

Risk MAP Project Report for the City and Borough of Sitka Assembly

Project History

The Federal Emergency Management Agency (FEMA) is responsible for preparing Flood Insurance Rate Maps (FIRMs) that delineate flood hazard zones and Base Flood Elevations (BFEs) in the United States. Because of the importance of understanding the nation's coastal flood risk, FEMA has initiated coastal flood risk studies for the populated coastline as part of its Risk Mapping, Assessment, and Planning (Risk MAP) effort. Through the Risk MAP effort, FEMA is now updating Sitka's Maps. The previous maps, which are currently in place, had been approved by the Assembly in 2009.

Revised Maps Introduced

In June of 2016, FEMA provided preliminary copies of the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) to municipal staff of the City and Borough of Sitka. The preliminary FIRM and FIS include flood hazard information for certain locations in the city and adjacent islands in Sitka Sound. This information targets a 1% annual chance of inundation (a.k.a. 100-year flood). Several public service announcements have been published to provide details for community members seeking more information. Mailings went out specifically to homeowners who have property within the flood zone, and I, as the municipal floodplain manager, have made myself available to answer questions that have arisen.

Appeal Process

After FEMA's Community Coordination Open House meeting (in January 2017) to present the Risk MAPs to community members, an appeal period began in late February. The appeal deadline is later this week, on May 27. The appeal period is the time when protests and appeals may be submitted. FEMA has emphasized that any appeal must provide knowledge or information indicating that the draft maps are scientifically or technically incorrect. If an appeal or protest results in significant changes, FEMA will revise the FIS report and FIRM. When the proposed flood hazard determinations are finalized, they will become the basis for the floodplain management measures that Sitka must adopt to remain qualified for participation in the National Flood Insurance Program (NFIP).

Local Appeal Issues

I've included here a synopsis of our (CBS) analysis of the appeal and protest opportunities:

1. **Swan Lake** – Public Works engineers have been able to assemble pertinent survey data on the outflow culvert near the roundabout. This survey data may provide FEMA with more detail in a critical area than the LIDAR (photo-geometric) information, which is currently in the analysis. There appears to be sufficient information to question FEMA's data, but the methodology appears sound. Staff engineers estimate that the determination of the base flood elevation surrounding the lake could be lowered from 34.4 (as proposed in the draft maps) to 33.1 feet when assimilating this additional data. This could have a significant impact on the identified scope of flood hazards (and the number of affected properties) in that area.

2. **Alice Loop** – Public Works has submitted (to FEMA) the as-built data from fill placed to extend the airport runway. We were hoping to provide more current data than FEMA had to determine the new base flood elevation and also to dispute the new determination that flooding on Alice Loop is now (as indicated on the draft maps) in a velocity zone. The velocity zone designation (where lateral wave action exacerbates the flooding effect) involves more onerous requirements for construction and engineering of foundations. Our airport construction as-builts pre-date the FEMA analysis, and so FEMA indicated that this is not new and improved information for them. There are homeowners on Alice Loop who have been in to talk and ask questions about the appeal opportunity. I've informed them that an appeal here would need to be brought forward by the residents and landowners, because CBS staff has not been able to identify any incorrect analysis by FEMA. A professional surveyor could possibly do another topo mapping like Pat O'Neill did in 2008 to indicate more clearly the specific elevation associated with the new BFE. There may still be the complication of the new velocity zone (in terms of insurance for existing houses or construction of new ones), but perhaps that can be addressed with each individual lot evaluation. This could involve an evaluation of significant magnitude and expense involving professional hydrologists who (may or) may not end up effectively disputing FEMA's analysis.
3. **Galankin Island** - Ceri Malein and Matt Donohoe have submitted survey and engineering information for review. FEMA appears willing to make adjustments to this property based upon submitted data. We (CBS) will be re-submitting this information as a matter of course and to make sure that this information is considered for appeal.
4. **Katlion Street** - BIHA is interested in assuring that their building is out of the flood zone. Other properties on Katlian Street are also within the proposed flood zone. The Public Works staff has been able to put together as-built data for the breakwater segments outside the perimeter of New Thompson Harbor. LIDAR was flown in May 2014, whereas the final breakwater was complete in August of 2014. It's unclear as to whether or not this construction was incorporated into FEMA analysis. CBS staff will be submitting breakwater construction data, which may enhance the information that FEMA currently has. This re-analysis could constrict the boundaries of the proposed flood zone around Katlian Street, possibly removing some buildings from the proposed flood zone.
5. **Map Details** - The proposed flood zones are superimposed onto an older photograph. The photo doesn't include several new buildings and features, so we would like them to make an overlay of a more recent photo on all the draft maps. This will allow for more effective program management.
6. **Map Details** - Several street names are incorrect.
7. **Concerned Citizens** - There have been other folks in to question or confirm their location relative to the flood zone. Except for the cases mentioned above, the CBS has not been able to provide any supplemental information to assist in the assessment of these cases. I've helped the property owners understand their options in terms of professional investigation and appeal. We may get more appeal input from these folks before the deadline is up and we will submit those to FEMA as well. As a matter of course, the CBS will submit all appeals from private interests to FEMA.

Next Steps

After the end of the appeal period, FEMA will complete the risk assessments. The scheduled follow-up dates could change if there are comments or appeals that require additional processing of the FIS or FIRM. They will be compiled into the Risk MAP Report after which a Resilience Workshop will be held to discuss the assessment results and risk reduction strategies. This will most likely be held in the spring of 2018.

Following the resolution of any comments and appeals, FEMA will send the CBS Administrator a Letter of Final Determination (LFD). The LFD will state that the updated FIRMs will become effective in six months. The letter also notifies each affected community participating in the NFIP that it must maintain a compliant floodplain management program to remain in good standing in the NFIP. The Sitka Assembly will then have the opportunity to adopt the new maps and reiterate their desire to comply with stipulations of the National Flood Insurance Program.

Maintaining Sitka's Status In-Good-Standing with the National Flood Insurance Program

There are several very good reasons why Sitka became involved with this program in the first place. I see no reason to back out at this point. The game hasn't changed, and the benefits are multi-faceted. For more information see the attached two page handout titled "Supplemental Summary of Effects of a Community Withdrawing from the National Flood Insurance Program".

Thank you for the opportunity to present this information,

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Supplemental Summary of Effects of a Community Withdrawing from the National Flood Insurance Program

A community that does not join the NFIP, has withdrawn from the program, or is suspended from it, faces the following sanctions:

1. No resident will be able to purchase a federal flood insurance policy.
2. Existing flood insurance policies will not be renewed.
3. No Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies such as HUD, EPA, and SBA;
4. No Federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
5. No Federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas. This includes policies written by FHA, VA, and others.
6. Federally insured or regulated lending institutions, such as banks and credit unions, must notify applicants seeking loans for insurable buildings in flood hazard areas that there is a flood hazard and that the property is not eligible for Federal disaster relief.

If a community seeks to be reinstated and is accepted into the NFIP, the community would then become eligible for Stafford Act and other Federal disaster assistance. **However, if noncompliant development has occurred in your community's mapped SFHAs during the time your community was not participating in the program, the community will be required to remedy all noncompliant development to the maximum extent possible prior to reinstatement in the NFIP.**

The following chart provides a more detailed description of the consequences of non-participation of a community that has mapped special flood hazard area along with the citations.

PROGRAM	CONSEQUENCE	CITATION
National Flood Insurance Program (NFIP)	<ul style="list-style-type: none"> • Flood insurance will no longer be available • No federal grant or loans • No federal disaster assistance loans (i.e. SBA) • No federal mortgage insurance (i.e. FHA, VA, Farmers Home, etc.) • No Fannie Mae, Freddie Mac, and GNMA purchase of mortgages in the secondary market • Lenders of conventional loan must notify the buyer or lessee that property is in a flood hazard area and must notify the buyer or lessee that property in flood hazard area is not eligible for federal disaster relief in a declared disaster. • A sanctioned community has six months to join the NFIP following a disaster declaration and still be eligible for disaster assistance in a mapped Special Flood Hazard Area (SFHA). <ul style="list-style-type: none"> ○ Any non-compliant development occurring in the SFHA of a suspended community must be corrected prior to reinstatement 	<ul style="list-style-type: none"> • Section 201 of the Flood Disaster Assistance Act of 1968 (amended in 1973) • Flood Insurance Reform Act of 1994 • Bunning-Bereuter-Blumenaur Flood Insurance Reform Act of 2004 • 44 CFR § 59.24(a) • 44 CFR § 59.24(f) • 44 CFR § 60.1 • 44 CFR § 60.3 • 44CFR § 59.2(a)

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**National Flood Insurance Program (NFIP)
Consequences of Non-Participation**
(continued)

PROGRAM	CONSEQUENCE	CITATION
<p>Hazard Mitigation Assistance</p> <p>(Non- disaster Mitigation Grants)</p>	<ul style="list-style-type: none"> • No HMA grants (FMA, RFC, or SRL) are available, all sub-applicants must be participating in the NFIP and must not have been suspended or have withdrawn from the NFIP to be eligible to apply 	<ul style="list-style-type: none"> • Section 1366, 1323, & 1361A of National Flood Insurance Act (NFIA) • HMA Unified Guidance Part III, D.6.1, D.7, Eligibility Information • 44 CFR 9.11(d)
<p>Hazard Mitigation Grant Program (HMGP) & Pre-Disaster Mitigation Program (PDA)</p>	<ul style="list-style-type: none"> • No HMGP grants are available <u>within the SFHA</u>; all sub-applicants must be participating in the NFIP and must not have been suspended or have withdrawn from the NFIP to be eligible to apply 	<ul style="list-style-type: none"> • Section 1366, 1323, & 1361A of National Flood Insurance Act (NFIA) • HMA Unified Guidance, Part III, D.6.1 and D.7 • Section 404 Stafford Act • 44 CFR 9.11(d)
<p>Individual Assistance (IA)</p>	<ul style="list-style-type: none"> • Federal Assistance to Individuals and Households, home repairs may <u>not</u> be provided in a Special Flood Hazard Area <ul style="list-style-type: none"> ○ Exception is for items not covered by flood insurance (i.e. wells, septic tanks, etc.) ○ FEMA may provide rental assistance in lieu of home repair if an applicant is unable to live in their home within a non-participating community • SBA will <u>not</u> provide disaster assistance loans in a community that does not participate if the damage for which the individual needs the loan was caused by flooding, or if flooding did not cause the damage but the structure is in a SFHA 	<ul style="list-style-type: none"> • 44 CFR § 206.110(k)
<p>Public Assistance (PA)</p>	<ul style="list-style-type: none"> • If a grantee or sub-grantee does not have flood insurance as a result of being located in a suspended or sanctioned community, and the damaged structure is in a SFHA, PA assistance will only be provided for that amount of the damage that a policy claim would not have paid for • For eligible damages not covered by a flood policy, PA will pay as usual, regardless if it is located in a SFHA or a sanctioned community <ul style="list-style-type: none"> ○ limitations do not include emergency work under Category A & B for non-insurable structures such as debris removal and emergency protective measures 	<p>44 CFR § 206.252</p>