



vantage point

Letters in the Electronic Age

As we move through an age when “better” means faster, less paper, and more computerized responses, the Federal Emergency Management Agency’s electronic Letter of Map Amendment (eLOMA) is gaining increasing publicity. The concept of eLOMA came about during the tenure of the first Technical Mapping Advisory Council to FEMA (we are now in the second) as a means for land surveyors to submit information for simple Letter of Map Amendment (LOMA) applications and receive instant “accept/reject” responses. With FEMA’s latest round of PR for the electronic version, called eLOMA, it is time to review what constitutes an appropriate LOMA application in general, electronic or otherwise, and to clarify the limited situations in which eLOMA is appropriate.

The first thing to remember is that the basis for a successful LOMA differs significantly from a Letter of Map Revision or Revision based on Fill (LOMR-F). For a LOMA, we look at natural ground to see if the mapping depicts an “inadvertent inclusion” of a site within the 1% annual chance floodplain, also called the Special Flood Hazard Area (SFHA). Too often I see Letters of Map Change with a notation in the bold-lettered header saying, “(NON-REMOVAL)”. This translates to “waste of time and money.” In looking through these Letters, it is clear that the applicants did not understand what would constitute a successful application. Don’t be that surveyor.

A LOMA is only appropriate when the ground elevation is higher than the Base Flood Elevation (BFE), with this difference in elevation not due to any changes made after the map was issued. If we wish to



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exclude a structure from the SFHA, we need to show that the lowest ground adjacent to it is above the BFE, and that any extensions or additions are also on ground above the BFE. If the posts supporting an attached deck are sunk into ground that is below the BFE, then a flood ripping the deck from the side of the structure will result in “flood-related damage” that should have been covered by flood insurance. Therefore attachments such as decks and stairs must be on ground above BFE for a LOMA to be granted. For confirmation of these requirements, we can look to 44 *CFR* 70.3(b)(2) and the instructions for Line C-2-H of the Elevation Certificate. Free-standing structures do not affect LOMA applications—although when uprooted they may cause the same debris impact damage as floating cars and fallen trees.

In contrast, a LOMR reflects changes occurring after a Flood Insurance Rate Map (FIRM) has become effective. Modifications of grade or stormwater facilities or a variety

of other conditions may result in alteration of the horizontal and/or vertical extent of inundation from the 1% annual chance flood event. When the grade has been raised by post-FIRM fill, the appropriate application to remove a site or structure from the SFHA is a LOMR-F. In these instances, we must compare the lowest floor of a structure on a filled site to the BFE to determine if the structure will be affected by the SFHA. Subsurface water pressures from soil saturation and high water tables can overcome foundations and basement walls below BFE, causing deformation and/or buoyancy. For a LOMR-F, look to 44 *CFR* 60.3(c), where we see clear requirements for the lowest floor of a structure in A-type zones to be at or above the Base Flood Elevation. (In V-type zones, 44 *CFR* 60.3(e) requires the lowest horizontal structural member of the lowest floor to be at or above BFE.) We can also refer to 44 *CFR* 65.6(a)(14) to see where lowest floor in A-type zones must be. Even when a LOMR-F has been

granted, remember that a community may impose requirements to assure that existing and proposed development is reasonably safe from flooding. See Technical Bulletin 10 and 44 *CFR* 65.2(c) for more details about being “reasonably safe.”

The eLOMA application is only for certain simple types of LOMAs. You must have a published BFE to use eLOMA; approximate Zone A is not suited for this process. eLOMA does not accept applications for areas where waves present an additional danger to structures; V-type zones are not suited for eLOMA. Within the eLOMA process there are clear warnings of when an application is inappropriate. Heed these warnings, as they may tell you when your application is more complex than what eLOMA can accommodate or that the premise of your application is the basis for rejection.

Initially, eLOMA applicants were to be specially trained and certified land surveyors (Certified Floodplain Surveyors, or CFS) to assure appropriate elevation data would be submitted and to vouch for the credibility of the application itself. But the CFS program never expanded beyond the pilot (now permanent) program in North Carolina, and applications are accepted from anyone with a valid license to practice surveying—or engineering where state laws permit topographic work by an engineer. A few years ago, members of the National Flood Determination Association also gained rights to submit data online.

FEMA publishes a significant amount of information online regarding various Letters of Map Change, including a fact sheet and a tutorial on eLOMAs and how to qualify to do them. FEMA’s Mapping Information Platform (MIP) includes a page dedicated to eLOMA, linked to “Tools for the Professional” on the MIP home page. FEMA also offers tutorials on regular LOMAs and LOMR-Fs, with aids to complete portions of the application forms. Don’t confuse eLOMA with the online Letter of Map Change, which is simply a means to forward material through cyberspace rather than by snail mail. There is, of course, a tutorial on that application as well. ■

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