

Comments on DEP Proposed Rule: Interim Flood Risk Map

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via email to nycrules@dep.nyc.gov and posted on rules.cityofnewyork.us

Comment 1 – Conflicting language between the DEP Proposed Rule: Interim Flood Risk Area Map and DOB Proposed Rule: Rules relating to Ancillary Dwelling Units in 1 and 2 Family Dwellings

DEP Proposed Rule: Interim Flood Risk Area Map §66-02 states, “A property lot is within the 10-year rainfall area or coastal flood risk when all or any portion of the lot is within such mapped area.”

This conflicts with proposed DOB Rule §105-08(d)(3), which states “...no ADUs may be permitted in a basement or cellar where the portion of the residence containing an ADU constructed in accordance with Appendix U of the Building Code is located within the special flood hazard area, 10-year rainfall risk area, or coastal flood risk area.”

Suggestion 1: Amend the language in the Proposed DEP Rule: Interim Flood Risk Map to create consistency with DOB’s Proposed Rule.

Comment 2 – The Proposed Interim Flood Risk Area Map is Not Accessible on NYC OpenData

As mentioned by other commenters, the Interim Flood Risk Area Map can only be viewed by the public; the data and map files are not downloadable.

Suggestion 2: Publish the data and map files associated with the Interim Flood Risk Area Map on NYC OpenData – opendata.cityofnewyork.us.