



**FEMA**

June 7, 2023

Roger Desjarlais  
County Manager, Lee County  
P.O. Box 398  
Fort Myers, FL 33901

Reference: Floodplain Management Post-Disaster Visit

Dear Roger Desjarlais:

This is to provide you with our findings from the review visit that the Federal Emergency Management Agency (FEMA) conducted on March 7, 2023. Thank you for the courtesy extended to Ms. Jacqueline Henry and Mr. Jamie Mascellino of the FEMA DR-4673 staff. We are very appreciative of the time the County spent with them.

Lee County participates in the National Flood Insurance Program (NFIP) and is currently a Class 5 in the Community Rating System (CRS). This rating reflects the County's dedication to higher standards and provides many NFIP policy holders in the County 25 percent premium discounts.

The purpose of this visit was to understand the effectiveness of Lee County's post-disaster floodplain management activities, including its substantial damage process and to gauge its progress.

During the visit, Lee County's substantial damage and floodplain development permit processes were reviewed and discussed. County staff indicated that inspections and substantial damage determinations were not being conducted proactively, rather only when requested by the building owner at the time a permit is requested.

When communities wait for homeowners to apply for permits, they risk losing the opportunity to bring structures into compliance as not all owners apply for the proper permits. For those that do obtain the proper permits, not having substantial damage determinations done in advance can slow down their recovery as they have begun planning their repairs without knowing they may have to address substantial damage requirements, including elevation of the first finished floor to or above the regulatory flood elevation.

To demonstrate adequate community floodplain management program implementation and enforcement, FEMA is requesting Lee County provide the following items, on or before July 7, 2023:

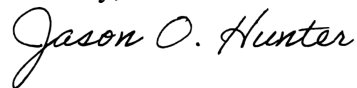
1. A list of the community-identified substantial damage or potential substantial damaged structures;
2. List of the demolition permits (to include the address) issued since 10/1/2022;
3. Copies of permits issued since 10/1/2022 for repairs in the Special Flood Hazard Area (SFHA);
4. Elevation Certificates for any completed work in the SFHA, since 10/1/2022; and
5. Explanation of substantial damage operations conducted to date or plans for future compliance operations.

FEMA's analysis of Individual Assistance and NFIP claims data indicates as many as 6,240 residential structures in unincorporated Lee County may have been substantially damaged. We believe this data could support your community's substantial damage operations. If the County is interested in requesting this data through an Information Sharing Access Agreement (ISAA), please email [FEMA-DR-4673-data-sharing-requests@fema.dhs.gov](mailto:FEMA-DR-4673-data-sharing-requests@fema.dhs.gov), to begin the process. While this information may be useful, it does not capture all community damages and is not meant to be a substitute for a community's own inspection of its SFHA and substantial damage determinations.

The Disaster Recovery Reform Act (DRRA) of 2018, Section 1206 authorizes FEMA to provide communities approved for Public Assistance funding following a presidentially declared disaster with the resources needed to effectively administer and enforce building codes and floodplain management regulations (e.g., substantial damage assessments or determinations, permitting, etc.), increasing the speed of recovery and enhancing NFIP compliance. Local communities may receive assistance for these activities completed up to 180 days after the disaster declaration. For Hurricane Ian, this date is March 29, 2023.

We appreciate Lee County's commitment to administering the NFIP. Implementing a local floodplain management program--including enforcement of floodplain management regulations-- is a minimum expectation of participation in the NFIP and is also a requirement for participation in the CRS. We ask that the County submit all the requested documentation to [FEMA-R4-FMI@fema.dhs.gov](mailto:FEMA-R4-FMI@fema.dhs.gov), on or before July 7, 2023, to demonstrate that your community's floodplain management program meets minimum NFIP requirements and that your community may continue to be eligible for CRS participation. If your staff members have questions or require additional information, Mr. James Mascellino may be reached by telephone at (407) 716-9528 or by e-mail at [james.mascellino@fema.dhs.gov](mailto:james.mascellino@fema.dhs.gov).

Sincerely,



Jason O. Hunter, CFM, Chief  
Floodplain Management & Insurance Branch  
Mitigation Division

Cc: Conn Cole, Florida NFIP State Coordinator  
Shawn McNulty, Building Official, Lee County