

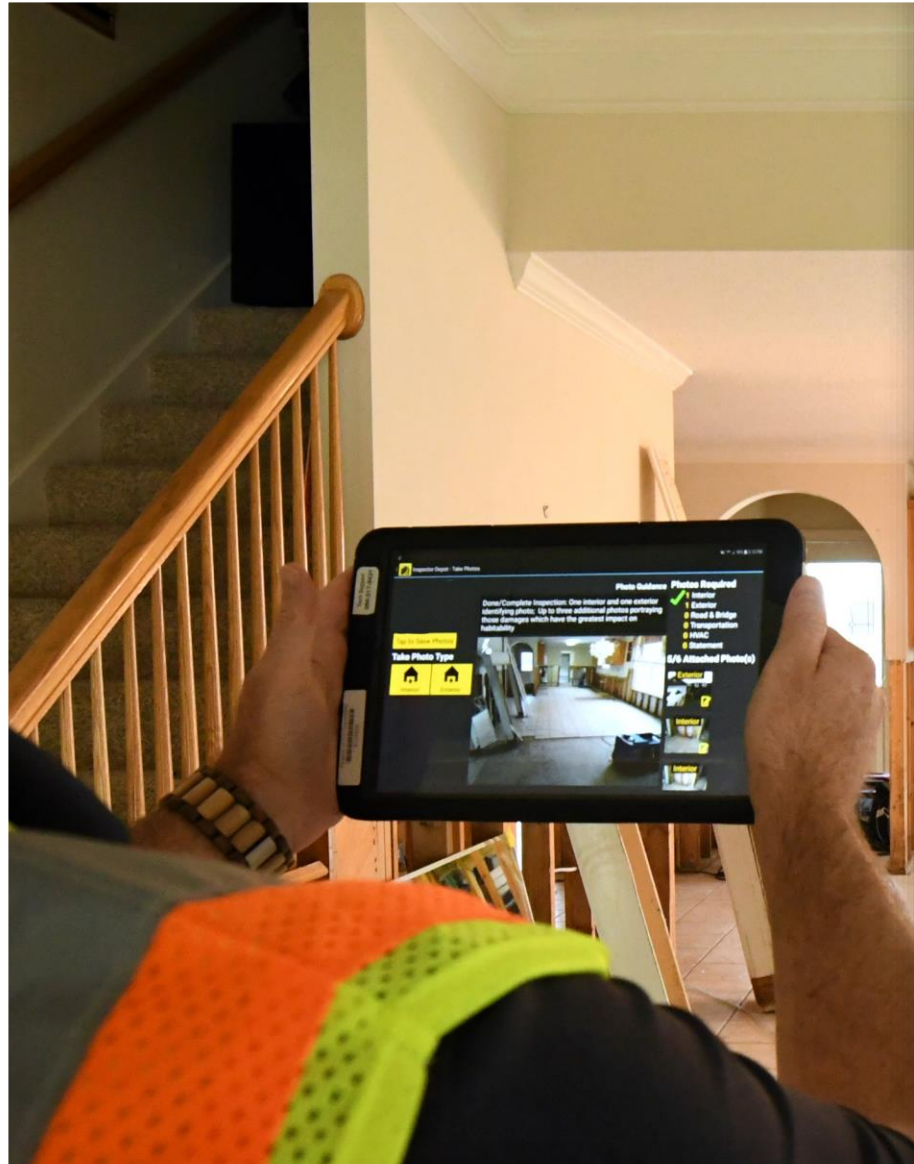
Community Assistance Visit (CAV) – Wrap-up

Venango County
Pennsylvania

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An aerial photograph of a coastal town, likely Nantucket, featuring a harbor filled with numerous sailboats and a dense forest of green trees surrounding the buildings. The image is overlaid with a semi-transparent blue filter.

Observations

Regulations

Generally compliant as most communities have adopted the State Model Floodplain Ordinance

Deficiencies:

- Identification of Floodplain Administrator
- Lack of knowledge or understanding of floodplain ordinance requirements, including enforcement



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Permitting

Best Practice: Agreement with Venango County Planning to preform floodplain permitting on behalf of a participating NFIP Community

Deficiencies:

- Lack of Floodplain Permits
- Permits not being required for ALL development
 - Generally, permits are not being required for interior/exterior renovations, recreational cabins, fuel tanks, sheds, etc.



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Inspections/enforcement

Best Practice: Venango Tax Assessment Office – photos of properties on parcel viewer

Deficiencies:

- Private roads/driveways – access issues
- Lack of enforcement
 - Unpermitted work requires proactive/periodic inspections
 - Potential “gap” in service when community is in contract with a 3rd party contractors
 - Does contract include a communities “Floodplain Ordinance” or is it just UCC/Building Codes, note that building codes do have flood provisions



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Record Keeping

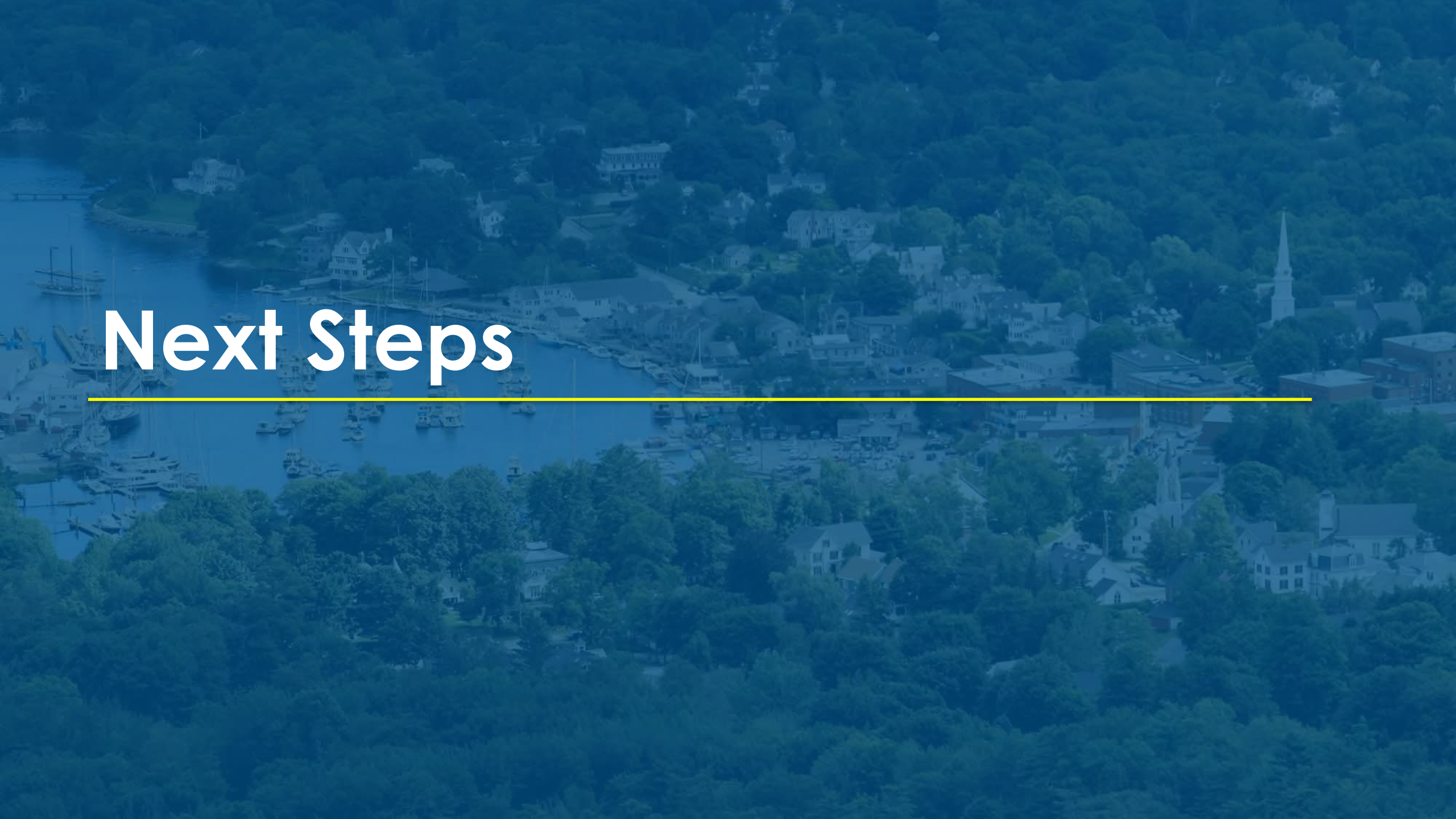
- Requirement to maintain compliance documentation **indefinitely**
- **Deficiencies:**
 - Limited permit documentation
 - No site plans
 - No as-built documentation
 - Lack of permits from 3rd party inspection/enforcement agencies being given to communities for records.



For a structure located in the SFHA, FEMA and the State will require data to prove a potential violation is compliant.



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Next Steps

CAV Report

- To be issued by end of June, to Community CEO and attendees of visit
- Contents:
 - Community Overview
 - Regulation Review
 - Programmatic Deficiencies
 - Development Deficiencies
- Community Response Required
 - Respond with **Corrective Action Plan** within 60 days of report
- **Timeline:** target 12 months to correct deficiencies

The screenshot displays the CAV Report interface. On the left, a map of Baltimore shows various locations marked with orange diamonds (Potential Violation), green diamonds (Best Practice), and red diamonds (Confirmed Violation). A legend on the right identifies these symbols. Below the map, a table lists the status of CAVs by county and state.

Status	County	State
	Kent	Delaware
	Baltimore	Maryland
	Baltimore	Maryland
	Baltimore	Maryland
	Baltimore	Maryland
	Baltimore	Maryland
	Baltimore	Maryland

Below the table, there are input fields for County and State, and a Recalculate button.

On the right, a report form titled "FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY ASSISTANCE VISIT (CAV) REPORT" is shown. The form includes sections for community information, local official information, and findings.

SECTION I - COMMUNITY INFORMATION

1. NAME OF COMMUNITY City of Baltimore	2. STATE MD	3. COMMUNITY ID # 240087	4. COUNTY Independent City of Baltimore
5. VISIT CONDUCTED BY Molly Kaput & Nicole Lick	6. AGENCY FEMA	CIS UPDATED 6/16/2014	7. DATE OF VISITS 2/25/14-2/26/14, 4/8/14-4/9/14

SECTION II - LOCAL OFFICIAL INFORMATION

8. NAME OF LOCAL OFFICIAL Beth Strommen	9. TELEPHONE NO. 410-396-8360
10. TITLE Director of the Office of Sustainability	11. ADDRESS OF LOCAL OFFICIAL Baltimore City Department of Planning 417 East Fayette Street, 8th Floor Baltimore, Maryland 21202

PART A: Check appropriate response.

1. Are there problems with the community's floodplain management regulations?	Level of Findings
2. Are there problems with the community's administrative and enforcement procedures?	Minor
3. Are there engineering or other problems with the maps or flood insurance study?	Minor
4. Are there any other problems in the community's floodplain management program?	None
5. Are there any programmatic issues or problems identified? (Programmatic problems may relate to the nation or region as a whole, not merely to an individual community)	Minor
6. Are there any potential violations of the community's floodplain management regulations? (Check appropriate category)	Yes

A potential violation(s) has/have been identified



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Example Corrective Action Plan

- A corrective action plan acknowledges the specific program deficiencies and individual violations and specifies what the community will do to remedy each issue and by what date the corrective action will be completed.

Example Corrective Action Plan

Below is an example of what a corrective action plan could look like.

Location	Deficiency	Proposed Action	Timeframe	Staff
Programmatic				
Floodplain Permitting	Lack of permitting all development	Development of Floodplain Permit and Procedure, conduct community outreach on required permits	90 days	Floodplain Administrator & Director
Substantial Improvement & Substantial Damage Procedures	Lack of procedures to implement SI/SD regulations consistently and compliantly	Develop SI/SD Procedures, Forms, and Template Letters	120 days	Floodplain Administrator, Building Code Official, Emergency Manager
Development				
X River Road	Low Floor – basement below grade	Permitted in error – seeking legal opinion on enforcement options	30 days for legal opinion	Floodplain Administrator, Community Attorney
Y Flood Way	Converted low floor	Enforcement of Non-Conversion agreement, letter of violation sent to owner	90 days for property owner to respond	Floodplain Administrator/Building Code Official
Z Water Street	Accessory structure – not vents/anchoring	No Permit – letter of violation sent to owner	90 days for property owner to respond	



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Programmatic Deficiencies

Program deficiencies are directly related to the NFIP regulations that establish the minimum requirements for participating communities at 44 C.F.R. §§ 60.2, 60.3, and 60.6.



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Programmatic – Corrective Actions

- Permitting, inspections & enforcement
Administrative Procedures
 - Substantial Improvement/Damage
Procedures with forms, worksheets, and
letters
- Forms/Guides:
 - Floodplain Permit Form
 - Inspection Checklist
 - Elevation Certificate

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, ARIA, AR/AE, ARIA1-A30, ARIA/H, ARIA/O. Complete items C2 a-g below according to the building diagram specified in Item A7.
Benchmark Utilized: NAVD 83 Vertical Datum: NAVD 83
Conversion/Comments: _____

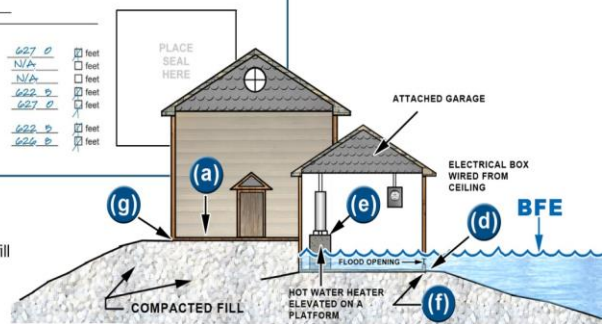
a)	Top of bottom floor (including basement, crawl space, or enclosure floor)	<u>627.0</u>	☒ feet
b)	Top of the next higher floor	<u>N/A</u>	☐ feet
c)	Bottom of the lowest horizontal structural member (V Zones only)	<u>N/A</u>	☐ feet
d)	Attached garage (top of slab)	<u>622.0</u>	☒ feet
e)	Lowest elevation of machinery or equipment servicing the building (Describe type of equipment in Comments)	<u>627.0</u>	☒ feet
f)	Lowest adjacent (finished) grade (LAG)	<u>622.0</u>	☒ feet
g)	Highest adjacent (finished) grade (HAG)	<u>626.0</u>	☒ feet

PLACE SEAL HERE

ELEVATION CERTIFICATE (partial)

In this example, the BFE is 625.0 feet.

The slab-on-grade house was elevated on fill 2 feet above the BFE; the vented garage is 2.5 feet below the BFE.



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Corrective – Development Potential Violation

Development violations are related to the NFIP regulations that establish the minimum requirements for structures or other development that do not have the required documentation of compliance (e.g., elevation and design certificates, floodway encroachment analyses).

Potential Research Steps	
Confirm SFHA	FEMA Flood Map Service Center or National Flood Hazard Layer • Print FIRMette • Could require looking at previous (historic) FIRM's • Confirm BFE
Date of construction	Date of construction • Tax Assessment websites often provide an initial construction date • Realtor website often list “built” date • Historic aerial photography
Regulations	What was in effect at time of construction? Floodplain Ordinance vs. Building Codes
Community permit/property files	Review files
Other	Google/Bing street view (use previous dates feature) Real estate listing



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Development Violations

Development violations are related to the NFIP regulations that establish the minimum requirements for structures or other development that do not have the required documentation of compliance (e.g., elevation and design certificates, floodway encroachment analyses).



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Development Violations: Typical Reasons

Development without permits	Typically – skip to #3 Enforcement
Development permitted in error, but not complete	Typically – skip to #3 Enforcement
Development permitted/inspected in error and work complete	Not eligible for Section 1316
Lost or missing records	Recreate records



Corrective Actions – Development Violations: Steps

Suggested Steps:

1. Records (must illustrate compliance to the 44 CFR 60.3, if not continue to #2)
2. Mitigate: Full Compliance (document through permitting/inspections)
3. Enforcement (See community's floodplain codes/regulations for enforcement - Note that there maybe various routes to enforcement through floodplain ordinances, building codes, or other floodplain codes)
 1. If you consider sending a non-formal violation notice before formal violation consider adding a timeframe, such as 30 days to bring violation into compliance through a permit application, before formal notice is made.
 2. If full compliance is not possible see partial compliance under step #2 Mitigate
4. When all Records/Mitigation/Enforcement are exhausted (meaning compliance to the 44 CFR 60.3 cannot be met)
 1. Above corrective actions MUST be exhausted. Meaning well documented steps above as well as acceptance of community of non-compliance.



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FEMA Support/Actions

Roles/Responsibilities

Responsibilities



FEMA/State NFIP Office	Providing assistance to NFIP communities in their efforts to administer and enforce <u>local</u> floodplain management regulations
	Monitoring the floodplain management activities of NFIP communities to ensure compliance with NFIP requirements
FEMA	Imposing or removing NFIP probation based on community response to identified program deficiencies and violations
	Recommending imposition or removal of Section 1316 sanctions on individual properties
Community	Permit all development in the Special Flood Hazard Area (SFHA)
	Maintain records
	Enforce regulations to bring non-compliant structure/development into compliance
	Mitigating properties that cannot fully comply to the maximum extent possible



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FEMA Potential Actions

If a community fails to remediate compliance issues, then FEMA may seek enforcement including: CRS Retrograde, Probation, and Suspension.

Our Team at FEMA Region 3 is here to provide technical assistance!

Generally, we meet with communities in the “Corrective Action” stage of a CAV monthly or bi-monthly, with a goal to follow-up with a community at least once every 3 months.



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Thank you!

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