

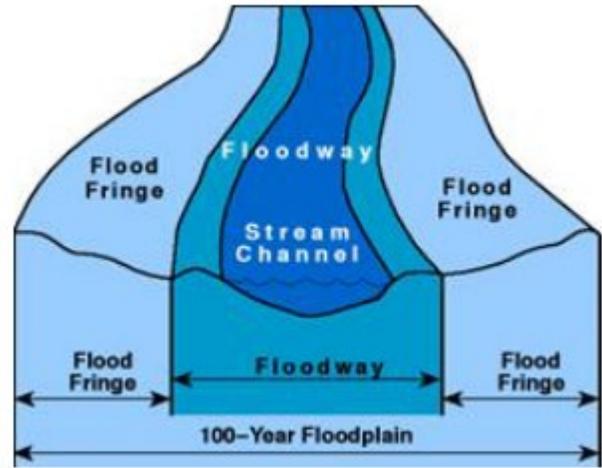
Floodplain Basics

Regulatory Floodplain

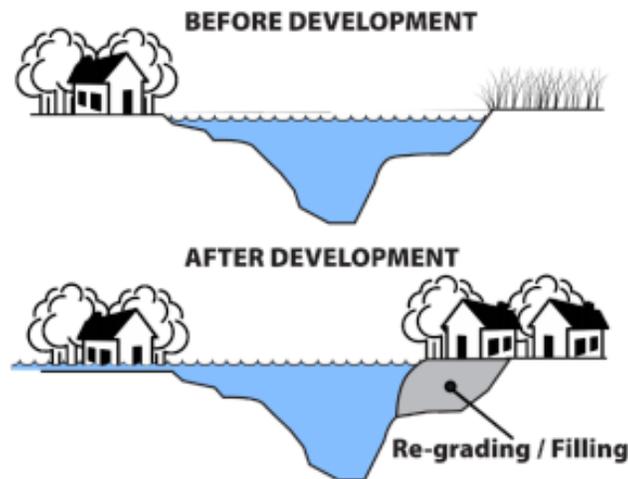
The regulatory floodplain delineates the predicted flood height and boundaries of a storm that has a 1% chance of occurring in any given year (also known as the “100-year flood”). The predicted water level during the 1% annual chance event is called the *base flood elevation*. The regulatory floodplain is what FEMA and local authorities use to regulate public and private development and calculate flood insurance rates.

Special Flood Hazard Areas

The Special Flood Hazard Area (SFHA) is an area of land predicted to be inundated with flood water in the 1% annual chance event, and is generally shown on a Flood Insurance Rate Map as Zone A, AE, AH, AO, V or VE.



Why Is Development In SFHAs Regulated?



All development in special flood hazard areas (SFHAs) is regulated to mitigate risk to life and property. The County is working to ensure that all new floodplain data made available is accurate and the best available. This is in order to manage floodplain development and ensure the health and safety of New Kent County residents and their property.

Want to better understand how New Kent County regulates development in the floodplain to make informed decisions on your property? Visit our ‘Floodplain Information’ webpage at <https://www.co.new-kent.va.us/707/FEMA-Floodplain> for detailed explanations of these questions, and more.

Preliminary Floodplain Maps Are Out For Review

What are Preliminary FIRMs?

Preliminary Flood Insurance Rate Maps (FIRMs) are flood maps produced by FEMA during the remapping process, which affords the public an early opportunity to review and comment on proposed floodplain mapping changes. These *preliminary* maps and data are used to create the *final* effective FIRMs that identify local flood hazards and determine flood insurance ratings.

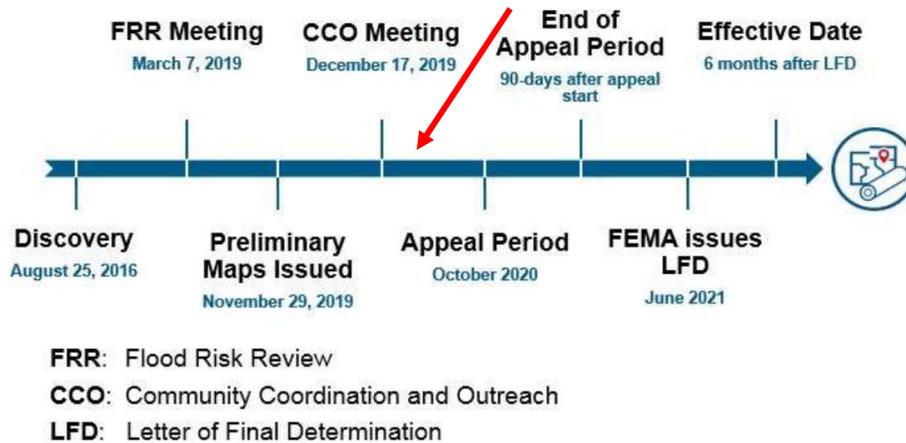
Did you Know, because New Kent County is a member of the NFIP, all residents are eligible for flood insurance. Nearly 25% of the NFIP’s claims come from outside high-flood risk areas. You can learn more about flood insurance at www.FloodSmart.gov.



Where is the County in the Review Process?

Preliminary meetings have been conducted with FEMA, and preliminary maps have been released for local review. The red arrow below indicates the status of the project within the overall timeline. Future dates are tentative and subject to change. Mailings to affected property owners will be forthcoming, and all property owners are strongly encouraged to obtain more information on the proposed changes.

New Kent County, Virginia Timeline



Where can I View Preliminary FIRMs and the Preliminary Flood Insurance Study?

Hard copies for current effective FIRMS, as well as the preliminary updated FIRMS are available through the Building Department, and Environmental Department. Digital mapping tools are available to review the data as well, and the links to those tools are below.

FEMA Flood Map Service Center - <https://msc.fema.gov/portal/home>

FEMA National Flood Hazard Layer (NFHL) - <https://www.fema.gov/national-flood-hazard-layer-nfhl>

Virginia Flood Risk Information System (VFRIS) - <https://www.dcr.virginia.gov/dam-safety-and-floodplains/fpvfris>

What Is New Kent County Working On?

New Kent County is currently reviewing the preliminary data and maps provided by FEMA, and will be providing preliminary comments to FEMA for review and consideration if warranted. In addition, the County will be reviewing and updating the local ordinance in relation to Floodplain Development Regulations. Public hearings for these updates will be advertised in the coming months.

New Kent will be sending out a notification to all property owners, whose property is encumbered by the current and/or preliminary proposed floodplain boundaries. After notifications have been distributed, a community meeting will be scheduled for those who are interested in learning more about the process, as well as to have any questions answered. The County will advertise public hearings before any new maps are locally adopted, which needs to occur before the final maps can be incorporated on the FEMA Digital Flood Insurance Rate Maps (DFIRMs).

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What Action Can YOU Take If You Disagree With The New Maps?

Appeals and Comments

Prior to FEMA's adoption of the Preliminary FIRMs, there will be a 90-day appeal period. The appeal period is expected to begin in the Fall of 2020. The start and end dates for the appeal period will be posted once finalized, and outreach related to the appeal period will be sent out prior to the 90-day window for appeal submissions.

During the appeal period, anyone can submit an appeal or comment to FEMA, through the New Kent County Floodplain Administrator. The County will forward all submissions to FEMA for their review, after local review and consolidation. FEMA will not accept appeals or comments that are not first submitted to the County. If warranted, FEMA will revise the Preliminary FIRMs and/or reports to reflect information submitted in support of the appeal(s).

What is an Appeal?

An appeal is a formal request to have a FIRM amended based on an additional engineering study, which must include data that proves the proposed flood hazard information is scientifically or technically incorrect; contains an indisputable mathematical or measurement error; or, reflects that a changed physical condition has occurred. All appeals must be certified by a registered professional engineer or licensed land surveyor and must include the required revisions to the FIRM and/or the Flood Insurance Study (FIS) report.

An appeal and its supporting data must be related to:

- *New or modified Base Flood Elevations*
- *Base flood depths*
- *Special Flood Hazard Areas (SFHA) boundaries*
- *SFHA zone designations*
- *Floodways*

All data submitted for appeals must adhere to FEMA's standards for hydraulic modeling, topographic data capture, and related guidance. Appeals received by FEMA from the county that do not address this subject matter will be considered comments only.

What is a Comment?

A Comment is any submittal that does not meet the requirements outlined for an appeal (above). Comments may include: feedback regarding road names, jurisdictional boundaries and other base map features; concerns regarding proposed flood hazard information; or, any technical submittal that does not meet the full requirements for appeals.

What happens after an appeal is submitted?

FEMA will review the submitted information and prepare an acknowledgement that will state one of the following:

- The appeal is valid and a change to the Preliminary FIRM and/or FIS is warranted
- Additional data or information is needed to complete the review. The appellant will have 30 days to provide additional information
- The information is considered a Comment and will not be incorporated

Where to Mail or Submit Your Appeal or Comment during the 90-day Appeals Period

Please submit your written appeal or comment along with required supporting data to:

New Kent County ATTN: Floodplain Administrator
12007 Courthouse Circle, PO BOX 150
New Kent, VA 23124

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Should I consider a LOMA instead of an Appeal?

Due to map scale limitations, changes to individual lots or structures typically cannot be shown on the FIRM, so the appeals process typically cannot be used to remove a structure or property from the floodplain. Instead, FEMA’s Letter of Map Amendment (LOMA) process is available to property owners who believe their home or property has been inadvertently included in the floodplain.

LOMAs officially change the flood zone designation for a structure or property on an effective FIRM, not a Preliminary FIRM. It is recommended that applicants submit their LOMA application 30 to 60 days prior to the effective date for the Preliminary FIRMs (likely in 2021). LOMA applications can be submitted directly to FEMA through their online Letter of Map Change application portal. Once approved, an official amendment to an effective map is sent out by letter to the property owner. Please note that LOMAs apply to individual structures or properties and do not change the flood zone boundaries on the FIRM.

FEMA Letter of Map Change application portal - <https://hazards.fema.gov/femaportal/onlinelomc/signin>

HOW CAN YOU STAY INFORMED ABOUT THE PROJECT?

How can you get involved?

Community meetings to review draft maps and provide comments on the proposed map changes will be held in the coming months. Look for follow-up information coming soon with dates, locations, and more details about how you can provide your comments to New Kent County if you can’t attend a community meeting.

<p>Websites New Kent County will make all information available as obtained from FEMA throughout the process.</p>	<p>Social Media Important news and dates will also be distributed via New Kent County’s social media outlets on Facebook and Twitter.</p>
<p>Notify Me Please sign up through the New Kent County webpage to receive automated alerts about upcoming public meetings or released information.</p>	<p>Community Meetings New Kent County will host additional public meetings to review the preliminary maps, and the adoption process. Details on dates and locations will be released in the near future.</p>
<p style="text-align: center;">Contact: Please contact Building Development or the Environmental Department for your floodplain related questions. Building Development: (804) 966-9680 Environmental: (804) 966-8580</p>	

Frequently Asked Questions about the process are on the following page:

Additional information can be obtained at <https://www.co.new-kent.va.us/707/FEMA-Floodplain>

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Frequently Asked Questions:

1. I have lived here for many years and my property has never flooded. How can FEMA say I am now in the floodplain?

It is absolutely possible for a person to live in the floodplain their entire life and never experience a major flood event. The event that the County is required to regulate to is the 1% annual chance event, or the “100-year” flood event. This is not a flood that occurs once every 100 years, but rather is an event that has a 1% chance of occurring in any given year. Such a flood can happen two years in a row, or not for 100 years.

2. I thought the maps were recently changed in 2015, and the County floodplain maps were already up to date. What's different about this change?

There were map updates in certain areas of New Kent County which were adopted in 2015, however there are still map panels that have not been updated since 2009. FEMA has acquired new mapping information and technology, and as required, maps must be updated based on the best available information.

3. I want to comment or contribute additional data to the floodplain maps. How do I do this?

There are different options at various points in the process:

Early in the process, when draft maps are first received by the County and are presented at public meetings and online, property owners can contribute information and concerns. This is also the time to start researching and performing engineering studies if you wish to refute the proposed maps contents and boundaries.

There will be a formal 90-day FEMA comment and appeal period when property owners may submit: 1) comments; or 2) technical data in support of an appeal challenging the Preliminary FIRM floodplain data and delineations. We expect the 90-day appeal period to begin in the fall of 2020.

4. How do I know if my comment makes it into the revised maps?

Throughout the outreach period for preliminary mapping, all mapping-related comments that are received will be recorded. These comments will be taken into consideration and responses provided by FEMA to those that are technical in nature. All such comments and responses will be incorporated in any report drafted for public hearings at Planning Commission or Board of Supervisors meetings.

5. What if my home is located outside of the physical floodplain, but the map shows it as being inside?

Sometimes homes and other structures that are included within the regulatory floodplain boundaries are actually built above the mapped flood elevation that defines the regulatory floodplain near that structure. If you can demonstrate your home is on higher ground/ elevated, you may submit property and elevation materials to FEMA in support of a request for a Letter of Map Amendment (LOMA) to remove the structure from the floodplain. A licensed surveyor or engineer is typically required to complete the application and provide elevations for the property.

Keep in mind that even after submitting the application, the LOMA determination may show that the property is not higher than the predicted 100-year flood elevation. The requester may still be required to purchase flood insurance.

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