

**Congress of the United States**  
**Washington, DC 20510**

March 28, 2023

Ms. Melissa A. Surette  
Floodplain Management and Insurance Branch Chief  
U.S. Department of Homeland Security  
FEMA Region I  
99 High Street  
Boston, MA 02110

Dear Ms. Surette,

We write to urge full and fair consideration of the Town of Fairfield, CT's request for reconsideration of FEMA's decision to retrograde the Town's Community Rating System (CRS) status. We also ask that the agency provide the Town with an extension to demonstrate progress before FEMA begins taking irreversible steps as a part of the retrograde process. We recognize that Fairfield must expeditiously chart a path to comply with FEMA regulations if it wishes to remain in the CRS, but we believe town residents and officials need additional time to comply.

As you know, the Penfield Pavilion's multifaceted issues span many years and multiple administrations in the Town of Fairfield. The Town's previous administration failed to meet standards for receiving federal Public Assistance funding to help restore the Pavilion after Superstorm Sandy, contaminated fill was placed under the Pavilion and adjacent areas, and the facility's rehabilitation violated National Flood Insurance Program (NFIP) regulations. The consequences associated with violating NFIP standards, including losing its current CRS status or being suspended from the program long-term, are the most pressing of these issues facing the Town.

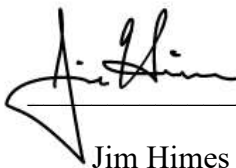
Due to the Town's good faith efforts to bring the Penfield Pavilion into compliance, FEMA did not initiate enforcement action until February 10, 2023, when Region 1 representatives advised local officials that the agency would begin the months-long process of retrograding the Town of Fairfield to a Class 10 in the CRS. FEMA initiated this process because of its concerns that the Town's progress toward addressing NFIP violations stalled in recent months. Since then, Fairfield officials have worked expeditiously to address outstanding issues at the Pavilion: the Board of Selectpersons, Board of Finance, and Representative Town Meeting have approved funding for reconstruction work. Nearly 1,800 existing NFIP policyholders in Fairfield will see a 5-10% increase in their flood insurance premiums if the retrograde is made effective as anticipated at the end of September 2023. FEMA cannot stop this process once it notifies flood insurance providers of changes to a municipality's CRS status, which the agency expects to happen as soon as the end of March. As you know, a community can submit a request for reconsideration outlining its work to correct a pending violation, and Fairfield officials are moving forward with a plan that warrants reconsideration.

Congress designed the CRS, through 42 U.S.C. §4022(b)(1), to encourage communities to voluntarily adopt strong floodplain management practices that reduce flood risk. FEMA must ensure the integrity of this program and that participating communities carry out and enforce the comprehensive requirements they voluntarily adopt. However, we believe the community needs additional time to comply, given that residents are just coming to understand the severe consequences of a CRS retrograde and the complex issues involved in this specific case.

We appreciate FEMA's efforts to brief Fairfield residents on the ongoing situation with the Penfield Pavilion, the impact of a CRS retrograde on policyholders' bills, and the importance of the CRS and NFIP in reducing flood risks. Considering that three local boards have approved funding for the project, it's clear the community is acting on this information. However, more time is needed to allow Fairfield to make tangible progress. For this reason, we urge FEMA to provide full and fair consideration of Fairfield's request to reconsider retrograding the Town to a Class 10 in the CRS.

We look forward to hearing from you soon.

Sincerely,



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Jim Himes  
Member of Congress



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Chris Murphy  
United States Senator



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Richard Blumenthal  
United States Senator