

TIMELINE: Congressman Brian Higgins' (NY-27) advocacy to remove Western New York neighborhoods from FEMA flood zone map

6-06: In June, 2006, Congressman Higgins' office uncovered a 1972 US Army Corps of Engineers study which completely undermined the scientific basis of FEMA's claim that the subject neighborhoods were in a 100-year floodplain.

6-16-06: Congressman Higgins sends a letter to FEMA Director Requesting flood insurance rate map changes in Buffalo, New York. (Letter Attached)

6-26-06: [Congressman Brian Higgins announces plan to seek to remove the City of Buffalo](#) from mandatory involvement in the National Flood Insurance Program.

6-27-06: [Congressman Brian Higgins votes against, H.R. 4973, the Flood Insurance Reform bill](#). While Higgins supported the goals of this legislation, which are to provide the National Flood Insurance Program (NFIP) with the resources it needs to pay its claims to the victims of Hurricane Katrina, and to reform the NFIP to place it on sustainable long-term viability, he believes those goals cannot be reached at the expense of communities and homeowners who should not be in the flood maps. Several provisions of this bill will have a hugely negative impact on the Western New York communities that Higgins represents. (Remarks in Congressional Record attached)

11-20-06: [Congressman Higgins asks NY Governor to use FEMA mitigation funds](#) to support dredging of Smokes Creek in Lackawanna.

6-07: In a telephone call, Congressman Higgins' office advocated for the US Army Corps of Engineers to allow dredging of Smokes Creek in Lackawanna, NY to provide flood mitigation

10-16-07: [Congressman Brian Higgins announces that FEMA has redrawn flood zone maps](#) resulting in an approximately 90% reduction in flood plain size for the City of Buffalo.

10-30-07: Upon learning that FEMA preliminarily included the Old First Ward and other neighborhoods along the Buffalo River in the 100-year flood plain for purposes of the National Flood Insurance Program, the Congressman's office immediately contacts FEMA's Region II office in New York City to express the [Congressman's serious concerns with this proposal](#).

11-1-07: Congressman Higgins [criticizes the Federal Emergency Management Agency \(FEMA\) for misleading his office and the public](#) relative to federal flood zone designations in the City of Buffalo. A revised map, released today, further worsens the flood plain in the Old First Ward.

- Congressman Higgins' office was working with FEMA for two weeks prior to advocate for the exclusion of these neighborhoods from the flood plain. Again and again the Congressman's office was assured that a new map would be presented that would more closely resemble the 1999 map, effectively taking these areas back out of

the flood zone. The newest map released actually makes the flood plain designation worse for residents in the Old First Ward section of Buffalo.

4-2-08: Congressman Higgins participates in a congressional hearing on the Federal Emergency Management Agency's (FEMA) flood map modernization program, held by the House Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings, and Emergency Management. Higgins tells the Subcommittee and assembled FEMA officials that the flood insurance requirement has created "economic dead zones" in Western New York. ([hearing video](#))

9-15-08: Congressman Higgins [announces FEMA will transition to a revised flood map](#) for the City of Buffalo beginning September 26, 2008.

9-22-08: [City of Buffalo signs local law](#) removing 2,768 city properties from the 100-Year Floodway boundary in the City of Buffalo.

- Congressman Higgins noted that over the last 30 years, homeowners and businesses in Erie County have paid \$35 million into the National Flood Insurance Program (NFIP) and received only \$8 million back. Higgins said, "Historically local residents have been victims of a fundamentally unfair system that forces low risk communities like Western New York to subsidize high risk communities in other regions of the Country."
- Of the 34 billion which has been paid into the NFIP nationally over the past thirty years, \$15 billion has gone to Louisiana, despite the fact that Louisiana has paid less than \$3 billion into the program.

9-26-08: [FEMA transitions to a revised flood map](#) for the City of Buffalo beginning September 26, 2008. The new flood map, first proposed by FEMA almost a year ago at the urging of Congressman Higgins, results in an approximately 90% reduction in flood plain size for South Buffalo and Kaisertown in the City of Buffalo.

- The science, for reference:
- FEMA had been claiming, in their studies which justified the flood maps, that the area along Cazenovia Creek and the Buffalo River in South Buffalo had a greater than one in 100 chance of being inundated in a given year by free-flowing water (not the result of an ice jam).
 - While there has never been a free-flowing flood in this area, Cazenovia Creek in South Buffalo experienced an ice jam flood January 21, 1959, causing more damage than any other flood in the effected area before or since – 440 residential, 20 commercial and 6 public buildings were damaged, at a cost of \$373,800 (roughly \$1.8 million in today's dollars).
 - In response to this, the US Army Corps of Engineers undertook a series of studies of flooding in South Buffalo. Their 1972 study titled "[Review of Reports on Buffalo River Basin, N.Y. for Flood Control, Allied Purposes, Restoration and Wastewater Management, Phase I Report on Cazenovia Creek](#)" found that:

- The possibility of a free-flow (that is, non-ice jam, or “riverine”) flood along Cazenovia Creek in South Buffalo was likely to occur less frequently than every 200 years. The capacity of Cazenovia Creek here is about 20,000 cfs [ft.² per sec.], while the largest flood discharge ever recorded in Cazenovia Creek was 13,500 cfs in March of 1955.
- In order to eliminate the risk of a 100-year ice jam flood, the following projects should be undertaken, which the City later completed:
 - Removal of the dam (and, resultantly, destruction of the lake).
 - Excavation of the creek bed to increase capacity.
 - Breaching of a levee which ran along the south side of the creek in the park and the creation of a new levee further away from the creek. The space between the two levees would retain excess ice.
- The report stated unequivocally that “this design would protect the floodplain from a stage having a recurrence interval of 100 years.”

11-08: Dredging of Smokes Creek in Lackawanna, NY, as requested by Congressman Higgins, is completed.

11-09: U.S. Army Corps of Engineers working on analysis and redrawing map in Lackawanna’s Smokes Creek area.

11-09: Congressman Higgins is working with officials in East Aurora, NY on flood zone issues in Tannery Brook area.

4-10: Congressman Higgins [sends letter](#) to FEMA challenging revised flood maps for Buffalo’s Old First Ward, Cobblestone District and Peace Bridge Plaza

3-11-11: Congressman Higgins sends letter to FEMA providing scientific evidence that rejects the flood insurance map for Buffalo’s Old First Ward