

Chapter 2

How To Use This Guide

As indicated by the descriptions in Chapter 1, the appropriate process for changing a specific National Flood Insurance Program, or “NFIP”, map is determined by the type of map to be changed, the status of the map (e.g., effective, in preliminary form during a statutorily required 90-day appeal period), and the types of changes to be made.

For example, for changes to proposed Base (1-percent-annual-chance) Flood Elevations, or “BFEs,” or base flood depths during a statutory 90-day appeal period, the appeal process would be appropriate; for changes to BFEs shown on an effective NFIP map, the map revision process would be appropriate.

Therefore, to determine which process is applicable, the reader should follow two steps, discussed in this chapter. In Step 1, the reader answers the following questions:

- What type of NFIP map is to be changed?
- What is the status of that map?
- What types of changes are to be made?

The information needed to answer those questions is provided in the subsections that follow.

In Step 2, the answers from Step 1 are used to choose the appropriate process. The detailed information provided in Step 2 concerning the conditions under which each process is applicable will

enable the reader to make that determination.

Once the appropriate process has been identified, the reader can refer to the chapter in which that process is discussed for additional information concerning supporting data and processing procedures.

2.1 Step 1-Determining Map To Be Changed and Changes Needed

2.1.1 Identify Type of Map To Be Changed

Changes can be made to any of the following maps:

- Flood Hazard Boundary Maps, or “FHBMs”;
- Flood Insurance Rate Maps, or “FIRMs”;
- Digital Flood Insurance Rate Maps, or “DFIRMs”; and
- Flood Boundary and Floodway Maps, or “FBFMs.”

However, because the regulations, required supporting data and documentation, and processing procedures vary according to the type of map to be changed, it is important that the reader identify the type of map in question and understand how the information presented on the map was developed.

The descriptions of the NFIP maps presented in Chapter 1 and the sample map title blocks shown in Figure 2-1 will help in this identification.

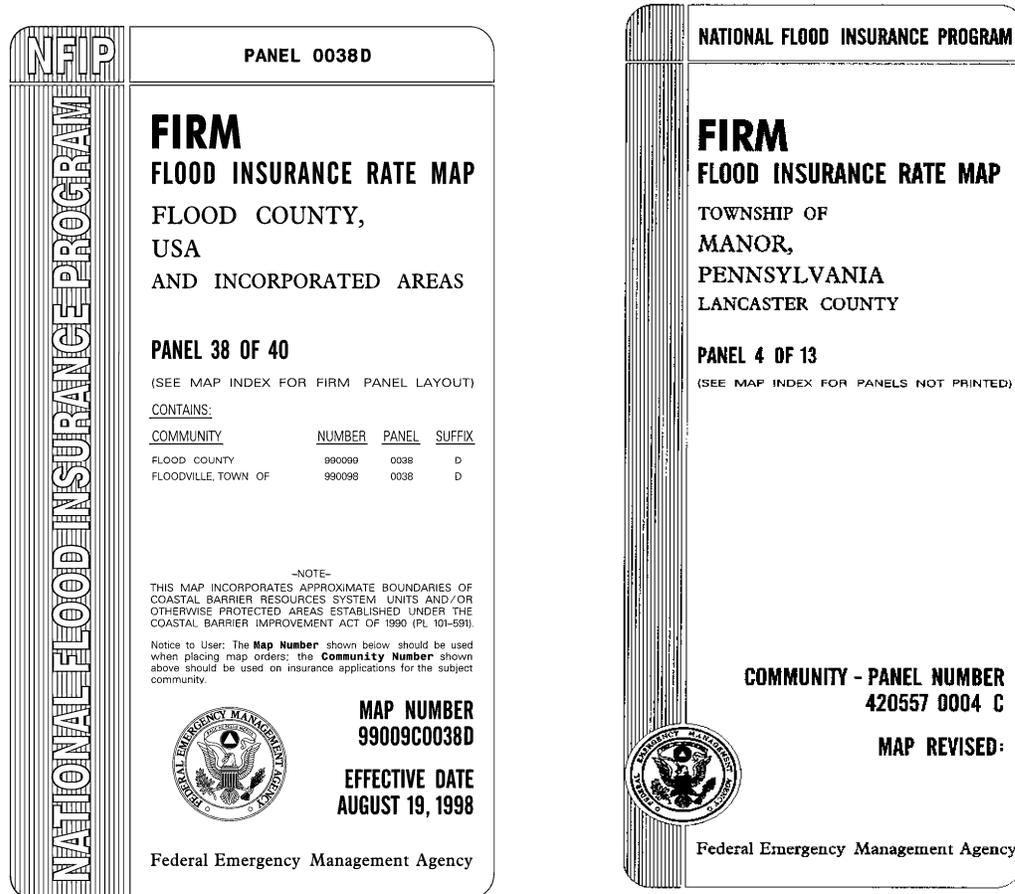


Figure 2-1. Sample NFIP Map Title Blocks

2.1.2 Determine Status of Map

As shown in Figures 1-1 and 1-2, when an initial or revised NFIP map is prepared for a community, it is reviewed in preliminary form by that community before being published and becoming effective. The status of the map is the stage in the review and publication process that the map has reached.

An FHBM presented less information than a FIRM, DFIRM, and FBFM, and the information that was presented was generally the result of analyses that were less rigorous than those employed in the preparation of the FIRM, DFIRM, and

FBFM. Therefore, the NFIP regulations that apply to a community for which only an FHBM had been issued are less comprehensive, and the ordinances that were adopted by the community to participate in the Regular Phase of the NFIP were less complex, than those required after a FIRM, DFIRM, or FIRM and FBFM had been issued.

Consequently, the review periods and processing procedures varied according to map type.

As shown in Figure 1-2, a lengthier and complex procedure was followed for the community review of a FIRM or a FIRM accompanied by an FBFM. A lengthy, complex procedure continues to be

followed for the production and adoption of DFIRMs. (See Figure 1-1 in the *FEMA Document Control Procedures Manual*.) Preliminary copies of the DFIRM and the accompanying Flood Insurance Study, or “FIS,” report are sent to the community Chief Executive Officer, or “CEO,” and floodplain administrator, or “FPA,” for an initial review.

For most DFIRMs that are based on FEMA-contracted studies/mapping projects, the initial community review is followed by a formal community coordination meeting—sometimes referred to as a Consultation Coordination Officer, or “CCO”, meeting; a final community coordination meeting; or a Preliminary DFIRM Community Coordination, or “PDCC”, meeting—during which community officials meet with FEMA representatives.

The formal meetings with community officials may be followed by public meetings. During these meetings, sometimes referred to as Flood Risk Open Houses, community residents and others receive considerable information about, and may comment on, the Preliminary versions of the DFIRM and FIS report.

After any significant problems identified by community officials or residents (at the meetings or otherwise) are addressed appropriately, FEMA prepares the following:

- Listings of proposed BFEs and/or base flood depths shown on the Preliminary version of the DFIRM, which are accessible through the

“Base Flood Elevation (BFE) Notices for Preliminary Flood Insurance Studies and Letters of Map Revision (LOMRs)” page on the FEMA Website;

- A legal notice, called a “Proposed Rule”, which is published in the FEDERAL REGISTER;
- A public notice announcing the start of the appeal period and the posting of the BFE and/or base flood depth listings, which is published in a local newspaper with wide circulation; and
- A letter notifying the community CEO and FPA of the new or modified BFEs and/or base flood depths shown on the DFIRM.

Individuals are able to locate the notice for their community through the above-cited Web page, located at (https://www.floodmaps.fema.gov/fhm/Scripts/bfe_main.asp), by clicking on the appropriate State on the interactive map provided and selecting the appropriate name from the dropdown list provided; by entering the appropriate case number; or by select the appropriate community name from a dropdown list.

After the activities above are completed, the BFEs or base flood depths are considered "proposed."

As discussed in more detail in Chapter 3 of this *Guide*, the enabling legislation for the NFIP and the NFIP regulations require that when new or modified BFEs and/or base flood depths are proposed for a community, the community must be given a 90-day appeal period. During this period, community officials or citizens may appeal the proposed BFEs

and/or base flood depths based on scientific or technical data.

Community officials or citizens also may submit requests for changes to other information shown on the DFIRM—flood zone boundaries, regulatory floodway boundaries, road names and configurations—during the appeal period. FEMA refers to these change requests, formerly referred to as protests, as “comments.” The support data and documentation requirements and processing procedures for comments submitted during the 90-day appeal period are provided in Chapter 4 of this *Guide*.

After the appeal period has ended and all appeals and comments have been addressed, FEMA makes the proposed BFEs and/or base flood depths final by publishing a legal notice, called a Final Rule, in the FEDERAL REGISTER and issuing a Letter of Final Determination, or “LFD”, to the CEOs and FPAs of the affected community/communities. Copies of the LFD also are sent to anyone other than community officials that submitted appeals or comments during the appeal period.

The LFD announces that the map and report information is final; provides the effective date for the map and report; and notifies the community that they have 6 months to review, update (if necessary), and submit their new or updated floodplain management ordinance to the appropriate FEMA Regional Office and the State NFIP Coordinator. The 6-month period that starts with issuance of the LFD is referred to as the adoption/compliance period. At the end of the

adoption/compliance, the DFIRM and FIS report become effective.

As with most other correspondence between FEMA and the community for a study/mapping project, the LFDs will be addressed to the community CEOs, and copies will be sent to the community FPAs and any other community officials designated by the CEOs of the affected communities, if appropriate, and to individual appellants that are not affiliated with the affected community or communities, if it is practical to do so.

During the 6-month adoption/compliance period, FEMA finalizes the map panel(s) and FIS report materials and has paper copies distributed to the affected communities, the State NFIP Coordinator, and others by the FEMA Map Service Center, or “MSC.” The MSC also provides community officials with CDs or DVDs containing the electronic versions of the map and FIS report materials and associated spatial database. The MSC staff also posts the electronic versions of the map and FIS report materials and associated spatial database on the MSC Website (<http://www.msc.fema.gov>), where they may be downloaded by the public for a nominal fee.

If an effective NFIP map is revised and republished as a result of a community-initiated map revision request (i.e., a Physical Map Revision, or “PMR”), the community is given review periods similar to those described previously and presented in Figure 1-2, with the following exceptions. When a revision to an effective NFIP map does not include new or modified BFEs and/or base flood depths, no 90-day appeal period is

required. The affected community is usually given only a review period, after which the adoption/compliance is initiated and the map(s) and report are finalized, printed, and distributed.

If an effective NFIP map is revised through the LOMR process, FEMA will not revise and republish the affected map panel(s) or FIS report component(s). However, when it is necessary to clearly depict changes to the NFIP maps, annotated copies of the revised panel(s) and FIS report component(s) will accompany the LOMR documents. The LOMR documents officially revise the map panel(s) and FIS report component(s) and the revision usually becomes effective on the date the LOMR is issued. When BFEs are revised by a LOMR, a 90-day appeal period is provided to the community after the LOMR documents are issued.

FEMA notifies community officials by letter as specific milestones in the previously described processes are reached. Any questions concerning the status of the NFIP map that cannot be answered from the information provided routinely by FEMA can be answered by staff members of the appropriate FEMA Regional Office. (See Appendix E of this *Guide* for a complete listing of Regional Office addresses.)

Individuals who want to view copies of the effective NFIP map(s) for a community, to verify that the map they may already have is the effective map, or obtain their own paper copies of the map may obtain the needed information by visiting the Community Map Repository, or “CMR.” The CMR is the community

office responsible for floodplain management activities in a community.

Interested parties who are having difficulty locating the CMR may contact a Map Specialist in the FEMA Map Assistance Center, or “FMAC”, toll free, at 1-877-FEMA MAP (1-877-336-2627). Other services provided by the Map Specialists in the FMAC and the FMAC hours of operation can be found on the FMAC page on the FEMA Website:

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

Individuals who would like to obtain digital versions of the effective map panels, FIS report materials, and related products may do so by contacting the MSC or visiting the MSC Website. (Note: Effective October 1, 2009, the MSC no longer fills requests for paper copies of maps and mapping-related materials.) Additional information on how to obtain copies of effective NFIP maps, FIS reports, and related products from the MSC is provided in Appendix B of this *Guide*.

2.1.3 Identify Types of Changes Being Requested

As mentioned earlier in this *Guide*, NFIP maps present various types of flooding information: flood zone boundaries, regulatory floodways, flood insurance risk zones, BFEs, and base flood depths. The maps also depict planimetric features, such as streams and lakes; roads; railroads; major buildings; and boundaries of incorporated communities, counties, and Federal and State lands.

Requests for changes to NFIP maps may involve one or more type of flooding information and may also involve planimetric features shown on the map. Often, because much of the information presented on the map is interrelated, a change to one type of information will necessitate changes to others.

Each of the processes for changing NFIP maps is applicable only to a specific type of change. Therefore, the map change requester should not only consider the type of change being requested, but also determine whether changes to related map information will be necessary and what those changes are.

In making that determination, the map change requester should consider the basis for the requested change. For example, a request for a change to a 1-percent-annual-chance flood zone boundary delineation may be based on the effects of a channelization project. However, such a project is also likely to affect the BFEs or base flood depths, regulatory floodway boundaries, and stream configuration shown on the map panel(s).

It may not always be possible to identify all changes that may be necessary. However, by attempting to do so, the map change requester will help to ensure that the necessary data and documentation are compiled and submitted so that the request may be processed by FEMA as quickly and efficiently as possible.

2.2 Step 2-Selecting a Map Change Process

By completing Step 1, the map change requester has identified the map type and FIS report component to be changed, the status of the map, and the type(s) of change(s) to be made. In Step 2, the map change requester will determine which process is applicable to the particular request. General descriptions of the conditions under which each process is to be applied are provided in the following section of this chapter. Table 2-1 summarizes the information provided in Steps 1 and 2 and may be used as a guide for choosing the appropriate map change process.

Detailed information about each map change process, including the types and amounts of data and documentation that must be submitted, are provided in Chapters 3 through 7. This *Guide* is applicable only to changes that may be made under the appeal, comment, map revision, conditional map revision, map amendment, and conditional map amendment processes.

If the conditions under which a change is to be made are not the same as those specified for one of the map change processes described in this section, the map change requester should discuss the requested change with a representative of the appropriate FEMA Regional Office or the State NFIP Coordinator. Contact information for the FEMA Regional Offices and the State NFIP Coordinators is provided in Appendix E of this *Guide*.

Table 2-1 Description of Map Change Types and Processes

Type of Map Affected	Status of Map	Type of Request	Process (Authority)	Method of Change	Location in <i>Guide</i>
DFIRM (Preliminary)	In 90-Day Appeal Period	Change to Proposed BFE(s) or Base Flood Depth(s)	Appeal (44 CFR Part 67)	Revisions to Map Panels and Report Before Publication	Chapter 3
DFIRM (Preliminary)	In 90-Day Appeal Period	Changes to Any Information Other Than Proposed BFEs or Base Flood Depth(s)	Comment (44 CFR Part 67)	Revisions to Map Panels and Report Before Publication	Chapter 3
FHBM FIRM FBFM DFIRM	Effective	Changes to Any Flood Hazard Information	Map Revision (44 CFR Part 65)	Publication of Revised Map or Issuance of LOMR	Chapters 4 and 7
FHBM FIRM FBFM DFIRM	Effective	Exclusion from SFHA of Structure(s) or Legally Defined Parcel(s) of Land Elevated by Fill Placed After the Effective Date of the First NFIP Map That Showed the Structure(s) or Parcel(s) To Be Within SFHA	Map Revision (44 CFR Part 65)	Issuance of LOMR-F	Chapter 4
FHBM FIRM DFIRM	Effective	Exclusion from SFHA of Structure(s) and/or Legally Defined Parcel(s) of Land Where Topographic Alterations Have Not Occurred Since Date of First NFIP Map That Showed Structure(s) or Parcel(s) in SFHA	Map Amendment (44 CFR Part 70)	Issuance of LOMA	Chapter 5

Table 2-1 Description of Map Change Types and Processes (Cont'd)

Type of Map Affected	Status of Map	Type of Request	Process (Authority)	Method of Change	Location in <i>Guide</i>
FHBM FIRM FBFM DFIRM	Effective	Conditional Determination Regarding Proposed Project in SFHA or Regulatory Floodway	Conditional Map Revision (44 CFR Part 65)	Issuance of CLOMR	Chapter 6
FHBM FIRM FBFM DFIRM	Effective	Conditional Determination Regarding Proposed Elevation of Structure(s) or Legally Defined Parcel(s) of Land by Fill	Conditional Map Revision (44 CFR Part 65)	Issuance of CLOMR-F	Chapter 6
FHBM FIRM DFIRM	Effective	Conditional Determination Regarding Exclusion from SFHA of Proposed Structure(s) or Legally Defined Parcel(s) of Land	Conditional Map Amendment (44 CFR Part 70)	Issuance of CLOMA	Chapter 6
FIRM DFIRM	Effective	“Adequate Progress” Determination for Levee System	Map Revision (44 CFR 61.12)	Publication of Revised Map	Chapter 8
FIRM DFIRM	Effective	“Flood Protection Restoration” Determination for Levee System	Map Revision (44 CFR 65.14)	Publication of Revised Map	Chapter 9
FHBM FIRM DFIRM	Effective	Resolution of Dispute Between Lender and Borrower Concerning Inside SFHA/Outside SFHA Determination for Borrower’s Structure(s)	Determination Review (42 U.S.C. 4012a(e)(3))	Issuance of LODR	Chapter 10

2.2.1 Appeals

Appeals are defined as requests for changes to proposed BFEs and/or base flood depths. To qualify as appeals, such requests must be submitted to FEMA during the statutory 90-day appeal period for those BFEs and/or base flood depths and must be supported by data and documentation that show that the proposed BFEs and/or base flood depths are either scientifically or technically incorrect.

The formal, statutory 90-day appeal period is provided to a community only when new or revised BFEs and/or base flood depths are being proposed for the community and may, therefore, be required in only three situations:

1. When a community is being converted to the Regular Phase of the NFIP with a FIRM/DFIRM that presents new BFEs and/or base flood depths;
2. When the BFEs and/or base flood depths shown on an effective FIRM/DFIRM for a community are being revised through the PMR or LOMR process; or
3. When a FEMA-contracted study/mapping project or community-initiated map revision presents detailed flood information, including BFEs and/or base flood depths, for a flooding source that was not studied previously or was studied using approximate methods.

Because BFEs are not shown on FHBMs or FBFMs, the appeal process applies only to FIRMs/DFIRMs.

2.2.2 Comments

Although changes to map information other than proposed BFEs and/or base flood depths (e.g., flood zone boundaries, regulatory floodway boundaries, flood insurance risk zone designations) may be necessary as part of the resolution of an appeal, requesters' comments that do not involve proposed BFEs and/or base flood depths do not qualify as appeals. Requests of this type, when submitted during the 90-day appeal period, are called "comments." These comments (formerly referred to as "protests") also must be supported by appropriate data and documentation.

2.2.3 Map Revisions

Under Part 65 of the NFIP regulations, changes may be made to the information depicted on effective flood maps and in accompanying FIS reports. Changes to flood zone boundaries, regulatory floodway boundaries, flood insurance risk zones, BFEs, base flood depths, and other information shown on the maps and in the accompanying FIS reports may be requested under this process.

Such changes must be based only on existing conditions unless the community has provided appropriate information to FEMA to show future-conditions information on the map and in the FIS report. Additional information on the requirements for future-conditions flood mapping is provided in Appendix

C, Section C.8 of the previously referenced *Guidelines and Specifications for Flood Hazard Mapping Partners*.

When the community initiates a request in accordance with Part 65 requirements and FEMA determines that a map revision is appropriate, FEMA will follow either the PMR process or the LOMR process to address the request.

Occasionally, because of the limitations of the available data, the NFIP map(s) cannot accurately reflect the existence of individual structures or small parcels of land within the Special Flood Hazard Area, or “SFHA”, boundaries that are above the BFE. This situation can occur when earthen fill has been placed to elevate the structure or parcel or when the structure or parcel is on unaltered high ground.

Although such structures and parcels of land can be removed from the SFHA, the process by which they are removed depends on whether fill was placed and when. If the structure or parcel of land is elevated by fill placed after the effective date of the first NFIP map that showed the property to be within the SFHA, the request is processed as a request for a map revision under the provisions of Section 65.5 of the NFIP regulations. The FEMA response to such a request is a Letter of Map Revision Based on Fill, or “LOMR-F.”

Where earthen fill has not been placed, or where earthen fill was placed before the effective date of the first NFIP map, the structure or parcel is considered to have been inadvertently included in the SFHA and the request is processed as a request for a map amendment and

processed in accordance with Part 70 of the NFIP regulations. The FEMA response to such a request is a Letter of Map Amendment, or “LOMA.”

Requests for the removal of structures or parcels of land inadvertently included in both the SFHA and regulatory floodway are processed as requests for map revisions to assure that community officials are included in the notification process.

2.2.4 Conditional Map Revisions

In accordance with Parts 65 and 72 of the NFIP regulations, FEMA may issue a conditional determination regarding the effects of proposed projects, such as modifications of stream channels and floodplains, and the proposed elevation of individual structures and parcels of land.

Under the conditional map revision process, scientific or technical data and other documentation may be submitted for a proposed action and a request may be made that FEMA review the data and issue a formal response.

FEMA responds to such requests by issuing Conditional Letters of Map Revision, or “CLOMRs”, or Conditional Letters of Map Revision Based on Fill, or “CLOMR-Fs.”

CLOMRs and CLOMR-Fs describe the revisions that could be made to the NFIP map in the future, after the proposed modification is in place and functioning; states whether the completed project would be in compliance with the minimum floodplain management

requirements of the NFIP; and notifies the community about the supporting data and documentation that will be required to revise the affected map panel(s) and, if appropriate, FIS report component(s).

2.2.5 Map Amendments

In accordance with Part 70 of the NFIP regulations, FEMA may amend an effective NFIP map, by issuing a LOMA, to remove the SFHA designation from an individual structure or legally described parcel of land. Occasionally, individual structures or parcels of land may be inadvertently included in the SFHA on an NFIP map, or it may be difficult for a property owner to determine from the map whether a structure or parcel of land is in the SFHA.

A property owner who believes that a specific structure or parcel of land has been incorrectly shown in the SFHA or who cannot determine whether the structure or parcel of land is in the SFHA can request that FEMA make an official determination.

The map amendment process is not applicable to requests that involve changes to the flooding information shown on an NFIP map or requests based on alterations of topography that were made after the date of the first NFIP map that showed the structure or parcel of land to be within the SFHA. Therefore, requests for map amendments cannot be based on new topographic, hydrologic, or hydraulic conditions.

FEMA would handle requests that are based on new topographic, hydrologic, or hydraulic conditions as map revision

requests in accordance with Part 65 of the NFIP regulations.

2.2.6 Conditional Map Amendments

In accordance with Part 72 of the NFIP regulations, FEMA may issue a conditional determination indicating that a proposed structure, if built on a legally defined parcel of land that is on natural ground or fill placed prior to the effective date of the first NFIP map showing that area to be in an SFHA, would be excluded from the SFHA as shown on the effective NFIP map. FEMA issues this determination in the form of a Conditional Letter of Map Amendment, or “CLOMA.”

The CLOMA process does not apply to situations involving proposed changes to stream channels or floodplains. The CLOM process also does not apply to the proposed elevation of individual structures or parcels of land.

2.2.7 Revalidations

When a revised FIRM/DFIRM panel becomes effective, all previous map changes for that panel are superseded. Therefore, each time a panel is physically revised and republished, the panel must be updated to include the changes in the flood hazard information made via a LOMR, LOMR-F, or LOMA.

When the changes in the flood hazard information are too small to show on printed panels, FEMA will issue a revalidation, or “LOMC-VALID,” letter.

The LOMC-VALID letter typically becomes effective 1 day after the effective date of the newly effective FIRM/DFIRM panels. The LOMC-VALID letter is considered legally binding, in the same manner as an original LOMR, LOMR-F, or LOMA, provided that a copy of the original LOMR, LOMR-F, or LOMA accompanies the LOMC-VALID letter.

If requested, FEMA will provide a copy of the original LOMR, LOMR-F, or LOMA determination documents and enclosures, if any, along with the LOMC-VALID letter. No review and processing fee is assessed for such requests.