



# Adoption of Flood Insurance Rate Maps by Participating Communities

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**FEMA**

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The National Flood Insurance Program (NFIP) was established with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Over 20,000 communities participate in the Program.

This brochure addresses several questions about adopting the Flood Insurance Rate Map by communities. As a participating community in the NFIP, your community is responsible for making sure that its floodplain management regulations meet or exceed the minimum requirements of the NFIP. By law, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) cannot offer flood insurance in communities that do not have regulations that meet or exceed these minimum requirements. These regulations can be found in **Title 44 of the Code of Federal Regulations (44 CFR) Section 60.3**. You can also find them in model ordinances developed by most States and by FEMA Regional Offices.

The basis of your community's floodplain management regulations is the flood hazard data provided to the community by FEMA. FEMA identifies flood hazards

nationwide and publishes and updates flood hazard data in support of the NFIP. Under Map Modernization, FEMA will be updating and modernizing the flood hazard maps for most communities. Flood hazard data will be provided to communities in the form of a Flood Insurance Rate Map (FIRM) (hereafter referred to as the "flood map") and a Flood Insurance Study (FIS) (hereafter referred to as the "flood study"). Your community will need to adopt the new or revised flood map and flood study.

The identification of flood hazards serves many important purposes. Identifying flood hazards creates an awareness of the hazard, especially for those who live and work in flood-prone areas. Maps provide States and communities with the information needed for land use planning and to reduce flood risk to floodplain development and implement other health and safety requirements through codes and

## Flood Study And Adoption Timeline

Initial Scoping Meeting Held

Flood Hazard Data Development/Flood Map & Flood Study Production\*

regulations. States and communities can also use the information for emergency management.

Each time that FEMA provides your community with additional flood hazard data, your community must adopt new floodplain management regulations or amend existing regulations to incorporate the new data and meet any additional requirements that result from any changes in the data, such as the designation of a floodway for the first time. Your floodplain management regulations must also meet any additional State requirements and be adopted through a process that complies with any procedural requirements established in your State for the adoption of ordinances or regulations.

### What is the process for developing new flood hazard data or revising existing data?

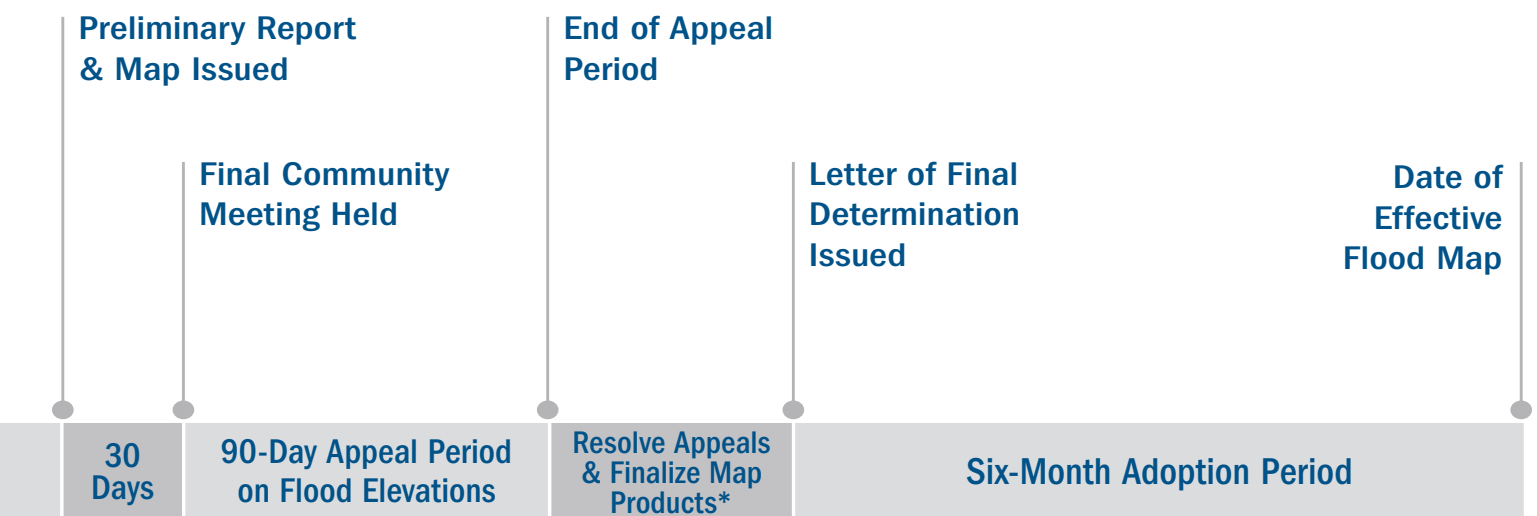
FEMA works closely with communities to develop new flood hazard data or revise existing data during the flood study process. In general, the study process includes the following activities:

- FEMA holds a scoping meeting with community officials to identify where a new flood study is necessary and the type of study and extent (number of stream miles) of the study.
- FEMA undertakes a flood study to identify the flood hazards and to develop Base Flood Elevations (BFEs) (hereafter referred to as “flood elevations”) and floodways for the areas of study identified during the scoping process. In addition, the mapping process includes activities such as obtaining the base map, incorporating Letters of Map Change, and developing the flood hazard database.
- When the study is completed, FEMA provides the community with a preliminary flood map and flood study for review. In addition, FEMA may hold a public

meeting – often referred to as the “Final Meeting” to explain and obtain comments on the preliminary flood map and flood study.

- FEMA provides a 90-day appeal period when new or revised flood elevations are proposed. Before the appeal period is initiated, FEMA will publish the proposed flood elevation determinations in the Federal Register and notify the community’s Chief Executive Officer of the determination. FEMA will then publish information about the flood elevation determinations at least twice in a local newspaper. The appeal period provides the community and owners or lessees of property in the community an opportunity to submit information on whether the flood elevations are scientifically or technically incorrect.
- At the end of the 90-day appeal period, FEMA resolves all appeals and finalizes the flood map and flood study.
- FEMA then issues a Letter of Final Determination (LFD) (hereafter referred to as the “final letter”), which establishes the final flood elevations, and provides the new flood map and flood study to the community. The final letter initiates the six-month adoption period. The community must adopt or amend its floodplain management regulations during this six-month period.
- The flood map and flood study become effective at the end of the six-month period. The effective date is also the date when flood insurance rates will be based on the new flood data for new construction built after this date. The effective map will be the one that will be used by federally insured or regulated lenders to determine if flood insurance is required as a condition of a loan.

FEMA has also entered into agreements with over 200 communities, States, and regional agencies to be active partners in FEMA’s flood hazard mapping program under the Cooperating Technical Partner (CTP) Program. These



\* The timeframe for completing these activities may vary.



Digital Flood Map

agencies are participating with FEMA in developing and updating flood maps. (See the box on the inside of the back cover page for a brief description of the CTP program.)

**What must an NFIP participating community do when FEMA provides new or revised flood hazard data?**

Each time FEMA provides a community with new or revised flood hazard data, the community must either adopt new floodplain management regulations or amend its existing regulations to reference the new flood map and flood study. In some cases, communities may have to adopt additional floodplain management requirements if a new type of flood hazard data is provided, such as a new flood zone (going from an A Zone without flood elevations to an AE Zone with flood elevations or going from an AE Zone to a V Zone – the coastal high hazard area), or the addition of a floodway designation.

The following guide is to help you determine whether changes need to be made in your community's floodplain management regulations when a new or revised flood map and flood study are provided:

- If the community's floodplain management regulations are compliant with the NFIP requirements when the final letter is issued, the community needs to amend only the map reference section of their floodplain management regulations to identify the new flood map and flood study.
- If the community has a legally valid automatic adoption clause established in the map reference section of the regulations and the community's regulations are otherwise compliant with the NFIP requirements, then the floodplain management regulations do not need to be amended. Automatic adoption clauses adopt all future revisions to the flood map without further action by the community. Automatic adoption clauses are not permitted in many States.
- If the community is provided a new type of flood hazard data, the community will need to either adopt new regulations or amend existing regulations to include the appropriate NFIP requirements in addition to referencing the new flood map and flood study.

The final letter indicates the sections of the NFIP floodplain management requirements at **44 CFR Section 60.3** that a



Breckenridge, Minnesota, 1997

community must adopt based on the type of flood hazard data provided to the community.

You can contact the FEMA Regional Office or your State NFIP Coordinating Agency for assistance on the specific requirements your community will need to adopt. (See “For Assistance” on the back cover page for contact information.)

If your community has adopted higher standards than the minimum requirements of the NFIP, your community may qualify for a reduction in flood insurance premiums for your citizens under the Community Rating System (CRS). (See the box on the inside of the back cover for a brief description of the CRS.)

#### **When must a community adopt the new or revised flood hazard data?**

Your community must amend its existing floodplain management regulations or adopt new regulations before the effective date of the flood map, which is identified in the final letter. The final letter initiates the six-month adoption period.

Communities are encouraged to adopt the appropriate floodplain management regulations as soon as possible after the final letter is issued. The adopted regulations must be submitted to FEMA or the State and be approved by FEMA before the effective date of the flood map.

FEMA will send two letters notifying the community that it must have approved floodplain management regulations in place before the effective date of the flood map. The first letter is a reminder letter and is sent to the community 90 days before the effective date. The second letter is sent to the community 30 days before the effective date of the flood map. This letter is the actual letter that notifies the community it will be suspended from the NFIP if it does not adopt the flood map before the effective date. Notice of the suspension is also published in the Federal Register.

If the community adopts or amends its floodplain management regulations prior to the effective date of the flood map and the FEMA Regional Office approves the community’s regulations, the suspension will not go into effect and the community will remain eligible for the NFIP.



Elevated home on pile foundation



Elevated home on crawl space foundation

### What happens if a community does not adopt the appropriate floodplain management regulations during the six-month adoption period?

If a community does not adopt new floodplain management regulations or amend its existing regulations before the effective date of the flood map, the community will be suspended from the NFIP.

The following sanctions apply if a community is suspended from the NFIP:

- Property owners will not be able to purchase NFIP flood insurance policies and existing policies will not be renewed.
- Federal grants or loans for development will not be available in identified flood hazard areas under programs administered by Federal agencies such as the Department of Housing and Urban Development, Environmental Protection Agency, and Small Business Administration.
- Federal disaster assistance will not be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
- Federal mortgage insurance or loan guarantees will not be provided in identified flood hazard areas such as those written by the Federal Housing Administration and the Department of Veteran Affairs.

- Federally insured or regulated lending institutions, such as banks and credit unions, are allowed to make conventional loans for insurable buildings in flood hazard areas of non-participating communities. However, the lender must notify applicants that the property is in a flood hazard area and that the property is not eligible for Federal disaster assistance. Some lenders may voluntarily choose not to make these loans.

If your community is suspended from the NFIP for failure to adopt or amend its floodplain management regulations prior to the map effective date, your community can be reinstated into the program upon adoption. If development takes place in your community during suspension that does not meet the minimum NFIP requirements, your community will be asked to take actions to reduce the increased flood hazard prior to reinstatement.

## ADOPTING YOUR COMMUNITY'S NEW DIGITALLY-FORMATTED FLOOD MAP

FEMA will be reformatting your community's existing (paper) flood map into a digital format. This means taking your existing flood map and producing a digital, geospatially referenced flood layer on a new, digital base map. For some communities where existing flood data is determined to be accurate, FEMA will prepare the new flood map without developing new flood hazard data or changing existing data (elevations or flood flows). However, geospatially referencing the floodplain delineations to a new base map will likely result in some changes in the floodplain boundaries. In addition, the flood map and flood study will be modified to incorporate Letters of Map Change that have been approved by FEMA since the original flood map was issued for your community.

When reformatting your community's map to a digital format, the flood map will need to be republished with a new effective date. Communities will be given a review period and an opportunity to provide comments to FEMA on the new flood map. In these cases, your community's floodplain management regulations will have to be amended to reference the new map unless your community has a valid automatic adoption provision. The digitally based flood map will provide you with increased capabilities in using the flood hazard information for floodplain management and other purposes.



## BECOMING A COOPERATING TECHNICAL PARTNER (CTP)

One of the key objectives of Map Modernization is to increase local involvement in, and ownership of, the flood study process and the flood hazard data. To meet this objective, FEMA established the CTP Program. This program enables communities and regional and State agencies that have the interest, capabilities, and resources to be active partners in FEMA's flood hazard-mapping program.

One of the major objectives of the CTP Program is to recognize States, regional agencies, and communities with proactive floodplain management programs that include identifying the flood risk and getting the information incorporated into official FEMA flood hazard data. The CTP Program maintains national standards consistent with the NFIP Regulations. The following are some of the benefits of being a CTP.

- CTPs are given an opportunity to develop more detailed maps by making local geospatial data a part of FEMA flood maps,

- CTPs receive support such as access to existing data, access to custom-made FEMA tools, technical assistance, and national recognition,
- CTPs receive mentoring support, on-line examples of "best practices," and free training, and
- Communities that participate in the Community Rating System (CRS) that also become CTPs or are in an area covered by a regional or State CTP may be eligible to receive CRS credit for CTP activities.

Another major objective and benefit of the CTP Program is the ability to leverage available funding and local data to make the most of limited resources. Communities, States, and regional agencies can take advantage of these benefits by entering into an agreement with FEMA that formalizes the types of mapping activities and support the CTP will provide. There are over 200 communities, States, and regional agencies currently participating in the CTP Program.

**TO LEARN MORE ABOUT CTP, YOU CAN VISIT THE FOLLOWING WEBSITE:**

[http://www.fema.gov/plan/prevent/fhm/ctp\\_main.shtm](http://www.fema.gov/plan/prevent/fhm/ctp_main.shtm)

**OR YOU CAN CONTACT THE FEMA REGIONAL OFFICE**

See "For Assistance" on the back page for contact information



## BECOMING AN NFIP COMMUNITY RATING SYSTEM (CRS) COMMUNITY

The NFIP CRS recognizes community efforts that go beyond the minimum floodplain management requirements of the NFIP. CRS recognizes these efforts by reducing flood insurance premiums from 5% to 45% for the community's property owners. Your community is probably already doing many things that it can get credit for under CRS that will reduce flood insurance premiums for your citizens. Here are just a few:

- Adopting and enforcing higher standards for safer new development,
- Informing people about flood hazards, flood insurance, and how to reduce flood damage, and
- Preserving open space in the floodplain.

To get credit, officials in your community simply need to prepare an application showing what's being done. FEMA can even provide you assistance in preparing the application. Once FEMA has verified the information, the flood insurance premium discounts will go into effect. The amount of discount depends on what your community does.

The CRS has many benefits:

- Prevent property damage for your citizens,
- Avoid lost jobs and economic devastation caused by flooding,
- Prevent damage and disruption to community infrastructure, and
- Save lives.

**TO LEARN MORE ABOUT CRS, YOU CAN VISIT THE FOLLOWING WEBSITE:**

<http://www.fema.gov/business/nfip/crs.shtm>

**OR YOU CAN CALL**

(317) 848-2898

## FOR ASSISTANCE

If your community needs assistance in adopting the Flood Insurance Rate Maps, you can contact the FEMA Regional Office (see below for address and telephone number). You can also contact your respective State Coordinating Agency for the NFIP. You can go to <http://www.fema.gov/about/contact/regions.shtm> for a listing of the FEMA Regional Offices and the NFIP State Coordinating Agencies.

### REGION I

CT, ME, MA, NH, RI, VT  
99 High Street, 6th Floor  
Boston, MA 02110  
877-336-2734

### REGION II

NJ, NY, PR, VI  
26 Federal Plaza, Ste. 1307  
New York, NY 10278  
212-680-3609

### REGION III

DE, DC, MD, PA, VA, WV  
615 Chestnut Street, 6th Floor  
Philadelphia, PA 19106  
215-931-5608

### REGION IV

AL, FL, GA, KY, MS, NC, SC, TN  
3003 Chamblee-Tucker Rd.  
Atlanta, GA 30341  
770-220-5200

### REGION V

IL, IN, MI, MN, OH, WI  
536 South Clark Street  
Chicago, IL 60605  
312-408-5500

### REGION VI

AR, LA, NM, OK, TX  
Federal Regional Center  
800 North Loop 288  
Denton, TX 76210  
940-898-5399

### REGION VII

IA, KS, MO, NE  
2323 Grand Boulevard, Ste. 900  
Kansas City, MO 64108  
816-283-7061

### REGION VIII

CO, MT, ND, SD, UT, WY  
Denver Federal Center, Bldg. 710, Box 25267  
Denver, CO 80225  
303-235-4800

### REGION IX

AZ, CA, HI, NV, American Samoa, Guam,  
Marshall Islands and Northern Mariana Islands  
1111 Broadway, Suite 1200  
Oakland, CA 94607  
510-627-7100

### REGION X

AK, ID, OR, WA  
Federal Regional Center  
130 228th Street SW  
Bothell, WA 98021-9796  
425-487-4600