

# LOMAs, LOMRs, and LOMR-Fs



#### Letters of Map Change (LOMC)

Letters of Map Change is an umbrella term that includes:

- Letters of Map Amendments (LOMAs)
- Letters of Map Revision (LOMRs)
- Letters of Map Revision based on Fill (LOMR-Fs)

#### <u>And</u>

- Conditional letters of each:
  - o CLOMAs
  - CLOMRs
  - CLOMR-Fs

Page 1	of 2			t	Date: April 23, 201	9 Ca	se No.: 19-05-11	992A	LOMA
		(	<b>3</b>	Federal E	Management Agency				
LETTER OF MAP AMENDMENT									
DETERMINATION DOCUMENT (REMOVAL)									
С	OMMU	YTIN	AND MAP PANEL	INFORMATION	LEGAL PROPERTY DESCRIPTION				
COMMUNITY		CROW WING COUNTY, MINNESOTA (Unincorporated Areas)			A portion of Government Lot 5, Section 19, Township 135, Range 27, as described in the Warranty Deed recorded as Document No. 0543652, in the Office of the Recorder, Crow Wing County, Minnesota				
		COMMUNITY NO.: 270091			The portion of property is more particularly described by the following metes and bounds:				
AFFECTED MAP PANEL		NUMBER: 27035C0425C							
		DATE: 8/15/2017							
FLOOD	ING SO	URCI	E: BASS LAKE		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY:46.487838, -54.132518 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83				
DETERMINATION									
LOT	BLOC SECTI		SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
1	-   -		-	12924 Acom Ridge Lane	Portion of Property	X (unshaded)	-	-	1212.8 feet
Bpecial Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).  ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)  LEGAL PROPERTY DESCRIPTION PORTIONS REMAIN IN THE SFHA ZONE A This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood insurance Program (HFIP) map, we have determined that the described proton(s) of the property(s) elisive not located in the SFHA, an area inundating a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map, therefore, the Federal imandatory flood insurance requirement does not apply. However, the innoise his to be stoom to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRIP) is available for buildings located outside the SFHA. Information about the PRIP and how one can apply is enclosed.  This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map information eXchange (FMIX) bull free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3301 Eisenhouer Ave 5to 500, Alexandria, VA 22304-0426.									
Luis V. Radriguez, P.E., Director Engineering and Modeling Division									

Example of Letter of Map Amendment (LOMA) determination. Communities are no longer mailed copies.

#### When to Request a LOMC

- To update the map due to better topographic data,
- A physical change in the floodplain, or
- Better modeling

#### Why Apply for a LOMC?

- To understand the effects of proposed development in the floodplain
- To reflect the effects of recent development in the floodplain
- To reflect new and/or better flood data
- To determine whether the floodplain requirements apply

#### Letter of Map Changes

#### There are two (2) types of requests for Letters of Map Changes:

- Requests that <u>DO NOT</u> change the published BFEs, floodplain boundaries, or floodways
  - These are called <u>Letter of Map Amendments</u> (LOMAs)
- Requests that <u>DO</u> change the published BFEs, floodplain boundaries, or floodways
  - These are called <u>Letter of Map Revisions</u> (LOMRs)

Letters of Map Change LOMCs

Amendments
No change to
FIRM/FIS

Revisions Change to FIRM/FIS

LOMA MT-EZ / MT-1 Form

LOMR-F MT-1 Form LOMR MT-2 Form

#### **Change Your Paradigm**

For all types of Letters of Map Change, we need to change our permitting paradigm.

All Letters of Map Change are based on the physical attributes of the LAND.

#### Forms to Use for LOMCs

• MT-EZ: for LOMAs

MT-1: for LOMAs and LOMR-Fs

• MT2: for LOMRs



#### A Word About Conditional Requests

The Conditional Letter process can allow property owners, developers, adjacent communities, and regional agencies to obtain verification from FEMA regarding the effect of a proposed development on the flood hazards shown on the effective Flood Insurance Rate Map (FIRM).

 CLOMRs also allow all participating communities affected by the proposed change an opportunity to comment on and approve or deny the applicant's proposed project.



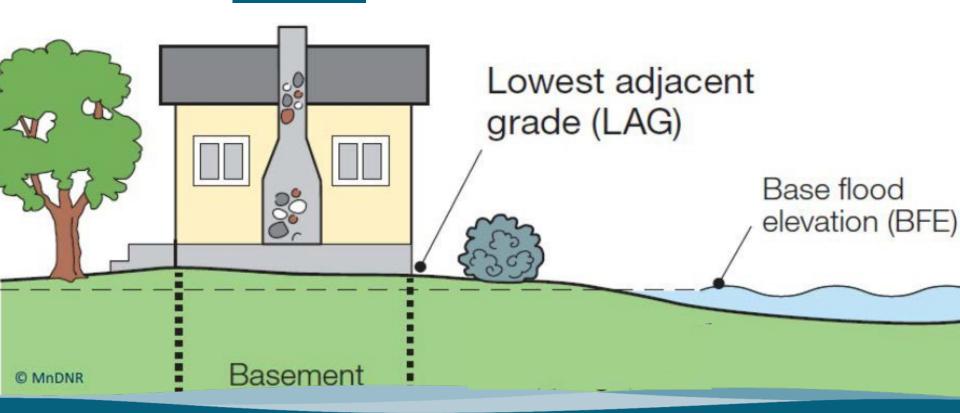
LOMAs and LOMR-Fs



# LOMAs and LOMR-Fs can be for:

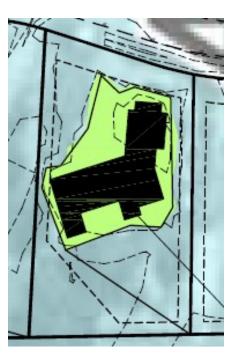
- A building
- The entire property
- A portion of the property (metes and bounds description)

# LOMAs and LOMR-Fs are based on the *Lowest Grade* of the Landscape rather than *Lowest Floor* of a Structure

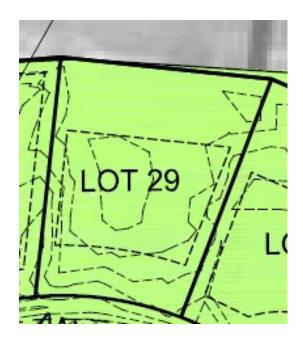


#### **Removing Property**

Portion of property
 (metes and bounds description)

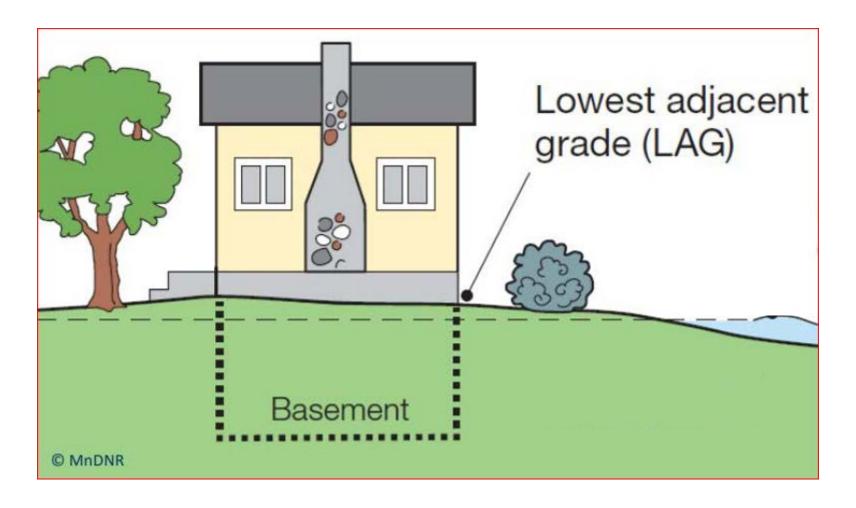


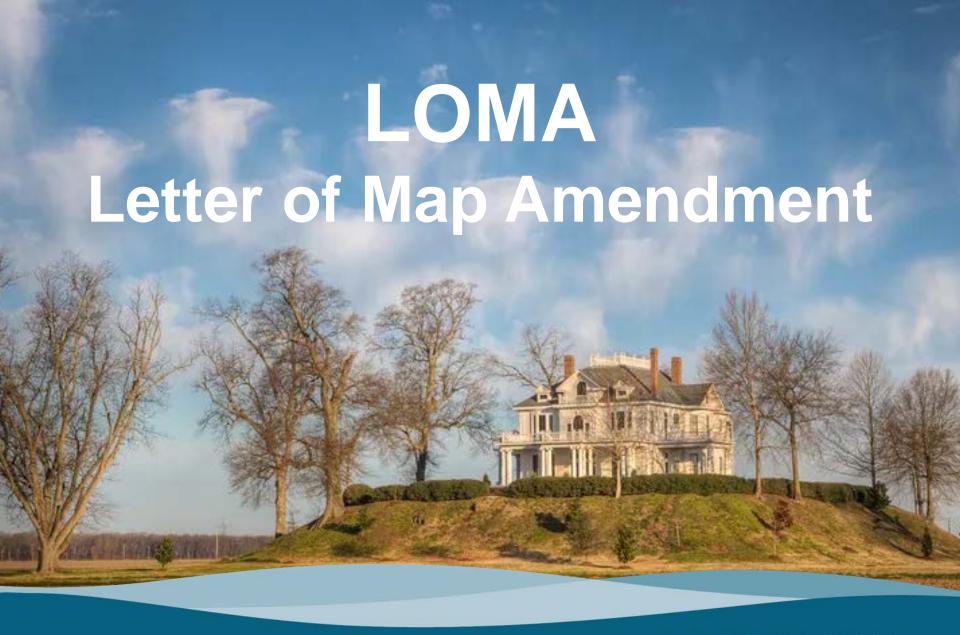
Entire property



**FEMA's review:** Portion of property/Entire property is above the flood elevation and not in the high-risk area for flooding

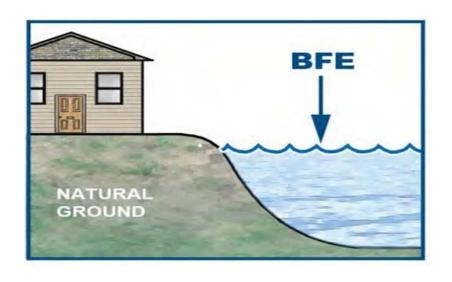
#### Removing a Structure







#### **Letters of Map Amendment**



- LOMAs provide flood zone determinations for individual properties and structures
  - Usually used to show a structure is out of the SFHA
  - Not required by floodplain management regulations
  - Based on natural ground elevations
  - No physical change to the FIRM

#### Letters of Map Amendment: How to Apply

- A licensed Surveyor or Engineer can apply quickly using the e-LOMA program
- Anyone can apply by filling out an MT-EZ form with proper documentation
- A FEMA MT-1 Form can also be used for a LOMA

# Letters of Map Amendment: What is needed?

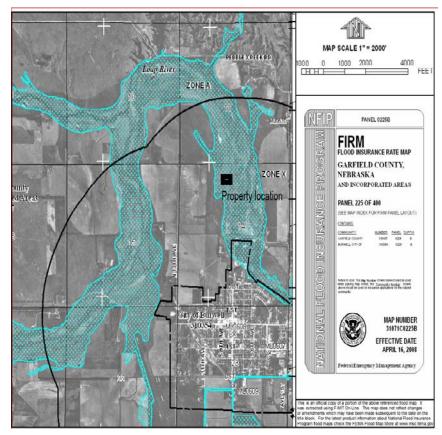
Certified Elevation Information



- Lowest Adjacent Grade (LAG)
- Lowest Lot Elevation (LLE)
- Accuracy= 1/10 of a foot
- BFE information

# Letters of Map Amendment: What is needed? (cont.)

- FEMA prefers a FIRMette as an official FIRM.
- The location of the property can be an X or a box or some other way of showing the area that pertains to the LOMA
- A Nebraska BFE
   determination may also be
   needed if in a Zone A. As
   above, mark where the
   area. Yet the FIRMette is
   still required

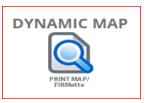


#### How to make a FIRMette

 Go to the FEMA Flood Map Service Center (MSC)-https://msc.fema.gov/portal/home

Search for the address using the search box

Click



to instantly create a FIRMette

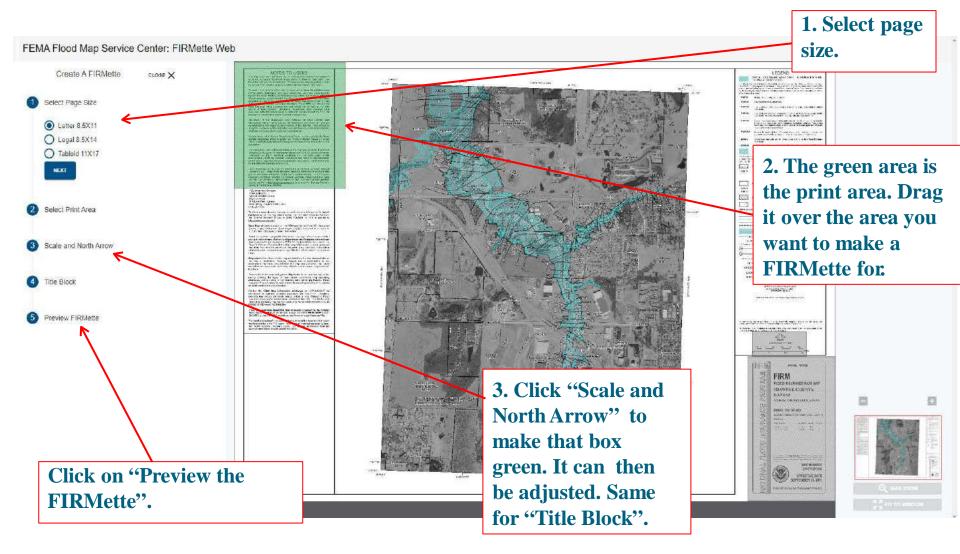


#### How to make a FIRMette

IF the Dynamic Map option is provided:

- Write down the Map Number
- Click "Show ALL Products"
- Click "Effective Products-Firm Panels", then click the "View" by the correct Map Number
- Click "Create A FIRMette"
- Move the green box over the area of your LOMC
- Click #3 and/or #4 if the title block or Scale need to be better centered
- Click "Preview FIRMette" and then download it.

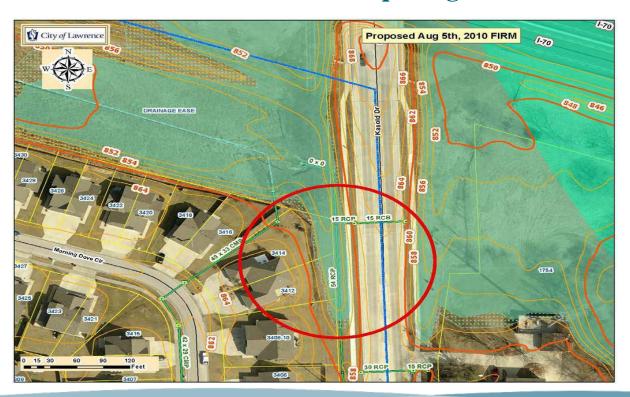
#### How to make a FIRMette



"The bank says I have to buy flood insurance."

# LOMA with an Out As Shown Determination

Although the house is not in the floodplain this property owner received a letter from the lender requiring flood insurance.



# A LOMA with an Out-As-Shown Determination does not require a survey

- Only use a LOMA OAS if it is <u>clearly apparent</u> that a property or structure is not in the SFHA, then a LOMA-OAS is an option.
  - This is not a waiver or removal
- The LOMA-OAS will state that the property or building is correctly shown outside the SFHA
- No elevation data is used for this determination
- Documents Needed to Submit with MT-EZ Form:
  - Deed
  - FIRMette
  - Map

#### **LOMA - Review**

LOMAs are not used for a change in the Map or a change in the landscape.

- As with all LOMCs they are based on the elevation of the grade not the structure
- LOMAs remove a property where the original grade is higher than the BFE
- LOMA-OAS is a document from FEMA stating that the structure is <u>shown</u> to be out of the floodplain

#### **eLOMA**

In addition to the forms that can be used for a LOMA (MT-EZ and MT-1) A licensed professional (Surveyor, Architect, etc.) can become a registered eLOMA user.

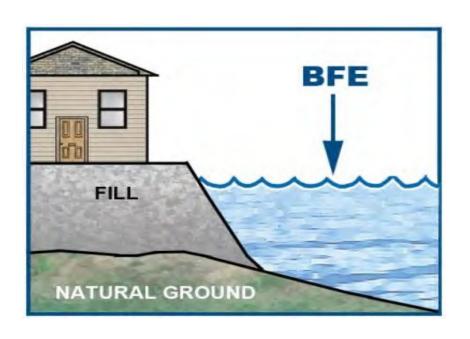
- The eLOMA Platform is only for LOMAs.
- The turn around for a complete eLOMA package is usually less than a day.
- Anyone can apply online with an MT-EZ or MT-1 but only a LP or CP can use the eLOMA







# Letters of Map Revision Based on Fill (LOMR-Fs)



- LOMR-Fs provide official flood hazard determinations for individual structures and properties that have been elevated by fill
  - Usually to show structure is elevated out of the SFHA
  - Conditional LOMR-F (CLOMR-F) may be required by the local floodplain ordinance
  - No physical change to the FIRM

#### LOMR-F Keep in mind:

- The LOMR-F process does not take the place of permitting:
  - Until the LOMR-F is acquired, they still need to follow your ordinance when building
- A permit is needed to bring in the fill
- To obtain a LOMR-F they must have your signature.
  - Make sure to obtain a copy of the complete application for your records including a site plan clearly showing the area to be removed before signing

## Community Acknowledgement Form

- Since the community "takes ownership" of the floodplains when they join the NFIP, the community must "approve" the placement of fill in the Special Flood Hazard Area (SFHA):
- This is accomplished through the Community Acknowledgement form
- It has always been a requirement of the LOMR-F process to assure FEMA that:
  - The community is aware that fill was or will be placed in the SFHA
  - The fill is NOT in the regulatory floodway

### Community Acknowledgement Form

DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY
COMMUNITY ACKNOWLEDGMENT FORM

O.M.B. NO. 1660-0015 Expires February 28, 2014

#### PAPERWORK BURDEN DISCLOSURE NOTICE Public reporting burden for this data collection is estimated to average 1.38 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015). NOTE: Do not send your This form must be completed for requests involving the existing or proposed placement of fill (complete Section A) OR to provide acknowledgment of this request to remove a property from the SFHA which was previously located within the regulatory floodway (complete Section B). This form must be completed and signed by the official responsible for floodplain management in the community. The six digit NFIP community number and the subject property address must appear in the spaces provided below. Incomplete submissions will result in processing delays. Please refer to the MT-1 instructions for additional information about this form. Community Number: Property Name or Address: A. REQUESTS INVOLVING THE PLACEMENT OF FILL As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this Letter of Revision Based on Fill (LOMR-F) or Conditional LOMR-F request. Based upon the community's review, we find the completed or propo meets or is designed to meet 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 in the case of a Conditional LOMR-F, will be obtained. For Conditional LOMR-F requests, the applicant has or will document Endangered Species Act (ESA) compliance to FEMA prior to issuance of the Conditional LOMR-F determination. For LOMR-F requests, I acknowledge that compliance with Sections 9 and 10 of the ESA has been achieved independently of FEMA's process. Section 9 of the ESA prohibits anyone from "taking" or harming an endangered species. If an action might harm an endangered species, a permit is required from U.S. Fish and Wildlife Service or National Marine Fisheries Service under Section 10 of the ESA. For actions authorized, funded, or being carried out by Federal or State agencies, documentation from the agency showing its compliance with Section 7(a)(2) of the ESA will be submitted. In addition, we have determined that the land and any existing or proposed structures to be removed from the SFHA are or will be reasonably safe from flooding as defined in 44CFR 65.2(c), and that we have available upon request by DHS-FEMA, all analyses and documentation used to make this determination. For LOMR-F requests, we understand that this request is being forwarded to DHS-FEMA for a possible map revision. Community Comments: Community Official's Name and Title: (Please Print or Type) Community Name: Community Official's Signature: (required) B. PROPERTY LOCATED WITHIN THE REGULATORY FLOODWAY As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this request for a LOMA. We understand that this request is being forwarded to DHS-FEMA to determine if this property has been inadvertently included in the regulatory floodway. We acknowledge that no fill on this property has been or will be placed within the designated regulatory floodway. We find that the completed or proposed project meets or is designed to meet all of the community floodplain management requirements. Community Official's Name and Title: (Please Print or Type) Telephone No.: Community Official's Signature (required) Community Name:

Statement

Signature

DHS - FEMA Form 086-0-26B, FEB 11

Community Acknowledgment Form

MT-1 Form 3 Page 1 of 1

# Community Acknowledgement Form Statement (1st Part)

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this Letter of Map Revision Based on Fill (LOMR-F) or Conditional LOMR-F request. Based upon the community's review, we find the completed or proposed project meets or is designed to meet 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 in the case of a Conditional LOMR-F, will be obtained.

# Community Acknowledgement Form Statement (2<sup>nd</sup> Part)

For Conditional LOMR-F requests, the applicant has or will document Endangered Species Act (ESA) compliance to FEMA prior to issuance of the Conditional LOMR-F determination. For LOMR-F requests, I acknowledge that compliance with Sections 9 and 10 of the ESA has been achieved independently of FEMA's process/ Section 9 of the ESA prohibits anyone from "taking" or harming an endangered species/ If an action might harm an endangered species, a permit is required from U.S. Fish and Wildlife Service or National Marine Fisheries Service under Section 10 of the ESA. For actions authorized, funded, or being carried out by Federal or State agencies, documentation from the agency showing its compliance with Section 7(a)(2) of the ESA will be submitted.

# Community Acknowledgement Form Statement (3<sup>rd</sup> Part)

In addition, we have determined that the land and any existing or proposed structures to be removed from the SFHA are or will be **reasonably safe from flooding** as defined in 44CFR 65.2(c), and that we have available upon request by DHS-FEMA, all analyses and documentation used to make this determination. For LOMR-F requests, we understand that this request is being forwarded to DHS-FEMA for a possible map revision.

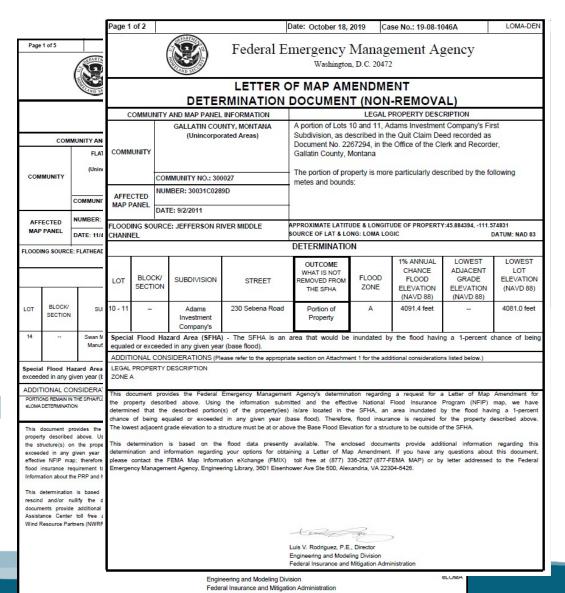
#### **Building Restriction Agreement**

To Ensure Structures are Reasonably Safe From Flooding (as an example)

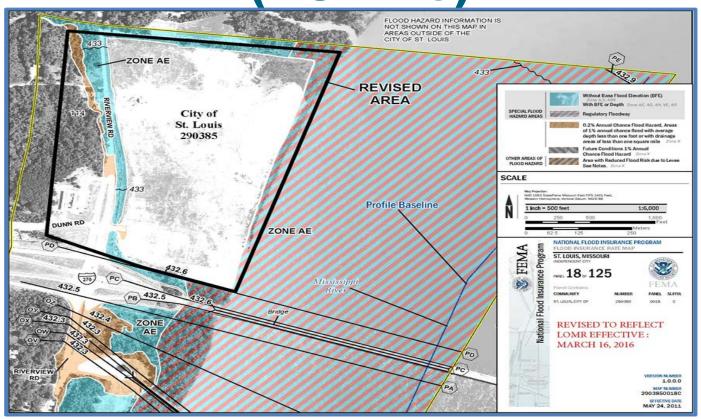
"Previously designated floodplain areas that have been removed from FEMA's effective regulatory floodplain by a Letter of Map Revision based on Fill (LOMR-F) shall have all activities be governed by the Floodplain Management Ordinance of the Norfolk Municipal Code. A Floodplain Development Permit shall be issued, and Elevation Certificate received for all development as defined by the Floodplain Management Ordinance in these areas."

#### **LOMAs and LOMR-Fs – Outcome?**

- Removed
  - Structure
  - Portion of Property
  - Property
- Not Removed
   Denied LOMA-DEN



## Letters of Map Revision (LOMRs)



# Letters of Map Revision (LOMRs)

- LOMRs physically update or refine the flood hazard information used to create the FIRM
- Results in adjustment to the height of the BFE or boundaries of the SFHA
- Ensures that the FIRM is the most accurate reflection of the flood risk
- Requires engineering analyses and scientific data

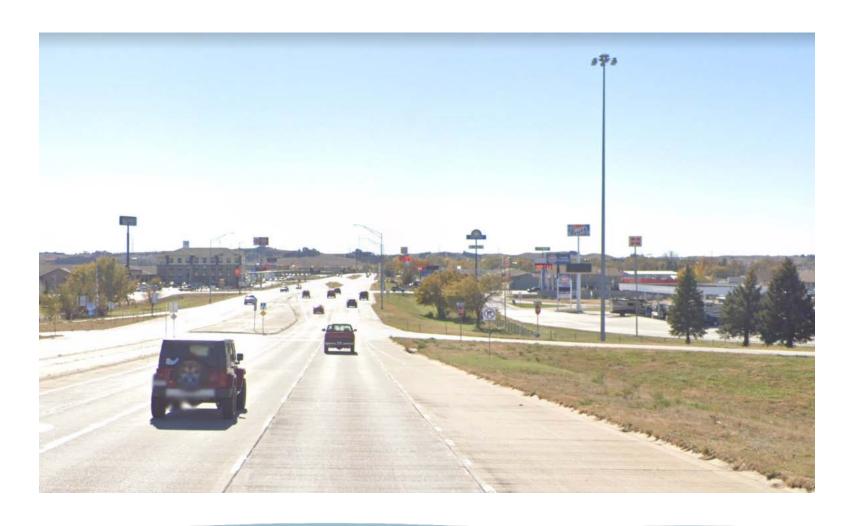
## Letters of Map Revision

LOMR's are needed to incorporate post-FIRM changes (manmade or natural) into the currently effective FIRM's

Some examples for submitting LOMR's include:

- Physical changes to watercourse or floodplain boundaries due to development
- Physical changes due to stream meandering
- Incorporating better technical data into existing studies
- Correcting known FEMA study errors

### **North Platte**



#### The LOMC Review Process

Remember, <u>all LOMC cases</u> are processed on a "First entirely complete submittal, first completed review" schedule. Helpful hints:

- Typically, the first few requests for additional information are for additional information needed for FEMA to complete their review
- Once all pertinent information has been received, the next round of review questions usually deals with the content of the submittal



## Review Process (cont.)

- •The applicant has 90 days to respond to FEMA's letter before the case is dropped
  - Reactivated dropped requests will be required to resubmit all information, including any applicable fees)
- •LOMA requests are processed within 60 days from the date that all data was received by FEMA
- •LOMR requests are processed within 90 days from the date that all data was received by FEMA

#### **Common Problems**

- Incomplete submissions or missing forms
- Forms not signed or signed by the wrong party
  - For example, property owner statements certifying elevations
- •Submitting the incorrect fee for the request type.
- •Omitting the grading plan that is not specifically requested on the forms but is required for some removal requests.
  - o For example, LOMR-Fs
- Lowest Adjacent Grade (LAG) not provided.

## Common Problems (cont.)

- Status of project not clear.
  - o Proposed or "as-built" submittal?
- •Certification that the ground LAG elevations are based upon the same vertical datum as the BFE shown on the FIRM.
- •Backup data for BFEs calculated by local professional engineers or surveyors was not provided.

### **Status & Description Explanations**

Status	Description
Received, Checking Completeness	Ensuring all initial data and/or fees have been received
Under Review	Reviewing technical data and supporting documentation
Awaiting Data/Fee	Awaiting additional data and/or fees in support of request
Letter Sent - Effective Date	The date on which the LOMC for community goes into effect and all legal sanctions of the National Flood Insurance Program apply. The letter is effective on the date sent.
Letter Sent - Effective Date, Comment Period Ends	The LOMC will be effective 30 days after the issue date of the letter. Any requests to review or alter this determination should be made within 30 days and must be based on scientific or technical data.
Letter Sent - Effective Date, Appeal Period Ends	The LOMC will be effective 90 days after the issue date of the letter. Any requests to review or alter this determination should be made within 90 days and must be based on scientific or technical data.
Dropped	Additional data and/or fee was not received within the regulatory time frame, therefore, the processing of this case was suspended.

#### **Amendment Fees**

Requests for Single-Lot, Single-Structure Map Change	Paper Form Fee	Online LOMC Fee
Single-Lot or Single-Structure LOMA	FREE	FREE
Single-Lot or Single-Structure CLOMA and CLOMR-F	\$600	\$500
Single-Lot or Single-Structure LOMR-F	\$525	\$425
Single-Lot/Single-Structure LOMR-F Based on As-Built Information (CLOMR-F previously issued by FEMA)	\$425	\$325
Requests for Multiple-Lot/Multiple-Structure Map Changes	Paper Form Fee	Online LOMC Fee
Changes	Form Fee	LOMC Fee
Changes Multiple-Lot/Multiple-Structure LOMA	Form Fee	LOMC Fee FREE

#### **LOMR Fees**

Requests for Map Changes Requiring Special Technical Review	Paper Form Fee	Online LOMC Fee
CLOMR Based on New Hydrology, Bridge, Culvert, Channel or Combination Thereof	\$6,750	\$6,500
CLOMR Based on Levee, Berm or Other Structural Measures	\$7,250 (plus \$60/hr)	\$7,000 (plus \$60/hr)
LOMR Based on Bridge, Culvert, Channel, Hydrology, or Combination Thereof	\$8,250	\$8,000
LOMR Based on Levee, Berm or Other Structural Measures	\$9,250 (plus \$60/hr)	\$9,000 (plus \$60/hr)
LOMR Based on As-Built Information Submitted as a Follow-up to a CLOMR	\$8,250	\$8,000
LOMR Based Solely on Submission of More Detailed Data	Free	Free
LOMR/CLOMR Based on Structural Measures on Alluvial Fans	\$7,250 (plus \$60/hr)	\$7,000 (plus \$60/hr)

#### **Final Notes**

All approved LOMAs, LOMR-Fs and LOMRs remain valid until the pertinent map is revised.

- LOMAs and LOMR-Fs may be revalidated on the Summary of Map Actions (SOMA) document.
  - Amendments not revalidated are once again subject to the community's floodplain management ordinance.
- LOMRs should be incorporated into the new map or may be superseded if a new analysis was performed on the stream in question.

## Final Notes (cont.)

- Even though they are the "community's maps", only FEMA can revise the current effective map.
- Remember, Elevation Certificates DO NOT change the maps, but they are sometimes used to support amendments.

## If you have any Technical Assistance needs or questions, contact:

Chuck Chase, CFM
Outreach Coordinator
chuck.chase@nebraska.gov
(402) 471–9422

#### **Contacts**

#### Chuck Chase

Outreach Coordinator chuck.chase@nebraska.gov (402) 471–9422

#### Adele Phillips

Flood Mitigation Planner adele.phillips@nebraska.gov (402) 471–9252

#### Elijah Kaufman

Natural Resource Specialist II elijah.kaufman@nebraska.gov (402) 471–0640

#### Michele York

Administrative Programs Officer michele.york@nebraska.gov (402) 471–1214

#### **NeDNR Website Search**

- Homepage: <a href="https://dnr.nebraska.gov/">https://dnr.nebraska.gov/</a>
- Floodplain Management: <a href="https://dnr.nebraska.gov/floodplain">https://dnr.nebraska.gov/floodplain</a>
- Floodplain Interactive Map: <a href="http://ne.gov/go/floodriskmap">http://ne.gov/go/floodriskmap</a>
- Digital Desk Reference: <u>https://dnr.nebraska.gov/floodplain/digital-desk-reference</u>
- Contact NeDNR: <a href="https://dnr.nebraska.gov/floodplain/contact">https://dnr.nebraska.gov/floodplain/contact</a>





NEBRASKA

**DEPT. OF NATURAL RESOURCES**