U.S. Department of Homeland Security
Region I
99 High Street, 6th Floor
Boston, Massachusetts, 02110-2320

FEMA

March 5, 2015
Community: Town of Rye
Rockingham County, New Hampshire
Community No.: 330141

Craig Musselman
Chairperson, Board of Selectmen
Town of Rye
Town Hall
10 Central Road
Rye, New Hampshire 03870-2522

Dear Mr. Musselman:

This letter is in response to the letter dated November 28, 2014, received by FEMA on December 1, 2014, appealing the proposed Base (1-percent-annual-chance) Flood Elevations (BFEs) and Special Flood Hazard Area (SFHA) boundary for coastal flooding in the Town of Rye, as presented on the Preliminary Flood Insurance Rate Map (FIRM) numbered 33015CO432F, for TR-39 (TR-42 in AECOMs models), and in the Flood Insurance Study (FIS) report Rockingham County in the vicinity of 2220 Ocean Boulevard, Rye NH, dated April 9, 2014. Please note that your 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.

Your community submitted scientific and/or technical data in support of the appeal of a coastal area related to BFE and SFHA boundaries. In order to resolves this appeal; we need additional data as described below:

1. *Assumption of no structural failure is not in accordance with FEMA's Guidelines and Standards.* Section D.2.10 of FEMA's *Atlantic Ocean and Gulf of Mexico Coastal Guidelines Update* (2007) contains guidance as to treatment of coastal structures in the flood insurance study. FEMA does not limit the evaluation of structural failure based on a condition of waves being 3 feet. Section D.2.10.1 provides detailed engineering guidance for structures to be considered as surviving the 1-percent-annual-chance event. Section D.2.10.2 provides guidance to consider erosion and wave analysis for both intact and failed structure cases, and then mapping the more hazardous case. Section D.2.10.3.1details either coastal structure be removed completely from the transect, or estimate the partial collapse of the structure where appropriate. The approaches to partial failure of the coastal structure defined in section D.2.10.3.2 are only recommended simple geometric approaches. A different failure method can be considered if support material is provided. **Please submit revised engineering analysis and mapping at transect TR-39 (TR-42 in AECOMs models).**

2. *WHAFIS modeling was found to be incorrect as to the input obstruction card utilized.* The OF card for an open coast beach is more appropriate than the IF card, because the transect in question is very short and exposed to open water. In addition, the card at the end of the transect was not set up appropriately. **Please provide correction or justification to the input obstruction card utilized.**

3. *Revision to floodplain mapping is not inclusive of LiMWA.*
   The revised mapping submitted for the Town of Rye does not contain revisions to the location of the LiMWA. FEMA has developed a guidance document, Operating Guidance (OG-13-13) with respect to LiMWA that should be considered to develop the LiMWA line. **Please provide S_LiMWA.shp as part of the submitted mapping.**

Please submit the additional data as described above within **30 days** of the date of this letter to the following:

Fay Rubin, Project Manager
Earth Systems Research Center
Eight College Road
University of New Hampshire
Durham, New Hampshire 03824

and/or

John Grace, CFM
FEMA Region I
99 High Street, Sixth Floor
Boston, Massachusetts 02110

If we do not receive the additional data as requested from your community within 30 days of the date of this letter, we will issue a Resolution Letter based on the previously submitted data. The Resolution Letter will detail FEMA's findings as the validity of the Appeal. Through the Resolution Letter, FEMA makes Scientific Resolution Panels (SRPs) available to support the appeal resolution process. SRPs are independent panels of experts in coastal hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. As SRP is an option for FEMA and a local community have engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of the appeal. Further details and information on this process will follow in the Resolution Letter. Until this appeal is resolved, FEMA will not issue a Letter of Final Determination. Therefore, processing of the FIRM and FIS reports for your county will be delayed until this appeal is resolved.

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 John Grace of my office by telephone at (617)-832-4175 or by email at John.Grace@fema.dhs.gov.

Sincerely,

Richard Verville, Chief
Hazard Mitigation Assistance Branch
FEMA Region 1

cc: Peter Rowell, Building Inspector, Town of Rye
Michael Magnant, Town Administrator, Town of Rye
Kim Reed, Planning and Zoning Administrator, Town of Rye
Mike Labrie, Chairperson, Rye Beach commission, Town of Rye
Jennifer Gilbert, CFM, State NFIP Coordinator, New Hampshire Office of Energy and Planning
Fay Rubin, Project Manager, Earth Systems Research Center, University of New Hampshire
Mitchell Buck, P.E., Coastal Engineer, Woods Hold Group
Edward O'Meara