



MEMORANDUM
RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

231328

DATE: September 8, 2020

TO: Interested Parties
FROM: Jason E. Uhley, General Manager-Chief Engineer
RE: Use of CLOMR-F/LOMR-F in comparison to CLOMR/LOMR

A handwritten signature in blue ink, appearing to read "J. Uhley", positioned over the "FROM" and "RE" lines of the memorandum header.

This memo is to state the District's position on the use of a Conditional Letter of Map Revision based on Fill (CLOMR-F) and Letter of Map Revision based on Fill (LOMR-F) as compared to a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR).

For important technical reasons, the District generally discourages the use of a CLOMR-F/LOMR-F to reflect the changes to the floodplain due to development. Moreover, the District finds that the use of FEMA's CLOMR-F/LOMR-F process for tract-scale residential development can result in significant unintended negative consequences for individual homeowners.

When a Flood Insurance Rate Map (FIRM) panel is updated, a LOMR-F is superseded. This has resulted in mortgage lenders unilaterally applying expensive and unneeded flood insurance premiums on impacted homeowners. Conversely, a LOMR requires an update to the effective hydraulic model and permanently changes the floodplain mapping on the FIRM. (See Attachment for further background discussion.)

When crafting recommended conditions of approval for new subdivisions, the District's policy will be as follows:

- For a Schedule A subdivision, a CLOMR/LOMR will be required to revise a FEMA floodplain. A CLOMR-F/LOMR-F will not be accepted in lieu of a CLOMR/LOMR.
 - An exception would be made when the District or FEMA is already preparing a LOMR for a larger reach of the floodplain that will incorporate their modifications regardless.
- For non-Schedule A maps and other land use cases, the District will continue to discourage use of CLOMR-F/LOMR-F but will evaluate proposed floodplain impacts and long-term administrative consequences on a case by case basis and recommend appropriate conditions of approval.

Attachment

DLD:blm

Additional Information regarding the CLOMR-F/LOMR-F vs. CLOMR/LOMR process and differences

Summary of LOMR-F process

A LOMR-F is typically applicable on small simple projects in which the property has been elevated by fill outside the regulatory floodway. LOMR-Fs are processed through FEMA using an MT-1 form. When a new or revised FEMA Flood Insurance Rate Map (FIRM) panel becomes effective, it automatically supersedes previously issued Letter of Map Changes (LOMC) for the area covered by that panel. However, a LOMR-F does not change the map, so when a new FIRM is issued, it still shows the area covered by the LOMR-F in the floodplain. When this happens, property owners need to file for a revalidation to once again remove the structure from the flood insurance requirement. In theory, the revalidation should happen automatically through FEMA. However, there have been multiple instances where the revalidation was not done automatically, and the District had to file the LOMC for redetermination to FEMA on behalf of the homeowners. The revalidation letters are not distributed by FEMA to local insurance agents or mortgage lenders, but they are available on FEMA's Map Service Center for download for property owners to submit to their insurance company. Although a LOMR is more expensive to process through FEMA than a LOMR-F, a LOMR revises the effective map and is not superseded thereby reducing any potential hassle to homeowners.

Benefits of LOMR

- Updates to the effective hydraulic model are required in order to submit a LOMR to FEMA. Therefore, the cumulative effects of fill are included in the effective model for future developments to utilize.
- A LOMR revises the floodplain shown on the map, therefore, a revalidation letter is not required to be issued if the FIRM is updated.
- Since a LOMR revises the FEMA mapped floodplain layer, the County's/District's GIS webmaps will reflect all floodplain revisions processed with a LOMR. These LOMR updates are normally captured when the District downloads the GIS shapefile quarterly from FEMA. Having the latest floodplain information is critical because District staff, through calls or front counter inquiries, are asked to provide floodplain determinations to the public. Also, County staff reference these FEMA floodplain files in GIS to determine if a permit needs to be reviewed by the District.

Issues with a LOMR-F

- Hydraulic analysis is not required by FEMA to process a LOMR-F. The District typically wants the applicant to prove they are not adversely affecting adjacent properties. How would an applicant prove that their project is not adversely affecting adjacent properties if not updating the hydraulic model? If the effective model is not updated, the cumulative effects of other development in the vicinity is not reflected in the hydraulic model unless new mapping has been done.
- LOMR-F requires Lowest Adjacent Grade (LAG) to be at the Base Flood Elevation (BFE). If maximum encroachment of fill occurs in the flood fringe, the BFE could rise as much as 1 foot, which would leave the fill insufficient in height to protect the proposed structures.
- Since the FIRM is not updated with a LOMR-F, the floodplain in the fill area would still show on the FEMA/County/District GIS maps. If a homeowner comes to the County for a permit in the area where a LOMR-F occurred, there will be no visual indication, and the homeowner will be routed to Flood Control for review or clearance. This is an unnecessary step if they are already out of the floodplain.
- Per FEMA Map Specialist call center, LOMR and LOMR-F are intended to be for small simple projects, not large residential developments.