

CLOMRs

When are They Required?

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CLOMRs

WHAT IS IT?

- PRECONSTRUCTION
- COMMENT BY FEMA THAT PROPOSED PROJECT IS COMPLIANT WITH PROGRAM REQUIREMENTS

CLOMRs

REQUIRED FOR TWO SITUATIONS

- BFEs WITHOUT FLOODWAY DESIGNATED (44 CFR 60.3 (c)(10))
 - IF PROPOSED PROJECT RESULTS IN AN INCREASE TO THE BFE OF >1 FOOT **(for Montana, state law mandates that the BFE cannot increase more than 0.5 feet)**
- FLOODWAY DEFINED (44 CFR 60.3 (d)(4))
 - PROPOSED PROJECT DEMONSTRATES THE RISE TO THE BFE IS 0.00 FEET (analysis required, certification letter of no-rise from engineer is not sufficient)

CLOMRs

USE OF CLOMRs THAT ARE NON-MANDATORY

- FLOODPLAIN ADMINISTRATOR CAN REQUIRE A CLOMR TO BE SUBMITTED BEFORE SIGNING FLOODPLAIN PERMIT TO ENSURE COMPLIANCE (REMEMBER, A CLOMR IS PRE-CONSTRUCTION)
- Approx A ZONES WHEN LOMR WILL BE SUBMITTED MAY REQUIRE A CLOMR; CONTACT LOMR MANAGER (Baker)

CLOMRs

SUBMITTAL

- DETAILED ANALYSIS
- PROFESSIONAL ENGINEER STAMP
- \$\$
- USE OF MT-2 FORM

CLOMRs

DO NOT REVISE FLOOD INSURANCE
RATE MAP (FIRM)

DOES NOT CHANGE INSURANCE
REQUIREMENTS OR RATES

CLOMRs

WITHIN 6 MONTHS UPON COMPLETION OF PROJECT, THE COMMUNITY MUST REQUEST A REVISION THROUGH A LOMR TO CHANGE THE EFFECTIVE MAP (44 CFR 65.3)

CLOMRs

EXAMPLE: City of Tea, SD

CLOMR requested 4/30/08, assigned case number 08-08-0612R on 5/5/08; FEMA has 90 days (8/3/08) to make determination or request add'l data

Request additional data on 5/21/08 (letter form number 316-AD) and includes "Summary of Add'l Data Required to Support a CLOMR" and includes a request for processing fee; applicant has 90 days to respond (8/20/08) to request. **If all items list on the Summary of Add'l Data (including fee) is not rec'd by August 20, case stands risk of being dropped*

Add'l data received 8/19/08 & **FEE** (Acknowledgement of data received sent to applicant on 9/4/08). FEMA has 90-days (11/17/08) to make determination or request add'l data.

Request add'l data 10/23/08; applicant has 90 days to respond (1/21/09)

Add'l data received 1/5/09 (acknowledgement of data received sent to applicant on 1/6/09); FEMA has 90 days (4/21/09) to make determination or request add'l data

Request add'l data 1/7/09; applicant has 90 days to respond (4/23/09)

Add'l data received 2/24/09 (acknowledgement of data received sent to applicant on 2/24/09); ; FEMA has 90 days (5/23/09) to make determination or request additional data

FEMA makes determination; CLOMR issued 3/31/09!!

Acknowledgement of data received sent to applicant by email or letter form number 316ACK; ACK notification does not impact timeline