



## Mecklenburg County, North Carolina Cooperating Technical Partners Mapping Activity Statement

### Mapping Activity Statement No. LOMC-2 – Technical and Regulatory Review for Letters of Map Revision

In accordance with the Cooperating Technical Partner (CTP) Memorandum of Agreement or Partnership Agreement dated July 29, 1999, between Mecklenburg County, North Carolina and the Federal Emergency Management Agency (FEMA), Mapping Activity Statement No. LOMC-2 is as follows:

#### SECTION 1—OBJECTIVE AND SCOPE

The objective of the Flood Map Project documented in this Mapping Activity Statement is to have the Mecklenburg County Flood Mitigation Program (“MCFMP”), a division of Charlotte-Mecklenburg Storm Water Services, assume the responsibility of the FEMA National Service Provider (NSP) with regard to the evaluation of conditional and final map revision requests for Mecklenburg County and all of the participating NFIP Communities within Mecklenburg County including the City of Charlotte, Town of Cornelius, Town of Davidson, Town of Huntersville, Town of Matthews, Town of Mint Hill and Town of Pineville. MCFMP shall process these conditional and final map revision requests in accordance with the provisions of Part 65 of the National Flood Insurance Program (NFIP) regulations (44 CFR Part 65).

The State of North Carolina’s Floodplain Mapping Program (“NCFMP”) shall also process conditional and final map revisions in accordance with a separate Mapping Activity Statement with FEMA. MCFMP and the NCFMP agree to provide mutual support to accomplish the goals of these Mapping Activity Statements. The partnership between MCFMP and NCFMP includes the following agreements related to these Mapping Activity Statements:

- All LOMC-related MCFMP correspondence will be copied to John Gerber or his successor, LOMC Processing Lead for NCFMP via email (no hard copies);
- MCFMP database maintenance activities will be coordinated with the State of North Carolina;
- MCFMP will notify the State of North Carolina of any National Flood Insurance Program regulatory issues and/or violations regarding conditional and final map revision requests; and
- MCFMP and NCFMP will meet quarterly to discuss potential processing improvements and to ensure adequate coordination.

Based on the results of the MCFMP review, FEMA shall issue determinations regarding the requests. For proposed projects, FEMA shall issue Conditional Letters of Map Revision (CLOMRs) in accordance with Section 65.8 of the NFIP regulations (44 CFR 65.8). For existing or “as-built” projects, FEMA either shall issue Letters of Map Revision (LOMRs) or shall physically revise and reissue the affected map panels following Physical Map Revision processes

in accordance with Section 65.9 of the NFIP regulations (44 CFR 65.9), as appropriate.

This project will be completed by FEMA and the following:

- MCFMP;
- MCFMP Contractor;
- NCFMP
- NCFMP Contractor; and
- NSP.

The activities for this Flood Map Project, including required Quality Assurance/Quality Control (QA/QC) reviews, and the Mapping Partners that will complete them are summarized in the table 1-1. All activities that are to be accomplished by MCFMP, MCFMP Contractor, NCFMP, NCFMP Contractor or other contractors to MCFMP that may be added after the project startup are included in the “MCFMP” column.

The sections of this Mapping Activity Statement that follow table 1-1 describe the specific mapping activities associated with this Flood Map Project. Each activity description identifies the responsible Mapping Partner(s), the scope of the activity, the FEMA standards that must be met, and resultant product(s).

**Table 1-1. Summary of Mapping Activities and Responsible Mapping Partners**

Activity 1 – Initiation of Request	<u>X</u>		
Activity 2 – Fee-Charge System Administration/Coordination	<u>X</u>		X
Activity 3 – Initial Technical Review of Request	X		
Activity 4 – Final Technical Review of Request	X		
Activity 5 – Preparation of Draft Determination Documents	X		
Activity 6 – Independent QA/QC Review of Draft Determination Documents	<u>X</u>		
Activity 7 – Final QA/QC Review of Draft Determination Documents	<u>X</u>	<u>X</u>	
Activity 8 – Application of Current Determination Document Specifications	X		
Activity 9 – Approval of Determination Documents			X
Activity 10 – Distribution of Determination Documents	<u>X</u>		
Activity 11 – Program Implementation	X	X	X

Activity 12 – Mentoring	X		
-------------------------	---	--	--

### Activity 1—Initiation of Request

Responsible Mapping Partner: MCFMP

Scope: MCFMP shall receive copies of conditional and final map revision requests (hereinafter referred to as CLOMR and LOMR requests) from requesters within Mecklenburg County. The review and processing fee for these cases shall be received by MCFMP. Once all appropriate fees are received, MCFMP will forward the funds to FEMA to process under current payment procedures (check or money order in U.S. funds made payable to the National Flood Insurance Program or credit card payment).

MCFMP shall enter relevant information into the Mapping Information Platform (MIP) and generate a case number for the case within 24 hours. FEMA and the NSP shall use the MIP to track the cases reviewed and processed by MCFMP. MCFMP shall use the unique case number on all correspondence generated by MCFMP regarding that particular case. MCFMP will be responsible for maintaining and tracking all CLOMR and LOMR requests within Mecklenburg County.

Standards: The relevant standards for Activity 1 are provided in Section 4 of this Mapping Activity Statement.

Products: MCFMP shall prepare the following products for this mapping activity:

- Updates to the MIP; and
- Updates to the FEMA Community Information System (CIS) database.

### Activity 2—Fee-Charge System Administration/Coordination

Responsible Mapping Partners: MCFMP, and FEMA

Scope: FEMA has established a centralized fee-charge system, administered by a Fee-Charge System Administrator (FCSA). The fee-charge system administration responsibilities of the NSP are provided in Subsection 3.17.2 of FEMA’s *Guidelines and Specifications for Flood Hazard Mapping Partners*.

The appropriate review and processing fee must be received by MCFMP and submitted to the FCSA before the review of any request requiring a review and processing fee begins. The review and processing fee is based on the type of map change requested. A list of current review and processing fees for map change requests is provided on the FEMA Flood Hazard Mapping website at [http://www.fema.gov/fhm/frm\\_fees.shtm](http://www.fema.gov/fhm/frm_fees.shtm).

Upon receipt of the request, MCFMP shall review the submittal to determine whether the request is fee exempt. Once MCFMP determines the fee status, MCFMP assigns a case number in accordance with Activity 1 above. For non fee-exempt cases, MCFMP then shall perform a quick review of each check or money order to identify obvious errors (e.g., missing date, missing signature, discrepancies between the written and the numerical amount, and check made payable to incorrect entity).

Some checks have a 60- or 90-day *void clause* from the date of the check. If no void clause appears on the check, the check is good for 6 months from its issue date, unless otherwise indicated. If the check is past its expiration date, MCFMP shall not forward the check to the FCSA. Instead, MCFMP shall return the check to the requester and ask for a new check with a current date. FEMA cannot accept any check over 6 months old, unless stated otherwise on the check. MCFMP shall make copies of checks before sending them to FEMA for submission to the FCSA through interoffice mail.

MCFMP also shall ensure that any credit card payment form submitted directly to MCFMP contains the required information, including the following: correct amount; credit card number; current expiration date; signature of cardholder; date of signature; name of cardholder as it appears on the credit card; address of cardholder (for the credit card receipt); daytime telephone number; and case number. If any of the required information is missing, MCFMP shall call the requester and request a corrected credit card information form. The FCSA cannot process credit card payments unless all correct information is provided. The FCSA and MCFMP cannot, under any circumstances, accept a credit card authorization over the telephone.

Before forwarding checks, money orders, or credit card information to the FCSA, MCFMP shall ensure the check, money order, or credit card information form has been annotated with the correct case number. MCFMP shall place a copy of the annotated check or money order in the case file for the map change request. For security reasons, MCFMP shall block out the credit card number and expiration date on any copy of the original credit card information form before placing the copy in the case file.

To facilitate the identification of current cases, and to reduce the number of errors and refunds, MCFMP shall provide the FCSA with a copy of all letters requesting or acknowledging the receipt of fees. The letters may be sent by facsimile transmission, E-mail, through the interoffice mail, delivered in person, or uploaded to the MIP.

The responsibilities of the FCSA are documented in Volume 3, Subsections 3.17.2.2, 3.17.2.3, and 3.17.2.4 of FEMA's *Guidelines and Specifications for Flood Hazard Mapping Partners*.

Standards: The relevant standards for Activity 2 are provided in Section 4 of this Mapping Activity Statement.

Products: MCFMP shall provide the following to FEMA and the FCSA as appropriate:

- Copies of checks, money orders, and credit card payment sheets annotated to show

- assigned case number;
- Copies of letters sent to requester to notify requester about refund or incorrect payment; and
- Memorandums to the Office of the Comptroller to request refunds when appropriate.

### **Activity 3— Initial Technical Review of Request**

Responsible Mapping Partner: MCFMP

Scope: Upon receiving a case, MCFMP shall review the submittal for technical and regulatory adequacy, required information, application forms, H&H modeling, and supporting data and documentation. (Note: After receiving the case, MCFMP is responsible for all activities involved with processing the case.)

MCFMP shall identify previous letter or map actions for the affected map panel(s); determine if any pending request for the same area may affect the submittal; and contact the requester for missing information or additional data required to ensure that the data are scientifically sound and technically accurate. (See Section 7, Technical Assistance and Resources, of this Mapping Activity Statement.) These activities are a part of the “pre-acceptance review” of the case, which shall be completed within 5 working days of receiving the case.

MCFMP shall inform the requester in writing about the additional data necessary to complete the processing of the case or that all data have been received. MCFMP shall mail the acknowledgment letter within 5 days of receiving the case.

If additional data are requested and the required data are not received within 90 days, MCFMP shall suspend processing of the case and notify the requester in writing.

Additional information on the acknowledgement/additional data letters is provided in Section 2 and Appendix B of FEMA’s *Document Control Procedures Manual*.

Standards: The relevant standards for Activity 3 are provided in Section 4 of this Mapping Activity Statement.

Products: MCFMP shall make the following products available through the Mapping Information Platform (“MIP”) to FEMA and the NSP as appropriate:

- Acknowledgment/additional data letters using the appropriate letter template provided by FEMA; and
- Enclosures to the acknowledgment/additional data letters as appropriate.

### **Activity 4—Final Technical Review of Request**

Responsible Mapping Partner: MCFMP

Scope: Upon receipt of all required data in accordance with Part 65 of the NFIP regulations (44 CFR Part 65), MCFMP shall review the technical, scientific, and other information submitted by the requester to ensure that the data are technically accurate, consistent with standard engineering practice and FEMA standards, and sufficient to warrant a conditional or final determination regarding a revision to the Flood Insurance Rate Map (FIRM) and/or Flood Insurance Study (FIS) report. MCFMP generally shall limit the extent of the technical review to a review of the information presented on the MT-2 application forms and the supporting documentation submitted with them.

MCFMP shall use the forms to identify inconsistencies and discrepancies and judge reasonableness. In certain cases, such as review of requests involving unique hydrologic or hydraulic analyses, or significant changes to the Special Flood Hazard Areas (SFHAs) shown on the effective FIRM, additional technical reviews beyond the reviews of the application forms may be required, as directed by the project officer or his/her designee.

For revisions involving the addition of detailed flood information or changes to flooding sources originally studied by detailed methods, analyses and other supporting data for the 10-, 50-, 100- (Existing Conditions), 100- (Future Conditions) and 500-year floods and regulatory floodway may be required. At a minimum, the analyses and other supporting data provided in support of a revision request must meet the original standards employed by FEMA for the preparation of the FIS report, FIRM which are documented in Volume 1 of *Guidelines and Specifications for Flood Hazard Mapping Partners*

MCFMP shall perform the required coordination and documentation activities necessary for processing each request. During the processing, the MCFMP shall:

- Communicate with the requester and officials of the affected communities, as necessary;
- Coordinate activities with the FEMA Regional Office and Headquarters Office as appropriate;
- Communicate with other FEMA contractors and Federal, State, and local agencies, as needed;
- Prepare letters and other correspondence for FEMA signature; and
- Maintain legal documentation, records of correspondence, and technical data.

In addition, MCFMP shall organize and submit via the MIP to FEMA records of the correspondence and supporting data associated with each request.

Standards: The relevant standards for Activity 4 are provided in Section 4 of this Mapping Activity Statement.

Products: MCFMP shall maintain all supporting data provided by the requester(s) and community

official(s) in support of the request in a case file and upload all appropriate documentation and modeling to the MIP. MCFMP shall make the contents of the case file, including copies of records of telephone conversations with requesters, community officials, FEMA, and others regarding each request and copies of correspondence sent to requesters, community officials, FEMA, and others regarding each request, to FEMA and the NSP when requested by FEMA.

### **Activity 5—Preparation of Draft Determination Documents**

Responsible Mapping Partner: MCFMP

Scope: MCFMP shall prepare draft determination letters and map attachments for final review by the NSP and FEMA within 60 days of receiving all required data. At the time that MCFMP submits these determination letters and map attachments to FEMA through the MIP, MCFMP also shall ensure a complete file containing the case correspondence, backup material, engineering review notes, a case summary, and any other pertinent information has been uploaded to the MIP. A detailed list of the required products is provided under “Products” below.

Standards: The relevant standards for Activity 5 are provided in Section 4 of this Mapping Activity Statement. FEMA's standard digital file templates for preparing maps and graphics to meet these standards can be obtained from the FEMA NSP.

Products: MCFMP shall make the following products available to FEMA and the NSP as appropriate:

1. A copy of the appropriate MT-2, or comparable, forms and copies of all supporting data and documentation supporting the revision request;
2. A case summary providing the case background and review and final recommendation;
3. Annotated FIRM(s) showing the effective and revised 1-percent-annual-chance (100-year Existing Conditions) and (100-year Future Conditions) floodplain boundaries and/or FEMA Floodway and Community Encroachment Area boundaries as appropriate;
4. Topographic maps of the revision area that meet the requirements outlined in MT-2 Form No. 2, “Riverine Hydrology & Hydraulics Form;”
5. A map of the watershed showing the location of the revision;
6. Digital profiles of the 10-percent-annual-chance (10-year), 2-percent-annual-chance (50-year), 1-percent-annual-chance (Existing Conditions), and 1-percent-annual-chance (Future Conditions), 0.2-percent-annual-chance (500-year) water-surface elevations representing existing conditions, if applicable;
7. Revised Floodway Data Table(s), if applicable;

8. Revised Summary of Discharges Table(s), if applicable;
9. Digital copies of all H&H modeling (input and output files);
10. Draft determination letter and newspaper notice (105b), when required, based on the template letter and notice types provided by FEMA to MCFMP;
11. 44 CFR 65.12 Documentation for CLOMR Requests when required;
12. 44 CFR 65.7 Documentation for LOMR Requests involving a floodway revision;
13. Individual property notification if a request for a revision to the FIRM involves an increase in the base flood elevation (BFE), the 1-percent-annual-chance floodplain, and/or the regulatory floodway for LOMR Requests. An increase is defined by the comparison of the effective FIS and FIRM data, including profiles, and the requested revised condition. For the 1-percent-annual-chance floodplain and regulatory floodway, an increase is the addition of the 1-percent-annual-chance floodplain and/or regulatory floodway into an area not so designated on the effective FIRM(s). Only those property owners impacted by the increase need to be notified. The notification should explain the extent and reason for the increase and its impact, if any, on the property owner; and
14. For effective digital FIRMs (DFIRMs) a digital attachment will be issued to amend the effective DFIRM and post to the National Flood Layer.

### **Activity 6—Independent QA/QC Review of Draft Determination Documents**

Responsible Mapping Partner: MCFMP

Scope: MCFMP shall establish procedures for QA/QC reviews. All products produced by the Mapping Partners involved in this project are subject to periodic auditing by FEMA.

Standards: The relevant standards for Activity 6 are provided in Section 4 of this Mapping Activity Statement.

Products: Once the independent QA/QC review discussed above has been completed and all concerns raised during the QA/QC review have been addressed, MCFMP shall package completed cases in accordance with Appendix M of *Guidelines and Specifications for Flood Hazard Mapping Partners*, and deliver them to the FEMA NSP through the MIP. Appendix M is available from the FEMA Flood Hazard Mapping Web site at [http://www.fema.gov/fhm/frm\\_gsam.pdf](http://www.fema.gov/fhm/frm_gsam.pdf). MCFMP shall retain a complete case file for each case in an archive, and a complete case file shall be transmitted to FEMA through the MIP for archiving in the FEMA Project Library, which is maintained for FEMA by the NSP. The case file also shall include the following:

- A Summary Report that describes the findings of the independent QA/QC review noting any deficiencies and providing recommendations to resolve them or noting agreement with the results, including the monitoring checklist, as appropriate; and

- Annotated copies of draft determination documents and enclosures with all questions and/or concerns indicated if necessary.

### **Activity 7—Final QA/QC Review of Draft Determination Documents**

Responsible Mapping Partner: NSP, and MCFMP

Scope: In the beginning, all determination documents and enclosures will be subjected to a final QA/QC review by the NSP before they are submitted to FEMA for approval. All products produced by the Mapping Partners involved in this project are subject to periodic auditing by FEMA. Every three months FEMA and MCFMP will coordinate to determine the appropriate reduction in NSP final reviews of draft determination documents.

Standards: The relevant standards for Activity 7 are provided in Section 4 of this Mapping Activity Statement.

Products: The NSP shall make the following products available to MCFMP and FEMA as appropriate:

- A Summary Report that describes the findings of the independent QA/QC review noting any deficiencies and providing recommendations to resolve them or noting agreement with the results; and
- Annotated copies of draft determination documents and enclosures with all questions and/or concerns indicated if necessary.

### **Activity 8—Application of Current Determination Document Specifications**

Responsible Mapping Partners: MCFMP

Scope: MCFMP shall ensure the current FEMA specifications are met for the CLOMR and LOMR determination documents and enclosures.

Standards: The relevant standards for Activity 8 are provided in Section 4 of this Mapping Activity Statement.

Products: MCFMP or the NSP shall make the following products available for CLOMR and LOMR requests:

- CLOMR determination documents, prepared in accordance with current FEMA specifications;
- LOMR determination documents, prepared in accordance with current FEMA specifications; and
- Enclosures to CLOMR and LOMR determination documents, prepared in accordance with current FEMA specifications.

## **Activity 9— Approval of Determination Documents**

Responsible Mapping Partner: FEMA

Scope: The FEMA Project Engineer or Territory Lead or the Chief of the Hazard Identification Section shall review and sign all determination letters for the CLOMR and LOMR cases reviewed and processed by MCFMP.

Standards: The relevant standards for Activity 9 are provided in Section 4 of this Mapping Activity Statement.

Products: The FEMA Project Engineer or Territory Lead for Region IV shall provide the signed CLOMR or LOMR determination letters to MCFMP for distribution.

## **Activity 10—Distribution of Determination Documents**

Responsible Mapping Partner: MCFMP

Scope: Upon receipt of the signed determination letter for a CLOMR or LOMR, MCFMP shall distribute copies of the determination letter and enclosures to the requester, Chief Executive Officers (CEOs) and floodplain administrators of the affected communities, FEMA Regional Office, and others identified in Appendix B of FEMA's *Document Control Procedures Manual*. The affected communities shall receive a 30-day period to review and comment on the determination letter and enclosures.

If it is determined that the map revision request should be handled as a physical map revision (PMR), MCFMP shall coordinate the issuance of a 316-PMR letter apprising the requester of the determination. The funding of the PMR is outside of the scope of this Mapping Activity and will have to be coordinated with the FEMA Regional Office.

When BFEs are changed, a 90-day appeal period is required. In such cases, MCFMP shall distribute the appropriate transmittal letter to the local newspaper(s) and provide the standard notice regarding the proposed modified BFEs to be published twice in that paper. The notice will direct interested individuals to the appropriate web site where the entire BFE notice will be available. MCFMP will perform a QA/QC review on the BFE notice and will update the database in order to publish the BFEs on the web site. The BFE notice must be published on the web prior to the first newspaper publication date. BFE notices can be removed from the web site and archived once the Letter of Final Determination has been mailed.

MCFMP shall perform the required coordination and documentation activities necessary for processing each LOMR. During the processing, the MCFMP shall:

- Communicate with the requester and community, as necessary.

- Coordinate activities with the FEMA Regional Office as directed by the Project Officer or his/her designee.
- Communicate with other FEMA contractors and Federal, State, and local agencies, as needed.
- Prepare letters and other correspondence for FEMA signature.
- Maintain legal documentation, records of correspondence, and technical data.

In addition, the Mapping Partner shall organize, and may be required to submit to FEMA through the MIP, records of the correspondence and supporting data associated with LOMRs.

Standards: The relevant standards for Activity 10 are provided in Section 4 of this Mapping Activity Statement.

Products: MCFMP shall make the following products available for CLOMR and LOMR requests:

- Copies of CLOMR determination letter, for the community CEO(s) and floodplain administrator(s), FEMA Regional Office, and others as directed by FEMA;
- Copies of LOMR determination letter and FIRM, and/or FIS report enclosures, for the community CEO(s) and floodplain administrator(s), FEMA Regional Office, and others as directed by FEMA; and
- Newspaper letter(s) and BFE notice(s), when BFEs are revised as result of LOMR.

### **Activity 11—Program Implementation**

Responsible Mapping Partners: MCFMP, NSP, and FEMA

Scope: The responsibilities of the Mapping Partners are summarized below.

- When a 30-day comment period is required for a LOMR, MCFMP shall review all comments submitted by the affected communities during the 30-day comment period. MCFMP shall provide a recommended resolution to the comments. FEMA shall provide final instructions to MCFMP and NSP about action to be taken on comments received during the 30-day review period.
- MCFMP shall prepare the final newspaper and *Federal Register* notices regarding changes in BFEs associated with LOMR
- MCFMP shall coordinate with the newspaper and with appropriate FEMA staff to ensure timely and accurate publication of the newspaper and *Federal Register* notices for LOMRs and shall issue correction letters and notices when required in accordance with FEMA's *Document Control Procedures Manual*.
- MCFMP shall review all appeals and protests in reference to these cases in accordance with Part 67 of the NFIP regulations (44 CFR Part 67). MCFMP shall provide FEMA

with a recommendation for resolving each appeal or protest. MCFMP shall coordinate with the FEMA Project Officer cited in Section 11 of this Mapping Activity Statement to resolve the appeal or protest. For each appeal or protest, the following activities shall be conducted as appropriate:

- Initial processing and acknowledgment of the submittal;
- Technical review of the submittal;
- Preparation of letters requesting additional supporting data;
- Performance of revised analyses; and
- Preparation of the draft resolution letter and revised FIRM panels, FBFM panels, and FIS report materials for FEMA review.

MCFMP shall distribute copies of resolution letters and enclosures as appropriate.

- MCFMP shall coordinate with the FEMA Project Officer regarding potential violations of Part 60 of the NFIP regulations (44 CFR Part 60) prior to Activity 5 as defined by this document.
- MCFMP and the NSP shall provide FEMA with support in the processing of congressional responses and other special responses related to CLOMR and LOMR requests reviewed by MCFMP under this Mapping Activity Statement.
- The NSP shall ensure the engineering backup data and related correspondence are packaged and stored properly in the library archives until they are transmitted to the FEMA Engineering Study Data Package Facility.

**Standards:** The relevant standards for Activity 11 are provided in Section 4 of this Mapping Activity Statement.

**Products:** In accordance with the requirements provided in the current version of FEMA's *Guidelines and Specifications for Flood Hazard Mapping Partners* and *Document Control Procedures Manual*, MCFMP and/or the NSP shall make the following products available to FEMA as appropriate:

- Documentation that the news releases for LOMRs were published in accordance with FEMA requirements;
- Documentation that the appropriate *Federal Register* notices (Proposed and Final Rules) for LOMRs were published in accordance with FEMA requirements;
- Draft and final Letters of Final Determination and associated backup data and information for FEMA review and signature;
- Draft and final Special Correspondence and backup data and information for FEMA review and signature if appropriate;

- Draft and final Appeal and/or Protest resolution letters, and all backup data and information for FEMA review and signature if appropriate; and
- Complete, organized Engineering Study Data Packages.

### **Activity 12—Mentoring**

MCFMP shall provide mentoring to other community, regional, and state agency partners that may undertake the technical and regulatory review responsibilities documented in this Mapping Activity Statement. MCFMP will determine the scope of mentoring to these partners.

## **SECTION 2—PERIOD OF PERFORMANCE**

The technical and regulatory reviews under this Mapping Activity Statement will begin on July 1, 2006 and continue through June 31, 2007 and may be renewed on an annual basis. This pilot project may be terminated at the option of FEMA or MCFMP in accordance with the provisions of the Memorandum of Agreement or Partnership Agreement dated July 29, 1999. FEMA and MCFMP will review the activities under this Mapping Activity Statement at the end of the performance period.

## **SECTION 3—FUNDING/COST-SHARING**

FEMA will provide funding to MCFMP based on estimates of the past 2 years of receipts of CLOMR and LOMR requests for MCFMP. Based on FEMA's records, the review and processing cost for CLOMR and LOMR requests processed during the performance period is estimated to be \$3,000,000. MCFMP will be reimbursed actual cost for processing LOMCs.

## **SECTION 4—STANDARDS**

The standards relevant to this Mapping Activity Statement are provided in the following documents:

- Volumes 2 and 3 and Appendices B, C, E, F, G, H, J, K, and M of FEMA's *Guidelines and Specifications for Flood Hazard Mapping Partners*, dated February 2002;
- Sections 2 and 5 and Appendices A and B of FEMA's *Document Control Procedures Manual*, dated December 2000;
- NFIP Regulations (44 CFR Parts 59-77); and
- Current version of *Revisions To National Flood Insurance Program Maps: Application/Certification Forms and Instructions For Conditional Letters of Map Revision, Letters of Map Revision, and Physical Map Revisions*, MT-2 form 81-89 Series), available from the FEMA Flood Hazard Mapping Web site at [http://www/fema.gov/fhm/dl\\_mt-2.shtm](http://www/fema.gov/fhm/dl_mt-2.shtm).

Detailed H&H analyses and required documentation shall follow the standards set forth in Part

65 of the NFIP regulations, in particular the following sections:

- Section 65.2, Definitions;
- Section 65.5, Revision to special hazard area boundaries with no change to BFE determinations;
- Section 65.6, Revision of BFE determinations;
- Section 65.7, Floodway revisions;
- Section 65.8, Review of proposed projects;
- Section 65.10, Mapping of areas protected by levee systems;
- Section 65.12 Revision to flood insurance rate maps to reflect BFE changes caused by proposed encroachments;
- Section 65.13 Mapping and map revisions for areas subject to alluvial fan flooding; and
- Section 65.14 Remapping of areas for which local flood protection systems no longer provide base flood protection.

The following additional requirements also must be followed by the responsible Mapping Partners:

- All projects, “as-built” or proposed, shall comply with all applicable criteria set forth in 44 CFR 60, which outlines floodplain management regulations for NFIP participation. Any determination that a community may not have complied with Part 60 of the NFIP regulations (44 CFR Part 60) will be brought to the attention of the Project Officer by MCFMP.
- All requests shall include a completed copy of the MT-2 application forms package, or comparable, forms.
- Base (1-percent-annual-chance) flood discharges cannot be revised as a result of the use of alternative methodology or data for computing discharges, unless the change is shown to be statistically significant as per 44 CFR 65.6(a)(5).
- The hydraulic models shall be completed in the various “layers” described in MT-2 Form No. 4, “Riverine Hydraulic Analysis.” This “layering” approach allows impacts of projects on water-surface elevations (WSELs) to be isolated from impacts resulting from using more detailed data (e.g., additional cross sections).
- The following shall apply for determining compliance with Paragraph 60.3(c)(10) or Paragraph 60.3(d)(3) of the NFIP regulations:
  - Proposed projects - The “post-project conditions” model shall be compared to the “existing conditions” or “pre-project conditions” model.
  - “As-built” projects – The “revised conditions” or “post-project conditions” model shall be compared to the “pre-project conditions” model.
  - Existing-conditions requests - The “existing conditions” model shall be compared to

the “corrected effective” model.

- For flooding sources studied by approximate methods and designated as Zone A, the provisions of Paragraph 60.3(b) of the NFIP regulations shall apply. If the community proposes to allow development in an area designated Zone A, the requirements of Paragraph 60.3(b)(4) shall be followed.
- Computer models used for H&H analyses must meet the requirements of Paragraph 65.6(a)(6) of the NFIP regulations and be on FEMA’s *Numerical Models Accepted by FEMA for NFIP Usage*, which is available at [http://www.fema.gov/fhm/en\\_modl.shtm](http://www.fema.gov/fhm/en_modl.shtm).
- Hydraulic analyses must be performed using the same computer model used to develop the BFEs shown on the effective FIRM. An alternative model shall be used only if the basis of the request is the use of an alternative hydraulic methodology or it can be demonstrated that the data of the original hydraulic computer model is unavailable or its use is inappropriate, as set forth in 44 CFR 65.6(a)(8).
- Flood elevations and floodplain and floodway boundaries must tie in to effective information in accordance with 44 CFR 65.6(a)(2).
- Public notification of intended revisions to the regulatory floodway shall be completed in accordance with Paragraph 65.7(b) of the NFIP regulations.

## **SECTION 5—SCHEDULE**

The statutory timeframe for a determination on a CLOMR or LOMR request under Part 65 of the NFIP regulations is 90 days; however, MCFMP shall adhere to the same 60-day schedule for processing cases as the NSP does. If additional time is required, due to complexities of the particular case, MCFMP shall coordinate with the FEMA Project Officer. Upon approval by the Project Officer, MCFMP will prepare an interim letter to explain that more time is needed. MCFMP shall transmit this letter to the requester and community officials before the 90-day processing period expires.

## **SECTION 6—CERTIFICATION**

The definitions of certification in Paragraph 65.2(b) of the NFIP regulations (44 CFR 65.2(b)) for certification of analyses, “as-built” plans, and structural works apply to this Mapping Activity Statement. Specifically:

- If fill is to be considered in the mapping to raise land areas to or above the 1-percent-annual-chance flood elevation, certification of the fill shall be provided in accordance with 44 CFR 65.5(a)(6) by the community’s NFIP permit official, a Registered Professional Engineer, or a Licensed Land Surveyor.
- Topographic information shall be certified by a Registered Professional Engineer or Licensed Land Surveyor in accordance with 44 CFR 65.5(c).

- All analyses and data submitted in support of a revision to BFEs shall be certified by a Registered Professional Engineer or Licensed Land Surveyor as appropriate in accordance with 44 CFR 65.6(f).
- All analyses submitted in support a revision to the regulatory floodway shall be certified by a Registered Professional Engineer in accordance with 44 CFR 65.7(d).
- Any levee systems to be credited with flood protection as discussed in Section 4 of this Mapping Activity Statement shall be certified in accordance with 44 CFR 65.10(e).
- Data submitted to support flood-control measures that provide protection from the 1-percent-annual-chance flood in an area subject to alluvial fan flooding shall be certified by a Registered Professional Engineer in accordance with 44 CFR 65.13(f).

Additionally, a Professional Engineer within MCFMP must be assigned to the project to ensure that standard engineering practices are followed. This person must be on staff for the entire period of performance and the Project Officer should be immediately notified if staffing changes are made.

## **SECTION 7—ORDINANCE ADOPTION AND COMPLIANCE**

FEMA provides communities with flood hazard information upon which floodplain management regulations are based. Communities are required to adopt a floodplain management ordinance that meets or exceeds the minimum NFIP requirements. FEMA can suspend communities from the NFIP Program for failure to adopt once the community is notified of being flood-prone or for failure to maintain a floodplain management ordinance that meets or exceeds the minimum requirements of the NFIP. Procedures for suspending a community from the NFIP Program for failure to adopt or maintain a floodplain management ordinance that meets or exceeds the minimum requirements of the NFIP are established in the NFIP regulations at 44 CFR §59.24(a) and (d).

### **Regional CTP Role**

To assure that communities within the State of North Carolina maintain the legal ability to enforce NFIP development requirements, the MCFMP shall work with the NFIP Coordinator for the State(s) of as well as local communities to help maintain local laws that are compliant with NFIP regulations. In addition, MCFMP shall work with the NFIP Coordinator for the State of North Carolina to assure that the State Model Ordinance is consistent with federal and State Law. The NFIP Coordinator for the State of North Carolina shall review ordinances routinely as part of Community Assistance Visits (CAVs) and Community Assistance Contracts (CACs). Ordinance reviews shall also be conducted for any community requesting assistance. Assistance shall be provided to communities required to adopt and amend ordinances as a result of map revisions. State model ordinances shall be revised and updated as necessary. MCFMP shall coordinate with the FEMA Regional Office as well as FEMA's NSP for any instances of non-compliant ordinance items.

Communities must formally adopt new and revised map panels and Flood Insurance Studies in order to legally enforce NFIP requirements. Due legal process requires a community to have a

public process to adopt and enforce a FIRM and Flood Insurance Study. This requires communities to formally adopt, by Local Law or Ordinance, any new or revised map panel or Flood Insurance Study that affects land within its jurisdiction(s).

If a community within MCFMP's area of jurisdiction plans to approve a State model ordinance that automatically adopts future revisions to the FIRM and the FIS, MCFMP should have the NFIP State Coordinator obtain legal review by legal counsel or the Attorney General's Office to ensure that the provision complies with the State enabling legislation and constitutional requirements. As part of the ordinance adoption process, MCFMP should verify whether the community exercises extraterritorial jurisdiction and whether this is appropriately addressed in the community's floodplain management regulations so that there are no regulatory gaps in the extraterritorial jurisdictional area.

If a county or community resides in a State where an automatic adoption clause is not allowed or if the legality of automatic adoption provisions has not been determined, LOMRs may have to be individually adopted. MCFMP should be advised to check with legal counsel as to whether adoption of individual LOMRs is required.

Many States have adopted floodplain management statutes and regulations and have established and funded their own floodplain management programs. Where a State requires that communities adopt more restrictive requirements than the NFIP minimum requirements, such as a more restrictive floodway or additional freeboard (requiring new construction to be elevated to a level 1 or more feet higher than the BFE), the State requirements take precedence over the NFIP minimum.

## **SECTION 8—TECHNICAL ASSISTANCE AND RESOURCES**

MCFMP may obtain copies of FEMA-issued CLOMRs, LOMRs, Letters of Map Amendment, and Letters of Map Revision Based on Fill; archived engineering backup data; and data collected as part of the FEMA Mapping Needs Assessment Process. MCFMP may contact Mr. Syed Qayum, NSP Region 4 Revisions Manager, by telephone at (703) 960-8800 Ext 3097, by email at [Syed.Qayum@mapmodteam.com](mailto:Syed.Qayum@mapmodteam.com), or by facsimile at (703) 960-9125.

General technical and programmatic information not cited in this Mapping Activity Statement also can be downloaded from the FEMA Flood Hazard Mapping Web site ([www.fema.gov/fhm](http://www.fema.gov/fhm)).

Additional guidance for H&H analyses and floodplain mapping can be found in FEMA's *Guidelines and Specifications for Flood Hazard Mapping Partners*. Additional guidance for preparing correspondence can be found in FEMA's *Document Control Procedures Manual*.

MCFMP may obtain the map revision production tools, software, automated QA/QC tools, etc., that FEMA has developed for its own use. For example, copies of FEMA's rule-based engineering software packages, such as CHECK-RAS for evaluating HEC-2/HEC-RAS models and RASLOT for automatically plotting flood profiles, may be obtained through the NSP.

Specific technical and programmatic support may be provided by the NSP; such assistance must be requested through the FEMA Project Officer specified in Section 11 of this Mapping Activity Statement and may include:

1. Technical assistance in the form of training and/or technical guidance regarding the review and processing of revision cases;
2. Training on using the MIP; and
3. Training on resolving protests and appeals.

## **SECTION 9—CONTRACTORS**

MCFMP intends to use the services of contractors for this Flood Map Project. MCFMP shall ensure that the procurement for all contractors used for this Flood Map Project complies with the requirements of 44 CFR 13.36.

Procurement of the consultant shall comply with the requirements of 44 CFR 13.36. Part 13 may be acquired from the U.S. Government Printing Office Web site at [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/44cfr13\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/44cfr13_02.html).

## **SECTION 10—REPORTING**

MCFMP shall report to FEMA upon receipt of a conditional or final map revision request. MCFMP shall upload copies of all correspondence between MCFMP and the requester and/or community officials to the NSP and FEMA, including acknowledgment letters, additional data letters, processing delay letters, phone call reports, e-mail correspondence, and any other documents to the MIP. The NSP shall use this information to audit the appropriate status information in the MIP. The NSP shall then use the MIP to provide FEMA with updates to the LOMC module of FEMA's CIS database. Additional information on the CIS database is provided in Volume 3 of FEMA's *Guidelines and Specifications for Flood Hazard Mapping Partners*, which is available from the FEMA Flood Hazard Mapping Web site at [http://www.fema.gov/fhm/frm\\_gsv.pdf](http://www.fema.gov/fhm/frm_gsv.pdf).

## **SECTION 11—FINANCIAL REPORTING**

Because funding has been provided to MCFMP by FEMA, financial reporting requirements for MCFMP will be in accordance with Cooperative Agreement Articles V and VI.

MCFMP shall provide financial reports to the FEMA Regional Project Officer and Assistance Officer in accordance with the terms of Cooperative Agreement, dated July 29, 1999.

## **SECTION 12—POINTS OF CONTACT**

The FEMA Project Officer will be Kevin Long of FEMA Headquarters, the Regional Office contact will be Laura Algeo, and the MCFMP Project Manager will be David Goode, or subsequent personnel of comparable experience who are appointed to fulfill these

responsibilities. Current contact information for the parties is provided below. Each party may change its contact information for by giving the other parties written notice of the new information.

**For FEMA Headquarters**

Kevin Long  
FEMA Project Officer  
500 C St. SW  
Washington, DC 20472  
Phone: 202-646-2820  
Email: [Kevin.Long@dhs.gov](mailto:Kevin.Long@dhs.gov)

**For FEMA Region IV**

Laura Algeo  
FEMA Region IV Engineer  
3003 Chamblee-Tucker Rd, Suite 270  
Atlanta, GA 30341  
Phone: 770-220-5515  
Email: [Laura.Algeo@dhs.com](mailto:Laura.Algeo@dhs.com)

**For NCFMP**

John Gerber  
LOMC Processing Lead  
1812 Tillery Place, Suite 105  
Raleigh, NC 27604  
Phone: 919-715-5711 Ext. 106  
Email: [JGerber@ncem.org](mailto:JGerber@ncem.org)

**For MCFMP**

David Goode  
Project Manager  
Charlotte-Mecklenburg Storm Water Services  
Flood Mitigation Program  
700 North Tryon Street  
Charlotte, NC 28202  
Phone: 704-432-3087  
Email: [David.Goode@meckgov.org](mailto:David.Goode@meckgov.org)

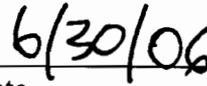
**For the NSP**

Lauren Clem  
NSP Revisions Coordinator  
Michael Baker, Jr. Inc.  
3601 Eisenhower Avenue  
Alexandria, VA 22304  
Phone: 703-334-4917  
Email: [Lauren.Clem@mapmodteam.com](mailto:Lauren.Clem@mapmodteam.com)

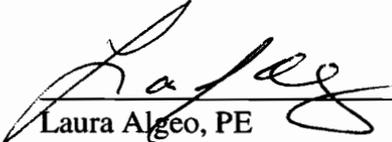
Each party has caused this Task Agreement to be executed by its duly authorized representatives on the date mentioned above.



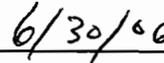
\_\_\_\_\_  
John Dorman  
Program Director  
North Carolina Floodplain Mapping Program



\_\_\_\_\_  
Date



\_\_\_\_\_  
Laura Algeo, PE  
Engineer  
Federal Emergency Management Agency, Region IV



\_\_\_\_\_  
Date



\_\_\_\_\_  
Kevin Long  
Project Officer  
Federal Emergency Management Agency



\_\_\_\_\_  
Date

Is WITNESS WHEREOF, the parties have duly executed this Contract as of the date first above written:

**CONTRACTOR:**

**ATTEST:**

\_\_\_\_\_  
Contractor Signature

\_\_\_\_\_  
(N/A for Sole Proprietor)

\_\_\_\_\_  
SSN # or FED ID#

**MECKLENBURG COUNTY:**

**ATTEST:**

  
\_\_\_\_\_

General Manager/Deputy County Manager  
Commissioners

  
\_\_\_\_\_

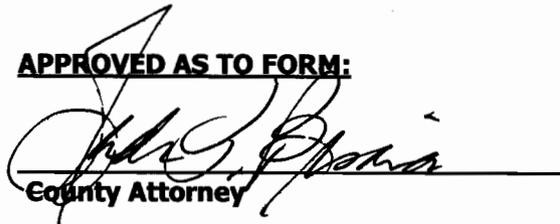
Clerk to the Board of County

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

**APPROVED AS TO FORM:**

  
\_\_\_\_\_

Finance Director

  
\_\_\_\_\_

County Attorney

**APPROVED AS TO INSURANCE REQUIREMENTS:**

\_\_\_\_\_  
Director, Charlotte-Mecklenburg Division  
of Insurance Risk Management