Non-FEMA Flood Risk Initiative Frequently Asked Questions

1. What are Non-FEMA Flood Risk Areas?

Non-FEMA Flood Risk Areas are city identified and mapped flood risks outside the FEMA floodplain. The City has categorized Non-FEMA Flood Risk Areas into two categories- City Flood Risk Areas (CFRAs) and Potential High Water Areas (PHWAs). The City uses non-FEMA flood risk information to regulate development and advise the community of flood risks outside of FEMA floodplains. Understanding non-FEMA flood risk information is important because while FEMA maps flood risks along major streams and creeks, most reported flooding in Fort Worth actually occurs outside of the FEMA floodplain, in Non-FEMA Flood Risk Areas.

2. What is a City Flood Risk Area (CFRA)?

CFRA's are Non-FEMA Flood Risk Areas that have been studied in detail based on suspected or reported flooding as part of the City's capital improvement prioritization efforts. The areas were evaluated to understand the existing flood risk and determine if potential capital improvements were feasible to reduce the flood risk identified in each area. The flood risk mapping documented within each study report is the source for these City-defined flood prone areas. Any type of land disturbance from development and redevelopment in CFRAs that could impact drainage and flooding are regulated by the City.

3. What is a Potential High Water Area (PHWA)?

PHWA's are Non-FEMA Flood Risk Areas that follow natural drainage patterns to show where stormwater collects and moves downhill towards rivers and streams. PHWA's are only shown where the accumulated stormwater runoff is at least 6" deep. Because the PHWA's are citywide planning level mapping, they are advisory areas useful in showing natural drainage patterns and areas where flooding is likely based on topography and past reported flood incidents. The City uses PHWA mapping to identify areas of potential flood risk to inform maintenance, planning for potential infrastructure improvements, and inform residents and developers about flood risk.

4. Doesn't FEMA Define Floodplains in the City?

FEMA does prepare flood risk maps that communicate flood risk and are required for permitting purposes in the City's participation in the National Flood Insurance Program (NFIP). However, FEMA maps typically only show risk in areas greater than 1.0 square mile, or along larger natural streams and rivers. FEMA floodplain maps in Fort Worth rarely show flood risks where areas have been urbanized for many years and where creeks or channels have been converted into underground storm drain systems.

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Non-FEMA Flood Risk Initiative FAQs

5. Where can I find out if my property is located within a CFRA or PHWA?

The City is in the process of adding CFRA and PHWA mapping information in several locations on the city's website:

Flood Risk Viewer

OneAddress

CFRA mapping will be added by Fall 2022 and PHWA mapping by the end of 2022. Property owners or developers should use this information as a starting point to determine flood risks. The City will use future evaluations prepared for Stormwater Management Program planning purposes or in support of individual development projects will be used to update the City Flood Risk Area and Potential High Water Area extents.

6. What are your plans to educate the public about this new information and regulatory changes?

The City has been coordinating with stakeholders and members of the public about improvements to communicating and regulating non-FEMA flood risks since 2018. Public meetings were held in December 2018 to receive public feedback early in the process. Since that time, the City has considered the public feedback received and continued to work with community members to determine how to best communicate and regulate non-FEMA flood risks. Community engagement included coordination with several different stakeholder groups including the Real Estate Guidance Group and stakeholders associated with the American Council of Engineering Companies, Floodplain Management Plan, Stormwater Master Plan, and Stormwater Management Program. Stakeholder group membership consisted of residents, homeowners, developer's engineers, lenders, appraisers, title lawyers, insurance agents, surveyors, developers, builders and included members from the Real Estate Council of Greater Fort Worth, the Greater Fort Worth Association of Realtors, the Fort Worth Builders Association, the City's Development Advisory Committee, and the Tarrant Appraisal District.

Public meetings are planned for November 2022 to share and discuss the non-FEMA flood risk mapping and upcoming updates to regulations for these areas.

7. What is the purpose of regulating within the CFRA?

The purpose of regulating within CFRAs is to ensure new structures are built safe from flood risk and that new/redevelopment does not aggravate the flood risk of existing homes and businesses. The City frequently gets calls about small lot development (less than 1 acre) having an impact on the flood risk of existing homes and businesses. Currently, the City only reviews development and redevelopment with land disturbance greater than 1 acre due resource constraints and due to the greater flood risk impacts that larger sized developments could have. Due to the number of flooding complaints in the highly developed central city and since CFRAs have been evaluated in detail, similar to the level of detail that FEMA floodplains are evaluated, regulating within CFRAs will ensure that any amount of land disturbance in these areas considers the existing flood risk.

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Non-FEMA Flood Risk Initiative FAQs

8. How will CFRAs be regulated?

Proposed development and redevelopment inside a CFRA with a land disturbance of less than one acre will be regulated by requiring a CFRA Certificate of Compliance. All land disturbance greater than one acre is already required to meet City drainage regulations.

9. What is a Certificate of Compliance?

A Certificate of Compliance is a document prepared by a licensed engineer that certifies that a proposed project located within or affecting a CFRA meets all of the applicable requirements outlined in the Floodplain Provisions Ordinance, Stormwater Design Manual Criteria and Texas Water Code Section 11.086. The Certificate of Compliance form is available through the Development Services Division upon application for a building permit, and is required for projects or land disturbance of less than one acre in size in CFRAs. Filling out the certificate certifies that a proposed new structure is safe from flood risk and that the proposed project has considered its impact on the flood risk of adjacent properties. A flood study and/or drainage study will not be required to be submitted to the City for review. Projects that are 1.0 acre or larger are already required to meet all of these requirements.

10. What developments will be impacted by the new regulatory review requirements?

Small developments less than 1 acre in size located within City Flood Risk Areas will have to certify their development/redevelopment will be safe from flooding and not aggravate the flood risk to existing homes and businesses. This new regulatory requirement would have impacted 20 residential permits and 12 commercial permits out of 19,262 permits between May 2021 and May 2022.

11. Will Property Owners Be Required to Purchase Flood Insurance in a Non-FEMA Flood Risk Areas?

There is no federal regulatory requirement for a property owner to purchase flood insurance for property with non-FEMA flood risk (CFRAs or PHWAs) identified on the property. However, a lender could require a property owner to purchase flood insurance at any time as a way to better protect the lender's investment. CFRA's and PHWAs are City-defined flood prone areas according to City-funded stormwater planning and engineering studies. As such, they are not included on the FEMA Flood Insurance Rate Maps which are used to determine federal flood insurance requirements.

12. Will the CFRA or PHWA mapping be sent to FEMA to become FEMA floodplain?

No. The city does not intend to submit CFRA or PHWA mapping to FEMA so that there is more flexibility in how they are used for regulatory and advisory purposes and allow for quicker updates as the areas change due to development and mitigation projects. FEMA uses their own flood risk estimation process that is unique to the National Flood Insurance Program (NFIP).

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Non-FEMA Flood Risk Initiative FAQs

13. How will Non-FEMA Flood Risk Information help homeowners?

Many residents living in Non-FEMA Flood Risk Areas reach out to the City surprised about flooding or almost flooding and don't realize that the City has this type of flood risk information available. The main purpose of the Non-FEMA Flood Risk Initiative is to more effectively communicate and regulate non-FEMA flood risks to better protect existing and future residents since many residents are only familiar with FEMA floodplains. This information will help homeowners be prepared in advance of potential flooding happening. Providing non-FEMA flood risk mapping, very similar to how FEMA provides floodplain mapping, will help homeowners better understand their potential flood risk so they can consider this information in their decision making and better protect their investments. Non-FEMA flood risk information can help homeowners understand if they may want to consider purchasing flood insurance and ensure they consider the flood risk when constructing property improvements such as garages, home additions and expansions so these can be constructed safe from flooding. The last thing the City wants to do is have residents uninformed and unprepared to deal with flood risks.

14. How will the new regulations impact development/redevelopment in CFRAs?

New regulations will require that development and redevelopment inside a CFRA with a land disturbance of less than one acre provide a CFRA Certificate of Compliance prepared by a licensed engineer to certify that a proposed project located within or affecting a CFRA meets all of the applicable requirements outlined in the Floodplain Provisions Ordinance, Stormwater Design Manual Criteria and Texas Water Code Section 11.086. A flood study and/or drainage study will not be required to be submitted to the City for review. The purpose of the regulations is to ensure development and redevelopment take existing flood risks into account so new development is constructed safe from flood risk and doesn't aggravate flood risk of existing homes and businesses. Safe and sustainable development will help reduce the risk for costly damages that are more likely to happen if the existing flood risk is not taken into account.

15. What information is available to help developers building in and property owners living in CFRAs?

Information available to property owners or developers in CFRA's include implementation guidance, project examples, engineering studies, flood models, mapping, and stormwater staff members able to meet for 1 on 1 assistance. Specific request for information and questions can be sent to Stormwater Development Services at SDS@FortWorthTexas.gov.

16. How will non-FEMA flood risk mapping and regulations impact property values?

There are a wide variety of factors that influence property values such as location, school district, crime statistics, home size/finishes/condition, and the marketplace. Because of this, it is difficult to isolate the actual impact of flood risk mapping on property values and the impact to each property will likely be different. In general, the research done on this topic indicates that the history of actual flooding events has a much bigger potential impact on property values than flood risk mapping. We certainly can't rule out some downward impact on property values in the short term due to the communication of flood risk areas but whatever impact there is will probably vary from area to area, even within the City based on a wide variety of factors such as those described above. *(continued on page 5)*

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Non-FEMA Flood Risk Initiative FAQs

16. How will non-FEMA flood risk mapping and regulations impact property values? ***(continued)***

If there is any immediate impact in an area or on specific properties, research suggests that it will probably fade out over time unless there are repeated well-known flood events. Communicating the risk information will help ensure that future property acquisition and improvement decisions are fully informed leading to a safer, sustainable community that is more resilient to flood risks. The City feels that there are more benefits than potential negative impacts to readily sharing non-FEMA flood risk information with the community.

17. Why were there initial areas investigated and identified as CFRAs?

The initial study areas were identified based on suspected or reported flooding as part of the City's capital improvement prioritization efforts. The areas were evaluated to understand the existing flood risk and determine if potential capital improvements were feasible to reduce the flood risk identified in each area.

18. Are there other areas across the City that will be evaluated in more detail and mapped as CFRAs?

Currently only about 3% of the City has been studied with sufficient detail to be mapped as CFRA's. At this time, no additional drainage basins are planned to be evaluated. However, we anticipate that over time, more areas will be evaluated and the non-FEMA flood risk mapped as CFRAs based on citywide needs, priorities, and resources.

19. What is the city's future plan for flood mitigation in CFRAs?

Potential flood mitigation options were identified and evaluated as part of each basin study used to create the CFRA's. Mitigation options were prioritized and some have been implemented considering priority and resources. Many of the mitigation options identified are beyond the scale of the Stormwater Program. A prioritized list of potential mitigation options is maintained by the Stormwater Program and options are considered for implementation based on citywide needs, priorities, and resources. Potential improvement options and funding are prioritized focused on risk with our Program's highest priority being life safety improvements.

Mitigation hazardous road overtopping and rehabilitation of aging storm drain pipes that can collapse and create dangerous sinkholes and increase flooding can have the largest impact on life safety. Other high priority improvements, which typically have lower life safety risks, consist of mitigating flooding to homes & businesses and restoring channels that are significantly eroded and impacting property and infrastructure such as roads, utilities, and structures.

20. Can we incentivize development around these areas to capture and detain more water?

The City cannot require developers to mitigate existing flood risk, only mitigate increased flood risk associated with their development/redevelopment based on existing city regulations. Regional mitigation solutions such as detention facilities large enough to effectively reduce flood risks require significant amounts of land to store runoff water until well after a storm ends. The Stormwater Management Division does partner with developers where appropriate, and when benefits extend to multiple properties.

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