



FEMA

April 28, 2022

Thomas R. Bremer
Chief Administrative Officer
Town of Fairfield
725 Old Post Road
Fairfield, CT 06824

Mr. Bremer:

The purpose of this letter is to identify our expectations for the upcoming meeting between the Federal Emergency Management Agency (“FEMA”) Region 1 and the Town of Fairfield concerning the Town’s violation of the minimum floodplain management regulations at 44 C.F.R. pt. 60. The Town, as detailed in a 2018 letter from the former Floodplain Management and Insurance Branch Chief, violated the regulation at 44 C.F.R. § 60.3 by placing horizontal grade beams above the natural grade and below the base flood elevation when restoring the Penfield Pavilion from damage caused by Hurricane Sandy. Over the past several years, FEMA Region 1 has been providing technical assistance to help bring the Town into compliance with the requirements of 44 C.F.R. § 60.3. The Town, unfortunately, has yet to make progress towards bringing the Penfield Pavilion into compliance with 44 C.F.R. § 60.3 or correct the deficiency and remedy the violation to the maximum extent possible.

A community, to qualify for the sale of flood insurance under the National Flood Insurance Program (“NFIP”), must adopt and adequately enforce floodplain management regulations that meet the requirements of 44 C.F.R. § 60.3. When FEMA identifies a failure of a community to enforce these minimum requirements, it communicates this violation to the community, provides technical assistance, and expects the community to pursue actions to fully resolve the deficiency or correct the deficiency and remedy the violation to the maximum extent possible. The failure to take such corrective actions may result in formal enforcement actions of probation, suspension, and/or Community Rating System (“CRS”) retrogrades.

FEMA Region 1 and the Town are scheduled to have a meeting with the Town on May 9, 2022. At this meeting, FEMA expects that the Town will present formal, written options to bring the Penfield Pavilion into compliance with 44 C.F.R. § 60.3 or correct the deficiency and remedy the violation to the maximum extent possible, to include a full description of the potential options and projected timelines for completion. Because of the length of time that the Town has been aware of the violation and lack of progress to address the violation to date, FEMA may move forward with formal enforcement actions against the Town if it does not provide the written options at our meeting. One example could be the retrograde of the Town from a CRS Class 8 to a CRS Class 10, which would result in NFIP policy holders for properties in the special flood hazard area (“SFHA”) no longer receiving a 10% discount.

We look forward to having a productive meeting with you and your staff next month and receiving a presentation on the options that the Town has developed. If you have any questions or need technical assistance in advance of the meeting, please contact me at (978) 434-1603 or daisy.sweeney@fema.dhs.gov.

Sincerely,

**KATHLEEN
SWEENEY**

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Date: 2022.04.28 11:32:28 -04'00'

Daisy Sweeney
Floodplain Management and Insurance Branch Chief
FEMA Region 1