



FEMA

February 15, 2023

Cecil Pendergrass
Chairperson, Board of Lee County
2120 Main Street
Fort Myers, FL 33901

Dear Cecil Pendergrass,

As we move further into the process of recovery from the impacts of Hurricane Ian, we know that the demand for building permits is increasing. We feel it is important that we remind you that your community adopts and enforces floodplain management regulations to protect people and property and to participate in the National Flood Insurance Program (NFIP). Administering those regulations is a very important responsibility during disaster recovery.

Damaged buildings in Special Flood Hazard Area (SFHA) that have incurred *substantial damage* are required to be brought into compliance with the requirements of the local floodplain management regulations and treated as new construction. Your floodplain management regulations and Florida Building Codes define *substantial damage* and include the specific requirements for new construction. Failure to enforce these regulations may result in sanctions against the community, including retrograde of Community Rating System (CRS) class, probation, or suspension from the NFIP.

Through Section 1206 of the Disaster Recovery and Reform Act (DRRA) of 2018, the Federal Emergency Management Agency (FEMA) can now provide financial reimbursement, by way of Public Assistance (PA), to help offset the additional costs of carrying out these responsibilities post-disaster. Eligibility for this financial assistance for floodplain management administration, building code administration, and *substantial damage* determination work is available for expenses (overtime, additional hires, contractors, equipment) incurred up to 180 days after the date of a major disaster declaration, which is fast approaching.

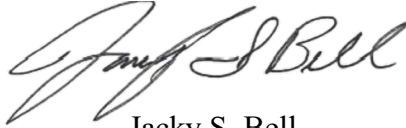
During the rebuilding process, FEMA must ensure that communities implement compliant floodplain management programs to ensure communities are rebuilt in a resilient manner. Someone from FEMA will soon be in touch with you to schedule a meeting.

The purpose of the meeting is to gather information about damaged buildings in your community, *substantial damage* determinations made to date, *substantial damage* letters sent, and repair permits issued.

This will include a review of your process for managing post-disaster permitting, including identifying and managing substantially damaged structures. During this meeting we will look for gaps or shortfalls in your program and determine the appropriate level of support you may need, offer some tools, best practices you may find useful, and schedule periodic meetings to monitor progress.

If you have questions, please contact Jamie Mascellino at james.mascellino@fema.dhs.gov or 407-716-9528.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacky S. Bell". The signature is fluid and cursive, with the first name "Jacky" being more prominent and stylized than the last name "S. Bell".

Jacky S. Bell
Director
Mitigation Division

Cc:

Conn Cole, Florida NFIP State Coordinator
Shawn McNulty, Building Official