Federal Emergency Management Agency

Washington, D.C. 20472

February 21, 2001

MEMORANDUM FOR: Doug Bellomo, P.E., Project Officer
Eastern Studies Team

Bill Blanton, Project Officer
Central Studies Team

Mike Grimm, Project Officer
Western Studies Team

[Original Signed]

FROM: Matthew B. Miller, P.E., Chief
Hazards Study Branch

SUBJECT: Procedure Memorandum No. 20 - Advance Proof Copies of FIRMs

Background: Inherent in the production of Flood Insurance Rate Maps (FIRMs) is the time needed by the FEMA Map Service Center (MSC) to print and distribute the maps. As a result, communities sometimes do not receive their FIRM until one month before the effective date.

Issue: Through coordination with our Regional Consultation Coordination Officers (CCOs) we have discovered that some communities require the final FIRM (or proof copy) earlier than one month before the effective date in order to complete the ordinance adoption process.

Final Procedure: Effective immediately, as conditions require (as discussed below), a proof copy of the FIRM will be sent to communities 90 days before the FIRM effective date, with the 90-day suspension letter. Each Flood Map Production Coordination Contractor (FMPCC) is to coordinate with the MSC and appropriate Regional CCO prior to the issuance of the 90-day suspension letter to determine if a proof copy is warranted. A proof copy should only be sent when the following criteria are met:

a) the final maps from the MSC will not arrive at least 60 days before the effective date;
b) the Regional CCO has informed the FMPCC that the community requires a copy of the final map in order to finalize the adoption of their ordinances; and
c) changes have been made to the floodplain, floodway, and/or Base Flood Elevations subsequent to issuance of the preliminary FIRM.

Communities not receiving proof copies of the FIRM will be directed, in the Final Determination Letter, to use the preliminary and/or revised preliminary FIRM as the basis of the update to their ordinances. Samples of 90-day suspension letters and a Final Determination Letter (with the new language shown **shaded and bold**) are attached.

cc: see attached Distribution List

attachments

All policy and standards in this document have been superseded by the FEMA Policy for Flood Risk Analysis and Mapping.
However, the document contains useful guidance to support implementation of the new standards.

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Sample 90-day suspension letter transmitting proof copies of the FIRM

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

♦

Dear ♦:

We appreciate and commend you for the efforts put forth in implementing your community's floodplain management measures. We would like to take this opportunity to remind you that:

- a ♦Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have ♦has been completed for your community;
- the ♦FIS and FIRM will become effective on ♦; and
- by that date, our Regional Office staff will have to approve the legally enforceable floodplain management measures your community adopts in accordance with Section 44 CFR 60.3(♦).

Please find the enclosed proof copy of the final FIRM for your community for use in adopting the required floodplain management measures. If you should encounter difficulties in enacting the measures, I recommend that you call the Director, Mitigation Division of the Federal Emergency Management Agency (FEMA) in ♦, ♦, at ♦. Our Regional Office staff will be happy to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for your community and will ensure participation in the National Flood Insurance Program (NFIP). The address of the Regional Office is FEMA, Mitigation Division, ♦.

I realize that you may have already contacted our Regional Office and may now be in the final adoption process, or you may have recently adopted the appropriate measures. If you have not done so, please consider this a formal reminder that you have three months left in which to adopt the appropriate floodplain management measures, and have them approved by our Regional Office staff. Your community's adopted measures will be reviewed upon receipt, and our Regional Office will notify you when your measures are approved.

I encourage you to submit your community's floodplain management measures and have them approved by our regional staff by the effective date to avoid suspension from the NFIP.

Sincerely,

Margaret E. Lawless
Acting Executive Associate
Director for Mitigation

Enclosure

All policy and standards in this document have been superseded by the FEMA Policy for Flood Risk Analysis and Mapping.
However, the document contains useful guidance to support implementation of the new standards.

Sample 90-day suspension letter directing the community to use the preliminary FIRM as the basis for adopting required floodplain management measures.

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RETURN RECEIPT REQUESTED

♦

Dear ♦:

We appreciate and commend you for the efforts put forth in implementing your community's floodplain management measures. We would like to take this opportunity to remind you that:

- a ♦Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have ♦has been completed for your community;
- the ♦FIS and FIRM will become effective on ♦; and
- by that date, our Regional Office staff will have to approve the legally enforceable floodplain management measures your community adopts in accordance with Section 44 CFR 60.3(♦).

As noted in our ♦, letter to your community, please use the preliminary and/or revised preliminary FIRM as the basis of adopting the required floodplain management measures. If you should encounter difficulties in enacting the measures, I recommend that you call the Director, Mitigation Division of the Federal Emergency Management Agency (FEMA) in ♦, ♦, at ♦. Our Regional Office staff will be happy to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for your community and will ensure participation in the National Flood Insurance Program (NFIP). The address of the Regional Office is FEMA, Mitigation Division, ♦.

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Sincerely,

Margaret E. Lawless
Acting Executive Associate
Director for Mitigation

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
115-I

Sample Final Determination Letter

♦

Community No.: ♦
Community: ♦
Map Panels Affected: ♦

Dear ♦:

On ♦, you were notified of proposed ♦modified flood elevation determinations affecting the [♦Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report♦] for the ♦. The 90-day appeal period that was initiated on ♦, when the Federal Emergency Management Agency (FEMA) published a notice of proposed Base (1% annual chance) Flood Elevations (BFEs) for your community in the ♦, has elapsed.

FEMA received no requests for changes in the BFEs. Therefore, the determination (copy enclosed) of the Agency as to the BFEs for your community is considered final. The final BFEs will be published in the Federal Register as soon as possible. The ♦modified BFEs and revised map panels, ♦as referenced above, are effective as of ♦, and revise the FIRM and FIS which were in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated on the maps and must be used for all new policies and renewals.

No changes have been made to the flood hazard data presented on the preliminary and/or revised preliminary FIRM for your community; therefore, we encourage you to use these materials in the floodplain management regulations adoption process described below. Final printed copies of the FIRM and ♦ FIS report will arrive within the next four months.

Effective with the date of this letter, your community should use the BFE ♦and floodway data presented on the preliminary FIRM and FIS for regulating floodplain development in accordance with the guidance provided in the enclosed Floodplain Management Bulletin entitled Use of Flood Insurance Study (FIS) Data As Available Data.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the [♦FIRM, FBFM, and FIS report♦] for your community made by this map revision, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter. Prior to ♦, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Section 60.3(♦) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all of the standards specified in Section 60.3(♦) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective [♦FIRM, FBFM, and FIS report♦] to which the regulations apply and the

modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

1. Amend existing regulations to incorporate any additional requirements of Section 60.3(♦);

2. Adopt all of the standards of Section 60.3(♦) into one new, comprehensive set of regulations; or,

3. Show evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Section 60.3(♦).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. Any questions may be directed to your CCO at the following address:

♦

FEMA makes flood insurance available in participating communities; in addition, we encourage communities to develop their own loss reduction and prevention programs. Our Project Impact initiative, seeks to focus the energy of businesses, citizens, and communities in the United States on the importance of reducing their susceptibility to the impact of all natural disaster, including floods, hurricanes, severe storms, earthquakes, and wildfires. Natural hazard mitigation is most effective when it is planned for and implemented at the local level, by the entities who are most knowledgeable of local conditions and whose economic stability and safety are at stake. For your information, we are enclosing a Project Impact Fact Sheet. For additional information on Project Impact, please visit our Web site at www.fema.gov.

Sincerely,

Matthew B. Miller, P.E., Chief
Hazards Study Branch
Mitigation Directorate

Enclosures:
Elevation Certificates
Final BFE Determination
Project Impact Fact Sheet
♦Notice to Users
Floodplain Management Bulletin

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