

# Instructions for Form 1 - Overview and Concurrence

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**Release Date: Apr 16, 2021**

This form is submitted to FEMA to assess the nature and complexity of the proposed revision. It includes basic information regarding a Conditional Letter of Map Revision or a Letter of Map Revision request. This form must be submitted with each request.

**Download [Form 1 - Overview and Concurrence](#).**

## **Purpose of Form 1 - Overview and Concurrence**

Form 1 identities:

1. The type of response expected from FEMA;
2. Elements that will require supporting data and analyses
3. Items that need the concurrence of others.

This form also ensures that the community is aware of the impacts of the request and has notified affected property owners, if required. All items must be completed accurately. If the revision request is being submitted by an individual, firm, or other non-community official, they should contact the appropriate community officials.

The National Flood Insurance Program (NFIP) regulation cited at Title 44, Chapter 1, Section 65.4 of the Code of Federal Regulations (44 CFR §65.4) requires that revisions based on new technical data be submitted through the Chief Executive Officer (CEO) of the community or an official legally designated by the CEO.

Should the CEO refuse to submit such a request on behalf of another party, FEMA will agree to review it only if written evidence is provided indicating that the CEO or designee has been requested to do so.



## Section A: Requested Response From FEMA

Indicate the type of response being requested. Brief descriptions of possible responses are provided in the introduction; more detail regarding these responses and the data required to obtain each response are provided in the National Flood Insurance Program regulations.

## Section B: Overview

1. Provide the Community Number, Community Name, State, Map Number, Panel Number, and Effective Date using the title block of the effective Flood Insurance Rate Map (FIRM). The sample Flood Insurance Rate Map panels in Figures 1 and 2 on page 12 of the MT-2 Instructions show where to find the information to complete this item. The effective Flood Insurance Rate Maps can be obtained from the community's map repository or from [FEMA's Flood Map Service Center website](#).
2. Flood source and types of flooding
  - a. Indicate the name of the flooding source (which refers to a specific lake, stream, ocean, etc.) associated with the revision request. This should match the flooding source name shown on the effective Flood Insurance Rate Map, if it has been labeled. (Examples: Lake Michigan, Duck Pond, and Big Hollow Creek).
  - b. Indicate the type(s) of flooding associated with the revision request (e.g., riverine, coastal, alluvial fan, lacustrine, other).
3. Provide the Project Name/Identifier, which can be the name of a flood control project or other pertinent structure having an impact on the effective flood hazard information, the name of a subdivision or area, or some other identifying phrase.
4. Indicate the effective zone designation(s) affected, which can be obtained from the Flood Insurance Rate Map.
5. Enter the coordinates at approximately the center of the area to be revised.
6. Basis of the revision
  - a. Indicate the basis for the revision request by checking one or more of the boxes provided.
    - Physical Change includes watershed development, flood-control structures, etc. Note that fees will be assessed for FEMA's review of proposed and as-built projects, as outlined in the National Flood



Insurance Program's regulations at Code of Federal Regulations Title 44 Part 72.

- Improved Methodology/Data may be a different technique (model) or adjustments to models used in the effective Flood Insurance Study.
- Regulatory Floodway Revision involves any shift in the FEMA-designated regulatory floodway boundaries, regardless of whether the shift is mappable.
- Other involves any basis for the request not included in the items listed on the form.

b. Indicate the types of structure(s) associated with the revision request.

7. Specific to the Conditional Letter of Map Revision: Submit documents relating to Endangered Species Act of 1973 (ESA) compliance for these requests. Please note that FEMA will not review CLOMR requests until it receives the required Endangered Species Act compliance documents. For more information, refer to the "Instructions to complete the Endangered Species Act Compliance Documentation" on Page 39 of the MT-2 Instructions.

## Section C: Review Fee

Enter the fee amount associated with the request or attach an explanation as to why the revision meets the requirements for a fee exemption, consulting the current fees for review and processing a [Conditional Letter of Map Revision](#) and a [Letter of Map Revision](#).

## Section D: Signatures

### Requester's Signature

Include the name, company/community represented, mailing address, telephone number, fax number, and email address of the requester for this revision. The person signing this certification should own the property involved in the request or have legal authority to represent a group/firm/organization or other entity in legal actions pertaining to the National Flood Insurance Program.

The requester is responsible for obtaining all necessary federal, state, and local permits as a condition of obtaining a Letter of Map Revision or Conditional Letter



of Map Revision. The community is required to make sure that all necessary permits have been obtained prior to issuing a floodplain development permit.

For required federal permits, the most common are wetlands permits under Section 404 of the Clean Water Act of 1972 and incidental take permits under Section 10 of the Endangered Species Act.

Necessary state permits vary depending on the state. Requesters who need a wetlands permit or who are not sure if one is required should contact the appropriate [U.S. Army Corps of Engineers \(USACE\) District Office](#).

If the proposed development affects threatened or endangered species or if the requester is not sure if it does, the requester should consult the nearest [U.S. Fish and Wildlife Service \(USFWS\) field office](#).

### **Community Concurrence**

Include the name and title of the community officials, community name, mailing address, telephone number, fax number, and email address of the community official that signs the form. The person signing this certification should be the Chief Executive Officer (CEO) for the community involved in this revision request or an official legally designated by the CEO.

Non-community agencies, such as flood control districts and reclamation districts, should not sign this form unless the community provides legal documentation demonstrating that the non-community agency has authority to implement and administer laws, ordinances, and regulations for that community. If more than one community is affected by the change, the community official from the community that is most affected by the revision should sign the form, and letters from the other affected communities should be enclosed. If the community or communities disagree with the proposed revision, a signed statement should be attached to the request explaining the reasons or basis for disagreement.

In accordance with the National Flood Insurance Program regulations at the Code of Federal Regulations Title 44 Section §60.3(a)(2), the community is required to ensure, prior to issuing a floodplain development permit, that an applicant has obtained all necessary federal and state permits related to development. The most commonly required federal permits are wetlands permits under Section 404 of the Clean Water Act of 1972 and incidental take permits under Section 10 of the ESA. Necessary state permits vary depending on the State. If the community



is not sure if a wetlands permit is required, the community should refer the applicant to the appropriate USACE District Office. If the proposed development affects threatened or endangered species or if the community is not sure if it does, the community should have the applicant consult the nearest USFWS field office.

### **Certification by Registered Professional Engineer and/or Land Surveyor**

The person certifying this submittal must provide a valid license number and the expiration date for their license. If this information is provided, affixing a seal is optional. If a seal is available, however, it may be affixed in the seal box provided on this form. The registered Professional Engineer and/or licensed land surveyor should have a current license in the state where the affected communities are located. While the individual signing this form is not required to have obtained the supporting data or performed the analyses, he or she must have supervised and reviewed the work.

As indicated in the National Flood Insurance Program regulations at Code of Federal Regulations Title 44 Section §65.2(b):

- A certification by a registered Professional Engineer or other party does not constitute a warranty or guarantee of performance, expressed or implied.
- Certification of data is a statement that the data is accurate to the best of the certifier's knowledge.
- Certification of analyses is a statement that the analyses have been performed correctly and in accordance with sound engineering practices.
- Certification of structural works is a statement that the works are designed in accordance with sound engineering practices to provide flood risk reduction from the base (1%-annual-chance) flood.
- Certification of "as-built" conditions is a statement that the structure(s) has been built according to the plans being certified, is in place, and is fully functioning.

If the requester is a federal agency responsible for the design and construction of flood-control facilities, a letter stating that "...the analyses submitted have been performed correctly and in accordance with sound engineering practices" may be submitted in lieu of certification by a registered Professional Engineer.

Regarding the certification of completion of flood-control facilities, a letter from the federal agency certifying the project's completion and the flood frequency event



for which the project provides flood hazard reduction may be submitted in lieu of this form.

## **Section E. Forms Submitted**

Indicate which forms are submitted with the revision request.

