



FEMA

June 20, 2018

IN REPLY REFER TO: APPEAL RES

The Honorable Marshall "Duffy" Duffield
Mayor, City of Newport Beach
100 Civic Center Drive
Newport Beach, California 92660

Case No.: 12-09-1324S
Community: City of Newport Beach, California
Community No.: 060227

Dear Mayor Duffield:

This is in response to letters dated August 30, 2017, and September 6, 2017, from Dave Kiff, City Manager, and Seimone Jurjis, Community Development Director & Floodplain Administrator, City of Newport Beach, appealing the proposed Base (1-percent-annual chance) Flood Elevations (BFEs) and Special Flood Hazard Area (SFHA) boundary for the Open Pacific Coast and Newport Bay, as presented on the Preliminary Flood Insurance Rate Map (FIRM) and in the Preliminary Flood Insurance Study (FIS) report for the City of Newport Beach, dated August 15, 2016. Please note that the city's request is considered an appeal because it satisfied the data requirements defined in Title 44, Chapter I, Part 67 of the Code of Federal Regulations (44 CFR Part 67), and was submitted during the 90-day appeal period for the aforementioned Preliminary FIRM and FIS report.

The following scientific and/or technical data were submitted in support of this request:

- Two-dimensional Hydrodynamic HEC-RAS 5.0 modeling of Newport Bay
- Surveyed seawall data for Newport Bay
- Structural integrity analysis of all seawalls in Newport Bay
- Revised BFEs and SFHA boundaries along wave runoff and overtopping transects based on the city's beach berm program
- Revised BFEs and SFHA boundaries along wave runoff and overtopping transects based on an additional analysis of average runoff slopes
- Revised SFHA extents based on an alternative analysis of wave overtopping using a two-dimensional hydraulic model

We received all data necessary to resolve this appeal by February 1, 2018, and a thorough review was conducted of all data received. Additionally, in-person meetings were held on June 15, 2017, and February 22, 2018, with the city and their contractor, Everest Consultants, to discuss the technical analyses and resolve the appeal. Our review of the submitted scientific and technical data found much of the data to be reasonable.

As a result, the Preliminary FIRM Panels 06059C0264K, 06059C0377K, 06059C0381K, 06059C0382K, and 06059C0384K have been revised to incorporate new SFHA boundaries and updated flood zone designations in Newport Bay. These panels have also been revised to incorporate updated BFEs and SFHA boundaries for the Open Pacific Coast in the City of Newport Beach. FIS Report 06059CV001C tables have also been revised to reflect changes to the coastal analyses and mapping as a result of the appeal.

We have resolved this appeal in accordance with the requirements of 44 CFR Part 67. We have determined that the proposed BFEs and SFHA boundary for the Open Pacific Coast and Newport Bay as shown on the Preliminary FIRM and in the Preliminary FIS report dated August 15, 2016, should be revised based on the submitted data. Please review the enclosed revised Preliminary FIRM panels and portions of the FIS report to verify that the updated flood hazard data for this appeal resolution has been satisfactorily incorporated, where appropriate. Please submit any comments regarding this appeal resolution within 30 days of the date of this letter to the following address:

Federal Emergency Management Agency (FEMA)
Mitigation Division
FEMA Region IX
1111 Broadway Street, Suite 1200
Oakland, California 94607
Attention: Edward Curtis, Senior Civil Engineer, FEMA Region IX

If you feel that the technical issues originally raised have not been adequately addressed by this resolution letter and that an acceptable resolution will not be feasible through the submittal of additional comments as outlined above, please note that FEMA makes Scientific Resolution Panels (SRPs) available to support the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. An SRP is an option after FEMA and a local community have been engaged in a collaborative consultation process without a mutually acceptable resolution.

Your community may contact Ed Curtis at (510) 627-7207 for additional information on the specific eligibility requirements for the SRP or refer to the enclosed SRP Fact Sheet. To request that an SRP review your scientific or technical data, your community must complete the enclosed SRP Request Form and submit it to the address above within 30 days of the date of this letter.

If we do not receive any comments or the completed SRP Request Form from your community during the 30-day review period associated with this resolution, we will finalize the FIRM and FIS report by issuing a Letter of Final Determination (LFD). The LFD will explain the adoption/compliance process and will state the date when the FIRM and FIS report will become effective.

We appreciate your community's comments and commitment to having the most accurate flood hazard information available reflected on the FIRM and in the FIS report. If you have any questions regarding this matter, please contact Mr. Curtis of my office by telephone at (510) 627-7207 or by e-mail at edward.curtis@fema.dhs.gov.

Sincerely,



Juliette Hayes
Director
Mitigation Division
FEMA Region IX

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Enclosures:

FIRM Panels 06059C0264K, 06059C0377K, 06059C0381K, 06059C0382K, and 06059C0384K

FIS Report 06059CV001C

SRP Fact Sheet

SRP Request Form

cc: Dave Kiff, City Manager
Seimone Jurjis, Community Development Director & Floodplain Administrator
Samir Ghosn, Deputy Community Development Director
James Eto, State NFIP Coordinator, California Department of Water Resources
Sandra Genis, City of Costa Mesa Mayor
Jay Trevino, City of Costa Mesa Floodplain Administrator
Michael Vo, City of Fountain Valley Mayor
Sheila Larson, City of Fountain Valley Floodplain Administrator
Mike Posey, City of Huntington Beach Mayor
Jason Kelley, City of Huntington Beach Floodplain Administrator
Frank Kim, County Executive Officer, Orange County
Penny Lew, Orange County Floodplain Administrator

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bcc: Juliette Hayes, Chief, Risk Analysis Branch, FEMA Region IX
Edward Curtis, Engineer, FEMA Region IX
Karin Ohman, Coastal Scientist, Michael Baker International
Case File
FEDD File