



## Policy for Flood Risk Analysis and Mapping: Public Review Summary (November 2016)

### Summary of Standards Changes – November 2016

The Federal Emergency Management Agency (FEMA) maintains standards and guidance to support the Risk Mapping, Assessment and Planning (Risk MAP) Program, its initiative created to support hazard mitigation planning, the flood mapping, and risk assessment efforts in communities nationwide. These standards and guidance define the specific implementation of the statutory and regulatory requirements for the National Flood Insurance Program (NFIP). These also outline the performance of Flood Risk Projects, processing of Letters of Map Change (LOMCs) and related Risk MAP activities. More information is available at: [www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping](http://www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping).

FEMA issues updates to the Risk MAP standards and guidance on a semi-annual basis. This summary is an overview of the standards changes implemented for the fall semi-annual update, released in November 2016. Also included here is a summary of the public comments received and responses to those comments. As part of this policy update cycle, FEMA enhanced the standards and guidance development process and updated the policy to address the Technical Mapping Advisory Council recommendation to consider the cost of implementation for new requirements and address the costs consistently.

### The standards changes are:

- **Standard ID (SID) 444:** This update requires emergency operation and public evacuation procedures be documented for levee systems to be accredited. This standard will emphasize the importance of ensuring this information is available and is aligned with existing accreditation regulations. Additionally, this standard is consistent with “Flood Protection Structure Accreditation Task Force: Final Report” recommendations to require such information. The “Flood Protection Structure Accreditation Task Force: Final Report” was produced following a requirement in the 2012 NFIP Reform Act for FEMA and US Army Corps of Engineers to align our requirements related to levee inspection, certification, and accreditation.
- **SID 551:** This update clarifies that Risk MAP Program providers are responsible for the quality of the entire Flood Insurance Rate Map (FIRM) panel when working on a Physical Map Revision (PMR) project that might only affect a small portion of a panel.
- **SIDs 169 & 368:** This update removes conflicting requirements that existed between the original standards 169 and 368 related to the incorporation of Letter of Map Revisions (LOMRs) into a study or PMR. All valid LOMRs that are effective prior to the LOMC cutoff data must be incorporated. SID 169 will be updated with the combined language and 368 will be rescinded. This update will not result in significant changes to current processes.
- **SID 440:** This update removes the mandate for how Mapping Partners create the Flood Risk Map (“must be derived directly from the Flood Risk Database”). This change was needed to promote more flexibility in how the Flood Risk Map and Flood Risk Report get created, and to ultimately support simplification of the Flood Risk Database. An associated Flood Risk Database Technical Reference update will also be made to fully implement this change.
- **SID 268:** This update requires that all communities included in a revised Flood Insurance Study (FIS), regardless of whether they are affected by the revision, must receive a copy of the updated FIS or receive a notice of how to download an updated FIS. Currently, all communities in a county

affected by a revision receive a copy of the revised FIS Report at effective issuance, delivered by the Map Service Center (MSC). This aligns with current practice. In the future, communities included in the FIS, but not affected by the revision may receive a notice of how to download an updated FIS, rather than receive the updates directly.

- **SID 227:** This update adds the option to make corrections to the National Flood Hazard Layer (NFHL) through the Notice to Users (NTU) process, and also to clarifies the accreditation status of a levee cannot be updated by an NTU.
- **SID 623:** This new standard clarifies that requests to remove the Special Flood Hazard Area (SFHA) designation that require a Community Acknowledgement Form cannot be processed in non-participating communities.
- **SID 624:** This new standard states the basis for approval or denial of requests to remove the SFHA designation from a structure or property based on the elevation of the lowest adjacent grade at the structure or naturally occurring intervening high ground between the flooding source and the structure of property.
- **SID 626:** This new standard clarifies that to remove the SFHA designation from a property or portion of a property, the area to be removed cannot partially overlap any proposed or existing structures and may not include flooding sources or waterways that are shown on the effective Flood Insurance Rate Map (FIRM).

SID #	Original Standard	Revised/New Standard
169	All LOMRs issued during post-preliminary prior to the LOMC cutoff date (which is 60 days before the project's Letter of Final Determination (LFD) date) must be incorporated into the new FIS Report and FIRM. LOMRs that are issued after this time must be re-issued after the revised FIRM date.	All valid LOMRs that are effective during post-preliminary for a study or PMR prior to the LOMC cutoff date (which is 60 days before the project's LFD date) must be incorporated into the new FIS Report, FIRM, and FIRM Database. LOMRs that are issued after this time must be re-issued after the revised FIRM date, if they are still valid.
227	The Notice-to-Users revision only shall be used to correct errors or omissions in the FIS Report, FIRM Database, or on the FIRM that do not affect due process. A Notice-to-Users revision shall not change the effective date.	The Notice-to-Users process shall only be used for corrections of errors or omissions in the FIS Report, FIRM Database, NFHL, or on the FIRM that do not require administrative appeal. The Notice-to-Users revision process shall not change the accreditation status of a levee or the effective date of the FIRM and FIS.
268	All communities whose FIS Report is being updated to comply with the FIS Report Technical Reference must receive a copy of the new FIS Report, regardless of whether they are affected by the new Flood Risk Project or are outside the project area.	All communities addressed by the FIS (typically the county and all communities within) must be sent or provided a means to access the new FIS Report during distribution of the final products, regardless of whether they are affected by the new Flood Risk Project or are outside the project area.

SID #	Original Standard	Revised/New Standard
368	All LOMRs that are located within the PMR panel footprint and are effective prior to the LOMC cutoff date (which is 60 days before the project's LFD date) must be incorporated into the FIRM Database.	Proposed to be rescinded. Combined with SID #169.
440	The Flood Risk Map must be derived directly from the Flood Risk Database. The Flood Risk Database must be in agreement with the information shown in the Flood Risk Report.	The Flood Risk Database must be in agreement with the information shown in the Flood Risk Report and on the Flood Risk Map.
444	Levee systems can only be accredited in their entirety when compliance with 44 CFR Part 65.10 is demonstrated.	Levee systems can only be accredited when compliance with 44 CFR Part 65.10 is demonstrated. Compliance includes demonstrating that an emergency preparedness plan has been adopted by the community that at a minimum, includes the area impacted by the levee system, and includes procedures for emergency operation and public evacuation, meeting the standards of 65.10(c)(3).
551	For PMRs, the footprint shall be defined as the boundary of the FIRM panel(s) affected by the PMR's study area.	When FEMA is processing a PMR, the footprint shall be defined as the boundary of the FIRM panel(s) affected by the PMR's study area. All FIRM Database and FIRM Graphic standards, as well as appropriate Database Verification Tool (DVT) checks and quality reviews, apply to the footprint and are not limited to the PMR's study area."
623	N/A	Within non-participating communities, the Special Flood Hazard Area (SFHA) designation shall not be conditionally or effectively removed by letter from a structure or property that 1) has or will be elevated by the placement of fill, or 2) encroaches the regulatory floodway on the effective FIRM. This is because these reviews require the submission of a completed, signed, and dated Community Acknowledgement Form, which confirms compliance with the participating community's adopted floodplain management ordinance.

SID #	Original Standard	Revised/New Standard
624	N/A	The Special Flood Hazard Area (SFHA) designation shall not be conditionally or effectively removed from a structure or property by letter when the lowest adjacent grade to the structure or lowest point on the property is or would be below the applicable one-percent annual chance flood elevation, unless certified data can be presented to demonstrate that naturally occurring intervening high ground exists between the structure or property and the source of flooding.
626	N/A	The Special Flood Hazard Area (SFHA) designation may only be conditionally or effectively removed by letter from a property or portion-of-property that 1) includes the complete footprint of any proposed or existing structures impacted by the removal; and 2) does not include any flooding sources identified on the effective NFIP map.

Several comments were received during the comment period. The comments and FEMA's response are listed by their SID numbers below:

#### SID 551

1. **Public Comment Received:** It is unclear if this standard applies only to mapping partners or if it applies to all Risk MAP partners. Since regulatory mapping occurs at the end of a Risk MAP project, it is imperative that technical issues outside of the study area, but within the panel footprint, are addressed during Discovery, H&H, and all phases preceding regulatory mapping. If the mapping project originates as a 316-PMR, there is no mechanism to resolve technical issues outside of the study area, but within the panel footprint. There are potential impacts to timelines and budgets."

**Response:** This standard was modified to clarify who it applies to and what types of technical issues it applies to. The standard now reads "When FEMA is processing a PMR" to clarify that this applies to the work funded by FEMA, not to a community or citizen submitting a LOMR or other new technical data. The scope of the standard was all narrowed from "all standards and quality reviews" to "FIRM Database and FIRM Graphic standards, as well as appropriate DVT checks and quality reviews". While this will require increased work for the mapping partner processing the PMR in cases where there are some issue outside the area being studied, the intent is to account for those costs at the time work is funded. In the event unexpected issues are found later, a change request / modification may be required.

**SID 625**

1. **Public Comment Received:** “Can you please provide further clarification on SID 625? Is this proposed standard eliminating the ability to fill in the A Zone and remove structure or property from the SFHA through a two-step CLOMR-F/LOMR-F process? I understand that a LOMA can only be issued based on naturally occurring ground elevations but the fact that the new standard also mentions CLOMR-F is confusing.”

**Response:** The draft of standard 625 was not intended to change FEMA’s policy related to LOMR-Fs or CLOMR-Fs. The intent of the proposed standards 624 and 625 was to clearly state the existing rules related to removal of the SFHA designation by letter. In the final version, standards 624 and 625 were updated and combined into a single standard for clarity.

Intervening high ground is naturally occurring high ground located between a structure or property (subject of determination) and the flooding source which provides protection from the base flood by preventing conveyance of the base flood from the flooding source to the subject of determination. The use of intervening high ground as the basis for removing a subject of determination from the Special Flood Hazard Area (SFHA) is limited to the condition where a subject of determination is currently below the corresponding Base Flood Elevation (BFE). When intervening high ground is used as the basis for removing a subject of determination from the SFHA, then the intervening high ground shall not be based on fill material or on any other manmade alteration. SID 625 does not alter or eliminate the practice of placing engineered earthen fill to elevate a structure or parcel of land to or above the BFE to gain exclusion from the SFHA as long as the fill is permitted by the Community and does not violate any floodplain management requirements.

More information regarding the use of intervening high ground as a basis for removing a subject of determination from the SFHA is located in Section 4.10 of the MT-1 Technical Guidance document available online at [www.fema.gov/media-library-data/1469792351299-a80552cac3225d4721426c0ee1fd40b2/MT1\\_Technical\\_Guidance\\_May\\_2016.pdf](http://www.fema.gov/media-library-data/1469792351299-a80552cac3225d4721426c0ee1fd40b2/MT1_Technical_Guidance_May_2016.pdf).