G194.3 — Letters of Map Change

Participant Manual

January 2008

Introduction and Overview

Your Experiences with LOMCs

- How many of you have assisted a citizen/developer with a LOMC?

- What was the nature of the LOMC?

- What floodplain management implications did the LOMC have on the floodplain?

Visual 1

Module Objectives

- Explain the basic purpose and procedures of Letters of Map Change (LOMCs).

- Describe the role of the local official in the LOMC process.

- Identify No Adverse Impact (NAI) initiatives and Best Practices relating to LOMCs.

- Evaluate the floodplain management implications of LOMCs.

Visual 2

Notes:

Introduction and Overview (Continued)

Module Topics

- LOMC review
- Basis for LOMC Decisions
- Community Acknowledgment Form
- Development Proposal Review

Visual 3

Notes:

LOMC Review

LOMC Types

- Find and go to Job Aid 1, LOMC Types, under the LOMC: Resources tab in your Participant Manual.

- What is the difference between a map amendment and a map revision?

- If an acronym begins with a C, the letter is FEMA's _____on a proposed project.

Visual 4

LOMC Applications

- MT-EZ: Single lot/structure LOMA; homeowner

- MT-1: Multiple lot/structure LOMA, CLOMA, LOMR-F, CLOMR-F; surveyor

- MT-2: LOMR, CLOMR, PMR; engineer

Online Tool

- eLOMA Determination Tool

Visual 5

Notes:

LOMC Review (Continued)

Remember that:

- The MT-EZ, MT-1, and MT-2 are sets of forms developed specifically to apply for LOMCs.
- The forms range from MT-EZ for the least complex proposals to MT-2 to the most complex.

MT Forms

- Find the MT forms under the LOMC: Resources tab in your Participant Manual.

- Take about five minutes to look through the forms.

- Take special note of the Community Acknowledgment Form, MT-1 Form 3.

Visual 6

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eLOMA Tool

- Web-based system to submit and print simple LOMA requests.

- Use limited to licensed land surveyors and professional engineers.

- Limited to single lot residential structures or properties with detailed study areas.

- See the eLOMA brochure following Job Aid 1 in your Participant Manual.

Visual 7

An eLOMA:
- Is a new Mapping Information Platform (MIP) tool to provide licensed land surveyors and professional engineers with a web-based system to submit and print simple LOMA requests.
- Is limited to requests for existing single lot residential structures or properties with detailed study areas (AE, numbered A, AH zones).
- Will provide virtually instant determination based on comparison of submitted Base Flood Elevation (BFE) with submitted Lowest Adjacent Grade (LAG) or Lowest Lot Elevation (LLE).
- Includes performance of audits based on hard copy data to ensure accuracy.

Student Activities

Activity: Letter of Map Amendment

Project 1

- Purpose of Project 1
  - Become familiar with the LOMA process
  - Analyze the LOMA Application
  - Apply floodplain management practices

***All students will complete Project 1

Visual 8

Notes: Please take 10 minutes to review Project 1. There will be a 10 minute class discussion for Project 1.

Activity: Letter of Map Amendment

Project 1 - Discussion

- What are the elevations of the lowest floor & BFE?
- Is the structure compliant with the minimum requirements?
- What is the elevation of the LAG
- Good candidate for a LOMA?

Visual 9

Student Activities (continued)

Activity: Letter of Map Revision based on Fill

Project 2

- Purpose of Project 2
  - Analyze the LOMA Application
  - Identify deficiencies, errors, and inaccuracies
  - Apply floodplain management practices

***All students will complete Project 2

Visual 10

Notes: Please take 10 minutes to review Project 2. There will be a 10 minute class discussion for Project 2.

Activity: Letter of Map Revision based on Fill

Project 2 - Discussion

- What is the Definition of LAG?
- What is the elevation of LAG and BFE?
- Is the structure compliant?
- Is community required to keep a copy of the EC?
- Would you sign the Community Acknowledgement form?

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Notes:

Guiding Principles for Local Officials

An FPM dealing with LOMCs can call upon a set of guiding principles and tools to help reach outcomes on LOMC proposals that satisfy NFIP requirements and protect the community.

Local FPM Roles and Responsibilities

- Understand regulations
- Ensure permits are applied for, processed, and obtained
- Ensure compliance/correct violations
- Take enforcement actions

Visual 12

Local FPM Roles and Responsibilities (Continued)

- Coordinate with other programs
- Keep records
- Maintain and update flood data and maps
- Promote NAI and best practices whenever possible

Visual 13

Notes:

Guiding Principles for Local Officials (Continued)

NFIP Regulations: FPM Role

- Ensure community enactment and enforcement of floodplain regulations.

- Encourage adoption of stricter regulations.

Visual 14

A floodplain manager should:

- Ensure the community enacts and implements floodplain regulations required for participation in the National Flood Insurance Program (NFIP). A community's measures must meet regulations set by its State and Region, as well as NFIP criteria. (Regional or State requirements may require stricter regulations than the NFIP.)
- Encourage the community to adopt even stricter regulations than required by the Federal Emergency Management Agency (FEMA), the Region, and the State.

Tools and Resources

- Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS)

- 44 CFR

- Floodplain management ordinance

- "Best available" data
    - New topographical data
    - New hydrology and hydraulics
- Job Aids (from this course)

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Basis for LOMC Decisions

An FPM dealing with LOMCs can call upon a set of guiding principles and tools to help reach outcomes on LOMC proposals that satisfy NFIP requirements and protect the community.

Local FPM: LOMC Responsibilities

- Understand how regulations apply to LOMC proposals.

- Recommend local floodplain ordinance revisions that promote best practices in LOMC proposals.

- Explain LOMC procedures/results to property owners and developers.

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Local FPM: LOMC Responsibilities (Continued)

- Coordinate LOMC proposals with other departments/programs.

- Track LOMC progress and outcomes.

- Maintain and update flood data and maps to reflect LOMCs.

- Maintain other LOMC records.

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Notes:

Basis for LOMC Decisions (Continued)

The FPM needs to scrutinize LOMC proposals for impacts that might expose others in the community to increased risk of flooding. For example:

- Placement of fill; and/or
- Increases in paved surfaces.

Possible LOMC Impacts

A LOMC proposal may include plans for:
- Placement of fill.
- An increase in paved surfaces.
- A bridge or other floodplain encroachment.

Visual 18

Placement of Fill

- A rise in the base flood elevation

- May exacerbate flooding for areas outside of the Special Flood Hazard Area
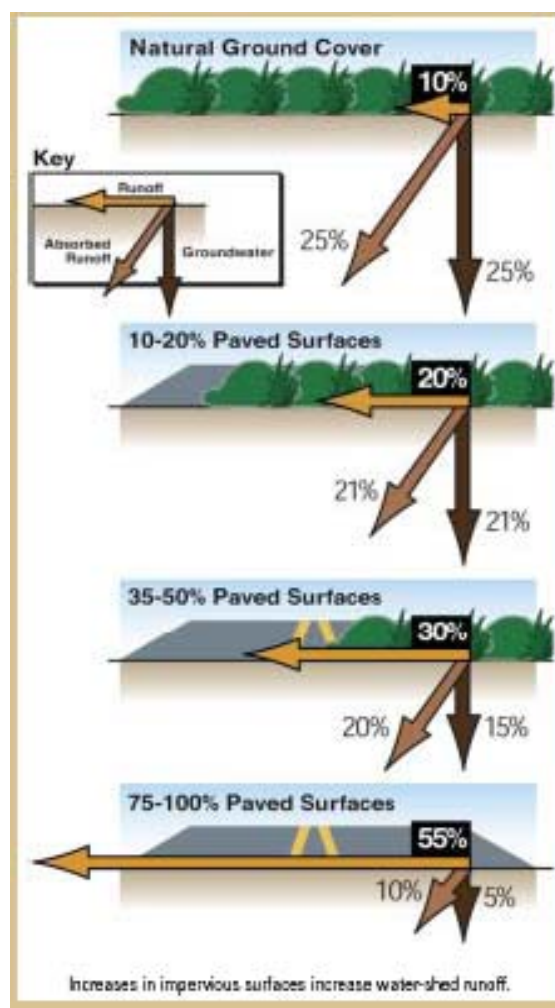
Visual 19

Notes:

Basis for LOMC Decisions (Continued)

Future Conditions Modeling

- Development can radically alter a watershed and potential for flooding over time.

- For example, increasing the amount of paved surfaces, as illustrated, will increase flooding significantly in many cases.

Visual 20

Increases in impervious surfaces increase water-shed runoff.

Basis for LOMC Decisions (Continued)

No Adverse Impact (NAI) is an initiative of the Association of State Floodplain Managers (ASFPM).

NAI (No Adverse Impact) Approach

- Goes beyond future conditions modeling.

- Puts in place plans and regulations that prevent future flood discharges.

- Protects both new and existing development.

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NAI and LOMCs

Applying NAI principles, would the LOMC:

- Prevent flooding from increasing or damaging others?
- Potentially reduce flood losses over time?
- Avoid provoking challenges and lawsuits over causing or aggravating a flood problem?

Visual 22

- Even if a CLOMR or LOMR request meets all NFIP minimum requirements and all requirements in most local ordinances, the request still can increase flood heights or cause increased flooding to other properties.
- Communities may wish to include provisions in their floodplain management regulations to minimize these impacts.

Basis for LOMC Decisions (Continued)

Incorporating Best Practices

- Find and go to Job Aid 2, Best Practices, under the LOMC: Resources tab in your Participant Manual.

- Note that a variety of measures can impose higher standards.

- Higher standards give the FPM grounds to:

    - Refuse to sign unacceptable proposals.
    - Assist LOMC applicants to promote best practices.

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Keep in mind that:

- Ordinance language must be legally enforceable.
- If ordinance language contains higher standards, best practices, and NAI principles, the local official has the "ammunition" needed.
- If the ordinance does not establish higher standards, the local official may not have grounds for refusing to issue permits or assisting LOMC applicants to promote best practices or NAI alternatives.

Sample Ordinance Language

- Find and go to Job Aid 3, Local Ordinance Language: Incorporating Best Practices, under the LOMC: Resources tab in your Participant Manual.

- The examples are for the Statement of Purpose.

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Community Acknowledgment Form

Community Acknowledgment Form

- MT-1 Form 3/MT-2 Form 1

- Required for LOMAs in floodway, CLOMR-Fs, and LOMR-Fs

- Technical Bulletin 10-01 provides guidance for structures built on fill

- Signed by community official responsible for floodplain management

- FPM can refuse to sign if the project does not meet requirements.

Visual 25

Why a Community Acknowledgment Form?

- Community's FIRM/FIS being changed.

- Actions resulting in LOMCs generally require local floodplain permits

- FEMA wants to assure that
    - All necessary permits were obtained
    - The community is aware of actions potentially impacting floodplains
    - The LOMC does not undermine the authority of the community.

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Notes:

Community Acknowledgment Form (Continued)

Using the Community Acknowledgment Form

- Needed for:
  - Requests involving placement of existing/ proposed fill, (CLOMR-F/LOMR/).
  - CLOMA/LOMA on property inadvertently included in the regulatory floodway.
- See page 12 of MT-1 application and Form 1 of MT-2 application.

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Using the Community Acknowledgment Form (Continued)

- Find and go to Job Aid 4, Community Acknowledgment Form, under the LOMC: Resources tab in your Participant Manual.

- The job aid provides detailed guidance on factors to consider when completing the form.

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Notes:

Community Acknowledgment Form (Continued)

Guidance from Technical Bulletin 10-01

- Brief History
- What is "Reasonably Safe from Flooding"?
    - Compliance with TB 10-01
    - Simplified Approach (page 15-18)
    - Engineered Basement Option
        - Professional Engineer
        - Professional Geologist
        - Professional Soil Scientist or
        - Other qualified design professional

Visual 29

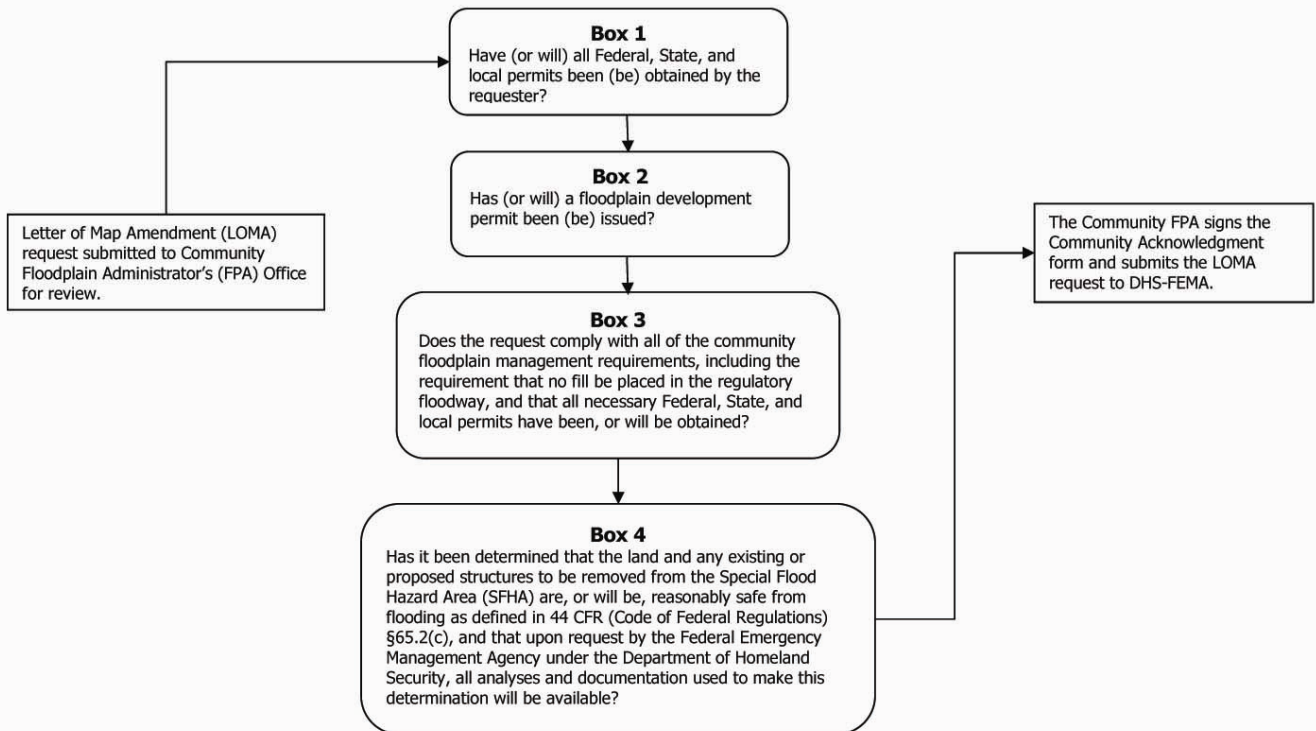# Community Acknowledgment Form (Continued)

Community Acknowledgment Form Requirements

- Refer to Job Aid 4

- The Floodplain Manager:
    - Reviews the LOMC proposal.
    - Ensures the proposal meets a series of conditions.
    - Signs the Community Acknowledgment Form if the proposal is acceptable.
    - Forwards the LOMC request to FEMA.

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Review each step in the flow chart. The flow chart is found in Job Aid 4 of the LOMC: RESOURCES.

COMMUNITY ACKNOWLEDGEMENT FLOW CHART

Box 1
Have (or will) all Federal, State, and local permits been (be) obtained by the requester?

Box 2
Has (or will) a floodplain development permit been (be) issued?

Box 3
Does the request comply with all of the community floodplain management requirements, including the requirement that no fill be placed in the regulatory floodway, and that all necessary Federal, State, and local permits have been, or will be obtained?

Box 4
Has it been determined that the land and any existing or proposed structures to be removed from the Special Flood Hazard Area (SFHA) are, or will be, reasonably safe from flooding as defined in 44 CFR (Code of Federal Regulations) §65.2(c), and that upon request by the Federal Emergency Management Agency under the Department of Homeland Security, all analyses and documentation used to make this determination will be available?

Letter of Map Amendment (LOMA) request submitted to Community Floodplain Administrator's (FPA) Office for review.

The Community FPA signs the Community Acknowledgment form and submits the LOMA request to DHS-FEMA.

Community Acknowledgment Form (Continued)

Decision Points: Community Acknowledgment Form

What four conditions must be met before the local FPM signs the Community Acknowledgment Form?

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Other LOMC Review Considerations

Prior to approving a LOMC:

- Consider emergency access.
- Consult with fire, police, and other departments that should be involved.

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Notes:

Activity: Development Proposals

Project 3 – CLOMR
Project 4 – LOMR

Purpose: Become familiar with floodplain management implications, analyzing the CLOMR application, and applying floodplain management practices

Visual 33

Project 3–Discussion

- Discuss the CLOMR review. What are the benefits of applying for a CLOMR?
- Could floodplain management considerations influence the proposed project?

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Notes:

Activity: Development Proposals (continued)

Project 4 – Discussion

- Would you issue a building permit?
- Using your Job Aids, what changes could you make to your development review/approval process to address similar developments?
- Do any structures in Phase II appear to be in violation?
- How could you communicate the floodplain management standards to developers and others in your community?

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Summary

Job Aid/Resources

- Find and go to Job Aid 5, Points to Consider, under the LOMC: Resources tab in your Participant Manual.

- The job aid reviews key information that applies to different kinds of LOMCs.

- Following the job aid is a list of available Technical Bulletins.

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This module provided resources to help you review development proposals that involve LOMCs.

Notes: