

Chapter 6 Conditional Revisions and Amendments

6.1 Background

Communities, regional agencies, developers, and individual property owners often undertake floodplain modifications intended to reduce the flood risk in specific areas. Such modifications can range in scope from the simple placement of fill to large-scale flood protection projects to infrastructure improvements, such as bridge and road construction. Before proceeding with such modifications, those who propose them often wish to receive some assurance from FEMA that the modifications may eventually be credited with providing 1-percent-annual-chance flood protection under the National Flood Insurance Program (NFIP).

In carrying out their responsibilities under the NFIP, community officials may wish to have FEMA verify that such modifications will not aggravate existing flood hazards. In addition, developers and property owners who intend to construct buildings in or near a Special Flood Hazard Area (SFHA) shown on an effective NFIP flood map usually must prove to lending institutions and local officials that the placement of fill or other modifications will ensure that, after the buildings are constructed, they will not be within the SFHA shown on the map. The SFHA is the area that would be inundated by the base (1-percent-annual-chance) flood.

It is common practice for persons who are planning to undertake floodplain modifications to submit design plans and

other engineering data to FEMA and request that FEMA review them. FEMA responses to such requests are to provide comments concerning changes that may eventually be made to the effective NFIP map. These comments are issued in the form of letters called Conditional Letters of Map Revision, or “CLOMRs.”

Another common practice is for persons who are planning to place fill on single or multiple lots to request that FEMA determine whether the placement of fill will elevate their structure(s) above the Base (1-percent-annual-chance) Flood Elevation (BFE) determined by FEMA so that the structure(s) can, therefore, be considered as being outside the SFHA. FEMA responds to such requests with letters called Conditional Letters of Map Revision Based on Fill, or “CLOMR-Fs.”

A less common practice is for persons who intend to build on single or multiple lots to request that FEMA determine whether the structure or structures, which will not be placed on fill, will be excluded from the SFHA as shown on the effective NFIP map. FEMA responds to such requests with letters called Conditional Letter of Map Amendments, or “CLOMAs.”

With the exception of the federally funded flood protection systems that have met the requirements for “adequate progress” (Zone A99) discussed in Chapter 8 of this *Guide* and the flood protection systems that are being restored and meet the requirements for Zone AR discussed in Chapter 9 of this *Guide*, floodplain modifications that have not yet been completed do not warrant revisions to effective NFIP maps. Therefore, unlike Letters of Map Revision (LOMRs), Letters of Map Revision Based on Fill

(LOMR-Fs), and Letters of Map Amendment (LOMAs), CLOMRs, CLOMR-Fs, and CLOMAs do not actually revise an effective NFIP map. Once a project is completed, it is the requester or community's responsibility to ensure that "as-built" information is submitted to FEMA for a LOMR, LOMR-F, or LOMA to be issued.

The procedures that are followed in processing CLOMRs, CLOMR-Fs, and CLOMAs are presented in Figures 6-1, 6-2, and 6-3, respectively, at the end of this chapter.

6.2 Application Forms

For communities that propose floodplain modifications, requesting CLOMRs is not only prudent but, in some circumstances, required by the NFIP regulations. (See Section 65.12 of the NFIP regulations.) When a participating community proposes to permit an encroachment into a 1-percent-annual-chance floodplain where no regulatory floodway has been established, and the encroachment will cause an increase of more than 1.0 foot in the BFE (or less, if the State or community has a more restrictive standard for the allowable increase), the community must first obtain FEMA's conditional approval of the proposed encroachment under the conditional map revision process; Similarly, the community must also obtain conditional approval from FEMA before permitting an encroachment into a regulatory floodway that could cause any increase in flood elevation.

In 1992, FEMA developed the MT-1 and MT-2 application forms to make the CLOMR, CLOMR-F, and CLOMA

process quicker and more efficient. The MT-1 and MT-2 forms provide step-by-step instructions for requesters to follow and are comprehensive, ensuring that the requesters' submissions are complete and more logically structured. This allows FEMA staff to complete their review quicker and at lower cost to the NFIP. While completing the forms may seem burdensome, experience has shown that the advantages to the requesters outweigh any inconvenience. These forms are discussed in more detail later in this chapter.

6.3 Fee-Charge System

To reduce the expenses to the NFIP by more fully recovering the costs associated with processing conditional and final map change requests, FEMA implemented a procedure to recover costs associated with reviewing and processing such requests. The fee schedule for CLOMR, CLOMR-F, and CLOMA requests and other map change requests is provided in Table D-1 in Appendix D of this *Guide*.

FEMA reviews its fee-charge procedures periodically (usually, once every 2 years) and may revise the review and processing fees for map change requests. Therefore, interested parties should visit the following page on the FEMA Website for the most up-to-date information:
http://www.fema.gov/plan/prevent/fhm/frm_fees.shtm.

Certain map change requests may qualify for exemptions in accordance with Section 72.5 of the NFIP regulations, as summarized on the above-referenced Web page and in Appendix D, and include changes that correct mapping errors, natural changes, and better quality data

that do not partially or wholly incorporate manmade modifications within the SFHA.

6.4 North American Vertical Datum of 1988

Since the National Geodetic Survey determined that the national vertical control network needed to be readjusted, FEMA has been gradually converting NFIP maps from the National Geodetic Vertical Datum of 1929 (NGVD29) to the North American Vertical Datum of 1988 (NAVD88) in the contiguous United States. Therefore, when submitting a CLOMR, CLOMR-F, or CLOMA request, requesters should use the reference datum shown on the applicable, effective FIRM/DFIRM panel(s).

For more information on the conversion from NGVD29 to NAVD88, requesters should refer to FIA-20, *Converting the National Flood Insurance Program to the North American Vertical Datum of 1988, Guidelines for Community Officials, Engineers, and Surveyors*, and to Appendix B, “Guidance for Converting to the North American Vertical Datum of 1988,” of FEMA’s *Guidelines and Specifications for Flood Hazard Mapping Partners*. These guidance documents are available from the FEMA Library (<http://www.fema.gov/library/index.jsp>). Information on how to obtain copies of these and other useful guidance documents is provided in Appendix B of this *Guide*.

6.5 Endangered Species Act

For conditional map change requests involving proposed projects that have the

potential to impact an endangered species, the requester must submit documentation to show compliance with Sections 9 and 10 of the Endangered Species Act. Section 9 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 Endangered Species Act.

In accordance with Subparagraph 60.3(a)(2) of the NFIP regulations, FEMA will “review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law....” FEMA will work with the requester to ensure compliance with Endangered Species Act requirements for all conditional map change requests.

6.6 How To Request a Conditional Letter of Map Revision

A CLOMR may be requested at any time, either by a community or a private party. To request a CLOMR, the MT-2 application forms package must be used.

Requesters may obtain paper copies of these forms and instructions from the Map Specialists in the FEMA Map Assistance Center (FMAC). Requesters may contact the FMAC by telephone, toll free, at 1-877-FEMA MAP (1-877-336-2627), or send an e-mail message to a FEMA Map Specialist at FEMAMapSpecialist@riskmapcds.com.

Requesters also may download Word, PDF, and TXT versions of the MT-2

application forms and instructions from the FEMA Library

(<http://www.fema.gov/library/index.jsp>).

The forms and instructions are accessible through the following page on the FEMA Website:

<http://www.fema.gov/plan/prevent/fhm/dlmt-2.shtm>.

Completed application forms, supporting data and documentation, and review and processing fees are to be submitted to the following address.

LOMC Clearinghouse
6730 Santa Barbara Court
Elkridge, MD 21075

Payment of the review and processing fee may be made by credit card, check, or money order. Checks and money orders are to be made payable in U.S. funds to the National Flood Insurance Program. If a revision requester chooses to use a credit card, the credit card information is to be provided on the “Payment Information Form” that is included in the MT-1 forms package.

An assigned FEMA Fee-Charge System Administrator (FCSA) will review the check, money order, and payment information and, if appropriate, deposit the payment in the National Flood Insurance Fund (NFIF). If the FCSA identifies any irregularities with the payment, the FCSA will not deposit the payment in the NFIF. In such instances, FEMA will send a letter to the requester explaining any additional actions the requester must take to allow FEMA to process the request.

Because the Chief Executive Officer (CEO) of the community is responsible for ensuring that the community meets its obligations as a participant in the NFIP,

either the CEO or another community officially designated by the CEO (e.g., floodplain administrator [FPA], city planner, or city engineer) should be aware of proposed floodplain modifications that could eventually affect flooding conditions within the community. Therefore, any individual property owner, developer, or other private party who wishes to request a CLOMR should submit the request to the CEO or the designated community official.

Upon completion of the community review, the CEO, FPA, or other designated official will forward the request to the office indicated in the application form instructions.

6.7 Supporting Data and Documentation Required for Conditional Letters of Map Revision

The main difference between the types of supporting data and documentation required for map revisions—Letters of Map Revision (LOMRs) and Physical Map Revisions (PMRs)—and those required for CLOMRs is that any maps, plans, drawings, measurements, or ground elevation data submitted in support of a request for a CLOMR will not reflect existing conditions and consequently cannot be certified "as-built."

In addition, the operations and maintenance plans that are to be formally adopted by a community, which are part of the required supporting information for a map revision request based on the effects of a completed levee system or other flood protection system, are not required when a

request is made for a CLOMR. (See Tables 4-1 through 4-4 in Chapter 4 of this *Guide* for summaries of the required data and documentation for a CLOMR.)

As with LOMR and PMR requests, individuals or community officials that are considering whether to submit a CLOMR request also should refer to the MT-2 instructions and the following forms, where appropriate, to clarify the supporting data and documentation required:

- “Elevation Form” (Form 1);
- “Riverine Hydrology & Hydraulics Form” (Form 2);
- “Riverine Structures Form” (Form 3);
- “Coastal Analysis Form” (Form 4);
- “Coastal Structures Form” (Form 5); and
- “Alluvial Fan Flooding Form” (Form 6).

For most CLOMR requests, the data and documentation discussed below must be submitted.

- Hydraulic modeling analysis of the floodplain and regulatory floodway (as appropriate) of all flood frequencies listed in the effective FIS report must be submitted.
- A separate hydraulic analysis must be submitted duplicating the effective model and documenting proposed conditions though submission of a proposed-conditions model.

- To document any physical changes within a community’s floodplain since the effective model, it may be necessary for the CLOMR requester to provide an existing-conditions model to accurately show the effects of a proposed project on a community’s flood levels.
- Certified, dated, topographic work map, depicting scale, model cross-sections, vertical datum reference, and contour interval (contour interval should be equivalent to or more detailed than that used to develop the effective Flood Insurance Rate Map (FIRM) or Digital Flood Insurance Rate Map (DFIRM) and delineating the flood zone and regulatory floodway boundaries (as appropriate) must be submitted.
- A copy of the effective FIRM/DFIRM (panel number and effective date must be included in copy) annotated to reflect the proposed flood zone and regulatory floodway boundaries (as appropriate) must be submitted.
- All appropriate completed certification forms including community concurrence of proposed revision are to be submitted.
- Documentation showing compliance with Sections 9 and 10 of the Endangered Species Act must be submitted.

Certifications, where referenced in the requirements for supporting data and documentation, are defined as follows:

- Certification of data is a statement that the data are 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 protection from the base flood.
- Certification of as-built conditions is a statement that a structure has been built according to the plans being certified, is in place, and is fully functional.

The CLOMR requester should ensure that certifications include the certifier's name, signature, registration number, and the registration date of the certifier.

6.8 Conditional Letter of Map Revision Processing Procedures

As shown below and in Figure 6-1, which appears at the end of this chapter, the processing procedures for LOMR and PMR requests also apply to CLOMR requests.

Although a CLOMR does not revise the effective Flood Insurance Study (FIS) report, FIRM, DFIRM or Flood Boundary and Floodway Map (FBFM), the CLOMR determination documents do describe

changes to the effective FIS report, FIRM/DFIRM, or FBFM that will result from the project, if built as proposed. The CLOMR also describes any additional information (e.g., as-built plans, fill compaction certification) required by FEMA to process the final determination as a PMR or LOMR.

For communities that propose floodplain modifications, requesting CLOMRs is not only prudent but, in some circumstances, required. (See Section 65.12 of the NFIP regulations.) When a participating community proposes to permit an encroachment into its 1-percent-annual-chance floodplain where no floodway has been established, and the encroachment will cause an increase of more than 1.0 foot in the BFE, the community must first obtain FEMA's conditional approval of the proposed encroachment through the CLOMR process. Similarly, the community also must obtain conditional approval from FEMA before permitting an encroachment into a regulatory floodway that would result in any increases to flood levels.

In their review of a map revision request, FEMA will acknowledge receipt of the request by letter and, if necessary, by telephone to the person who submitted the request. If that person is a private party, FEMA will send copies of all letters to that person to the community CEO(s) and FPA(s) of the affected community or communities.

Upon receiving a CLOMR request, FEMA will perform a preliminary review to determine whether the requester has completed the appropriate forms; to determine whether the required supporting data and review and processing fee have

been provided; and, if a private party submitted the request to FEMA, to verify that the community is aware of the request.

If the required supporting data, documentation, forms, and/or review and processing fee have not been provided, FEMA will send a letter to the requester. This letter will identify the supporting data, documentation, forms, or review and processing fee that the requester must submit before FEMA can complete its review of the request. In this “additional data” letter, FEMA will also provide a timeframe (usually 90 days) for submitting the required data, documentation, forms, and/or fee.

FEMA will generally send the additional data letter within 30 days. Until the requested data, documentation, forms, and/or fee are received, FEMA will not take any further action concerning the request.

If FEMA determines from its preliminary review that the required forms and fee have been provided along with sufficient supporting data and documentation to complete its review, FEMA will then inform the requester of the amount of time that will be needed to complete its detailed review of the request (usually 30 to 90 days).

After completing its detailed review, FEMA will inform the requester by letter if any additional supporting data and/or documentation must be submitted before the CLOMR determination is issued. FEMA will always issue such letters within the 90-day period stipulated in the NFIP regulations, but will frequently send them within 30 days. Again, FEMA will take no further action on the request until

the required supporting data and/or documentation are received.

Upon receipt of all required data and documentation, FEMA will complete its review and will issue its determination regarding the CLOMR request in the form of a letter to the CEO(s) of the affected community or communities. FEMA will send copies of the letter(s) to the community FPA(s), other community official(s) who requested the CLOMR, and any individual non-community official requester(s).

Samples of the CLOMR determination documents are provided in Appendix B of FEMA’s *Document Control Procedures Manual*, which is available from the FEMA Library

(<http://www.fema.gov/library/index.jsp>).

The Manual also can be accessed from a dedicated page on the FEMA Website:

<http://www.fema.gov/plan/prevent/fhm/gsdcpm.shtm>.

6.9 How To Request a Conditional Letter of Map Revision Based on Fill

To request a CLOMR-F, the requester must complete the MT-1 application forms. Requesters may obtain paper copies of these forms and the step-by-step instructions from the Map Specialists in the FMAC. Requesters may contact the FMAC by telephone, toll free, at 1-877-FEMA MAP (1-877-336-2627), or send an e-mail message to FEMAMapSpecialist@riskmapcds.com.

Requesters also may download Word, PDF, and TXT versions of the MT-1

application forms and instructions from the FEMA Library; the forms and instructions are accessible through the following page on the FEMA Website:

<http://www.fema.gov/plan/prevent/fhm/dlmt-1.shtm>.

Completed application forms, supporting data and documentation, and review and processing fees for CLOMR-F requests are to be submitted to:

LOMC Clearinghouse
6730 Santa Barbara Court
Elkridge, MD 21075

6.10 Supporting Data and Documentation Required for Conditional Letters of Map Revision Based on Fill

The supporting data and documentation required for CLOMR-F are summarized below. The supporting data and documentation are the same as those required for LOMR-F requests; however, because CLOMR-F requests are based on proposed construction, as-built information is not required.

- Property description documentation must be enclosed for every request and can consist of either the Plat Map or Deed (containing the recorder's stamp and recordation date) accompanied by a tax assessor's map or other suitable map showing the surveyed location of the property.

Note: The recordation data (e.g., Book, Volume, Page, Reel,

Document Number, Date) must appear on all documents submitted so that FEMA may use the legal description of the property in making its determination, and FEMA must be able to identify the property exactly.

- If the property is not recorded on a Plat Map, a copy of the tax assessor's map must be submitted to help FEMA locate the property.
- A photocopy of the effective FIRM/DFIRM panel, annotated to show where the property is located, must be submitted for every request. If FEMA has produced a separate FBFM for the area in which the structure(s) or parcel(s) of land may be located, a photocopy of the FBFM panel also should be included. The panel number and effective date of the FIRM/DFIRM and FBFM must appear on the copy submitted. The original paper copy of the map panel(s) or a photocopy of the map panels must be used. Due to possible distortion, a reproduction from a photocopy is unacceptable.
- Elevation data must be submitted for all CLOMR-F requests. As discussed below, the type and source of the elevation data will vary.
 - a. For riverine flood hazard areas, the BFE can be established by interpolation along the Flood Profile for the flooding source in the FIS report. If, for some reason, no Flood Profile exists,

- the BFE should be taken from the effective FIRM/DFIRM.
- b. For lacustrine flood hazard areas, the BFE can be taken from the Summary of Stillwater Elevations in the FIS report. If the flooding source is not included in the table, the BFE should be taken from the effective FIRM/DFIRM.
 - c. For coastal flood hazard areas, the BFE should be taken from the effective FIRM/DFIRM and then compared with the elevation in the Summary of Stillwater Elevations table. If the stillwater elevation listed in the table is less than or equal to the whole-foot BFE shown on the map minus 0.5 foot, a wave height, wave runup, and/or wave setup component exists; therefore, the whole-foot BFE shown on the map should be used. If the stillwater elevation listed in the table is greater than the whole-foot BFE shown on the map minus 0.4 foot, the stillwater elevation shown in the table should be used as the BFE.
 - d. For approximate flood hazard areas (designated Zone A on the map), FEMA has not determined BFEs. If a BFE for the area has not been developed by a Federal, State, or local government agency, the requester should refer to FEMA-265, *Managing Floodplain Development in Approximate Zone A Areas: A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*, accessible through the FEMA Website (http://www.fema.gov/plan/prevent/fhm/frm_docs.shtm).
- e. For shallow flooding areas (designated Zone AH on the map), the BFE shown on the effective FIRM/DFIRM should be used.
 - f. For shallow/sheet flooding areas (designated Zone AO on the map), the characteristics of the area will determine the appropriate methodology, and the requester should refer to the guidance in the MT-EZ and MT-1 instructions.
 - g. In addition to the BFE, the elevation data required for a structure is the Lowest Adjacent Grade (LAG) to the structure (i.e., the elevation of the lowest ground touching the structure, including attached decks or garage).
 - h. The elevation data required for a legally defined parcel of land, or portion thereof, is the elevation of the lowest ground on the parcel or within the portion of land that is to be removed from the SFHA
- Unless an NFIP Elevation Certificate has been completed for a proposed structure, the “Elevation Form” (Form 2) from the MT-1 package must be completed and certified by a Licensed Land

Surveyor or Registered Professional Engineer.

- If an NFIP Elevation Certificate has been completed, it may be submitted in lieu of Form 2. The Elevation Certificate also must be certified by a Licensed Land Surveyor or Registered Professional Engineer. The Elevation Certificate is available through the FEMA Library and is accessible through the following page on the FEMA Website:
http://www.fema.gov/plan/prevent/fhm/frm_form.shtm. Paper copies of the Elevation Certificate also may be acquired by contacting the Map Specialists in the FMAC.
- The “Community Acknowledgment Form” (Form 3) must be included for all CLOMR-F requests in which a property has been or will be inadvertently included within the regulatory floodway shown on the NFIP map; however, only Section A of Form 3 needs to be completed.
- Documentation showing compliance with Sections 9 and 10 of the Endangered Species Act must be submitted.

For CLOMR-F requests involving property located in an area designated Zone A on the FIRM/DFIRM, with no BFEs determined, the requester should refer to FEMA-265, *Managing Floodplain Development in Approximate Zone A Areas: A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*. This manual provides engineering guidelines for determining BFEs in Zone A areas and is accessible

through the FEMA Website:

http://www.fema.gov/plan/prevent/fhm/frm_docs.shtm.

Printed paper copies of the effective FIRM, DFIRM, and/or FBFM panel(s) and FIS report materials are kept on file in the Community Map Repository of each affected community. (Digital versions may also be available in some communities.) The Community Map Repository is the community office responsible for floodplain management activities in the community.

Interested citizens who are having trouble locating the Community Map Repository may call a Map Specialist in the FMAC, toll free, at 1-877-FEMA MAP (1-877-336-2627), or send an e-mail to FEMAMapSpecialist@riskmapcdfs.com.

To obtain their own digital copy of the complete effective NFIP map(s) or selected panel(s) and the FIS report, requesters should contact the MSC. The effective NFIP maps may be viewed online through the MSC Website:

<http://www.msc.fema.gov/>. Effective NFIP maps, FIS reports, and related products also may be downloaded for a nominal fee from the MSC Website. (Note: Effective October 1, 2009, the MSC distributes only digital versions of the flood maps and FIS reports.) A screen shot of the MSC Home Page is provided in Appendix B of this *Guide*.

Individuals who do not have Internet access or who require additional assistance also may contact the MSC staff by telephone, toll free, at 1-800-358-9616, or by facsimile transmission, toll free, at 1-800-358-9620.

For CLOMR-F requests affecting a single structure, a single lot, or multiple structures or lots in a relatively small area, requesters may also choose to create another product available from the MSC Website. This product is called a FIRMette. A FIRMette is a full-scale portion of particular map panel that a user creates by selecting a desired area from the online image of that map panel. In addition to the area of interest, the FIRMette includes the map title block, north arrow, and scale bar. There is no cost for producing a FIRMette. A FIRMette tutorial is available on the MSC Website to assist first-time users.

Certifications, where referenced in the requirements for supporting data and documentation, are defined as follows:

- Certification of data is a statement that the data are 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 protection from the base flood.

The CLOMR-F requester should ensure that certifications include the certifier's name, signature, registration number, and the registration date of the certifier.

6.11 Conditional Letter of Map Revision Based on Fill Processing Procedures

The procedures that are followed in processing requests for CLOMR-Fs are shown in Figure 6-2 at the end of this chapter and are summarized below.

After the CLOMR-F request has been received at the LOMC Clearinghouse mentioned earlier in this chapter, FEMA will review the submittal package for completeness and acknowledge receipt of the request by letter to the requester, usually within 10 days, but not later than 60 days. This letter will identify any required supporting data, application forms, and/or fee that the requester did not submit and inform the requester to submit the required data, forms and other documentation, and/or fees within 90 days of the date of the letter. If the required supporting data, forms, documentation, and/or fee are not provided within 90 days, FEMA will suspend the processing of the request.

If all required supporting data, forms, other documentation, and fee have been provided with the request, FEMA staff will acknowledge the request by letter and proceed with performing a technical review. If any questions or problems arise during this review, FEMA will work with the requester to resolve them appropriately.

Once all required data, forms and other documentation, and fee are received, FEMA staff will complete their review and issue the appropriate conditional determination documents indicating:

- The lot(s) would not be located in the SFHA if fill is placed as shown in the data and documentation provided by the requester.
- The proposed structure(s) would not be located in the SFHA if the fill is placed and the proposed structure is/structures are built as shown in the data and documentation provided by the requester.
- Neither the proposed structure(s) nor the lot(s) will be located in the SFHA if the fill is placed and the proposed structure is/structures are built as shown in the data and documentation provided by the requester.
- The proposed structure(s) will not be located in the SFHA, but the lot(s) will be located in the SFHA if the fill is placed and the structure is/structures are built as shown in the data and documentation provided by the requester.

Samples of the CLOMR-F determination documents are provided in Appendix C of FEMA's *Document Control Procedures Manual*, which is available in the FEMA Library (<http://www.fema.gov/library/index.jsp>). The Manual also can be accessed from the following page on the FEMA Website: <http://www.fema.gov/plan/prevent/fhm/gsdcpm.shtm>.

As provided for in the NFIP regulations, FEMA must complete the processing of CLOMR-F requests within 60 days of the date that all required supporting data and documentation are received. However, FEMA generally issues determinations for CLOMR-Fs within 4 weeks of the date that all required supporting data and documentation are received.

As discussed earlier in this *Guide*, a CLOMR-F does not revise the effective FIRM or DFIRM panel(s) for the community, structure(s), and lot(s) that are the subject of the request.

6.12 How To Request a Conditional Letter of Map Amendment

To request a CLOMA, the requester must complete the MT-1 application forms. Requesters may obtain paper copies of these forms and the step-by-step instructions from the Map Specialists in the FMAC. Requesters may contact the FMAC by telephone, toll free, at 1-877-FEMA MAP (1-877-336-2627), or send an e-mail message to FEMAMapSpecialist@riskmapcds.com.

Requesters also may download Word, PDF, and TXT versions of the MT-1 application forms and instructions from the FEMA. The forms and instructions also are accessible through the following page on the FEMA Website:

<http://www.fema.gov/plan/prevent/fhm/dlmt-1.shtm>.

Completed application forms, supporting data and documentation, and review and processing fees for CLOMA requests are to be submitted to:

LOMC Clearinghouse
6730 Santa Barbara Court
Elkridge, MD 21075

6.13 Supporting Data and Documentation Required for Conditional Letters of Map Amendment

The supporting data and documentation required for CLOMA requests are summarized below. The supporting data and documentation are the same as those required for LOMA requests; however, because LOMAs requests are based on proposed construction, as-built information is not required.

Under the conditional map amendment process, FEMA will make determinations for single or multiple proposed structures on one or more lots and for single or multiple parcels of land that can be legally described. The supporting data and documentation summarized below are to be submitted in support of a CLOMA request.

- Property description documentation must be enclosed for every request and can consist of either the Plat Map or Deed (containing the recorder's stamp and recordation date) accompanied by a tax assessor's map or other suitable map showing the surveyed location of the property. Note: The recordation data (e.g., Book,

Volume, Page, Reel, Document Number, Date) must appear on all documents submitted so that FEMA may use the legal description of the property in making its determination, and FEMA must be able to identify the property exactly.

- If the property is not recorded on a Plat Map, a copy of the tax assessor's map must be submitted to help FEMA located the property.
- A photocopy of the effective FIRM/DFIRM panel, annotated to show where the property is located, must be submitted for every request. If FEMA has produced a separate Flood Boundary and Floodway Map (FBFM) for the area in which the structure(s) or parcel(s) of land may be located, a photocopy of the FBFM panel also should be included. The panel number and effective date of the FIRM/DFIRM and FBFM must appear on the copy submitted. The original paper copy of the map panel(s) or a photocopy of the map panels must be used. A reproduction from a photocopy is unacceptable due to possible distortion.
- Elevation data must be submitted for all requests, except requests for determinations in which the effective FIRM/DFIRM already shows the property to be clearly outside the SFHA. As discussed below, the type and source of the elevation data will vary.

- a. For riverine flood hazard areas, the BFE can be established by interpolation along the Flood Profile for the flooding source that appears in the FIS report. If, for some reason, no Flood Profile exists, the BFE should be taken from the effective FIRM/DFIRM.
- b. For lacustrine flood hazard areas, the BFE can be taken from the Summary of Stillwater Elevations in the FIS report. If the flooding source is not included in the table, the BFE should be taken from the effective FIRM/DFIRM.
- c. For coastal flood hazard areas, the BFE should be taken from the effective FIRM/DFIRM and then compared with the elevation in the Summary of Stillwater Elevations table. If the stillwater elevation listed in the table is less than or equal to the whole-foot BFE shown on the map minus 0.5 foot, a wave height, wave runup, and/or wave setup component exists; therefore, the whole-foot BFE shown on the map should be used. If the stillwater elevation listed in the table is greater than the whole-foot BFE shown on the map minus 0.4 foot, the stillwater elevation shown in the table should be used as the BFE.
- d. For approximate flood hazard areas (designated Zone A on the map), FEMA has not determined BFEs. If a BFE for the area has not been developed by a Federal, State, or local government agency, the requester should refer to FEMA-265, *Managing Floodplain Development in Approximate Zone A Areas: A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*, which is accessible through the FEMA Website:
http://www.fema.gov/plan/prevent/fhm/frm_docs.shtm.
- e. For shallow flooding areas (designated Zone AH on the map), the BFE shown on the effective FIRM/DFIRM should be used.
- f. For shallow/sheet flooding areas (designated Zone AO on the map), the characteristics of the area will determine the appropriate methodology, and the requester should refer to the guidance in the MT-EZ and MT-1 instructions.
- g. In addition to the BFE, the elevation data required for a structure is the Lowest Adjacent Grade (LAG) to the structure (i.e., the elevation of the lowest ground touching the structure, including attached decks or garage).

- h. The elevation data required for a legally defined parcel of land, or portion thereof, is the elevation of the lowest ground on the parcel or within the portion of land that is to be removed from the SFHA.
- For all requests except requests for determinations in which the effective FIRM/DFIRM already shows the property to be clearly outside the SFHA, the “Elevation Form” (Form 2) from the MT-1 package must be included unless an NFIP Elevation Certificate (EC) has been completed. The elevation data must be certified by a Licensed Land Surveyor or Registered Professional Engineer.
- If an EC has been completed for the proposed structure(s), the EC may be submitted in lieu of Form 2. The EC(s) also must be certified by a Licensed Land Surveyor or Registered Professional Engineer. The EC is available through the FEMA Library and can be accessed through the following page on the FEMA Website: http://www.fema.gov/plan/prevent/fhm/frm_form.shtm. Paper copies of the EC form also may be acquired by contacting the Map Specialists in the FMAC.
- Documentation showing compliance with Sections 9 and 10 of the Endangered Species Act must be submitted.

Printed paper copies of the effective FIRM, DFIRM, and/or FBFM panel(s) and FIS report materials are kept on file in the Community Map Repository of each affected community. (Digital versions may also be available in some communities.) The Community Map Repository is the community office responsible for floodplain management activities in the community. Interested citizens who are having trouble locating the Community Map Repository may call a Map Specialist in the FMAC, toll free, at 1-877-FEMA MAP (1-877-336-2627), or send an e-mail to FEMAMapSpecialist@riskmapcds.com.

To obtain their own digital copy of the effective NFIP map(s) or selected panel(s) and the FIS report, CLOMA requesters should contact the MSC. The effective NFIP maps may be viewed online through the MSC Website:

<http://www.msc.fema.gov/>. Effective NFIP maps, FIS reports, and related products also may be downloaded for a nominal fee from the MSC Website. (Effective October 1, 2009, the MSC distributes only digital versions of the flood maps and FIS reports.) A screen shot of the MSC Home Page is provided in Appendix B of this *Guide*.

Individuals who do not have Internet access or who require additional assistance also may contact the MSC staff by telephone, toll free, at 1-800-358-9616, or by facsimile transmission, toll free, at 1-800-358-9620.

For many CLOMA requests, particularly those involving single structures, single lots, or multiple lots and structures occupying a relatively small area, requesters may also choose to create another product available from the MSC Website. This product is called a FIRMette.

A FIRMette is a full-sized section of particular map panel that a user creates by selecting a desired area from the online image of that map panel. In addition to the area of interest, the FIRMette includes the map title block, north arrow, and scale bar. FEMA does not charge a fee for producing a FIRMette. To assist first-time users, the MSC has produced a FIRMette tutorial, which also is available on the MSC Website.

Certifications, where referenced in the requirements for supporting data and documentation, are defined as follows:

- Certification of data is a statement that the data are 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 protection from the base flood.

The CLOMA requester should ensure that certifications include the certifier's name, signature, registration number, and the registration date of the certifier.

6.14 Conditional Letter of Map Amendment Processing Procedures

After the request has been received, FEMA will acknowledge receipt of the request by letter to the requester, usually within 10 days, but not later than 60 days. This letter will identify any basic data or documentation that the requester may have neglected to submit. If sufficient data have been provided with the request, FEMA will review the request and the supporting data and/or documentation. If any questions or problems arise during this review, FEMA will work with the requester to resolve them. If these required data and/or documentation are not provided within 90 days, FEMA will generally suspend the processing of the request.

As provided for in the NFIP regulations, FEMA must complete the processing of CLOMA requests within 60 days of the date that all required supporting data and documentation are received. However, FEMA generally issues determinations for CLOMAs within 4 weeks of the date that all required supporting data and documentation are received.

Once all required data and documentation, including application forms, are provided, FEMA will complete its review and issue one of the determinations below as appropriate:

- The proposed structure(s) and lot(s) are/will be out of the SFHA as shown on the effective NFIP map. No amendment to the map will be necessary.
- The proposed structure(s) and lot(s) will be out of the SFHA because the proposed structure(s) or lot(s) will be above the BFE.
- The proposed structure(s) and lot(s) will be in the SFHA because the proposed structure(s) or lot(s) will be below the BFE.
- The proposed structure(s) will be above the BFE and therefore out of the SFHA. However, the remainder of the lot(s) will continue to be in the SFHA.

Samples of the CLOMA determination documents are provided in Appendix C of FEMA's *Document Control Procedures Manual*, which is available in the FEMA Library

(<http://www.fema.gov/library/index.jsp>)

and can be accessed from the following page on the FEMA Website:

<http://www.fema.gov/plan/prevent/fhm/gsdcpm.shtm>.

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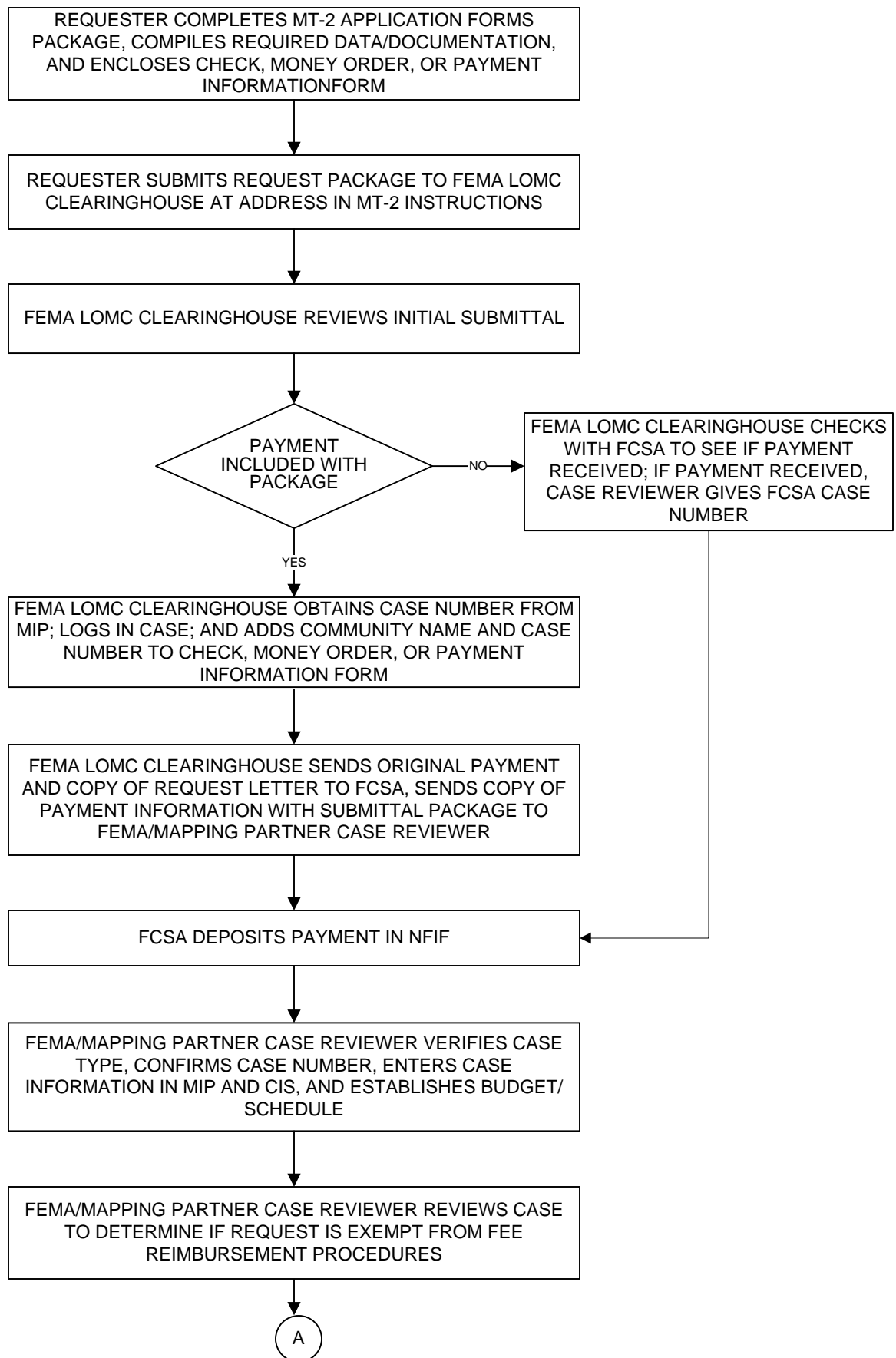


Figure 6-1. Processing Procedures for CLOMRs

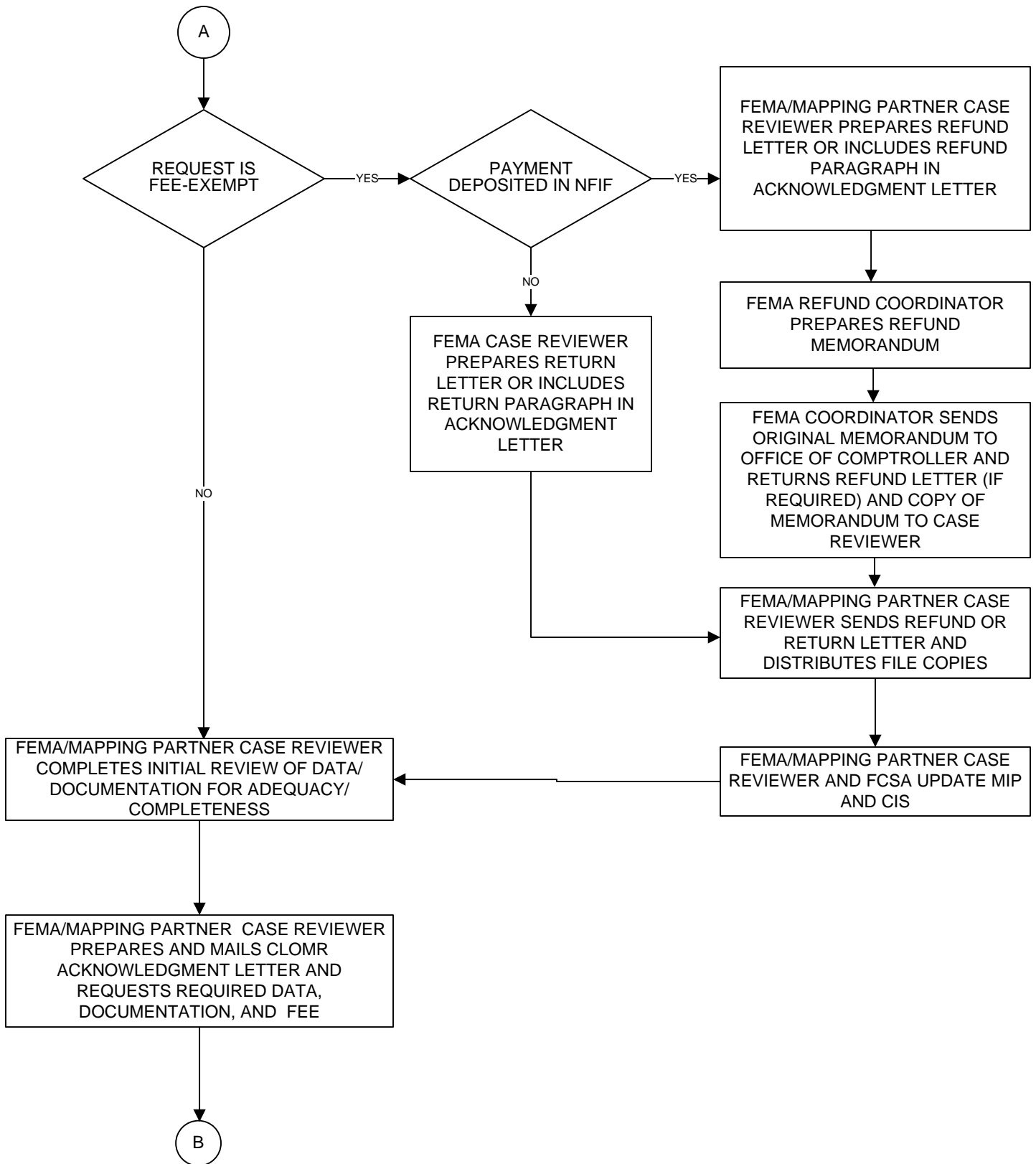


Figure 6-1. Processing Procedures for CLOMRs (Cont'd)

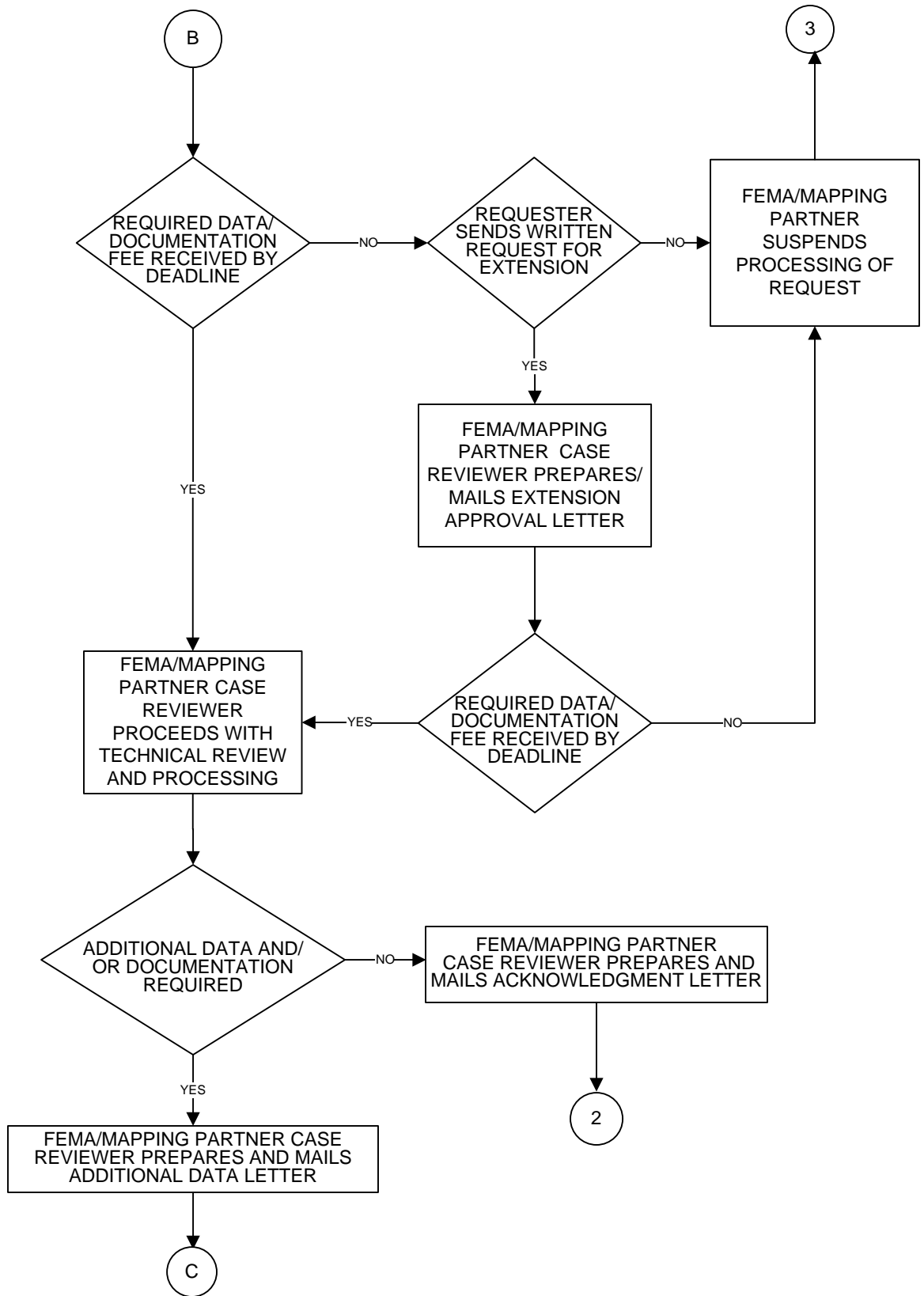


Figure 6-1. Processing Procedures for CLOMRs (Cont'd)

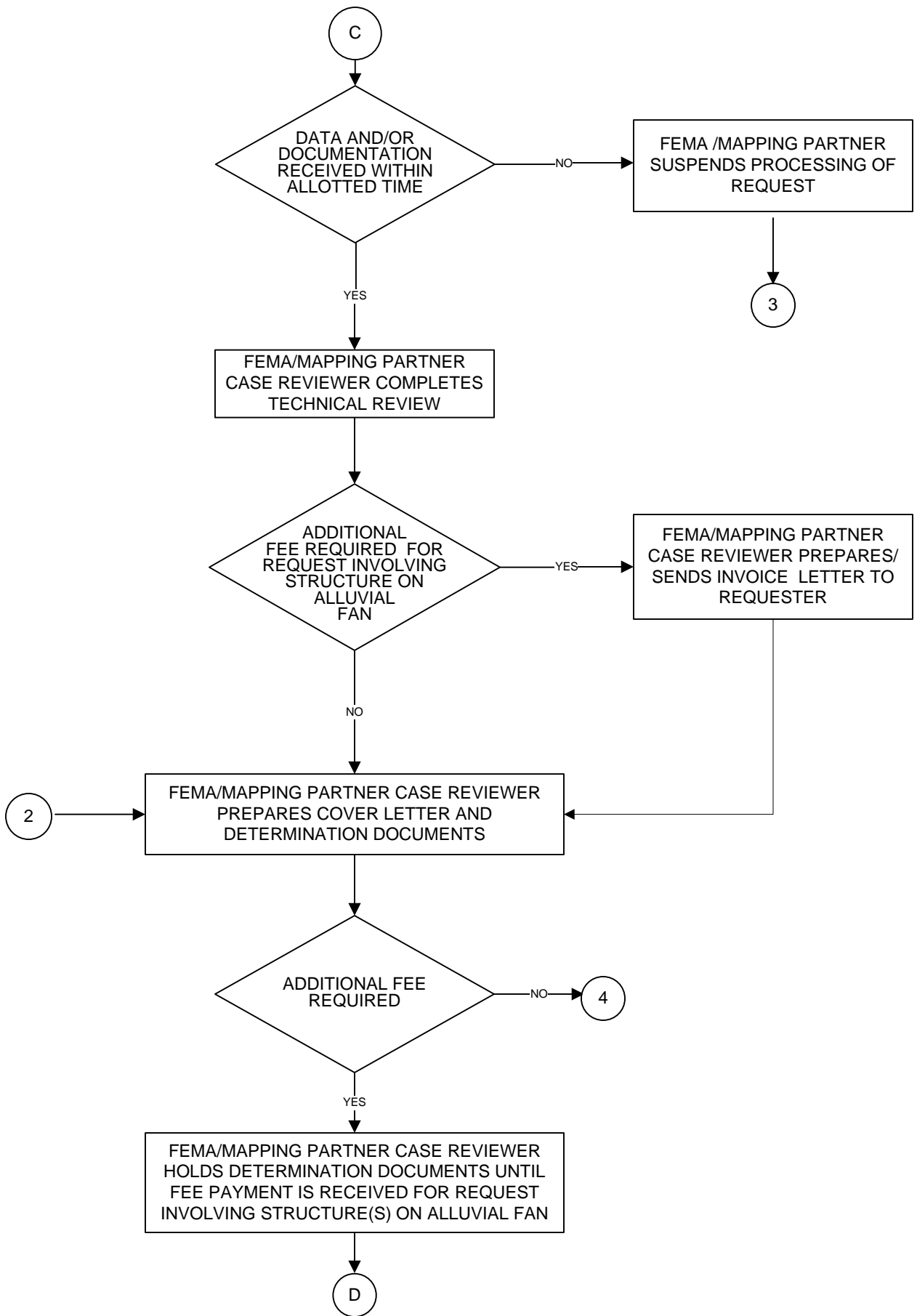


Figure 6-1. Processing Procedures for CLOMRs (Cont'd)

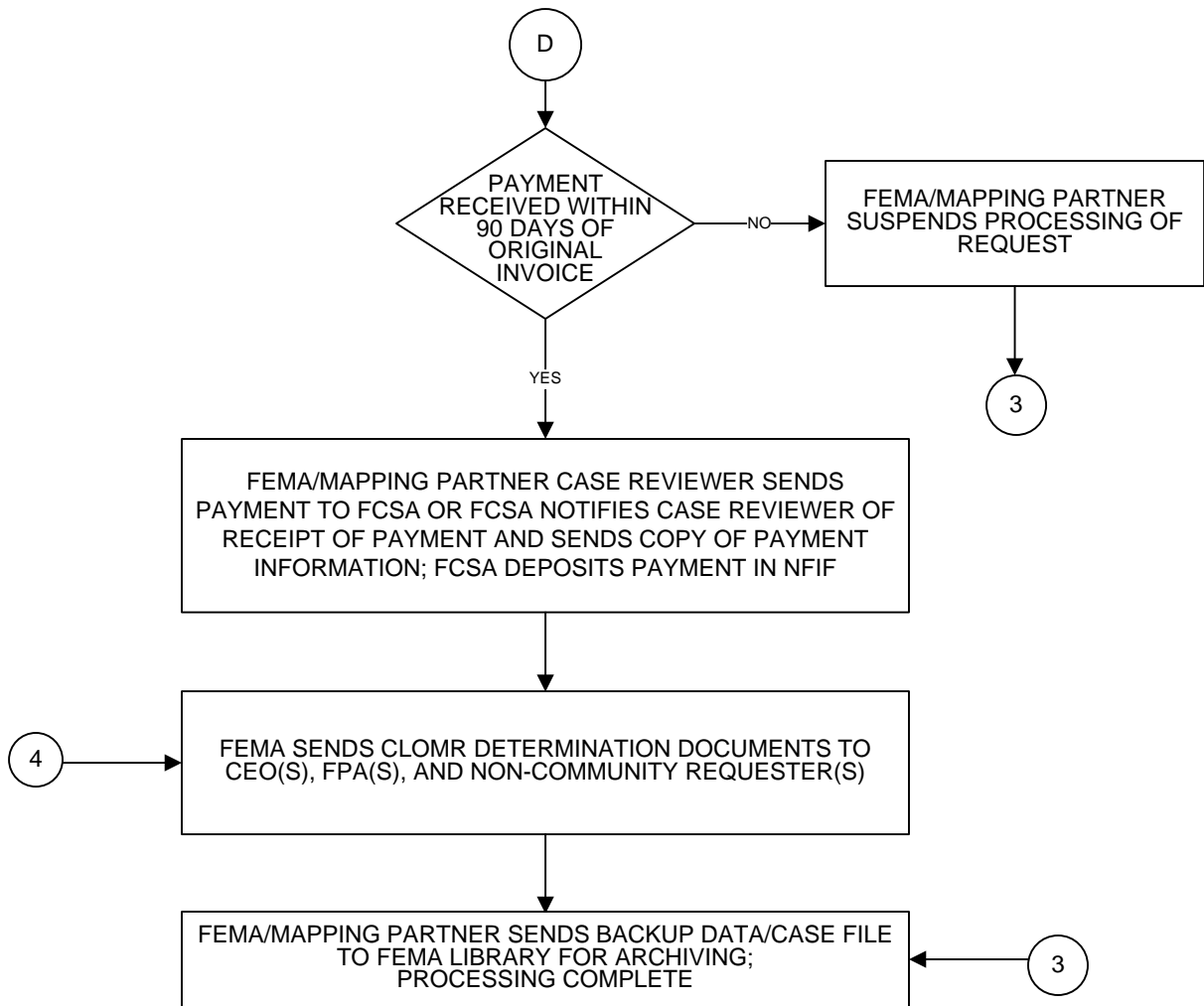


Figure 6-1. Processing Procedures for CLOMRs (Cont'd)

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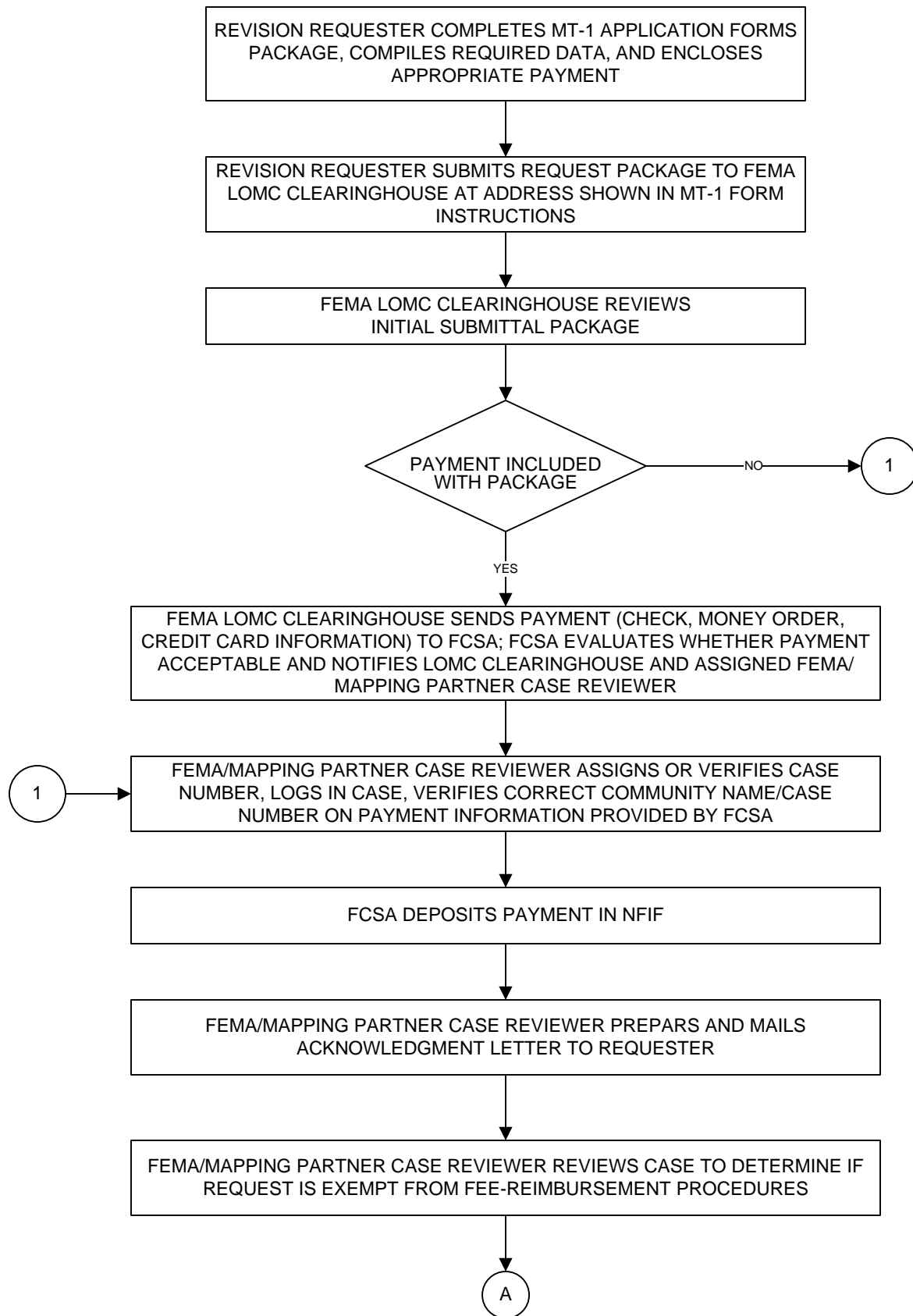


Figure 6-2. Processing Procedures for CLOMR-Fs

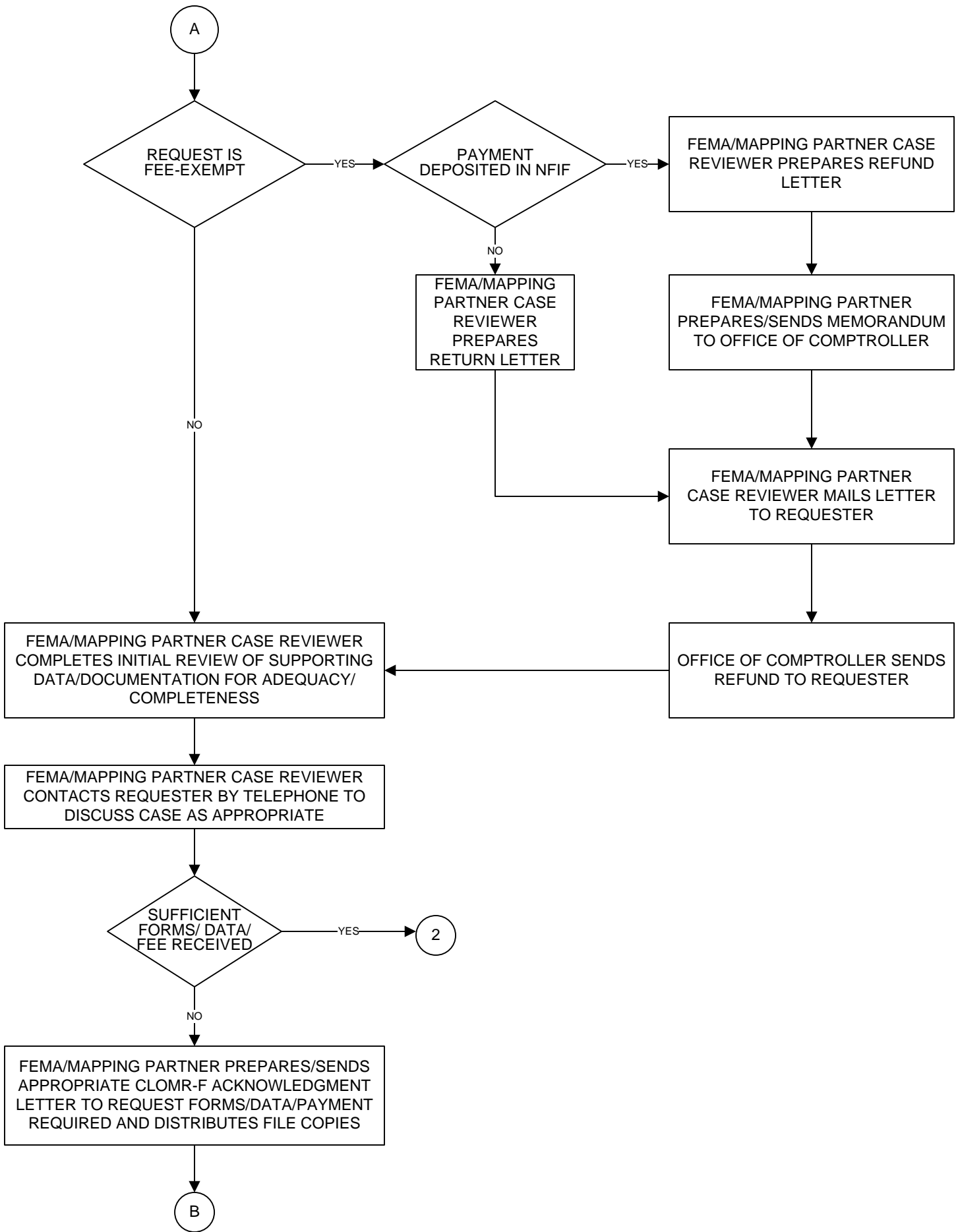


Figure 6-2. Processing Procedures for CLOMR-Fs (Cont'd)

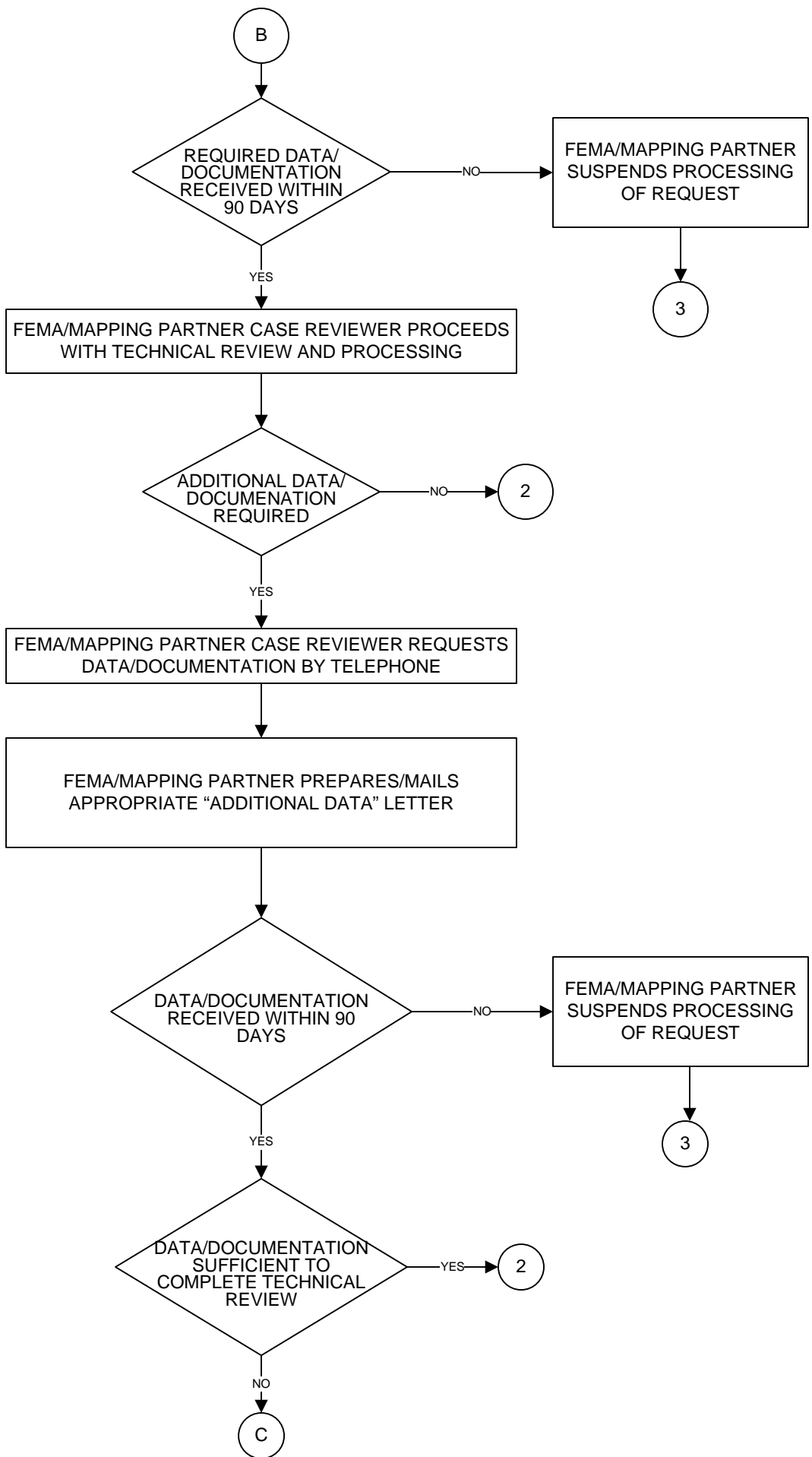


Figure 6-2. Processing Procedures for CLOMR-Fs (Cont'd)

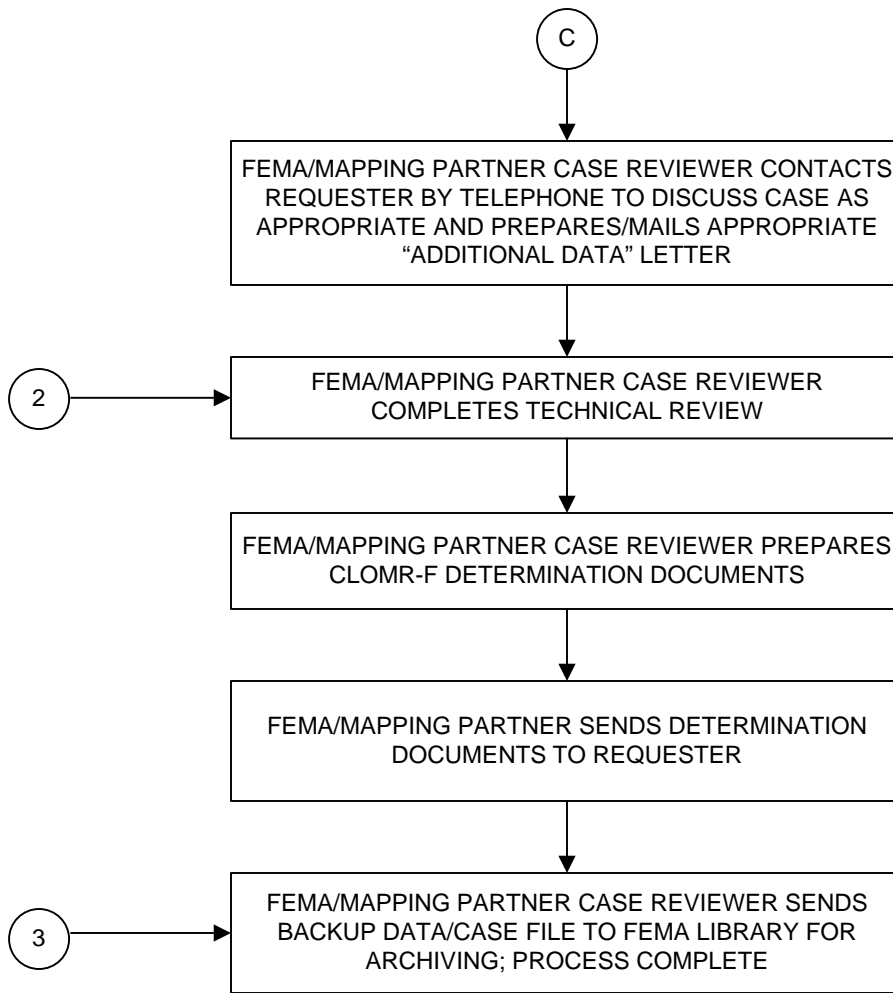


Figure 6-2. Processing Procedures for CLOMR-Fs (Cont'd)

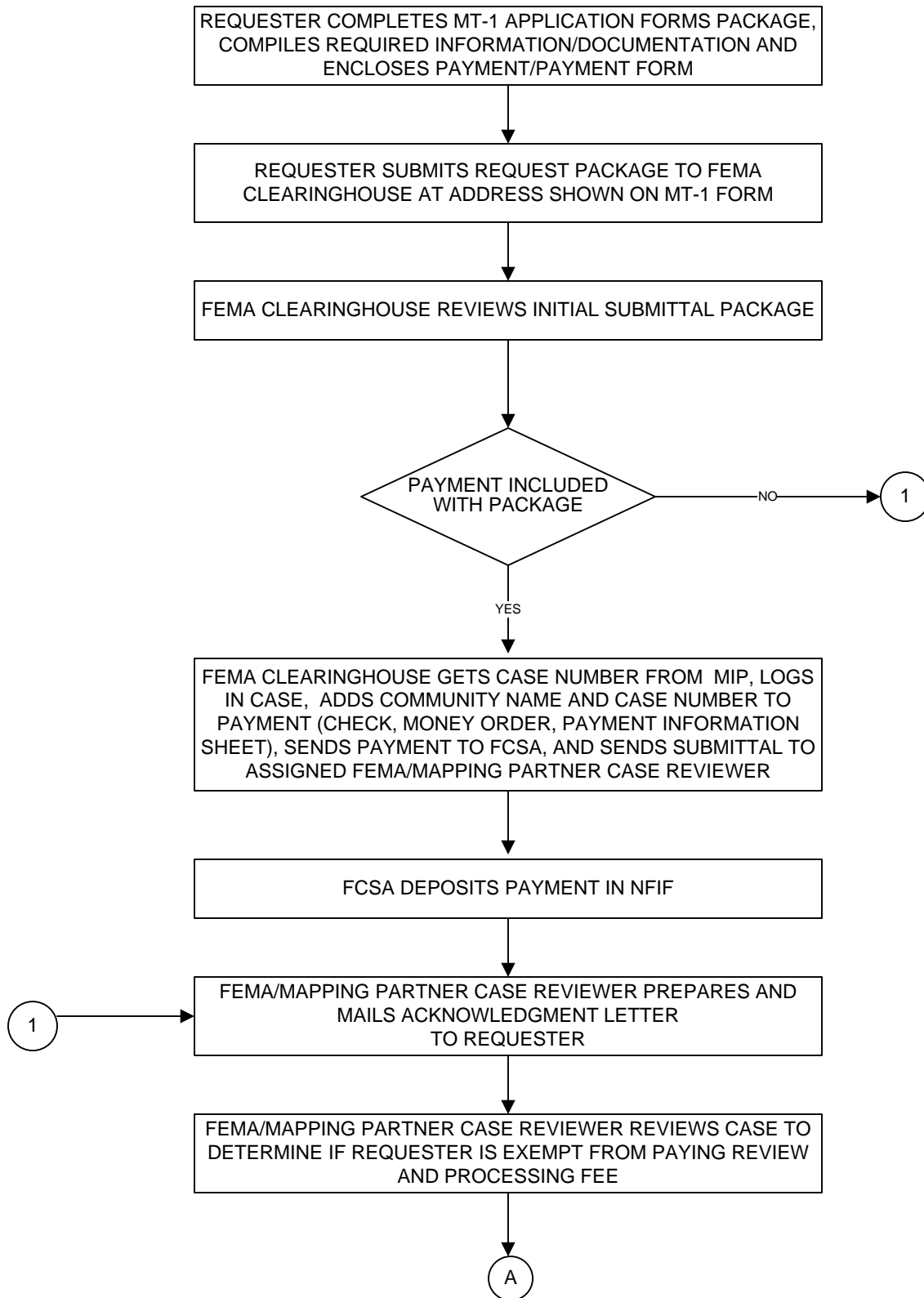


Figure 6-3. Processing Procedures for CLOMAs

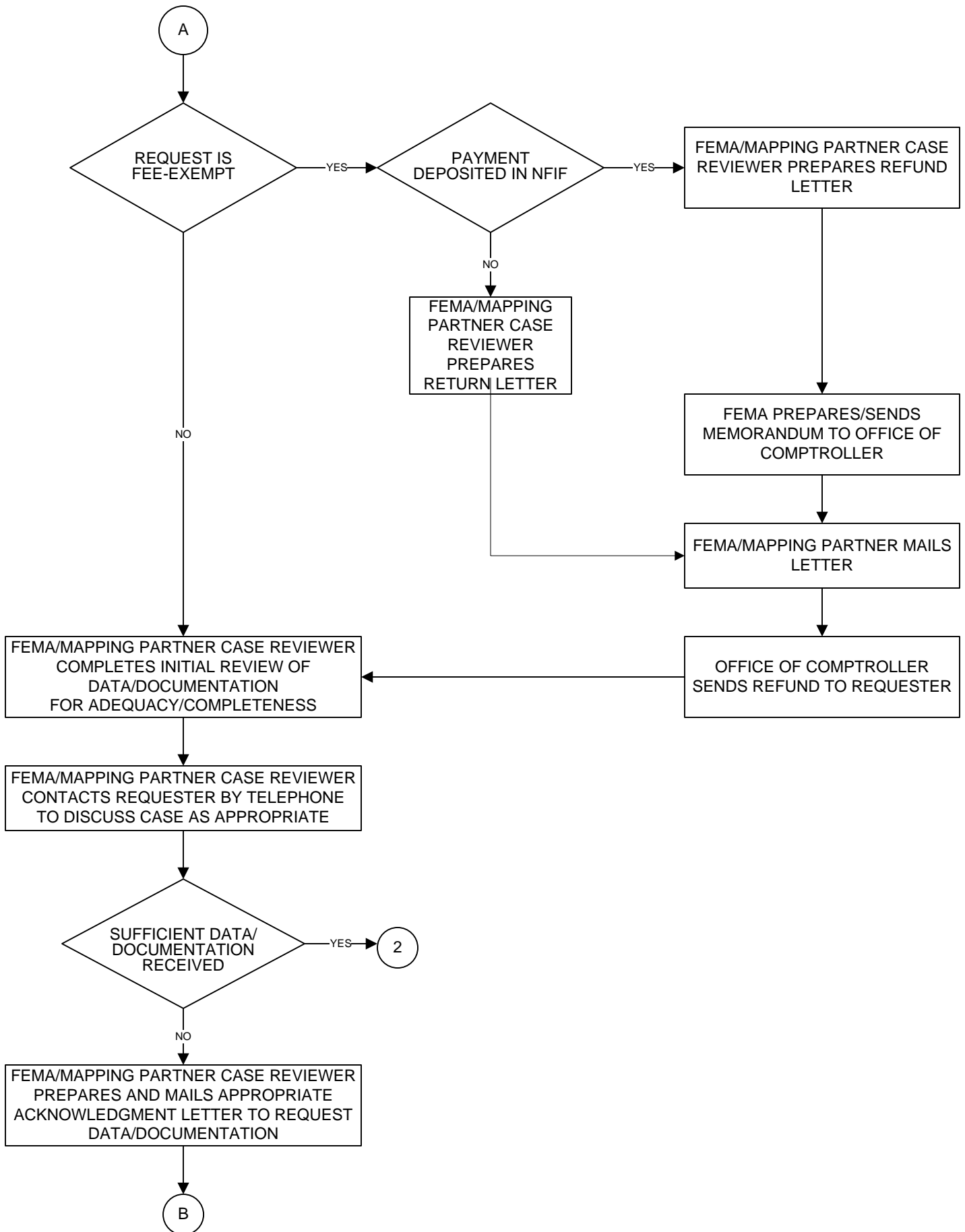


Figure 6-3. Processing Procedures for CLOMAs (Cont'd)

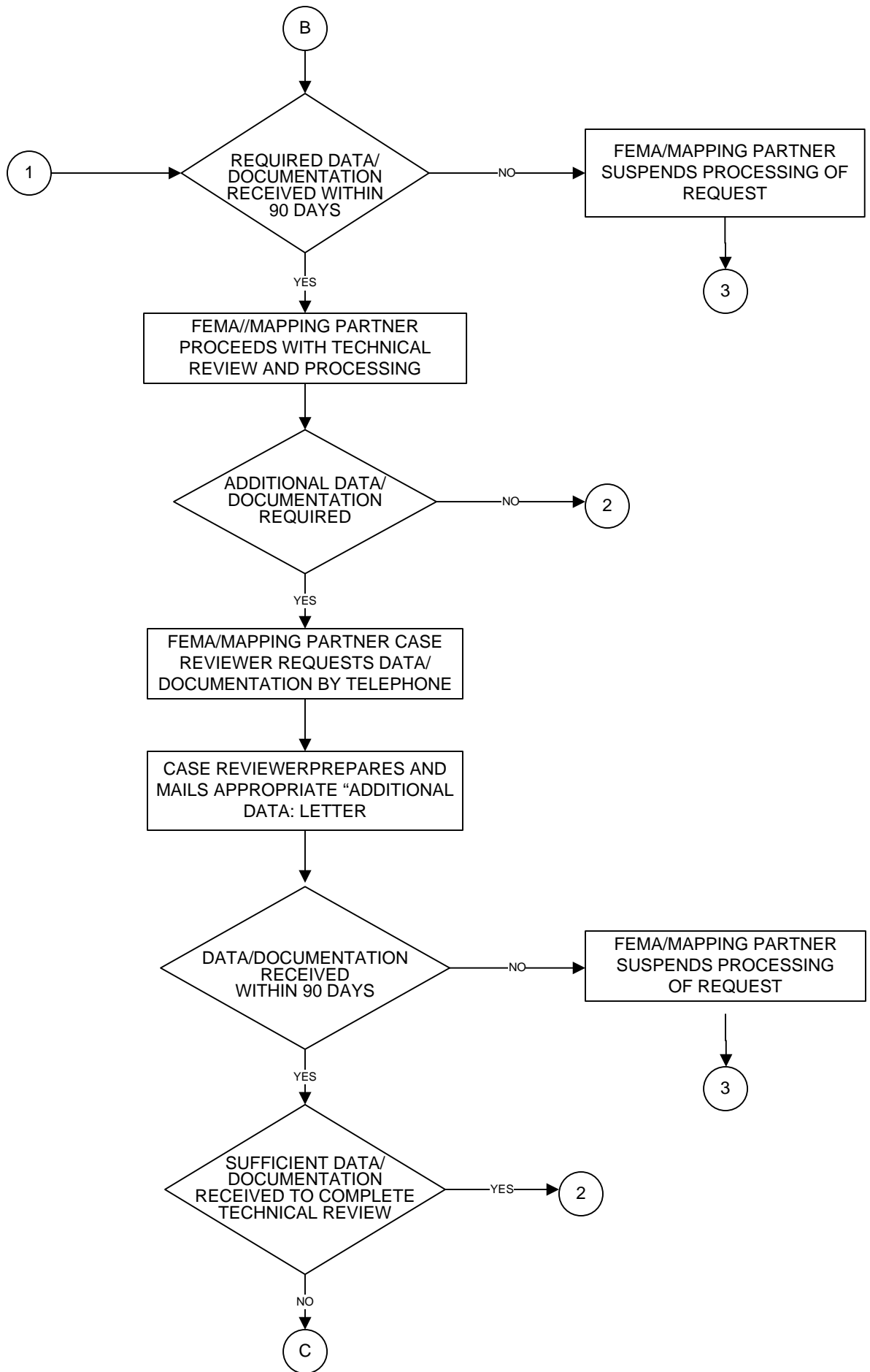


Figure 6-3. Processing Procedures for CLOMAs (Cont'd)

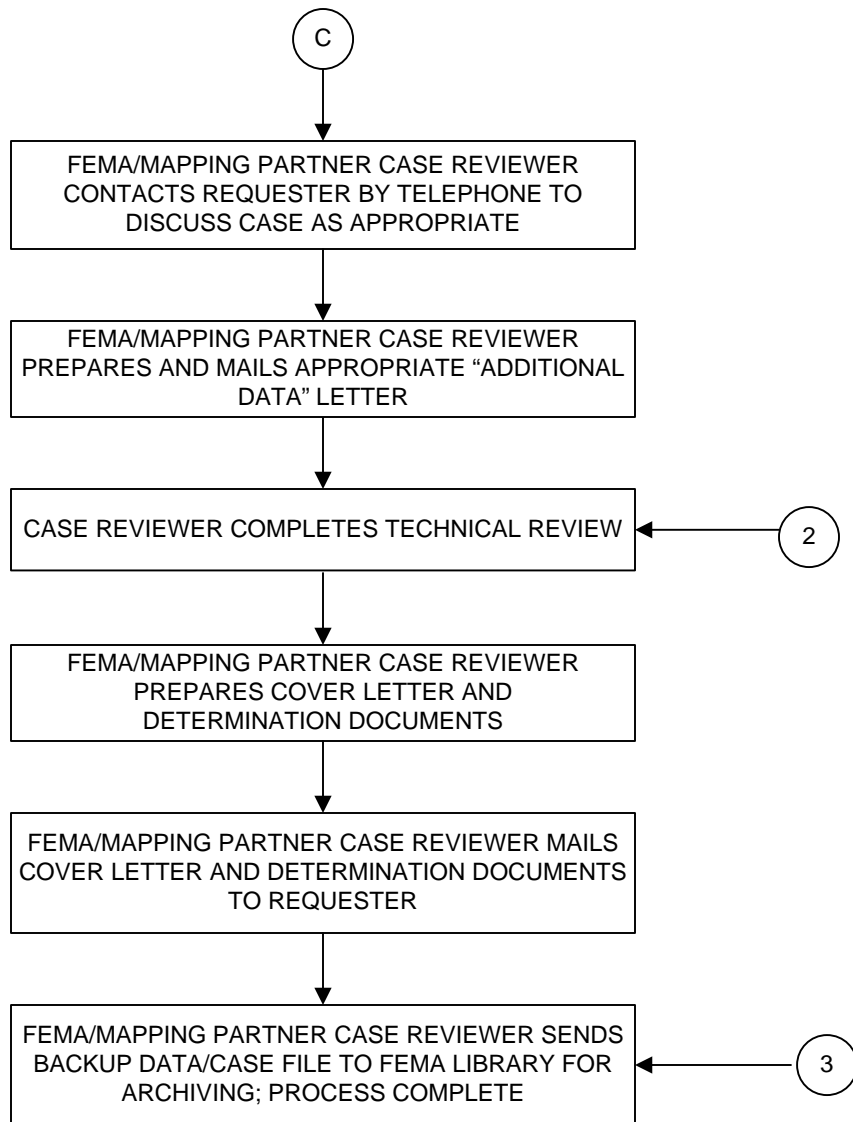


Figure 6-3. Processing Procedures for CLOMAs (Cont'd)