



FEMA



FEMA-Initiated Letters of Map Amendment, Plymouth County, Massachusetts

A new Flood Insurance Rate Map (FIRM) became effective for Plymouth County, Massachusetts on July 17, 2012. The FIRM shows the extent to which areas in Plymouth County are at high risk of flooding from the base (1-percent-annual-chance) flood. These areas, also known as Special Flood Hazard Areas (SFHAs), are where floodplain management regulations are enforced and where the mandatory purchase of flood insurance applies.

We recently identified that our mapping contractor incorrectly mapped homes in your community into the SFHA. Homes located in areas designated as SFHA, and which have a federally backed mortgage, carry a mandatory purchase of flood insurance. As a result, we have initiated a process to correct this and remove the identified homes from the SFHA through FEMA-initiated Letters of Map Amendment (LOMAs). Below you will find information related to the LOMA correction process we have initiated, as well as answers to frequently asked questions about LOMAs and answers to how you may be eligible to receive a refund on your flood insurance premium if you recently purchased flood insurance because of this incorrect designation.

While the LOMA process allows us to quickly provide homeowners with a document officially showing removal from the floodplain, FEMA has also initiated a map revision to physically revise the mapping in the affected area(s). Please visit your community's website for additional information on the map revision process.

LOMA Process

FEMA is using Light Detection And Ranging (LiDAR)-generated elevation data, as well as parcel data, to proactively identify properties and/or buildings that may have been incorrectly shown on the July 17, 2012 FIRM as designated within the SFHA. These properties may be eligible for a FEMA-initiated LOMA removal determination, and thus for removal from the mandatory Federal flood insurance purchase requirement. At this time, you do not need to provide FEMA with any additional information. For those properties and/or buildings that are determined to be at or above the base flood elevation and thus outside the SFHA, FEMA will mail the final LOMA determination document to the owner address, as well as to your local community official. If you have already been contacted to purchase flood insurance because of the July 17, 2012 map change and incorrect designation, you may be eligible for a refund on your flood insurance premium for the current policy year.

The first set of LOMA(s) will be issued on or about August 7, 2012. FEMA intends to issue all the LOMAs in August of 2012. Copies of the determination documents will also be available through the FEMA Map Service Center (MSC) website at www.msc.fema.gov. If you have already purchased flood insurance, you may present your LOMA to your lender and request the mandatory flood insurance requirement be removed.

Overview

To help community officials, property owners, and renters understand flood risks and make effective decisions about how to reduce those risks, FEMA produced a Flood Insurance Rate Map (FIRM) for Plymouth County that became effective on July 17, 2012. The FIRM presents information on areas at high risk of flooding. These Special Flood Hazard Areas (SFHAs) are labeled as Zone A, Zone AE, or Zone VE on the Plymouth County FIRMs.

Federally regulated or insured mortgage lenders require flood insurance on buildings that are located in SFHAs. FEMA is utilizing LIDAR and community-based data to make decisions about whether specific structures were mapped within the SFHA incorrectly on the new FIRM and thus may be removed from the SFHA by a map change called a Letter of Map Amendment (LOMA).

FEMA has initiated a process to issue LOMA determinations for eligible buildings. FEMA will then follow-up with a map revision process to physically revise the FIRMs.

Information related to this process can be found through the following websites and phone numbers:

LOMA process information:

www.fema.gov/plan/prevent/fhm/fmc_loma.shtm

Effective FIRMs and LOMAs available from the FEMA Map Service Center:

www.msc.fema.gov

For general flood insurance information: 1-800-427-4661

For questions on flood policy coverage and rates: 1-888-435-6637

Interested parties may also call a FEMA Map Specialist, toll free, at 1-877-FEMA MAP or email at

FEMAMapSpecialist@riskmapcds.com



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Below are answers to frequently asked questions about these FEMA-initiated LOMAs, the typical LOMA process, and flood insurance.

Frequently Asked Questions

Why is FEMA using LiDAR data to identify properties to be removed from the mandatory flood insurance purchase requirement?

- FEMA is using the LiDAR information to help identify the properties and/or buildings that were incorrectly mapped in the SFHA. The LIDAR-generated elevation data, in conjunction with Base (1-percent-annual-chance) Flood Elevations (BFE) on the FIRM, will be used to make the determinations that will affect those properties and/or buildings currently mapped incorrectly in the SFHA on the FIRM.

What is a LOMA and why does FEMA typically issue LOMAs?

- FEMA uses the most accurate flood hazard information available and applies rigorous standards in developing FIRMs. However, because small areas may be inadvertently shown within an SFHA, the LOMA process was created to allow FEMA to evaluate the location of individual properties in relation to the SFHA.
- A LOMA is an official determination from FEMA that establishes whether a structure is located in an SFHA on a FIRM and whether the Federal mandatory flood insurance purchase requirement applies. A LOMA (removal or out-as-shown) determination waives the Federal mandatory flood insurance purchase requirement.
- FEMA will typically issue a LOMA to a property owner, at the request of a property owner, because a property located on natural high ground above the BFE has been inadvertently mapped as being in the SFHA.

If I receive a LOMA for my home and have already purchased flood insurance, how do I determine if I'm eligible for a refund?

- When a LOMA or Letter of Map Revision based on Fill (LOMR-F) is issued removing a building or property from the SFHA, the mandatory flood insurance purchase requirement is lifted.
- The flood insurance policy can be cancelled provided the mortgage lender confirms in writing that: (1) the flood insurance was initially required as part of the mortgage; and, (2) because the LOMA or LOMR-F was issued, the requirement for flood insurance no longer applies.

- The lender always has the option of requiring the purchase of flood insurance as a condition of the loan. Typically, you can get a complete refund of the flood insurance premium for the current policy year, provided no flood insurance claim has been paid or is pending

What happens if my property or building is not included in the FEMA-initiated LOMAs?

- If FEMA is unable to determine that a property or building should be removed from the SFHA using the LIDAR-generated data and other community-based data, a property owner may request a LOMA through the standard LOMA application process.
- If the structure on the property is clearly shown on the FIRM as being inside the SFHA, standard items required to support the application will include Application Forms, a tax assessor's map or other suitable map to aid in the location of a property, the recorded Deed or Plat for the property, and elevation information for your structure or property.
- Elevation information for the structure will include the Lowest Adjacent Grade (LAG) of the structure. The LAG is the lowest exterior point of the structure touching the ground. All elevation data must be certified by a licensed land surveyor or registered professional engineer. Other supporting data may be required.
- Application forms and instructions on how to submit a LOMA application through the standard process can be found in the FEMA Library at the following link: www.fema.gov/library/viewRecord.do?id=1492

For the best guidance locally, property owners and other interested parties who have questions about this FEMA-initiated LOMA process should contact Timothy S. Hillier at (617) 452-6317.



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How to Request a Letter of Map Amendment (LOMA) or Letter of Map Revision Based on Fill (LOMR-F)

What is a LOMA or a LOMR-F?

The Federal Emergency Management Agency (FEMA) applies rigorous standards to develop Flood Insurance Rate Maps (FIRMs) and uses the most accurate hazard information available. However, limitations in the scale or topographic detail of the source maps used to prepare a FIRM may cause small elevated areas to be included in a Special Flood Hazard Area (SFHA). SFHAs are high-risk areas subject to inundation by the base (1-percent-annual-chance) flood. They are also known as 1-percent-annual-chance floodplains, base floodplains, or 100-year floodplains.

To change the flood hazard designation for properties in these areas, FEMA has established the LOMA process for properties on naturally high ground and the LOMR-F process for properties elevated by the placement of fill. LOMAs and LOMR-Fs are letter determinations that officially amend an effective FIRM. They can establish that a property is not in an SFHA and, by doing so, remove the Federal flood insurance requirement.

Obtaining a LOMA or LOMR-F

A LOMA application form can be downloaded from the FEMA website at www.fema.gov/plan/prevent/fhm/dl_mt-ez.shtm. FEMA does not charge a fee to review a LOMA request, but requesters are responsible for providing the required mapping and survey information specific to their property. For FEMA to remove a structure from the SFHA through the LOMA process, Federal regulations require the lowest ground touching the structure, or Lowest Adjacent Grade (LAG) elevation, to be at or above the Base Flood Elevation (BFE).

The exception to this requirement is when the submitted property information shows that the structure is outside the SFHA. In this case, the property is referred to as "out as shown." If elevation information is required for the LOMA request, the requester should submit the elevation data requested on the MT-EZ form (www.fema.gov/plan/prevent/fhm/dl_mt-ez.shtm).

For More Information

- For general information, contact the FEMA Map Information eXchange by telephone, toll free, at 1-877-FEMA MAP (1-877-336-2627) and choose "Option 1"; by e-mail at FEMAMapSpecialist@riskmap.cds.com; or by live chat at www.floodmaps.fema.gov/fhm/fmx_main.html.
- The forms and other documents referenced in this flier are also available on the "Forms, Documents, and Software" portion of the FEMA website at www.fema.gov/plan/prevent/fhm/frm_main.shtm.
- For copies of effective National Flood Insurance Program maps and reports, contact the FEMA Map Information eXchange by telephone, toll free, at 1-877-FEMA MAP (1-877-336-2627) and choose "Option 3," or via the FEMA Map Service Center website at www.msc.fema.gov.

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An Elevation Certificate, which includes this required elevation data, may be submitted to meet this data requirement and may be available from the community in lieu of a new survey.

If the property has been elevated by fill, the requester will need to use the LOMR-F process. Application forms are available at www.fema.gov/plan/prevent/fhm/dl_mt-1.shtm. For a LOMR-F to be issued, the LAG must be at or above the BFE, and community floodplain officials must determine that the land and any existing or proposed structures to be removed from the SFHA are “reasonably safe from flooding.” FEMA charges a fee for the engineering review of LOMR-Fs. Fee information is located at www.fema.gov/plan/prevent/fhm/frm_fees.shtm.

Please send completed application forms to the attention of the LOMA Manager at the LOMC Clearinghouse, 7390 Coca Cola Drive, Suite 204, Hanover, MD 21076.

What if no BFEs have been Determined?

In some instances, BFEs for a certain SFHA have not yet been determined. FEMA will attempt to calculate the BFE when a LOMA application is submitted for properties of less than 50 lots or 5 acres. Sometimes, a BFE can be developed from sources such as U.S. Geological Survey topographic quadrangle maps. If that information is not available, the property owner will be asked to supply a survey for the property with the information necessary to allow FEMA to develop a site-specific BFE. National Flood Insurance Program (NFIP) regulations require that the requester determine the BFEs for properties larger than 50 lots or 5 acres. A variety of computational methods can be employed to determine BFEs, but these methods can be expensive. Before computational methods are used, every attempt should be made to obtain information, in the form of floodplain studies or previous computations, from Federal, State, or local agencies. Data obtained from these agencies may be adequate to determine BFEs with little or no additional research, calculation, or cost.

The FEMA document *Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations* provides guidance on computing BFEs. This document, which can be viewed on the FEMA website at www.fema.gov/library/viewRecord.do?id=1526, provides methods for developing BFEs, as well as a list of agencies that can be contacted to determine whether BFE data are already available.

How will a LOMA or LOMR-F Affect my Flood Insurance Requirement?

The Federal flood insurance requirement applies to structures in SFHAs that carry a mortgage backed by a federally regulated lender or servicer. If you have a LOMA or LOMR-F proving that your property is not in the SFHA, the mandatory Federal flood insurance requirement no longer applies. However, your lender still has the prerogative to require flood insurance as a condition of the loan. Even if your lender requires flood insurance, however, premiums are lower for structures outside the SFHA.

If FEMA issues a LOMA or LOMR-F and your lender agrees to waive the flood insurance requirement, you may be entitled to a refund of the premium paid for the current policy year. To cancel your policy, you can submit a copy of the LOMA or LOMR-F and the lender’s waiver to your flood insurance agent or broker. The agent will send these documents and a completed cancellation form to the appropriate insurance provider.

It is important to note that the issuance of a LOMA or LOMR-F does not mean the risk of flooding has been eliminated. Therefore, not having a flood insurance policy could have disastrous consequences, leaving you with no financial protection from future flood losses. FEMA recommends flood insurance coverage even if it is not required by law or a lender. The good news is that you may be eligible to pay much less for flood insurance coverage if your property is removed from the SFHA.

Quick Facts

- **LOMA requests involving one or more structures:** the LAG must be at or above the BFE.
- **LOMR-F requests:** the LAG must be at or above the BFE, and community floodplain officials must determine that the land and any existing or proposed structures to be removed from the SFHA are “reasonably safe from flooding.”
- **LOMA requests involving one or more lots:** the lowest point on each lot must be at or above the BFE.
- **Review and processing fee:** FEMA does not charge a fee to review a LOMA request, but there is a fee for the engineering review of LOMR-Fs.
- **Required information:** the requester is responsible for providing all the information needed for the review, including (if necessary) elevation information certified by a licensed land surveyor or registered professional engineer.

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