

MAPPING THE RISK

FREQUENTLY ASKED QUESTIONS

1. Why is Bolton getting new flood hazard maps?

Flood hazard maps, also known as Flood Insurance Rate Maps (FIRMs), are important tools in the effort to protect lives and properties in Bolton. They indicate the risk for flooding throughout Worcester and Middlesex County. However, the current maps need to be updated as some areas were never mapped in detail. Over time, water flow and drainage patterns have changed dramatically due to surface erosion, land use and natural forces. The likelihood of inland and riverine flooding in certain areas has changed along with these factors.

This study integrates the most current rainfall, elevation and other key data with the last modeling technology to provide the most up-to-date picture of the area's flood risk. The result: a better picture of the areas most likely to be impacted by flooding and a better foundation from which to make key decisions.

2. Who is responsible for updating the maps?

Currently, there is a nationwide collaborative effort across all levels of government to provide communities with flood risk information and tools which can be used to enhance local mitigation plans and better protect citizens from damage due to flooding. This local mapping project is part of the Federal Emergency Management Agency's (FEMA's) Risk Mapping, Assessment and Planning (Risk MAP) effort, which through more accurate flood hazard maps, risk assessment tools, planning and outreach support, will strengthen Bolton's ability to make informed decisions about reducing flood risk and enhance its ability to communicate that risk to residents and business owners.

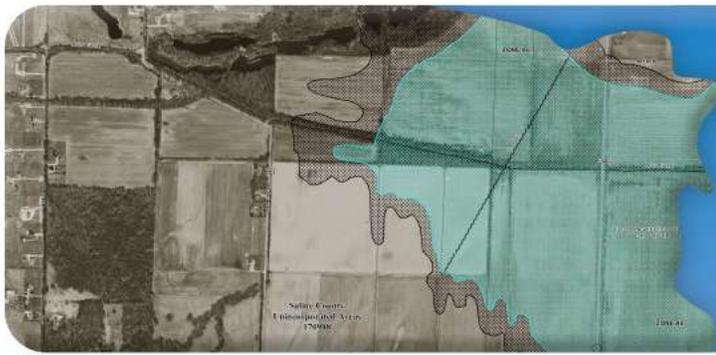
3. What is a Flood Hazard Map?

Flood hazard maps, also called "Flood Insurance Rate Maps" or "FIRMs" are used to determine the flood risk to your home or business. The moderate- and low-risk zones are represented on FIRMs by the letter "X." High-risk zones will be labeled with designations such as "A," "AE," "AO" or "AH," and high-risk zones that have additional risk from storm surge will be labeled "V" or "VE."

4. What are the benefits of the new flood hazard maps?

The Risk MAP project will benefit numerous groups of people in different ways: (Cont'd. Page 2)
(Cont'd from Page 1) Community planners and local officials will gain a greater understanding of the flood hazards and risks that affect Bolton and can therefore improve local planning activities. Builders and developers will have access to more detailed information for making decisions on where to build and how construction can affect local flood hazard areas. Insurance, realty, and lending professionals will have easy on-line access to updates and upcoming changes in order to serve their customers and community more efficiently. Home and business owners will have the ability to make better financial decisions about protecting their properties.

5. Can my Community Use Preliminary Flood Insurance Rate Maps for Planning Purposes?



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For regulatory purposes, preliminary FIRMs and FIS reports may be used by the community. Local regulations usually allow for the use of the best available data, and in most instances, the data provided on the preliminary FIRMs is much better than the older data on the currently effective FIRMs. The use of preliminary maps as "best available data" is only allowable when the preliminary data are more conservative than the effective data; i.e. the elevations of the base (1-percent-annual-chance) flood are higher or the SFHA is more extensive. Please contact your community's floodplain administrator to determine whether preliminary data is being used by your community and whether it has any impact on construction or other use of your property.

6. What is a floodplain and how do I determine if my property is located in this area?

A floodplain is the part of the land where water collects, pools and flows during the course of natural events. Such areas are classified as Special Flood Hazard Areas (SFHAs), and are located in a "100-year flood zone." The term 100-year flood can be misleading. It is the flood elevation that has a 1- percent chance of being equaled or exceeded each year; it is not the flood that will occur once every 100 years. The likelihood of a flood occurring within a 100-year stretch of time is very, very high, but there's no way to predict when the next flood will occur—or the one after that. The redrawn maps indicate the floodplain as a "high-risk" area. Those floodplain determinations that affect Bolton are officially classified as an AE, A or Floodway zone. Moderate- and low-risk areas will be designated as X zones and shaded X zones on the new maps.

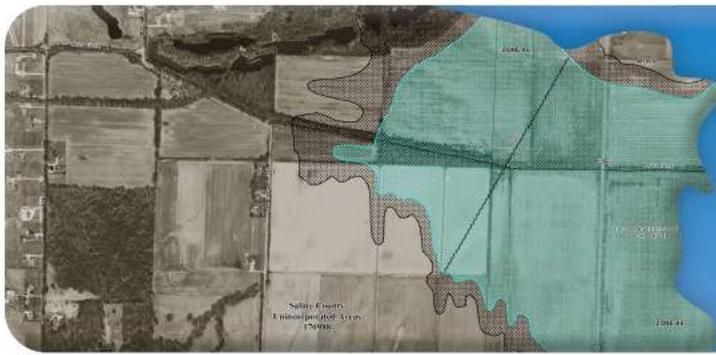
It is important to note that it is the structures on a property that are subject to the flood insurance requirements, including homes and attached decks. Bolton has displayed the data in the preliminary maps (instructions for viewing below) to allow residents to gain a sense of how close their property is from the preliminary floodplain boundary.

7. How will the new flood hazard maps affect me?

Neighborhoods across Bolton will be affected differently by these map changes. There will be some properties that aren't affected—their risk remains the same. Other properties will be mapped into a higher-risk area and/or show a new Base Flood Elevation. Some properties will be mapped into a lower-risk area than before.

Simply having your structure out of the floodplain area on the map does not mean you will not be required to buy flood insurance. Banks contract with specialized companies to determine a structure's location in proximity to a floodplain. If your structure is close enough to a topography considered to be below the base flood elevation for that area, you may be required to purchase flood insurance even if the map shows your structure is out of the floodplain. The maps provided by Bolton Planning Department show how parcels of land are affected by the changes. If your property changed from either a low risk to high risk flood hazard area or from a high risk to low risk area, you should pay close attention to any correspondence from your mortgage lender regarding a change in insurance requirements. You may want to consult with an engineer in consideration of submitting a letter of appeal if you feel your structure was falsely placed in the floodplain.

The new maps are being made available for public view and review and are also available on the Internet. Visit <http://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping#7> for more information and to view the new maps.



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8. What do I do if my bank is notifying me that I must purchase Flood Insurance?

Different banks have different policies concerning the mandatory requirement for purchasing flood insurance. Some banks ask you to purchase Flood Insurance when your structure is located beneath the 100 year base flood elevation. Other banks ask you to purchase Flood Insurance when your structure is within a certain distance of a 100 year floodplain. And others may require that all mortgage holders have a flood insurance policy. If you have been notified by your bank to purchase flood insurance, a first step could be to contact your lender and identify their specific policy regarding flood insurance requirements. Once that is discovered you can determine if you should purchase flood insurance or file a Letter of Map Amendment or Revision.

9. What will happen if my building is remapped from a moderate- or low-risk area to a high-risk area?

If the new maps—once adopted—indicate the building on your property is now at a higher risk for flooding, you will be required to purchase a flood policy if you carry a mortgage from a federally regulated or insured lender. If you do not have a mortgage, it is still recommended that you purchase flood insurance. Over the life of a 30-year loan, there is about a 2 ½ times greater chance of having a flood in your home than having a fire.¹ And most homeowners' insurance policies do not provide coverage for damage due to flooding.

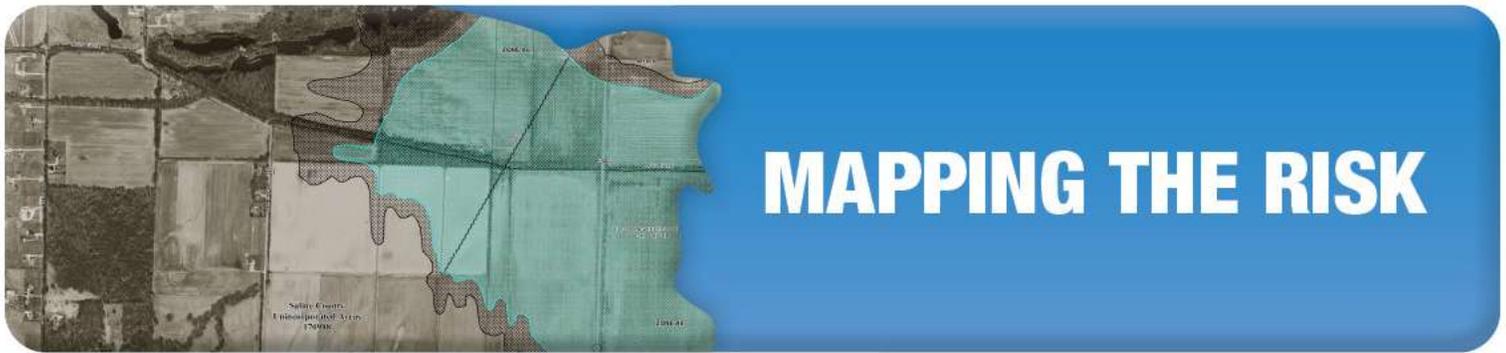
The National Flood Insurance Program (NFIP) has extended the low-cost PRP eligibility period for two years to properties newly mapped into a high-risk zone. In addition, there are “grandfathering” rules to recognize policyholders who have built in compliance with the flood map or who maintain continuous coverage.

10. What if my home or business is mapped into a high-risk area but I believe the designation is in error?

Flood map designations are based on the best data available to engineers and local officials at the time areas within a community are surveyed and assessed. Every effort is made to ensure that the maps reflect the most accurate and reliable information about the flood risk for all properties. However, re-examining and updating flood hazard information for an entire community is often a multi-year process, and you may feel that you have more accurate or current data about your property when new maps are eventually completed and released to the public.

As a mechanism to ensure that residents' questions or concerns about the new map designations are addressed, a 90-day appeal period has started on June 13, 2013. During this period, citizens will have the opportunity to submit technical and/or scientific data to support a claim that FEMA has either erred in the scientific methodology used to create the new Surface Flood Hazard Areas or has erred in a technical manner, such as applying the methodology used in an incorrect manner. If you, and the professional you have hired for technical assistance, believe you have better information, such as an Elevation Certificate, or detailed hydraulic or hydrologic data, then you may be able to appeal

¹ FEMA - 2009 National Statistic



the flood risk indicated on the new maps. For further details on this process, visit <http://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping#7>.

11. Can I respond to a determination that my property is located in floodplain?

The short answer is yes. Residents can file for various Letters of Map Revision or Amendment. However, there are significant differences between an *Appeal* and an *Amendment*, which are described below.

Letter of Map Amendment (LOMA)

A Letter of Map Amendment or LOMA is the most common action taken by a home or business owner who believes their structure has been wrongly placed in the floodplain. The burden is on the property owner to prove that the structure in question is located above the Base Flood Elevation or that the land the structure is sited on or the structure itself has been altered to sit above the base flood elevation. Certified engineers or registered surveyors commonly perform this analysis and will be able to help you through the process. A property owner can file a comment or LOMA (letter of map amendment) at any time if they believe their property has been falsely determined to be in the floodplain.

Letter of Map Revision (LOMR)

See # 11 below

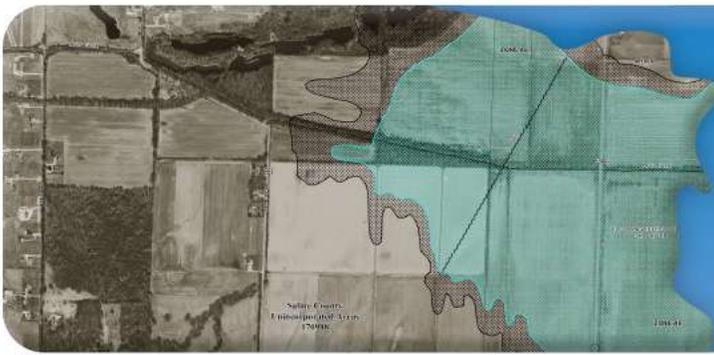
12. What does an appeal consist of and when should I file?

Letter of Map Revision (LOMR) – An act of Appeal

Residents in Bolton have been notified of the 90 day appeal period beginning on June 13, 2013 via two consecutive notices in the Bolton Common by FEMA. During the 90 day appeal period, Town officials and residents can review the map changes to decide if they would like to file an *appeal* based on proof of a FEMA error in methodology chosen, the technical application of that methodology or an error in choosing or applying appropriate assumption used to determine new floodplain designations. The two primary appeals are explained below.

- An error in the scientific methodology for determining the floodplain (i.e. presenting proof that the use of a different, more appropriate methodology or assumption would be reason to revise the preliminary designations).
- An error based on a technical mistake in applying the methodology (i.e. presenting proof that the methodology was either not applied correctly, was based on insufficient or poor data, included mathematical errors, or did not account for physical changes in the landscape).

An appeal, backed by scientific or technical data provided by a registered surveyor or engineer will need to be sent to the Town and to a FEMA representative the Town designates (we are working to confirm this contact). When an appeal is sent to the Planning Department, staff will work closely with the Building Inspector/Floodplain Administrator to identify whether the community wishes to exercise its right to issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by Bolton in its own name or on behalf of the interested parties. With relatively little experience to justify a written comment, Bolton may also decline to provide written



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comment supporting the appeal and FEMA will review the appeals based on their own merit. It is important to note that appeals typically involve larger methodological issues that can affect entire landscapes, while Letters of Map Amendment, a common application for homeowners to file, are typically site/structure specific. It should also be noted that the amount of scientific data needed for an effective appeal can be much more costly than simply determining the elevation of a single structure.

¹ Base Flood Elevation: The height of the base flood, or area of land that has at least a one-percent chance of flooding in any given year.

13. With whom do I file an appeal?

If you are planning to appeal a floodplain designation for your property, contact the Bolton Planning Department to alert them of your intent. You will need to send a copy of the LOMR with attending documents to the Town of Bolton Planning Department and to the contact at the address below. The Planning Department provides comments and notices of appeals to FEMA. However, the burden is on the homeowner to hire engineers, surveyors or other professionals to create the scientific evidence that the validity of the appeal will be based on.

For more information on filing comments/protests/appeals contact:

Kevin Donnelly
STARR
6110 Frost Place
Laurel, MD 20770
Kevin.donnelly@starr-team.com

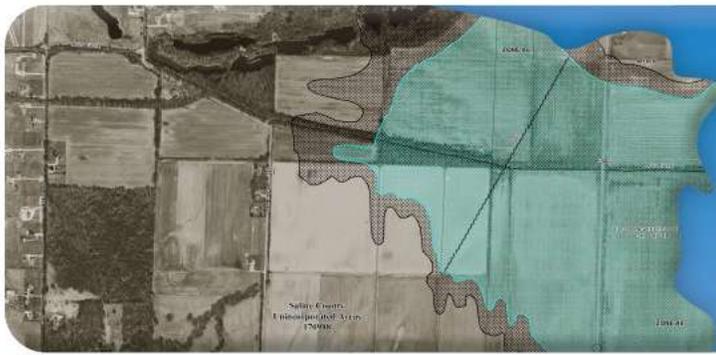
14. What will happen if my building is remapped from a high-risk to a moderate- or low-risk area?

When a building is remapped into a moderate- or low-risk area, there is no longer a federally mandated requirement to purchase flood insurance. However, the risk has only been reduced, not removed. Flood insurance is still recommended.

Upon the effective date of the new maps, you may be eligible for a lower-cost Preferred-Risk Policy (PRP). Through your insurance agent, you can easily avoid any gaps in your flood coverage and receive a refund of unused premium by converting your existing policy to a PRP back to its last effective date.

15. How might the new flood maps affect me financially?

When new maps become effective, if your building is newly mapped into a high-risk area and you have a mortgage with a federally regulated or insured lender, you will need to purchase flood insurance. If your property is mapped into a moderate-or low-risk area, you are not required by federal law to purchase or maintain insurance, but are strongly



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encouraged to do so. The cost of properly protecting your home and contents from flood damage is far less expensive than the cost to repair or replace it after a flood has occurred.

Through the National Flood Insurance Program, coverage can often be obtained at significant savings. The average cost for a flood insurance policy is around \$600 per year. Further, homeowners may qualify for a Preferred Risk Policy that covers both a building and its contents for as little as \$129 per year. Coverage for renters starts at just \$49 a year. Talk to your insurance agent to determine the appropriate level of protection you need and the money savings options that are available.

16. How will the Briggert-Waters Flood Insurance Reform Act of 2012 affect my Flood Insurance rates?

The Briggert-Waters Flood Insurance Reform Act was signed into law in July of 2012. The law can have significant implications for property owners who own structures in a floodplain or have been receiving subsidized flood insurance rates due to their structure's completion prior to the issuance of the first Flood Insurance Rate Maps. Due to the passage of this law, information under #16 of this FAQ document may have changed.

The Briggert-Waters Act will change flood insurance requirements in the following ways:

- Structures located beneath the Base Flood Elevation will be charged a higher premium
- "Grandfathered" rates will be phased out, including:
- Rates for structures built before the initial FIRM data was released for the community the structure is located in.
- Rates for structures that were added to the floodplain in response to a subsequent FIRM update.³

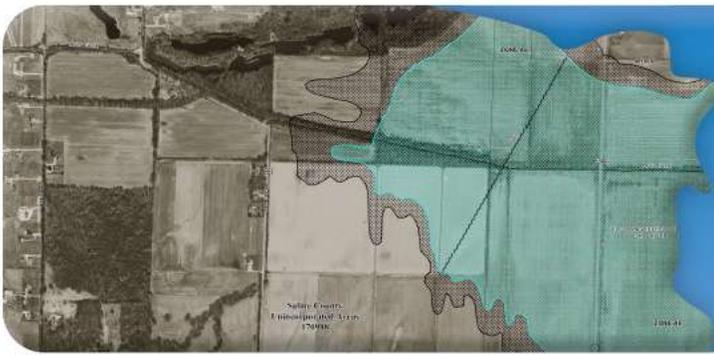
For more information on the specific changes the Briggert-Waters Flood Insurance Reform Act will entail, see the following links:

³ See StormSmart webpage for more information @ <http://us.stormsmart.org/2013/01/07/what-flood-insurance-reform-means/>

17. How can I reduce the cost of flood insurance?

Two solutions the National Flood Insurance Program (NFIP) offers to help lower the cost of flood insurance include Preferred Risk Policies (PRPs) and the Grandfathering Rule.

PRPs, which start at just \$129 a year, are only available for properties in moderate-to-low risk areas. However, recognizing the financial burden that being mapped into a high-risk area and having to purchase flood insurance can place on affected property owners, FEMA extended the eligibility period of the low-cost PRP for two years for



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buildings that have been newly mapped into high-risk flood zones. In general, this cost-saving option is available to property owners whose buildings have a favorable flood loss history and who may or may not have received limited amounts of federal disaster assistance.

The NFIP “Grandfathering” rules recognize policyholders who have built in compliance with the flood map in place at the time of construction or who have maintained continuous coverage. These rules allow such policyholders to benefit in the premium rating for their building. Flood insurance premiums should be calculated using the new map if it results in a lower premium.

Renewal of an Existing Policy

When determining the premium you will pay for flood insurance, an insurance agent will rate your flood insurance policy based on the flood map that is in effect on the date you purchase your policy. Flood insurance policies may then be renewed and still be rated based on the flood map in effect when the policy was initially rated as long as the flood insurance coverage is continuous and the building has not been altered in a manner that would remove this benefit. For example, if the building on the property is currently mapped in an X zone, you could purchase the policy before the flood maps are adopted and keep the lower rate associated with the X zone even after the new flood maps become effective. To help maintain this grandfathering benefit for the next owner, you may transfer the policy to them at the time of sale. An insurance agent can provide you with information about eligibility for the PRP and the PRP Two-Year Eligibility Extension.

Built in Compliance

The NFIP will honor a Grandfather rule for buildings constructed after the first flood map for the community became effective if:

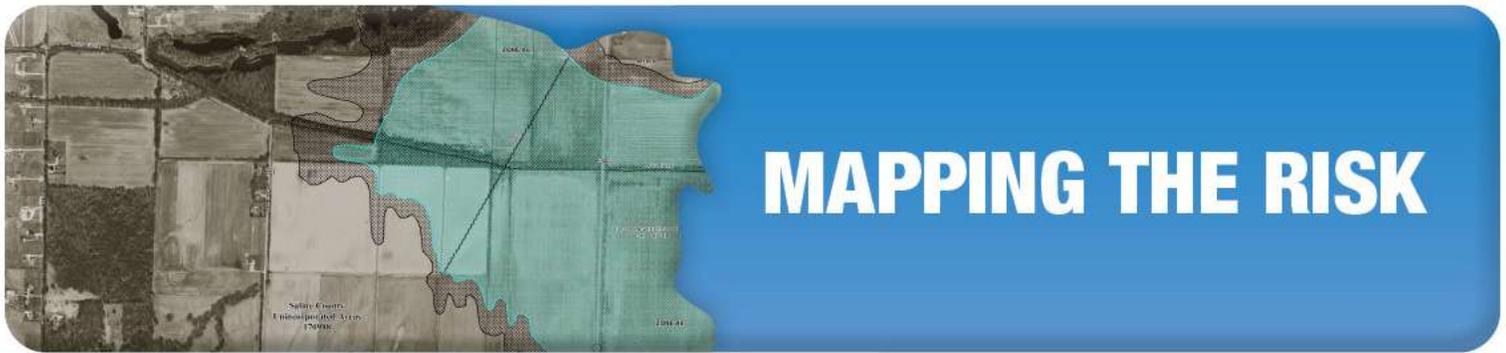
- the building was built in compliance with the flood map in effect at the time of construction; and
- the building has not been substantially damaged or substantially improved.

Under this Grandfather rule, the property owner must provide proper documentation to the insurance company.

If you wish to keep the zone designation in effect when the building was constructed, you must provide a copy of the flood map effective at the time of construction showing where the building is located or present a letter from a community official verifying this information. In general, for buildings constructed in high-risk zones after the community’s first flood map was adopted, your rates are based upon the difference between the flood map’s Base Flood Elevation (BFE) and your building’s elevation. If there is a change in the BFE and keeping the BFE that existed when the building was first constructed gives you a better rate, you must provide the agent with an Elevation Certificate and a copy of the flood map effective at the time of construction. A letter from a community official verifying this information is also acceptable.

For more information on PRPs and the Grandfathering rule, you should contact your agent.

18. When do the new maps become effective?



The maps officially released to county officials and the public in January are still preliminary. The process that leads to final adoption and the maps becoming effective can last as long as a year or more.

Initial release is followed by a short review period by community officials. Then there is a 90-day “Public Comment Period,” beginning on June 13, 2013. The final review and adoption process is expected to begin spring/summer 2013 and the approximate date of adoption is spring/summer 2014. Once the maps become effective, new flood insurance requirements will become effective.

For an updated timeline of the mapping project process, visit

19. How can I learn more about the flood mapping process and how it could affect me?

The following is a list of resources and contact information if you have further questions regarding the Town of Bolton’s mapping project:

Web site Resources:

FEMA Web site on Flood Hazard Mapping: www.fema.gov/plan/prevent/fhm/index.shtm

For general information about flood insurance: www.FloodSmart.gov

Other Resources:

FEMA Map Information exchange (FMIX) 1-877-FEMA MAP (1-877-336-2627)

Open Monday-Friday, 8am-6:30pm

To view, or purchase flood hazard maps for a nominal fee: 1-800-358-9616

For questions on flood policy coverage and rates: 1-800-427-4661

Public Meetings: For the latest dates and locations, call the Bolton Planning Department: 978-779-3308 or visit