

May 3, 2022

MINUTES OF THE COLLIER COUNTY
FLOODPLAIN MANAGEMENT PLANNING COMMITTEE MEETING

Naples, Florida, May 3, 2022

LET IT BE REMEMBERED, the Collier County Floodplain Management Planning Committee in and for the County of Collier, having conducted business herein, met on this date at 9:00 A.M. in REGULAR SESSION at the Collier County Growth Management Division Building, Conference Room #609/610, 2800 N. Horseshoe Drive, Naples, Florida, with the following members present:

Chairman: Eric Johnson, CC Staff, LDC Planning Manager
Vice Chairman: William Lang
Kenneth Bills
Christa Carrera, City of Naples
Kelli DeFedericis, City of Marco Island
Duke Vasey
Lisa Koehler (excused)
Terry Smallwood, Everglades City (excused)
Stan Chrzanowski (excused)
William Miller
Deborah Curry, CC Staff (excused)
Linda Orlich
Ed Moulton (excused)

ALSO PRESENT: Chris Mason, Floodplain Coordinator
Derek Perry, CAO Staff

Chairman Johnson called the meeting to order at 9:03 a.m. and a quorum of seven was established; an eighth member joined later.

1. Approval of the agenda and previous meeting minutes from Nov. 18, 2021

Mr. Vasey moved to approve the agenda. Second by Vice Chairman Lang. Carried unanimously 7-0.

Mr. Vasey said Vice Chairman Lang brought to his attention that Mr. Lang's name wasn't listed as Vice Chairman on the roster on the title page of the Nov. 18, 2021, minutes and asked if they should be amended.

Chairman Johnson noted that the minutes were correct and that he'd been elected Vice Chairman later in that meeting, which was reflected in the minutes. Today's minutes will reflect that he is Vice Chairman.

Mr. Bills moved to approve the minutes of the Nov. 18, 2021, meeting, as presented. Second by Ms. Carrera. Carried unanimously 7-0.

[Ms. DeFedericis joined the meeting at 9:07 a.m.]

2. Floodplain Management Ordinance 2022-07 Update

Mr. Mason said that dating back to January 2021, all Florida communities were tasked with updating their Floodplain Management Ordinances to adopt new provisions. We've spoken about this before in the FMPC. This involved removing the previous 36-inch elevation requirement for pre-FIRM mobile home parks and we had some new constraints on the siting of accessory structures. I'm sure the City of Naples has gone through this process. Marco Island doesn't have accessory structures, right?

Ms. DeFedericis said Marco Island doesn't have accessory structures.

Mr. Mason said we can discuss that afterward. The Board of County Commissioners accepted and adopted our update to the Floodplain Management Ordinance, 2022-07, on March 8th and that keeps us all in line with ISO and FEMA for CRS purposes.

In pre-FIRM mobile home parks, you used to be able to bring in mobile homes and site them only 36 inches above grade, rather than having to site them 1 foot above Base-Flood Elevation. For example, if you were in Goodland, at the Drop Anchor Mobile-Home Park and the ground elevation was 4, but the Base Flood Elevation was 9, you'd only have to elevate to 7, whereas if you had Base Flood Elevation plus 1, you would have had to go to 10, so that has been struck through. That is an old provision that dated back to 1976 in the Code of Federal Regulations and that is now gone. It may pose some challenges for residents in pre-FIRM mobile home parks, but they're going to have to elevate to Base-Flood Elevation plus 1.

With the accessory structures, there are multi layers to that. We now have a variance process for certain accessory structures. It's on our Floodplain Management website.

[Showing PowerPoint Presentation]

Ms. DeFedericis said Marco Island does have that in its ordinance, but we're looking to remove it. We inadvertently have it because we have the non-conversion agreement, which we think addresses their concern with turning non-habitable to habitable. So, because we don't allow accessory structures, that intensive a code is not really necessary for Marco.

Mr. Mason said here we can have a matrix. For people who want to site or place an accessory structure on their property, they now have a multistep process they have to go through and this also goes back to 1976, with the code of Federal Regulations 44 CFR. Apparently, in that document it was speaking toward siting accessory structures. When people wanted to wet floodproof or put things below base-flood elevation using flood vents, they were required to get a variance. However, out of 22,000 communities that participate in the National Flood Insurance program, nobody ever enforced that. So, FEMA produced a document in 2020 that said that must stop and here are your options.

The State Floodplain Management Office worked with all the communities here and worked with the federal government to come up with an easier approach to this, and this is the result of that. So, if someone has a structure that is less than 600 square feet, they can place it below Base Flood Elevation, if they would like, and they would have to put in flood vents. One caveat is that we're not going to require an Elevation Certificate for those anymore because the Elevation Certificate is there just to verify that the structure is meeting certain height standards, so if you're wet floodproofing or using flood vents, why would an Elevation Certificate be necessary? You would have to produce the actual flood-vent product guide so we can put it in the permit file. But you will no longer be required to provide an Elevation Certificate.

With structures between 600 and 1,200 square feet, if they would like to use flood vents, wet-flood proof it and put it below Base Flood Elevation, they have to get what's called an Administrative Variance, which is written into our Floodplain Ordinance. It's a document, not a full-blown variance process, such as a conditional use, variance board or a hearing examiner. It's something that would be locally signed off by myself. To date, we have not run into one yet. We have a document ready to go, but no one has wanted to wet floodproof.

There are a lot of times people don't want to put flood vents in structures that are larger than 600 square feet. They would like it to be high or they'd like it to be above, or at least, Base-Flood Elevation. They don't feel like putting flood vents in, which could be expensive. Plus, you're punching holes in your structure and people don't want to do that.

Mr. Bills asked if they accept any responsibility for any damage that may occur.

Mr. Mason said it depends. Sometimes, when you get a structure 600 square feet and above, they may be insuring those. I think when you're getting structures that are 600 square feet or less, they're usually not insuring them. But something up to 1,200 square feet, that's a sizable structure, so it's very possible.

Mr. Bills asked whether specifically, with flood insurance, would they be eligible to file a claim if they had flood insurance, if they were below?

Mr. Mason said they would, if it was properly vented.

Vice Chairman Lang said what they'll usually do is, if it's an appurtenant structure, there are some options there. There are times where, this doesn't usually occur — I'm just talking worst case scenario

— they will put the flood openings in and block the flood openings they don't want because they don't want bugs to get in there in the off-season. To answer your question, let's say that it's not properly vented and it floods and they were able to get a flood policy for that particular structure, many times what will occur is when the adjuster comes out to look at the flooding damage and write up the estimate, they will observe that, they will note it in their report and usually what has historically occurred is the insurer will say, 'OK, you're out of compliance.' They won't explicitly state that, they will say this is what you were rated at, this is what you truly need to be rated at based on our observations, pay us the difference and then we'll fulfill the claim. Sometimes that difference is several thousand dollars.

Usually, this is more applicable when you have an enclosure and a home below the living area and they make it into a grandmother suite. I've had plenty of people after Hurricane Irma come to us and say, 'Hey, why is my claim being denied? Why is this happening, what's going on? I ask them what did you have there? For instance, they tell me their mother-in-law lives in there. Well, then it's limited coverage below living areas. Your insurer is telling you now that they're treating it as living area and they're going to adjust your premium and you haven't paid that premium because that's not what the agreement was. So, there are some controls there, but most people who have structures that are 600 square feet or less, they don't usually want to insure them. Usually, it's a lender that does and it's a part of the collateral. Unfortunately, sometimes they're getting stuck with this structure. They're forced to pay flood insurance, and it's not really at a coverage level that's worth the premium. So, in the deductible, as Chris stated before, 600 feet to 1,200 square feet. They're probably doing something in that structure where they're willing to elevate it to compliance, anyway, whether it's a studio or they're going to install AC, something like that.

Mr. Mason said they did the analysis a few months ago because of DSAC. We had a very small amount of buildings that exceeded 600 square feet that chose to wet floodproof. When we talk about structures that are 1,200 square feet or larger, I think we had three total in over 2,700 total permits for accessory structures in a three-year period, and I can guarantee you those three that were wet floodproof was because somebody messed up. At the end, they said they were going to elevate to a certain level, and then it came back at the final Elevation Certificate and it was not at BFE. It was below BFE and they had to go in there and punch holes in it and put vents in it as a process to get the permit approved.

Mr. Vasey said the whole issue really is that accessory structures were not designed to be lived in, have services, water, bathrooms or anything. They're just basically, we just put feed in them or a tractor in them to keep them out of the weather. They're not anchored down. In a high wind, they end up in the neighbor's backyard, and that's where the insurance claim comes in, where that structure actually left the owners property and damaged other property. So, what you have here is that the County doesn't have an ordinance. We tried to get one about 25 years ago that would anchor at least the building to some part of the ground surface. It wasn't very popular with the building community. In fact, floodproofing is a swear word if you talk to the builders. They don't want to do it at all simply because it adds too much cost to what they're doing. And if you can't stick a tent structure straight on the backyard surface of it, nobody's interested.

Ms. DeFedericis said both are going to be rated on the ground for flood insurance, anyway, so whether they have flood vents or not, it's going to be a higher flood insurance if they do rate it, so they're going to want to elevate it because it's a substantial difference.

Ms. Orlich said that when we got our insurance, I always ask about those out-structures because it's automatically written into the insurance policy that you can't not insure for out-structures, even though you don't have any out-structures. So, they charge you for it whether you have it or not.

Vice Chairman Lang asked if she was referring to a homeowner's policy.

Ms. Orlich said she was.

Vice Chairman Lang said the only work-around here is that there is a provision that if your accessory structure, or what they call "appurtenant structure detached from the primary," is in the same flood zone as your residence, and you're both in the Special Flood-Hazard Area, there is a provision where you can apply 20% of the primary policy to the accessory structure. It was kind of a work-around because you didn't need elevation data to provide for the flood policy, so that's where, historically, it would become a problem for the taxpayer. But it was very helpful a long time ago with lenders that were making homeowners get flood insurance for those little structures and the coverage wasn't worth the squeeze.

Mr. Mason said that lastly, with structure sizes that are 1,200 square feet or more and they want a wet floodproof it, i.e. below Base-Flood Elevation, it has to go before the Hearing Examiner. Nobody wants to do that. We have what's called a Non-Conversion Agreement because we do sometimes have people who have structures like these that are used for storage or parking. They want to change them into some type of living space. The next thing you know, they've put in a bathroom. So, prior to issuing these permits, we have what's called a Non-Conversion Agreement if they are not going to meet Base-Flood Elevation Plus 1, they have to sign a document and have it recorded at the Clerk's Office and it goes with the permit and states that they will not convert it to living space because if you have something that's not Base Flood Elevation Plus 1, it will therefore be non-compliant.

Ms. Carrera asked whether you have to meet ASCE 24, regardless.

Mr. Mason said not to his knowledge. They can be cited below BFE.

Ms. Carrera asked what's requiring the variance.

Mr. Mason said it was State driven. The State Flood Management Office provided three different options to pick from and we took option B. This was a process designed by the State Floodplain Management Office. This is what we accepted and adopted into our Ordinance.

Vice Chairman Lang said this goes back to the Feds. So now the state of Florida, in this state model ordinance, has said, 'OK, we've got to be in compliance with the Feds. Here are your options. With our state model ordinance, you're either in compliance with the state model ordinance or you're not, so they gave these options.

Ms. DeFedericis asked if there really is compliance with this Ordinance or is it a recommendation? I think that might be where there's confusion. When we talked to Rebecca, it was recommendations, not "You have to do this." And that's why Marco Island made the executive decision that the Non-Conversion Agreement meets the requirements – because they're worried about them turning habitable, so that's why they're wanting to enforce those. That's what we understood.

Ms. Carrera said we don't even allow that size. Up to 600 is the max.

Vice Chairman Lang said we have too many accessory structures in the County.

Mr. Mason said this was our best option. Even if it was a recommendation, we have too many accessory structures in the County. And the writing is on the wall. You know what recommendations are. They're eventually the standard.

Chairman Johnson asked if the Non-Conversion Agreement that's made available to the public on the County's website is on County letterhead.

Mr. Mason said it was.

Ms. DeFedericis asked if the County did 30, 60 or 90 points.

Mr. Mason said the County did just the 30 points.

Ms. DeFedericis said if we're allowed to access the property, if there's an open permit, so it's not annually, we have to go check it. But they're giving us the 60 points because we're saying we can access it if there's an active permit. Where before with an active permit, you can't just go downstairs and look at it. You have to check the area. So that's how we were able to get 30 more points.

3. Collier County CRS Verification Cycle Visit 2022 Update

Mr. Mason said we're currently in the midst of our three-year cycle visit. We just finished our 2018 cycle visit in April 2020. It took two years, and they came back to us last year and asked us to get ready to do another in 2021. I said there's no way because we just finished less than six months ago, so they bumped it to 2022 and we have a cycle visit on June 16. Christa, with the City of Naples, has a cycle visit on June 14. I'm the one managing the whole file because we are maxed out with building permits and Elevation Certificate reviews, so this is 100% my responsibility. We're about 60% done. We've already submitted the 300 Series Documentation. I'll probably be submitting the 400 Series Documentation this Friday, and then we're going to finish up with the 500 and 600 Series Documentation.

They have a set of activities that are numbered between 300 and 400 and 500 and 600, and it's everything from outreach to Emergency Management, so we provide all our documentation. What we receive from ISO is a 14-page document detailing everything I have to provide. I started working on this last summer, so that gives you an idea of all the steps we have to take, all the documentation. I recently helped another community that I used to work for navigate through this process up in North Florida. They are a Class 8. They only had five pages, compared with our 14 pages, and we're a Class 5, so it's a year-round thing. Our largest issue that we get all of our points over is our open space in the Special Flood-Hazard Area. That's where we get a lot of credit. I've produced up to about 60 maps at this point for that and I'll be producing about 20 more for the rest of the activities. I do a lot of this work at home because I have ArcGIS at home, so it's a bit easier to do it outside of the regular work day.

Does anybody have any questions or do Marco and Naples have any comments on how your process is going?

Ms. DeFedericis said she submitted in February and just got her EC score back, a 98. She would have gotten a 100, but didn't replace two she knew that had errors, one she forgot machinery and one she forgot a diagram. She had the surveyors correct them, but she didn't exchange them or she would have gotten a 100.

Mr. Vasey asked if the ISO is the same as the CRS.

Mr. Mason said yes, that's what we call the auditing firm that's the liaison between the community and FEMA. Collier County is a 5, Marco Island is a 6 and Naples is a 5. We always talk about CRS and that's why this Advisory Board exists, because with CRS requirements for the Class 5 ranking, we have over 70,000 insurance policies in Collier County. Of that, 60,000 policies are enforced. That means that they're required to carry them. The 10,000 others are going to be low-risk or what used to be called a preferred-risk policy, and that equates to those people getting a 25% discount for the policies in force. That equates to about \$8.3 million in savings that stays in the community.

That's one of the reasons we're on a three-year schedule. There's a lot of scrutiny because we're in the top 10% of communities in savings overall against the 2,100 CRS communities nationwide. They assign an ISO person to us from Portland, Oregon, who's a heavy hitter, no nonsense, to come down here and go through our documents. What will happen is on June 16, this person will come down and we'll sit in my office for most of the day, then we'll take some field trips out to go look at mitigated structures that were repetitive losses, things like that. She may have some questions about some of that and say, "Let's drive down to this location and see what was done here with this structure," or "I want to go see if this place that Conservation Collier has is truly open space," things of that nature.

Chairman Johnson asked approximately how much money a resident saves.

Mr. Mason said that on average, it equates to about \$189 in savings per policy.

Chairman Johnson asked if he knew the total number for all policies.

Mr. Mason said there's a total of 60,000 policies in force, so that \$189 is going to be for those 60,000 policies. For people who have what we would call the preferred-risk policy, if I'm in an X-Zone and I'm not in a high-risk flood zone, I don't get a discount on purchasing insurance because I'm already getting such a reduced rate.

Ms. Carrera said that in the City of Naples we have 14,000 policies and our residents save an average of \$290 per policy, so on an annual savings, we're at about \$4.1 million and we're in one of the top percentages, even though we're small community.

Vice Chairman Lang said he just did the math for Collier. It's about \$11.3 million.

Ms. DeFedericis said that with Marco Island, she's been trying to get the status since October because they're telling us that because we're a Class 6 community and we hold the piece of the top 10% for the discount that we're still at a three-year verification cycle. I finally got the information from them and what Sherry Harper has provided is that there are 1,506 communities in the CRS program, and Marco is No. 28 nationwide, with \$3 million in savings, so you are probably No. 1. If we're No. 28 with only \$3 million, I can only imagine what place nationwide you are.

Mr. Mason said we got our EC score back. We submitted 1,200 Elevation Certificates for review and those Elevation Certificates are for just residential and commercial structures, areas not reserved for storage, parking or access. They're going to be something somebody is working in or living in. We submitted 1,200 Elevation Certificates. They take a sample of 200 Elevation Certificates out of that because they're not going to review all 1,200 and we scored 100%.

Chairman Johnson said congratulations. That's great.

Mr. Mason said that was for all new construction. We accepted about 53 LOMCs last year. He just set up a process to pull up all the Elevation Certificates on a quarterly basis and staff can QC them. Then I can QC the already QC'd ones. This is first time we've ever scored 100%.

Chairman Johnson said he asks these questions of Chris because it's important for the public to know that participation in the CRS program is a benefit and is profitable to homeowners and property owners.

A discussion ensued and the following points were made:

- There has been continuity in all three floodplain managers in Collier County, Naples, and Marco Island.
- Participation CRS program is a benefit to homeowners and property owners.
- The money typically goes back into the community, millions of dollars.
- Naples and Collier worked their way up to Class 5 since 1992 and both started as Class 7.
- The CRS program began in 1991.
- Is it possible to calculate how much each community has saved since the beginning?
- A select number of homeowners and property owners have been paid at least \$2,000 over a 10-year period and just getting that number from FEMA took six months.

4. Floodplain Management Section Development Review Totals: QT4 2021 & QT1 2022

Mr. Mason said we use a quarter-system here. We base it on our CRS recertification date, so Q4 of 2021 is really 2021, and 2022 basically goes from December, January, February, and March is when we submit all of our Elevation Certificates on an annual basis. Up until about two weeks ago, between December and mid-April, we reviewed 1,220 Elevation Certificates and those were approved. That's for new construction of residential and commercial, an addition to a structure, an accessory structure, a generator. It could be numerous things.

We have two people working on Elevation Certificates full-time and that includes under construction, Elevation Certificates and finished construction. It's a task keeping up with all that paperwork and making sure it all gets corrected so we can submit it correctly.

Mr. Vasey asked if they were inputted into the community tracking system and explained what it was, a project that involved a forever document.

Mr. Mason said he understood what he meant about tracking PUDs to make sure their development agreements are met in the monitoring process, but said this work is not factored into that.

5. Coastal Study Map Revision Status

Mr. Mason said FEMA produces what's called a Letter of Final Determination when a flood map is updated and we currently have two updates going on. We have our coastal revision and a riverine revision. The coastal revision has been going on now for the last four years. I've just searched the Letters of Final Determination, which is public information that FEMA puts out, and those letters have been scheduled out until September 29. Collier County's Coastal Preliminary Flood Map is not on that list. I have a feeling that one of the reasons is because there were a number of appeals. Some private communities appealed their Base-Flood Elevation terminations on this new map. They didn't agree with them, so they employed private engineering firms. The City of Marco Island has an appeal.

Ms. DeFedericis said Marco Island just submitted its response yesterday or last Thursday.

Mr. Mason said that FEMA's contractor, AECOM, came back in and has requested more documentation on modeling for some of their storm and BFE modeling for these appeals. I constantly get this question from contractors and development companies, "When is this map going to be finalized?" I would say it's probably going to be early next year.

Mr. Vasey asked if the map would affect Coastal High-Hazard Areas.

Mr. Mason said that map is not going to take it as far as Coastal High-Hazard Areas. As far as the Planning Department goes, this is a separate product. This update is going to concentrate on the U.S. 41 corridor westward going to the Gulf of Mexico, and about a mile in, until where it meets the riverine model. I don't think it's going to be finalized for adoption until early 2023. It just depends. They're finalizing, but when you have an appeal – and there have been a couple of areas appealed – when communities or private areas are appealing this, they have to provide empirical data. They can't just say, "We don't like the BFE." They have to provide empirical data to show that the modeling was wrong and that the Base-Flood Elevation should be lower. That's really the genesis of these appeals, the lowering of the BFE in certain areas.

Mr. Vasey asked whether climate change or sea level rise have been added to the new requirements.

Mr. Mason said they have not been factored into these studies. The flood-insurance study, which drives the actual map, only uses historical storm data based on topographic data, so it's basically putting those together to come out with a worst-case scenario. The FEMA product is a separate product from the ACUNE tool or the NOAA's sea-level rise forecast models.

Ms. Carrera noted that is also doesn't include Hurricane Irma data.

Ms. DeFedericis said Marco Island provided new data. We argued that they're using old data. We said, "Here is new data. Let's use these because it did lower our BFEs inland, but kept the coastal consistent." That was our argument.

Mr. Mason said in the interior you were jumping 3 feet.

Ms. DeFedericis said they reduced the coast from Zone VE to Coastal A and reduced the base floods from 11 to 9, but increased the inland from 7 to 11, so gravity tells me some water is going to pile right in the middle of the island and stay shallow.

Mr. Mason said for example, there's a private community that is appealing, Isles of Collier Preserve, a large development at Rattlesnake Hammock Road and U.S. 41, the southeast corner that backs up to the mangroves. They had three different BFEs in that community. They went from 6 to 7 to 8, and now they're going from 8 to 9 to 10, so they're fighting. The developers are saying, "This is going to cost us more money to elevate." It could potentially involve different methods of construction, whether you're going to bring in more fill or require homes to be built on stem-wall foundation. It's going to require some juggling to see what they do and we'll see if they're successful.

Vice Chairman Lang said that to put this in a strategic perspective, we have to have map meetings with the public. Then we go into generally what's called a protest period that includes submitting appeals and then, hopefully, we can get a finalized map in a certain period, in a reasonable amount of time, which hasn't been the case in several years. We had our map meeting for the risk-map product that Chris is referring to, Item No. 5, in March of 2020, I believe right before COVID.

Mr. Mason said the map was produced on December 31, 2019.

Vice Chairman Lang said I'm not making assumptions, I'm sure COVID had some impact on the map reviews, as well, but we're just talking about the coastal product. Don't forget that we still have a riverine physical map revision in place, too, so we may have a finalized coastal product, then turn around and have a map meeting again for the riverine product, then go through the protest period, then have appeals, and then have a finalized riverine product. There's a potential for that. I think that we, collectively, on our wish list wanted the coastal and riverine to be combined at FEMA level, so we can have one finalized map, but it doesn't seem to be the case.

Mr. Mason said probably what you'll see is that we have these two models, the coastal model and the riverine model. The riverine is really not riverine, but that's what we call it because we don't really have any true river system in Collier County to make a profile off of. When we talk about riverine, that's going to be the interior of the County going to the Estates and outward to Immokalee, in areas like that. We're in the final process of that. I'd probably estimate it will be 2024 for adoption of that and then they're going to take both products and merge them together. We don't truly have a channelized river, or something that you can actually build a true that shows a different elevation change that you can draw a true profile off of. That's why it's very interesting that Collier County's map is completely different from the 22,000 communities that participate in the NFIP. I'd probably say 20,000 communities actually have maps that are all based on riverine profiles. Collier County's is not based on a riverine profile. We're based on what's called a water-surface grid and we're the only community in the country that does that.

That's why surveyors call up and say, "Well, look, my house that I'm building is two miles away from this Base-Flood Elevation contour. Why are you making me adhere to that Base-Flood Elevation contour? Can I just interpolate?" It doesn't work that way because you have the mathematics behind the map in this grid layer and on a regular flood profile, you can draw a linear line where you can interpolate between different elevations. We have this grid layer that you don't have a linear profile to allow interpolation. You would have this grid layer in, if you have a 10-foot contour here, you'll see these grids in here that say 9.7, 9.8, 9.6, 9.7. It's all random, but it's all pushing to show water at the

Base-Flood Elevation or higher. It's not linear. It's up and down and up and down and up and down. So, if you draw a line, you can't interpolate on it.

Vice Chairman Lang asked: So you're saying that in the CFM program or the certification program through ASFPM, they're not going to use Collier County for BFE interpolation test, correct?

Mr. Mason said they are not going to use Collier County if we're the only community that has a map that looks like this out of 20,000 plus. Others have some riverine profile to draw and to build a profile off of.

Mr. Vasey said there's a simpler answer. If you look at how long it took for the water mass to recede about 3,800 years ago, you can find that we have ledges throughout the County, and they're basically not like contour lines. They're where the water just kept lapping away until it finally receded. But we also are known as a Special Flood Hazard Area, which is a designation that Lee County and the counties around us don't have, specifically because of the way we do the mapping here.

Mr. Mason said that out of 2000 square miles of terrestrial land, when you remove the water boundaries out of here, 1,958 square miles is in the high-risk Special Flood Hazard Area, over 97%. There's no community nationwide that faces that. That's why we have such an active Floodplain Management Program.

Chairman Johnson said it's good to get that information every quarter.

6. Floodplain Management Plan Update Status

Mr. Mason said our Floodplain Management Plan dates back to 2015. We were required to update it in 2020, per CRS rules, FEMA regulations. I've already spoken with ISO and ironed this out with them, the CRS representatives. It makes no sense for us to update our plan at this time, until we have a new flood map product. I've had many discussions with one of my colleagues, Howard Critchfield, and it would not make sense to go back and use our data from 2012 and repeat the same Floodplain Management Plan with updates.

I've petitioned ISO about this and explained that to them, and I think really what happens is once we get this coastal map finalized and adopted, provided the BCC decides to adopt it, we will then work with that data to update this Floodplain Management Plan. Obviously, there are many active players that come into a Floodplain Management Plan. We are going to hire a consultant to do the vulnerability analysis, like we did in 2014 based off of the Coastal Study. We can still use our Inland Study from 2012 because we don't think there's going to be a lot of radical changes there. Obviously, there are going to be changes in this Coastal Study, so it's a matter of getting this data to move forward with that Floodplain Management Plan update.

As soon as we get an adopted map, I'm going to reach out to the same company that was here in 2014, Amec Foster Wheeler, now called Wooden Group. I'll reach out to David Stroud and, hopefully, we can get the ball rolling on this in 2023 to get this Floodplain Management Plan updated and move forward with this. But it's just crucial that we have updated data and the longer this process for this Coastal Preliminary Map takes, the longer we're going to wait. I've been assured by ISO that our Floodplain Management Plan is still valid, even though it wasn't updated two years ago.

But there's obviously a reason. It doesn't make sense to spend money to have a reproduction on the same data that has existed since 2014. Once we enter that phase through this committee is when we would probably have some special meetings and have the participants, our partnering communities and participants of this board, and anybody else attend these special meetings to start crafting this plan.

Mr. Vasey asked if they'd ever had a summary presented to the BCC.

Mr. Mason said not in his time, maybe prior to 2015. It had to be accepted by the Board of County Commissioners back in 2015, when it was adopted.

Vice Chairman Lang said most or some of us can remember the management update process. At the time that David Stroud came in, we did a kickoff meeting, a number of follow-up meetings and then we did a workshop at Risk Management on the main campus. I don't know if anyone from this group presented a summary to the BCC, but I know it went to the BCC for approval.

Mr. Vasey said that since we don't have resilience team or office, this is basically a resilience effort in which you're looking at a climate-change issue and a sea-level rise issue. This is kind of a major thing where the Federal government is unable to line its processes up with these various dates when reports are supposed to be submitted. Isn't there a process to officially apply for a variance, or just have an agreement with ISO that you don't have to submit it?

Mr. Mason said it's required. We're required as our commitment to the CRS program. We had to as a participant, and as a Class 5 community, we have to draw up a Floodplain Management Plan. It's also required based on our number of repetitive-loss properties.

Chairman Johnson asked how long the floodplain management plan is good for. Is there an expiration on this? Is this something that we need to update every now and then?

Mr. Mason said that per CRS standards, it's supposed to be updated every five years. But with how lengthy the mapping process is, it just doesn't make sense to go in and recreate the same data that we already have because we don't have an updated map.

Chairman Johnson asked if an update would put us in jeopardy.

Mr. Mason said that's why he's ironed it out with ISO by explaining this to them.

Mr. Vasey asked what are we currently using?

Mr. Mason said 2018. If you're talking about the new map, it's 2015.

Mr. Vasey said that's eight years ago. Just basic erosion takes care of the land.

7. Mitigation Actions Update

Mr. Mason reported that:

Action 1.1. Prepare a schedule, an FMP, the Floodplain Management Plan progress report, each year to recommend FMPC activity to the Board of County Commissioners: The executive

summary and proposed mitigation actions were submitted to the BCC and they were accepted on February 22, 2022.

Activity 1.2. Review the Land Development Code and Flood-Damage Prevention Ordinance: It's no longer called the Flood-Damage Prevention Ordinance. It's called the Floodplain Management Ordinance and it was accepted and adopted by the BCC on March 8, 2022.

Activity 4.1: Coordinate with local real estate boards to hold all educational meetings about flood insurance: I recently did some outreach with the Coconut River Estates Civic Association one evening. We discussed FEMA's Risk Rating 2.0, in particular, the Preliminary Coastal Map Revision, the Elevation Certificate basics and CRS. What's interesting to note is that with that location behind us here, they currently have a Base Flood Elevation of 7 and 8. It's going up to 9 and they weren't really happy when I told them that. It's because those homes are dated from 1985 and prior and they're all below Base Flood Elevation, currently at 7. The Base Flood Elevation is projected to go to 9 in there, 2 feet due to the new map.

Mr. Bills asked if that means it will basically increase their insurance rate.

Mr. Mason said that was right. You have a kind of double impact there because you have their finished floor being well below Base-Flood Elevation and you have a Risk Rating 2.0, which is a new insurance product that FEMA has rolled out. It's not going to look so much at finished-floor elevation. It will, but it's going to be a more environmentally-driven rating process, how close you are to water, how susceptible to storm surge, things of that nature.

Activity 4.2 Preliminary Coastal Map Revision: We expect it's going to be late 2022, but I think it will be early 2023.

Activity 4.3 Flood Materials at Local Libraries: We check each December. We go out and make sure those materials are still in their location and we make sure that their card catalog online still reflects that information.

Ms. DeFedericis offered to check the Marco Island library. She said she checks it every once in a while.

Mr. Mason said that as far as outreach, our Floodplain Management Group, and the City of Naples also will be participating in some outreach at the end of this month, with Gulfshore Insurance for Realtors. We're going to cover everything from Letters of Map Revision, to 50% Rule and there will be some things involving Risk Rating 2.0 that the insurance representatives will be addressing.

8. Other Items/Committee Correspondence

Chairman Johnson thanked everyone for their comments and reminded Committee members that if they have any questions or comments to please send them to the staff liaison, not all Committee members, due to the Sunshine Law. The next committee meeting is Aug. 2.

Ms. DeFedericis said she just learned what the CRS discount will be through the new Risk Rating 2.0. Because we're Class 6 right now, if we do go back to a Class 5, Class 5 is only going to be recognized on the full-risk rating policies. The legacy policies will not see that Class 5 until they go to full-risk rate.

But if we go back to Class 7, everybody will see that, regardless. So, a lot of our policies – because we do have 6,000 policies on the island – they’re all just going to remain a Class 6 until they get to their full risk rating, which most of our policies are, \$1,500, and to get up to that \$6,500 is going to take them a few years. I’m not even sure that when we go back to a Class 5 that they’re even going to see that discount at 25%. So, that’s the Federal government.

Mr. Mason said that when you have communities such as Collier, Marco and the City of Naples that score very well on insurance, they want to quash that. You’re talking about a program that’s \$30 billion in the red and they’re giving these discounts. They’re just not interested. Put it this way, they’re going to make you work for it.

Ms. DeFedericis said it’s disappointing that the legacy policies that have been around forever aren’t going to see that discount.

Ms. Orlich said that hurricane season is coming and people will be attuned to risk during that time. That might be a good opportunity for you to toot your own horn and let the community know through some kind of news service how much money you’re saving the community as a positive government doing a proactive, good thing. We always hear negative news, but it sounds like you’re doing a really good job of saving taxpayers lots of money. Taxpayers don’t know that unless we communicate that outside our own little circle here.

Ms. DeFedericis said that annual newsletters are sent out by the City of Marco Island in utility bills. That’s how we get a lot of information out, and by keeping it at the library and keeping that updated. We also do presentations to the Realtors. They are our No. 1 person to get that out to, but having people make friends with their floodplain managers is sometimes not easy because word FEMA is carried after the floodplain word in construction purposes. They don’t like the requirements, but we do a lot of outreach.

Vice Chairman Lang said that hesitancy specifically is with risk Rating 2.0. I think if any of us get in front of a camera, we’re going to inadvertently be asked about Risk Rating 2.0, and it is really hard to comprehend right now.

Mr. Mason said Risk Rating 2.0 is an insurance product. We’re here more on a regulation standpoint. We know just enough about insurance to probably be a little bit dangerous, but it’s really an insurance agent’s job.

Vice Chairman Lang said as Kelly stated, they’re synonymous. Most of the time during a disaster we’re unfortunately referred to as FEMA, either in the field or here in the Building Department.

Mr. Bills said your good work was reflected recently in The Wall Street Journal, which looked at 300 top geographic areas across the country. The Naples-Marco Island-Immokalee metropolitan area was rated No. 5 on a list of places to live, in terms of affordability.

Ms. Carrera said that in response to that, she just did a presentation about a year ago on the CRS program because it was coming into question. We had a lot of questions regarding the Beach Club and the open space that we were using, so I did a PowerPoint presentation that discussed the discounts and how the community receives them and the policies that are in effect. I try to do that every couple of years. Plus, people then understand that it’s not really a one-person show. Putting it all together, there

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are many other departments involved. We have Emergency Management, Streets and Stormwater and the Planning Department because you have to have comprehensive information.

Mr. Mason said it's the community ratings system because we rely on other departments for information. We're the liaisons to these other folks and we don't always understand exactly what's in a planning document for one purpose or another. We have to interpret that and put it forward. But to Christa's point, it is the community rating system and sometimes people get tired of us leaning on them for information, so I ask, "Hey, do you still want your 25% discount on your flood insurance? Help me out here."

Ms. Carrera said it's a good program to put out. As a recommendation to the other communities, maybe we should do a joint presentation with all the communities to our representatives at one of their board meetings, whether it's BCC, Marco or Naples, just a 20- or 30-minute presentation, and let them ask questions. It's such a huge program, yet there are only three faces behind it that they see, and a lot of times the public just doesn't understand where all this is coming from. I have a lot of people coming to me to ask about the beach or, especially, open space. That's a big topic right now for Naples.

Mr. Vasey moved to adjourn the meeting. Second by Ms. Orlich. Carried unanimously 8-0.

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 10:12 a.m.

**COLLIER COUNTY FLOODPLAIN MANAGEMENT
COMMITTEE**



Chairman, Eric Johnson

**Vice Chairperson, William
Lang**

These minutes were approved by the Board/Chairman on 08/02/22, as presented , or as amended _____.