

Appendix D FEMA Fee-Charge System

Background

In June 1986, the Federal Emergency Management Agency (FEMA) implemented a fee-charge system to allow for a partial recovery of costs incurred by FEMA in reviewing requests for determinations based on proposed projects and issuing determinations in the form of Conditional Letters of Map Amendment, or “CLOMAs”; Conditional Letters of Map Revision Based on Fill, or “CLOMR-Fs”; and Conditional Letters of Map Revision, or “CLOMRs”, based on conditions other than fill.

On October 1, 1992, FEMA expanded the fee-charge system to include requests for reviewing completed projects and issuing determinations in the form of Letters of Map Revision Based on Fill, or “LOMR-Fs”; Letters of Map Revision, or “LOMRs”, based on conditions other than fill; and Physical Map Revisions, or “PMRs.” Like the previously existing system for CLOMAs, CLOMR-Fs, and CLOMRs, the expanded action was implemented to reduce expenses to the National Flood Insurance Program (NFIP).

Affected Submittals

The current fee-charge procedures, which are set forth in Part 72 of the NFIP regulations, apply to requests for the following:

- Single-lot/single-structure and multiple-lot/subdivision CLOMAs;

- Single-lot/single-structure and multiple-lot/subdivision CLOMR-Fs;
- CLOMRs;
- Single-lot/single-structure and multiple-lot/subdivision LOMR-Fs;
- LOMRs; and
- PMRs.

Exemptions

In accordance with Section 72.5 of the NFIP regulations, review and processing fees are not required for the following types of map change requests:

- Map changes based on mapping or study analysis errors;
- Map changes based on the effects of natural changes within the mapped Special Flood Hazard Area (SFHA);
- Requests for Letters of Map Amendment;
- Federally sponsored flood-control projects where 50 percent or more of the project's costs are federally funded;
- Map changes based on detailed hydrologic and hydraulic studies conducted by Federal, State, or local agencies to replace approximate studies conducted by FEMA and shown on the effective Flood Insurance Rate Map or Digital Flood Insurance Rate Map (DFIRM); and

- Map changes based on flood hazard information meant to improve upon that shown on the flood map or within the flood study.

Requests based on improvements to flood maps or studies that partially or wholly incorporate manmade modifications within the SFHA are not be exempt from the review and processing fees.

For single-lot/single-structure LOMR-Fs, FEMA's determination will be based, in part, on whether the LOMR-F is being requested by an individual property owner or whether it is being requested prior to the transfer of ownership of the property in question from a developer to an individual property owner.

For requests from Federal, State, and local governments and their agencies, FEMA's determination will be based on whether the requesting agency certifies that the particular project is (1) for public benefit, (2) primarily intended for flood-loss reduction to insurable structures in identified SFHAs, and (3) the structures were in existence prior to the beginning of construction of the flood-control project. Projects that were undertaken to protect planned floodplain development are not eligible for fee exemptions.

Unfavorable Responses

As cited in Section 72.5 of the NFIP regulations, under certain circumstances, requests for CLOMAs, CLOMR-Fs, or CLOMRs may be denied or the determination may contain specific comments, concerns, or conditions regarding proposed projects or designs and their impacts on communities' flood hazards, or the requesters may be unable to

provide the appropriate scientific or technical data or obtain necessary authorizations or permits. In such cases, requesters are not entitled to refunds of the review and processing fees paid.

Requesters also are not entitled to refunds of fees paid for LOMR-F, LOMR, or PMR requests that are denied or that do not result in the extent of revision desired by the requesters.

Fee Schedule

The fee schedule for map change requests that was in effect at the time of publication for this *Guide* is provided in Table D-1. The fee schedule was published as a notice in the FEDERAL REGISTER on July 27, 2007, and it applies to requests dated October 1, 2007, or later.

FEMA reviews its fee-charge procedures 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/fm_fees.shtm.

From that page, interested parties may also access the FEDERAL REGISTER notices that FEMA publishes to announce changes to the fee schedule and their reasons for making those changes.

Table D-1. Fee Schedule for Conditional and Final Map Change Products

Product Type	Review and Processing Fee
Single-Lot or Single-Structure LOMA	\$0
Single-Lot/Single-Structure CLOMA	\$500
Single-Lot/Single-Structure CLOMR-F	\$500
Single-Lot/Single-Structure LOMR-F	\$425
Single-Lot/Single-Structure LOMR-F Based on As-Built Information (CLOMR-F previously issued by FEMA)	\$325
Multiple-Lot/Multiple-Structure LOMA	\$0
Multiple-Lot/Multiple-Structure CLOMA	\$700
Multiple-Lot/Multiple-Structure LOMR-F	\$800
Multiple-Lot/Multiple-Structure CLOMR-F	\$800
Multiple-Lot/Multiple-Structure LOMR-F Based on As-Built Information (CLOMR-F previously issued by FEMA)	\$700
CLOMR Based on New Hydrology, Bridge, Culvert, Channel, or Combination Thereof	\$4,400
CLOMR Based on Levee, Berm, or Other Structural Measures	\$5,500
LOMR/PMR Based on Bridge, Culvert, Channel, or Combination Thereof	\$4,800
LOMR/PMR Based on Levee, Berm, or Other Structural Measures	\$6,500
LOMR Based on As-Built Information (CLOMR previously issued by FEMA)	\$4,800
LOMR/PMR Based Solely on Submission of More Detailed Data	\$0
LOMR/CLOMR Based on Structural Measures on Alluvial Fans (Initial Fee)	\$5,600

Note: In addition to the initial fee of \$5,600, requesters of LOMRs or CLOMRs based on structural measures on alluvial fans will be invoiced for FEMA's review at a rate of \$60/hour.