

PAL PERIOD FOLLOW-UP LETTER, SCENARIO A2

[Mr./Ms.] (Full Name of Levee Owner)
(Title of Levee Owner)
(Levee Owner Address)
(City, State Abbreviation, and Zip Code)

Dear **[Mr./Ms.] (Last Name of Levee Owner)**:

This is in regard to the **(Name of Levee)** shown on the effective Flood Insurance Rate Map (FIRM) and in the effective Flood Insurance Study (FIS) report for **(County or Community Name)**. As you may know, the Department of Homeland Security, Federal Emergency Management Agency (FEMA), **[is in the process of/will be]** producing a countywide FIS report and Digital Flood Insurance Rate Map (DFIRM) for **(County or Community Name)**. This effort **[is being/will be]** undertaken as part of the FEMA Flood Map Modernization program.

As part of FEMA's effort to produce the DFIRM, it was determined that the flood hazard information presented on the effective FIRM and in the effective FIS report is based, in some areas, on flood protection provided by the **(Levee Name)**. Based on the information available and on the mapping standards of the National Flood Insurance Program (NFIP) at the time that the FIS was performed, FEMA accredited the levee with providing protection from the flood that has a 1-percent-chance of being equaled or exceeded in any given year. The 1-percent-annual-chance flood also is referred to as the base flood.

In a letter dated **(Insert Date)**, you notified FEMA that the **(Levee Name)** has maintenance-only deficiencies that prevent the levee from meeting the requirements of the Code of Federal Regulations, Title 44, Section 65.10 (44 CFR 65.10), or the Provisionally Accredited Levee (PAL) requirements. Based on your request, FEMA is providing a 1-year correction period to remedy these deficiencies. During the 1-year correction period, FEMA will move forward with the current flood hazard study as if the areas landward of the levee are located in a Special Flood Hazard Area (SFHA), the area subject to inundation by the base flood. However, FEMA will delay issuance of the Letter of Final Determination (LFD) and effective DFIRM until the 1-year correction period has elapsed.

For FEMA to remove the SFHA landward of the levee, the requirements below must be met within the 1-year correction period.

- All requirements contained in 44 CFR 65.10 must be met. **or**
- The entire PAL application package, including the following documentation, must be submitted:
 - An agreement signed by the community and/or levee owner stating that the PAL designation is warranted because the levee meets the requirements of 44 CFR 65.10;
 - A copy of the adopted operation and maintenance plan for the levee; and
 - Records of levee maintenance and operation, as well as tests of the mechanized interior drainage systems, if applicable.

Once the 1-year correction period has expired, FEMA will assess any submitted data and documentation determine whether any mapping revisions are necessary. If no data and documentation have been submitted within the 1-year correction period, or if the submitted data and documentation are determined to be inadequate, FEMA will issue the LFD and effective DFIRM to show the areas landward of the levee that are subject to inundation by the base flood as located in an SFHA. However, if all of the requirements for 44 CFR 65.10 are met or the entire PAL application is submitted before the 1-year correction period has elapsed, then FEMA will show the levee on the newly effective DFIRM as

accredited or provisionally accredited, as applicable, and remove the SFHA.

By endorsing the enclosed PAL agreement, you agree to submit all necessary data and documentation to comply with 44 CFR 65.10 before **(Month, Day, and Year of the Second Anniversary of end of the 1-Year Period)**. If you are unable to submit all necessary data and documentation to comply with 44 CFR 65.10 within the allotted timeframes, FEMA will initiate a map revision to redesignate areas on the landward side of the levee that are subject to inundation by the base flood as SFHA . Please note that affected communities that do not own and/or maintain the levee(s) in question are not responsible for submitting data and documentation necessary for 44 CFR 65.10 compliance.

Levees will be labeled as PALs during the 24-month period to convey to map users that levee certification verification is underway. FEMA recommends that you, the levee owner, and the impacted communities implement outreach efforts to inform affected property owners that an assessment of the levee is underway. FEMA also encourages the purchase of flood insurance for structures in the area landward of the levee, even though coverage is not federally required.

If you have additional questions regarding the specific submittal requirements, please contact **(Regional Engineering Contact Name)** of my staff, either by telephone at **(Regional Engineering Contact's Telephone Number: (###) ###-####)** or by facsimile at **(Regional Engineering Contact's Fax Number: (###) ###-####)**.

Sincerely,

(Regional Mitigation Division Director's Name)
[Director/Acting Director], Mitigation Division
FEMA Region **(Region Numeral)**

[Enclosure]

cc: **(Community CEO)**
(Community Floodplain Administrator)
(State NFIP Coordinator)
(USACE Point of Contact)
Senator **(Senator's Last Name)**'s Washington, DC, Office
Senator **(Senator's Last Name)**'s Washington, DC, Office
Representative **(Representative's Last Name)**'s, Washington, DC, Office