

New Flood Hazard Maps Released for Boston

January 19, 2016



After several years of study and an appeal by the City of Boston, the Federal Emergency Management Agency (FEMA) has updated Flood Insurance Rate Maps (FIRMs) for Boston, Chelsea, Revere and Winthrop, which become effective March 16. The new FIRMs expand “special flood hazard areas” (SFHAs) and adjust “base flood elevations” (BFEs). The new FIRMs can be viewed [here](#) by choosing “Massachusetts,” “Suffolk County” and then “Pending Product” and “FIRM Panels.”

The location of a property within an expanded SFHA can have meaningful financial and practical consequences for the property owner. Lenders generally require flood insurance for improved property and insurance provisions in turn may require raising occupied spaces above a certain elevation. Newly constructed buildings within the SFHA may also need to comply with zoning and

building code requirements related to flood resistance and resilience, such as waterproofing and raising or protecting mechanical equipment. Construction within the newly expanded SFHA may require an Order of Conditions under the Massachusetts Wetlands Protection Act and may be required to comply with the Massachusetts Department of Environmental Protection Stormwater Policy.

For properties already within an SFHA before the new FIRMs were released, an adjustment to the BFE may also be consequential. Existing building code restrictions may limit certain uses below the BFE and/or may require floodproofing construction methods. In addition, proposed revisions to the Massachusetts building code currently under consideration would increase floodproofing requirements in an SFHA and impose additional restrictions on uses below the BFE.

Goulston & Storrs continues to follow developments related to these regulatory initiatives and climate change more generally. For questions about the information contained in this advisory, please contact your usual Goulston & Storrs attorney or the attorneys listed below.

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