

LETTER OF MAP REVISION (LOMR) VS. APPEAL

GENERAL INFORMATION

BACKGROUND

Each year, the Federal Emergency Management Agency (FEMA) works with communities across the United States on Risk Mapping, Assessment, and Planning (Risk MAP) projects that either develop or revise community flood hazard maps, known as Flood Insurance Rate Maps (FIRMs). This work is performed to ensure communities have the best available data to manage their flood risk and to protect families and properties. Within the Mile High Flood District (MHFD), local Flood Hazard Area Delineation (FHAD) studies are incorporated into the FIRMs through Risk MAP using the Physical Map Revisions (PMR) process. The PMR process results in physically revising and reprinting the affected FIRMs and portions of the accompanying Flood Insurance Study (FIS) report.

After a community receives the PMR preliminary FIRM panels showing new or revised flood hazard information – such as Base Flood Elevations (BFEs), floodways, Special Flood Hazard Areas (SFHAs), or zone designations – FEMA begins a 90-day appeal period. Communities and property owners are able to review the proposed flood hazard information before it becomes effective. The appeal period begins on the date FEMA publishes the second of two legal notices about the proposed BFEs in a local newspaper. Within this 90-day period, community officials and property owners who disagree with the proposed flood hazard information shown on the preliminary FIRMs or in the accompanying preliminary FIS report may make a formal submittal of technical and/or scientific data to support an appeal.

After the preliminary FIRMs and FIS report are available, requests for changes to the proposed flood risk information can be submitted through the community, either as a Letter of Map Revision (LOMR) or as an appeal to the information developed by the current PMR project. This document will help to explain the procedures for determining the appropriate process.

| WHAT IS A LOMR? | WHAT IS AN APPEAL? |
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| A LOMR is FEMA's official modification to a FIRM (often resulting from a specific project). FIRMs can be updated at any time, due to natural or development related changes, which can result in a physical change to the existing BFEs, floodways, SFHAs, or zone designations. A LOMR allows FEMA to revise the flood hazard information on a FIRM through a determination document with attachments – such as affected portions of the FIRM and/or FIS report like floodway data tables and flood profiles – without physically revising and reprinting the entire FIRM panel. | An appeal is a formal challenge to proposed BFEs, regulatory floodways, SFHAs, and/or zone designations presented in the preliminary FIS report or on the preliminary FIRM. Appeals are submitted through the community during the 90-day appeal period and must be based on data that shows the proposed information to be scientifically or technically incorrect. Appeals can only be submitted for flood hazard information in the specific areas that are being revised by the PMR project |

| LOMR | APPEAL |
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| HOW DO THEY AFFECT A COMMUNITY | |
| The LOMR process allows FEMA to update the flood hazards on a specific location of the FIRM without affecting other areas being revised in an ongoing PMR project. One benefit of this process is that the LOMR can proceed independently without affecting the PMR schedule. The LOMR process is typically more timely than a PMR, allowing the community to quickly incorporate valuable revisions to flood hazard information rather than wait for the PMR. | Providing proven scientific and technical data that documents the proposed study is scientifically or technically incorrect during the appeal process increases the accuracy of the map and results in a better depiction of the community's flood risk. |
| WHO CAN FILE? | |
| Any property owner, business owner, or community affected by updated flood hazard information. | Community officials, commercial property owners, and individual property owners affected by the revised flood hazard information either on a preliminary FIRM or in a preliminary FIS report. |
| WHEN SHOULD EACH PROCESS BE USED? | |
| Communities, property owners, or business owners should submit a LOMR request when a flood hazard mapping revision is warranted due to physical changes that have occurred, or if they obtain updated technical data that would improve the accuracy of the flood hazard information for an area of the existing FIRM. The LOMR process provides notification and due process to any property owners who could be adversely affected by the revisions being proposed. | An appeal is warranted when a community, property owner, or business owner has technical and scientific evidence that the proposed flood risk revisions in the preliminary FIS report or on a preliminary FIRM panel are incorrect. FEMA will evaluate the submitted data to determine if it is valid and, if so, whether it would be best incorporated as part of the PMR appeal process or through a separate LOMR. |
| HOW DO YOU SUBMIT EACH REQUEST? | |
| <p>A LOMR must be requested through a community's Chief Executive Officer (city mayor, county commissioner, etc.). The community is ultimately responsible for adopting the revised flood hazard information into its floodplain management ordinances and regulations.</p> <p>Residents interested in a LOMR request should consult their community floodplain administrator. This is the local official who maintains the community's flood hazard maps and FIS reports and who corresponds with FEMA at various stages of the map revision process. Often, this position is held by the City/County Engineer, the Director of Planning, or the Zoning Administrator. LOMR data must be certified by a registered Professional Engineer or licensed Land Surveyor.</p> <p>If a LOMR within the area of an ongoing PMR project becomes effective up to approximately two months before FEMA issues a Letter of Final Determination for the PMR, it will be incorporated into the panels that are being updated.</p> | <p>An appeal must be based on data that shows the new or modified BFEs, base flood depths, floodways, SFHAs, and/or zone designations associated with the preliminary PMR products to be scientifically or technically incorrect.</p> <p>This data must be submitted through the community and certified by a registered Professional Engineer or a Licensed Land Surveyor. In some cases, the appellant is required to submit supporting documentation, such as a revised flood hazard analysis using alternative methods or data believed to be superior to those used in the preliminary PMR products. In other cases, FEMA or community's floodplain administrator may provide the supporting documentation to make any necessary changes to the preliminary flood hazard information in the PMR.</p> |

*Updated April 2020