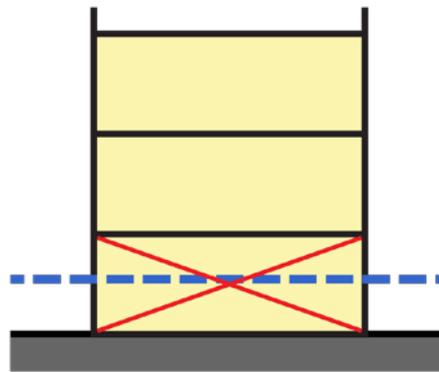
ACCESS
need for stairs or ramps requires imaginative solutions



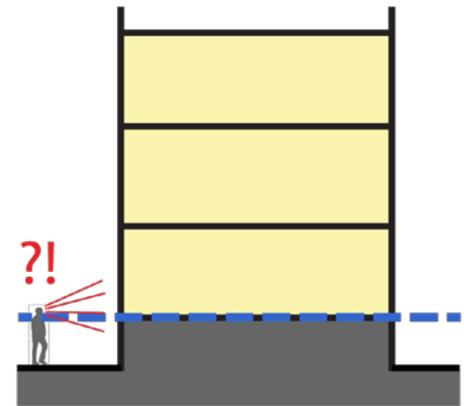
MECHANICAL SYSTEMS
must allow relocation out of flood-prone areas



PARKING
may not be possible below ground



GROUND FLOOR USE
buildings may be allowed only limited use of ground floors



STREETScape
limit negative effect of blank walls on streetscape

Purpose

Work with communities to identify changes to zoning, land use and other actions that support the vitality of neighborhoods and help residents and businesses withstand and recover quickly from future storms and other climate events.

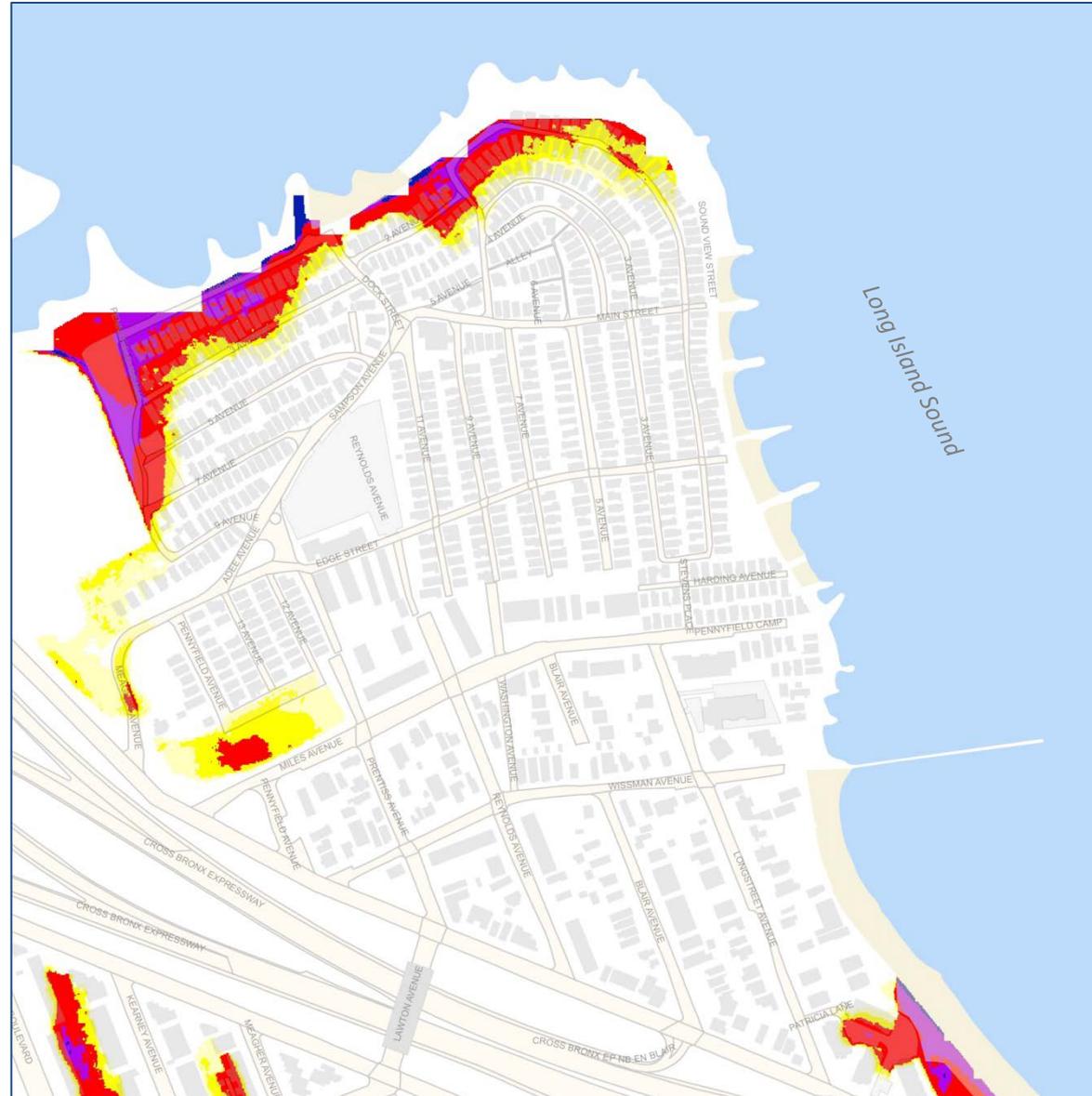
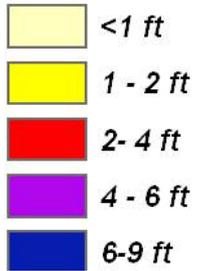
Make every community better than it was before Sandy.

Planning Goals

- 1 Reduce risks from natural hazards such as flooding and coastal storms.**
- 2 Foster economically and socially vibrant communities that are able to adapt to changing conditions.**
- 3 Coordinate land use planning with rebuilding activities and infrastructure investment.**

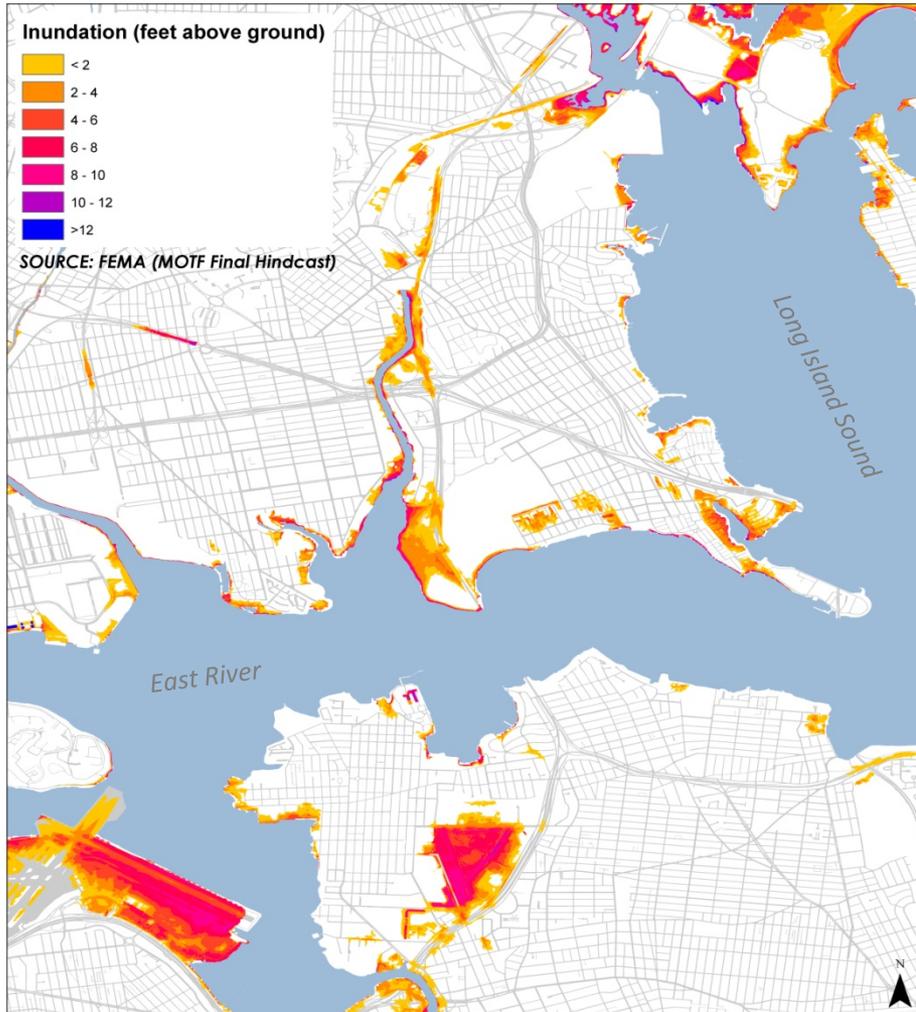
What happened during Hurricane Sandy?

Inundation (feet above ground)



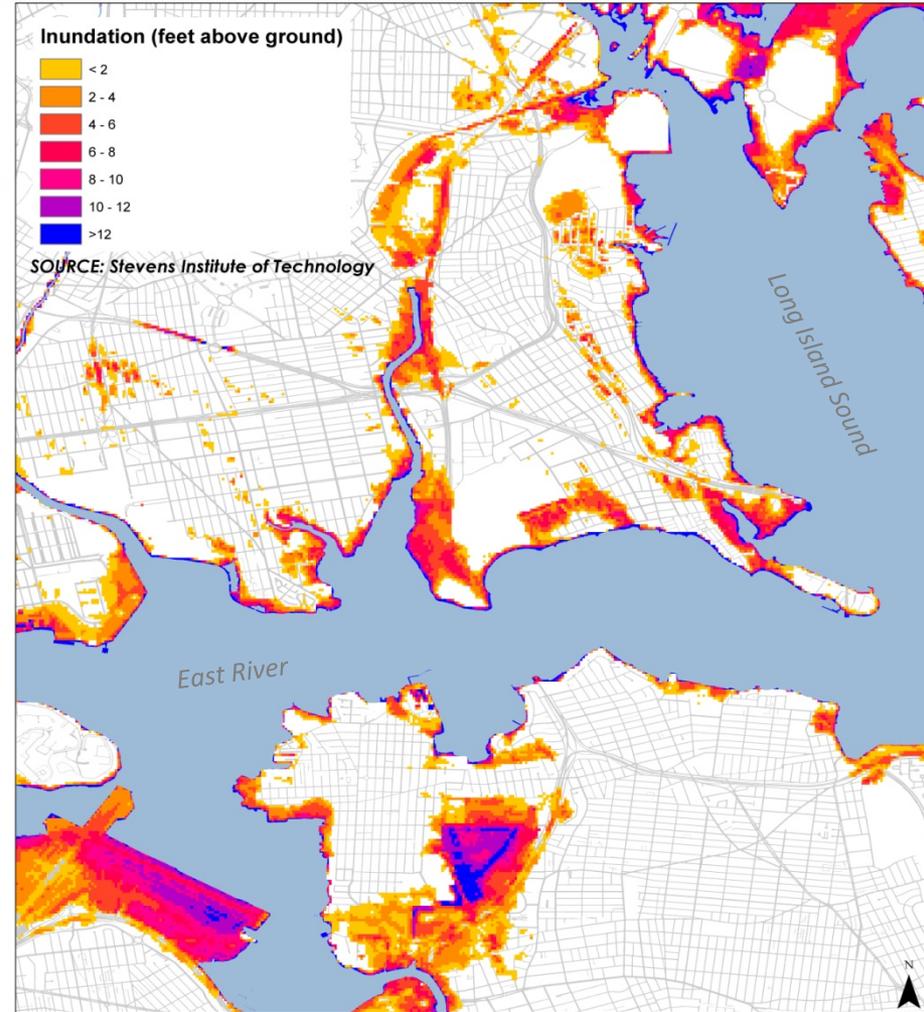
Flooding in Edgewater Park during Hurricane Sandy

What happened during Hurricane Sandy?



Coastal Flooding From Hurricane Sandy

What could have happened during Hurricane Sandy?



Sandy Simulated 9 Hours Earlier

SOURCE: City of New York, "A Stronger, More Resilient New York"

Simulated estimate of flooding by the Stevens Institute of Technology's NYHOPS model. Note that these results are hypothetical.



FEMA

Mapping, Floodplain Management and Insurance

Edgewater Park, NY

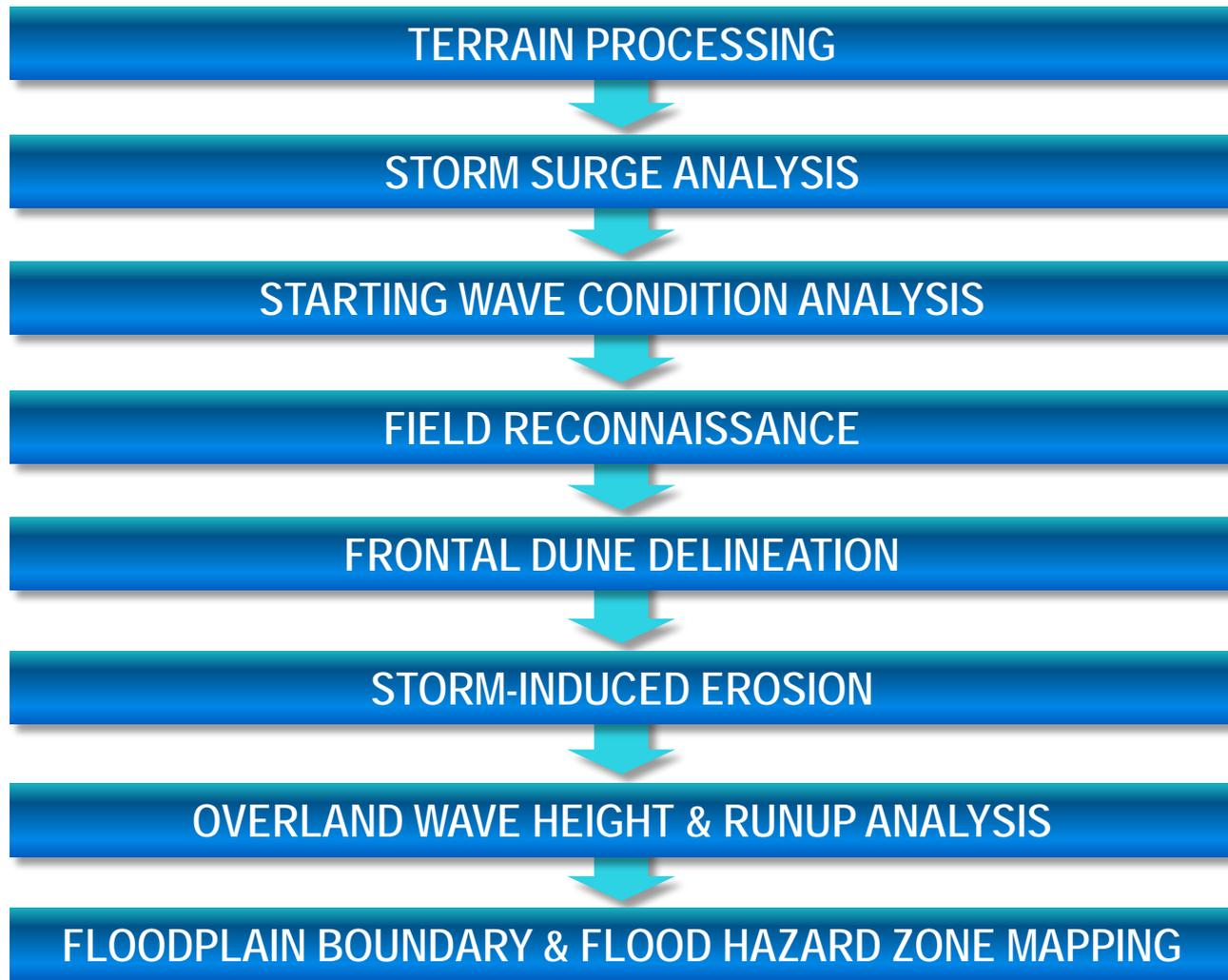
August 18, 2014

RiskMAP

Increasing Resilience Together

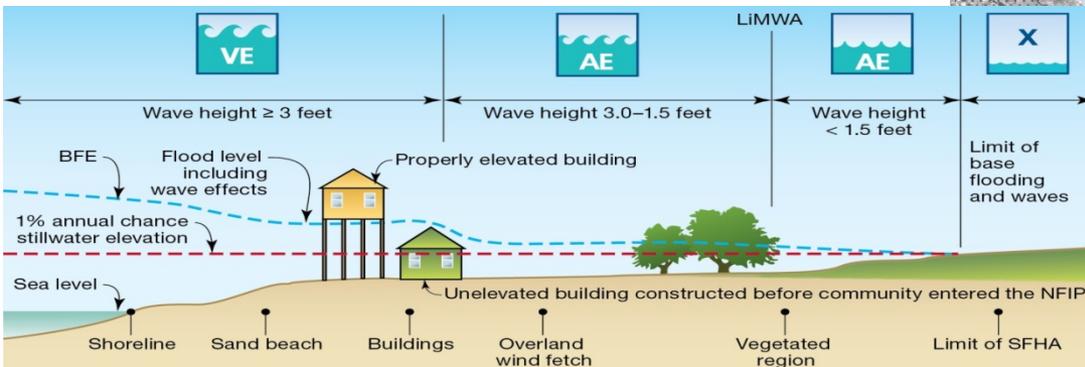
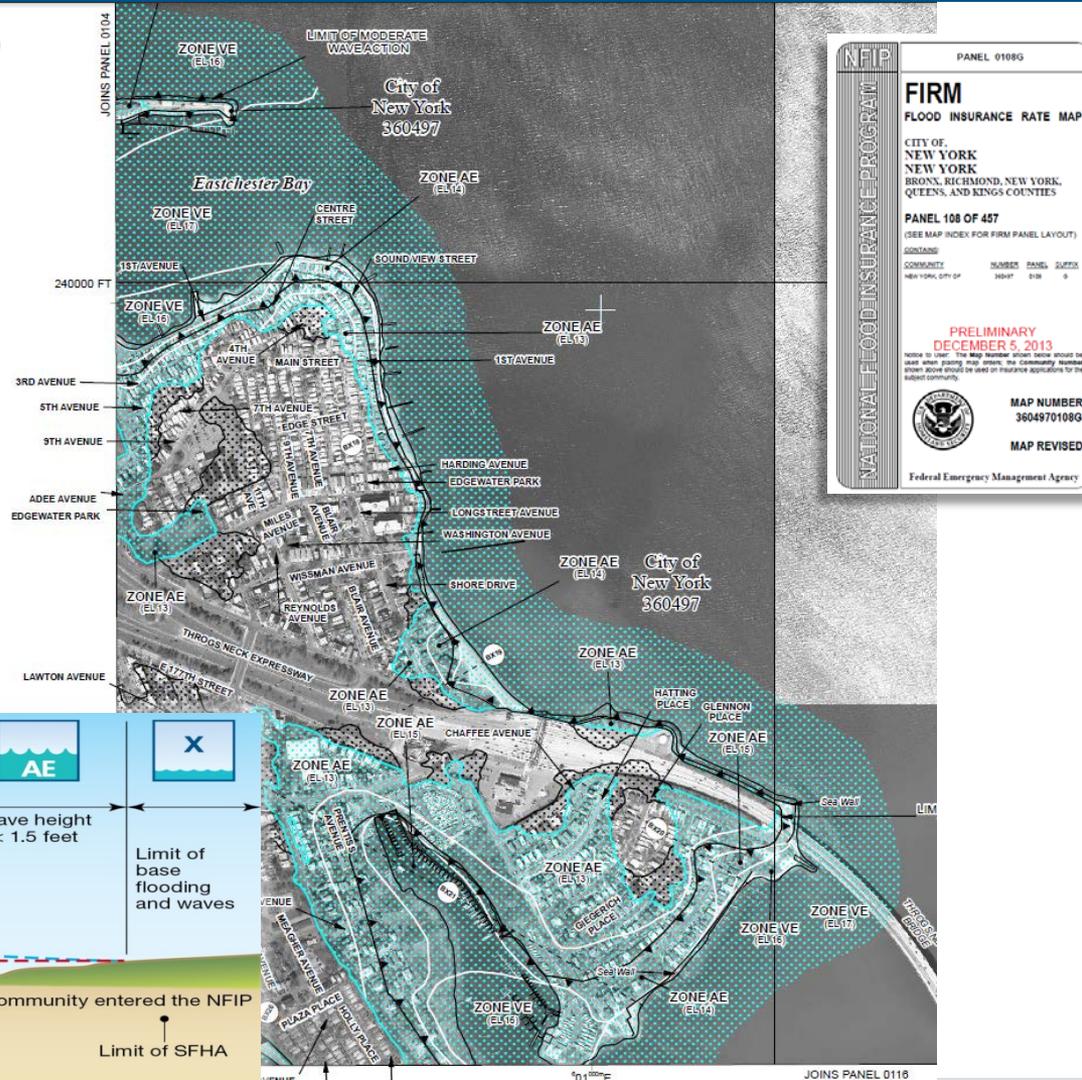


Coastal Study Process

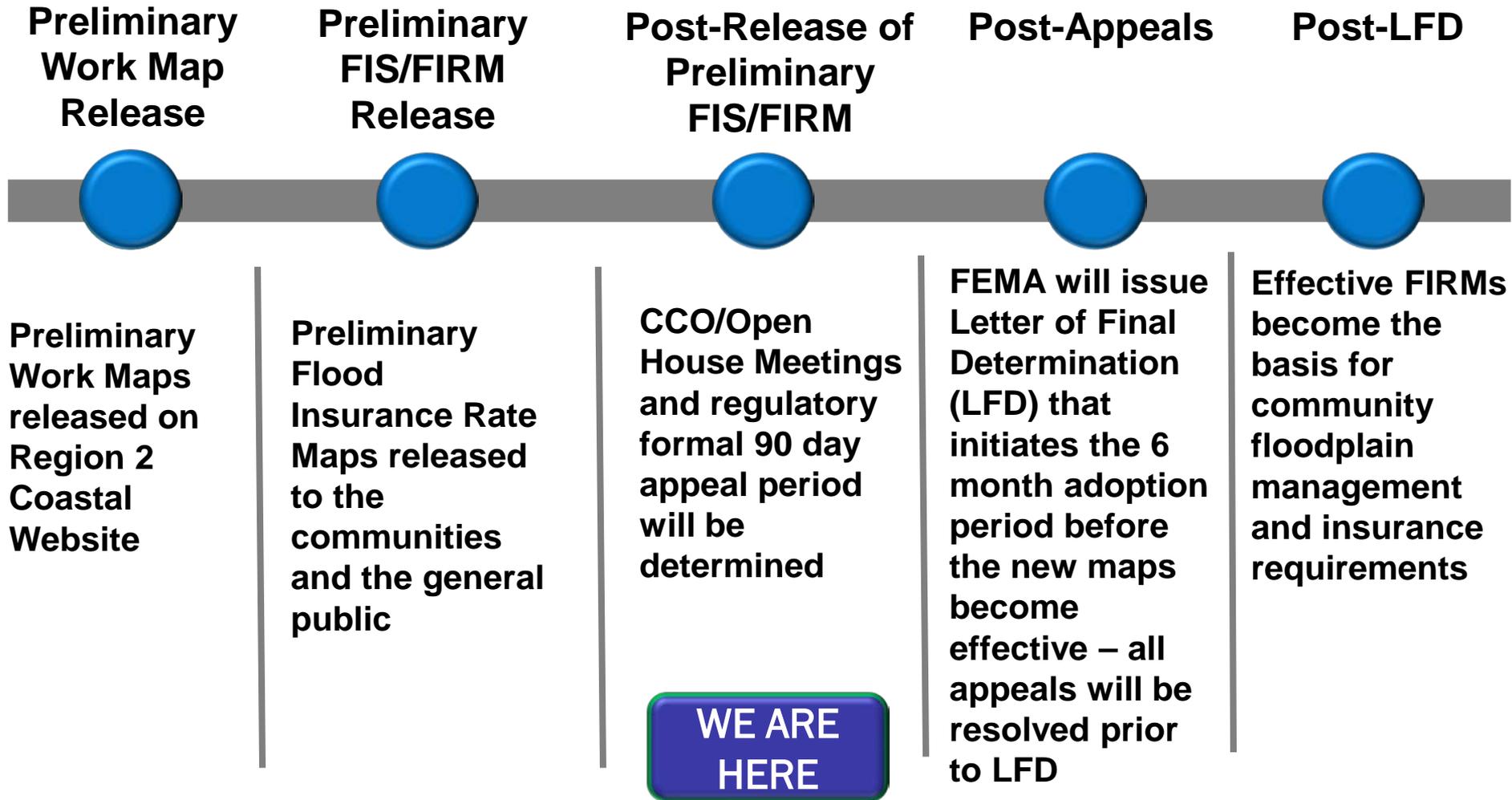


Flood Zones

- Special Flood Hazard Areas (SFHAs)
 - Zone VE
 - Zones AE and AO
- Base Flood Elevations (BFEs) for 1% annual chance flood
- Zone X (shaded)
 - .02% annual chance flood
- Area and Limit of Moderate Wave Action (LiMWA)



Timeline for NYC



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:**
 - **Impacts of changes that have occurred in the floodplain and that should have been submitted to FEMA**
 - **Corporate limit revisions**
 - **Road name errors and revisions**
 - **Requests that changes affected by a Letter of Map Change be incorporated**

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/20130726-1813-25045-4679/eap_criteria.pdf
 - Technical information must comply with FEMA's *Guidelines & Specifications for Flood Hazard Mapping Partners*
<http://www.fema.gov/media-library/assets/documents/6998?id=2206>

Risk Communciations-Resources

- Visit our Website:
www.region2coastal.com
- Outreach Factsheets
- Frequently Asked Questions
- Coastal Risk Educational Videos
- Preliminary FIRMs
- “What is my BFE” Tool

FEMA Region II
Coastal Analysis and Mapping

Home Get Preliminary FIRMs Hurricane Sandy Coastal Flood Study Coastal Mapping Basics FAQs Resources Contacts

After Sandy:
Assessing Coastal Flooding

Welcome to the FEMA Region II Coastal Analysis and Mapping website.
Connect With Us

Enter an address to view effective and updated flood risk information for that location:
554 Vincent Ave, Bronx, New York Get Details Clear Details
Approximate Address Identified: 554 Vincent Ave, Bronx, New York

Updated FEMA Flood Hazard Data
FEMA flood hazard data currently available for coastal areas of New York and New Jersey is provided below to help you understand the current flood risk to your property and to guide Sandy recovery and rebuilding efforts.
Note: This tool provides flood zone and Base Flood Elevation (BFE) information for areas affected by coastal flood risk. However, riverine flood zone information will also be returned by the tool in communities where preliminary FIRMs have been released.

Attribute Name	Attribute Value
What is the most recent FEMA flood hazard data source available for this location?	Preliminary Flood Insurance Rate Map (FIRM)
What is my property's Base Flood Elevation (BFE)? (For AO Zones, the flood depth will be shown instead of an elevation; For N/A results, please contact your local floodplain administrator for more information.)	13 ft (NAVD88)
What is my property's Flood Zone? (For N/A results, please contact your local floodplain administrator for more information.)	AE
What is the estimated ground elevation at this location? Get licensed surveyor for actual elevation of your building.	9 - 10 ft (NAVD88)
What does my FEMA Flood Hazard Map Panel Look Like?	Link to Preliminary FIRM PDF
View your property on our Interactive Web Tool	Link to Web Tool
Where can I get the GIS data for my property area?	Link to Preliminary FIRM GIS files

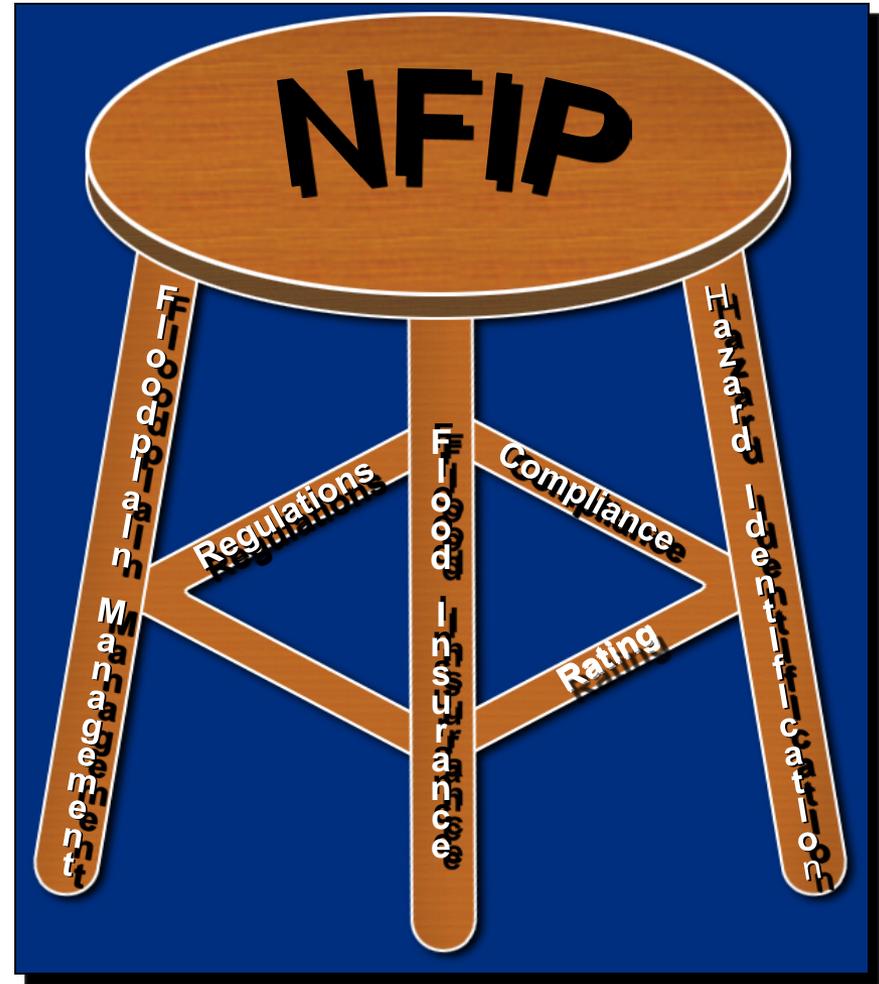
THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

- A voluntary program based on a mutual agreement between the Federal government and the local community:
- In exchange for adopting and enforcing sound floodplain management regulations, Federally-backed flood insurance is made available to property owners and renters throughout the community.



“The Three-Legged Stool”

- The NFIP balances three related program areas:
 - Flood Hazard Identification (mapping)
 - Floodplain Management (regulations such as building codes and zoning)
 - Flood Insurance (provision of flood insurance for property owners in participating communities)



Elevation Requirements

Zones AE, and A1-30

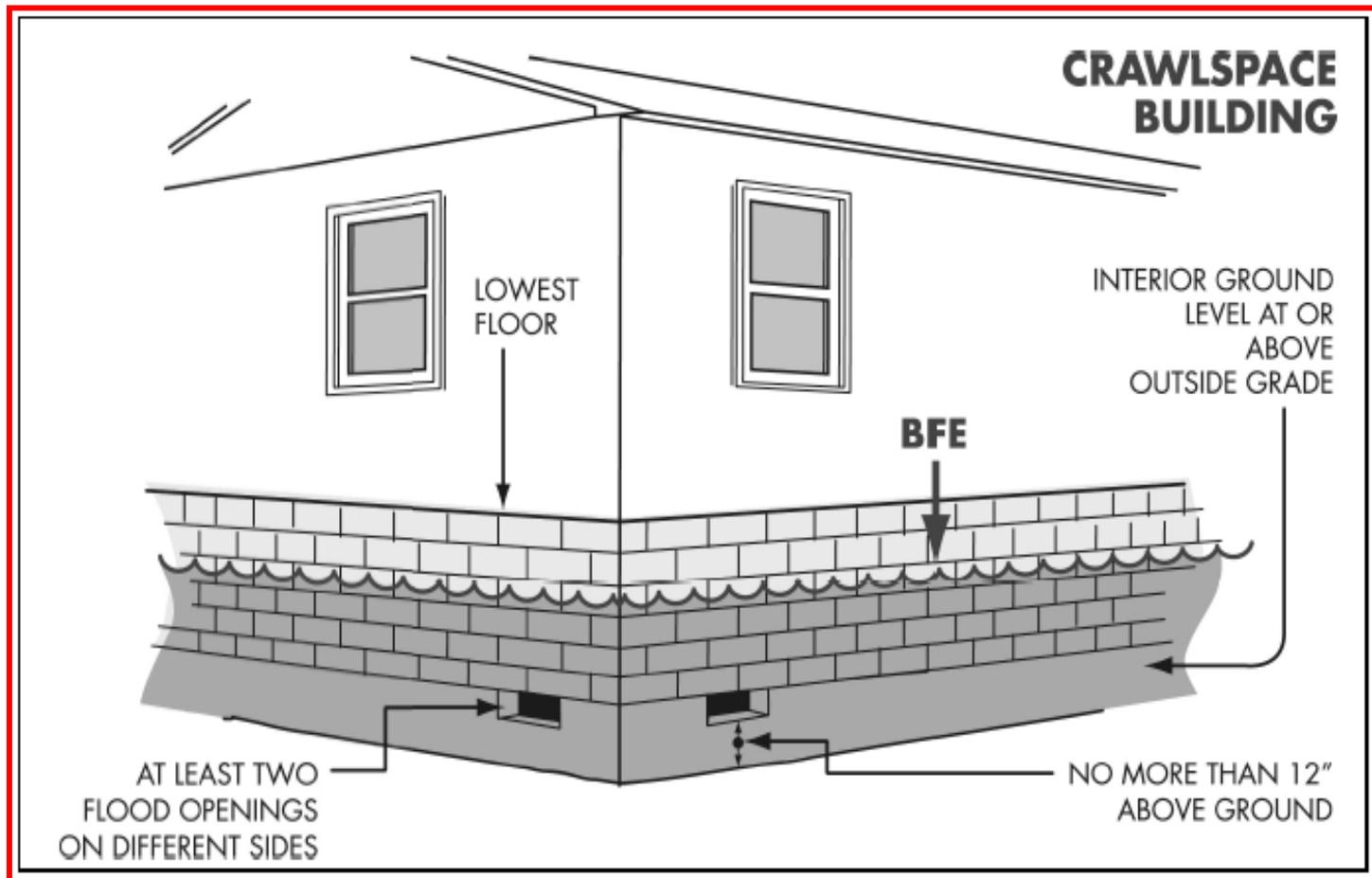
- All new construction and substantial improvement shall have the Lowest Floor, including basement, elevated to or above the BFE

Zones VE & V1-30

- All new construction and substantial improvement shall be elevated on adequately anchored pilings or columns and securely anchored to such pilings or columns so that the **lowest horizontal portion of the structural members** of the lowest floor is elevated to or above the BFE

Building Protection Standards

Elevation on Solid Perimeter Walls





Changes to the National Flood Insurance Program – What to Expect

A translation of the changes to the NFIP under the Homeowner Flood Insurance Affordability Act of 2014



National Flood Insurance Program Reform

The NFIP has undergone significant regulatory change over the last 18 months.

NFIP Challenges

- Pre-Sandy, NFIP was \$18B in debt to Treasury (\$16B from Katrina)
- Expected Sandy payouts are \$12-15B
- Subsidized rates do not adequately reflect actual flood risk

July 2012: Biggert-Waters Flood Insurance Reform Act

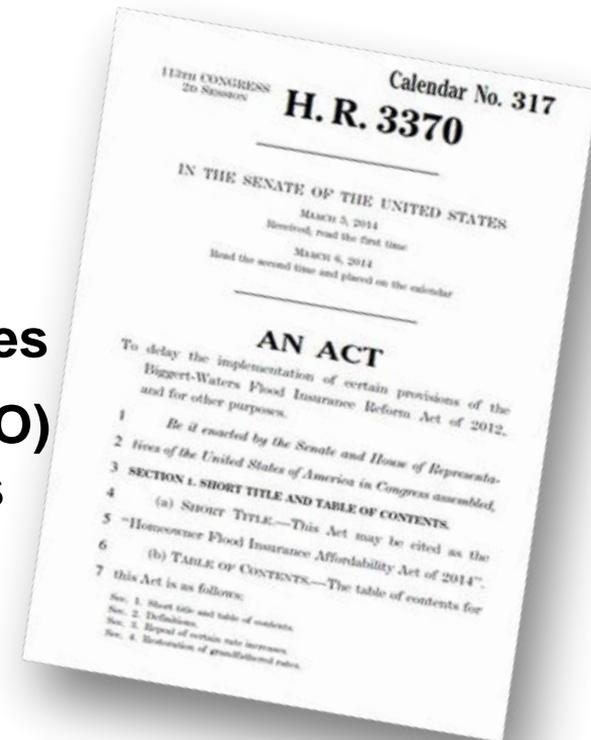
- Prohibit premium subsidies on new or lapsed policies
- Phase out subsidies for all policies
- Require banks to enforce purchase requirements more vigorously
- Analyze affordability impacts by April 2013

March 2014: Homeowner Flood Insurance Affordability Act

- Repeals trigger for new or lapsed policies
- Caps rate increases at 18% annually (some exceptions)
- Enables newly mapped properties to purchase preferred risk rate for 1 year
- Authorizes additional funds for affordability study
- Provides refunds for certain policies affected by BW-12

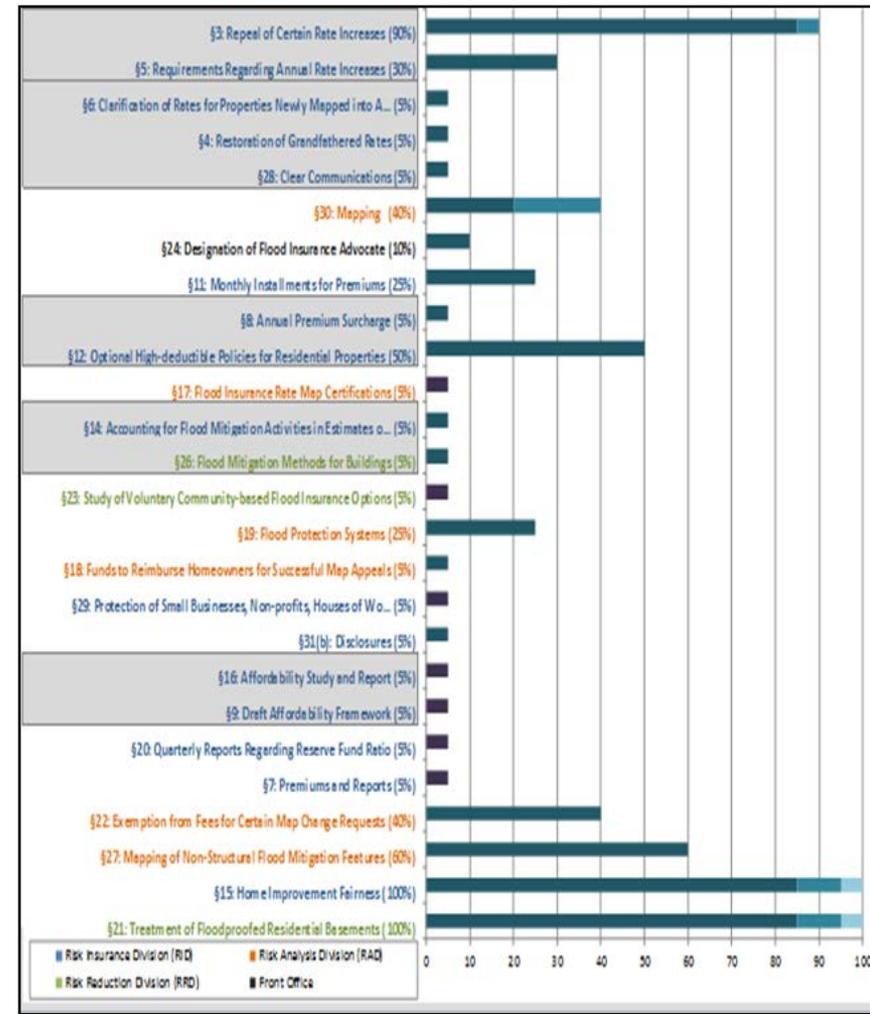
Changes Coming to the NFIP

- On March 21, 2014, President Obama signed the Homeowner Flood Insurance Affordability Act of 2014 into law.
 - Repeals and modifies certain provisions of BW-12
 - Makes additional program changes
 - Leaves some parts of BW-12 intact
- Policyholders **SHOULD NOT** cancel their 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. FEMA and the WYOs have up to eight months to implement.



Key Priorities

- FEMA is actively analyzing and prioritizing implementation of the new Act.
- Initial Priority
 - FEMA’s initial priorities are addressing changes to the NFIP’s business processes to **stop policy increases** for certain subsidized policyholders, and issuing guidance for the WYO insurance companies to issue **refunds to some policyholders** as outlined in the Act
- Key Priorities include:
 - Refunds, Rates, and Surcharges
 - Mapping
 - Promote Mitigation
 - Flood Insurance Advocate



Rates, Refunds, and Surcharges

■ Stop Rate Increases

- Beginning May 1, 2014, all new applications for flood insurance and renewal of flood insurance policies for properties covered by Section 3 of HFIAA, FEMA will require its Direct Servicing Agent and Write Your Own companies to use the October 1, 2013 Pre-FIRM subsidized rates when deemed to be more favorable for properties covered by this section.

HOW RECENT LEGISLATIVE CHANGES AFFECT FLOOD INSURANCE »



The Homeowner Flood Insurance Affordability Act of 2014 repeals and modifies certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12) and makes additional changes to other aspects of the National Flood Insurance Program. Many provisions of BW-12 remain and are being implemented. While FEMA implements the new law, policyholders are encouraged to maintain and keep their current flood insurance policies. Allowing policies to lapse will leave policyholders unprotected.

Policyholders who have questions about their flood insurance policies should contact their insurance agents.

CHANGES TO FLOOD INSURANCE SUBSIDIES

Several provisions of both the 2012 and 2014 laws apply to older buildings constructed before the effective date of the community's first Flood Insurance Rate Map (FIRM). Such buildings are referred to as "pre-FIRM." Many pre-FIRM buildings located in high-risk flood zones have flood insurance policies with subsidized rates. Most subsidies remain, although they will be phased out over time. The rate of phaseout will depend on the type of policy. The following charts explain how premium rates are affected for different policy types.

MOST 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 Will Increase by 5 to 15 Percent—but Not More than 18 Percent—for Any Individual Policy, Until Premiums Reach Their Full-Risk Rates.¹

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.

OTHER 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. Rates for other nonresidential properties will increase by no more than 18% per year.
Policies for Severe Repetitive Loss properties	25% annual increases at policy renewal for severely or repetitively flooded properties that include 1 to 4 residences.

¹ Full-risk rates are determined using data from an Elevation Certificate.
² Due to rate comparisons, full-risk rates could be lower than subsidized rates.
³ Buildings 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.

Rates, Refunds, and Surcharges

Premium Rates for Subsidized Policies

- New law requires gradual rate increases to primary residential properties now receiving artificially low (or subsidized) rates instead of immediate increases to full-risk rates
- Required to increase premiums for most subsidized properties by no less than 5 to 15 percent annually within a single risk class, but no more than 18% annually for an individual policyholder. Annual increases until the class premium reaches its full-risk rate.
 - With limited exceptions flood insurance premiums cannot increase more than 18 percent annually.



Rates, Refunds, and Surcharges

Premium Rates for Subsidized Policies.....

- Exceptions to these general rules and limitations:
 - Policies for the following properties will continue to see up to 25 % annual increases as required by BW-12 until they reach their full-risk rate:
 - Older **business properties** insured with subsidized rates;
 - Older **non-primary residences** insured with subsidized rates;
 - **Severe Repetitive Loss Properties** insured with subsidized rates;
 - Buildings that have been **substantially damaged or improved**.
- To enable new purchasers of property to retain Pre-FIRM rates while FEMA is developing guidelines, a new purchaser is allowed to assume the prior owner's flood insurance policy and retain the same rates until the guidance is finalized.

Rates, Refunds, and Surcharges

Grandfathering

- HFIAA (Section 4) 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

Affordability Study (BW12 and HFIAA)

- The new Act requires FEMA to draft an affordability framework, which is due to Congress 18 months after completion of the affordability study required by BW-12.
 - Affordability Study required by BW-12 is being conducted by the **National Academies of Sciences**, as specified in the BW-12 law.
- The Affordability Study required by BW-12 will be incorporated into FEMA's Affordability framework, which is required by HFIAA.

Refunds, Rates, and Surcharges

Draft Affordability Framework (Sec. 9 & 16)

- Required by HFIAA legislation, Sections 9 & 16
- In developing the affordability framework, FEMA must consider:
 - accurate communication to customers of flood risk,
 - targeted assistance based on financial ability to pay,
 - individual and community actions to mitigate flood risk or lower cost of flood insurance,
 - impact of increases in premium rates on participation in NFIP,
 - impact of mapping update on affordability of flood insurance.
- Framework will include proposals and proposed regulations for ensuring flood insurance affordability among low-income populations.

Refunds, Rates, and Surcharges

Refunds

- FEMA is working closely with the WYO insurance companies to develop a timetable for processing refunds expediently.
- The new Act mandates refunds of the excess premiums for certain flood insurance policies affected by the Pre-Flood Insurance Rate Map (Pre-FIRM) subsidy elimination required by BW-12.
- Refunds will not affect all subsidized policyholders who received rate increases as directed by Congress in BW-12.



Rates, Refunds, and Surcharges

Mandatory Surcharges

- From Section 8 of the Homeowner Flood Insurance Affordability Act of 2014
- 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 subsidies are eliminated.

Other Provisions

- The Act permits FEMA to account for flood mitigation of the property in determining a full-risk rate. (Sec. 14) (Requires Rulemaking)
- The Act mandates that FEMA develop a monthly installment payment plan for non-escrowed flood insurance premiums, which will require changes to regulations and the Standard Flood Insurance Policy contract. (Sec. 11) (Requires Rulemaking)
- The Act increases maximum deductibles for residential properties. (Sec. 12)
- The Act encourages FEMA to minimize the number of policies where premiums exceed 1-percent of the coverage amount, and requires FEMA to report such premiums to Congress. (Sec. 7)



NEXT STEPS

- Community outreach and coordination
- Continued analysis and research of Edgewater Park conditions
- Analysis of zoning regulations to incorporate local conditions
- Work with co-op to identify and inform strategies to improve resiliency
- Interagency coordination

THANK YOU