

Comment Periods Begin for Boston's Newly Mapped Flood Hazard Areas

June 5, 2014

Matthew J. Kiefer and Christian G. Regnier

The Federal Emergency Management Agency ("FEMA") has released proposed Flood Insurance Rate Maps ("FIRMs") showing updated flood hazard areas for all of Boston, as well as nearby Chelsea, Revere, and Winthrop. **Interested parties have until August 27, 2014 to submit comments to FEMA on the FIRMs and the related FEMA-prepared Flood Insurance Study on which the FIRMs are based.**

Revised Flood Insurance Maps

The preliminary FIRMs expand the areas designated under FEMA's regulations as "special flood hazard areas" ("SFHA") in Boston and neighboring areas. The location of a property within a SFHA can have significant 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 a SFHA may also need to comply with additional zoning and building code requirements related to flood resistance and resilience, such as waterproofing and the raising or protecting of mechanical equipment. Certain construction activities on properties 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.

The City of Boston will host one or more public meetings during the comment period. Once the comment period closes, FEMA will review the comments and revise the new FIRMs as necessary. The new FIRMs are expected to be effective for insurance, zoning, and building code purposes as early as August 2015.

The revisions to the FIRMs, which are being led by the federal government, are in addition to the local initiatives being undertaken in Boston to address climate change resiliency, building energy disclosures, and a local wetlands ordinance (available [here](#)).

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.

[Matthew J. Kiefer](#)

Director

(617) 574-6597

mkiefer@goulstonstorrs.com

Christian G. Regnier

Associate

(617) 574-6591

cregnier@goulstonstorrs.com

This advisory should not be construed as legal advice or legal opinion on any specific facts or circumstances. This content is intended for general informational purposes only, and you are urged to consult your own lawyer concerning your situation and any specific legal questions you may have.

© 2014 Goulston & Storrs PC All Rights Reserved