

# Guidance for Flood Risk Analysis and Mapping

## Letter of Final Determination

May 2017



Requirements for the Federal Emergency Management Agency (FEMA) Risk Mapping, Assessment, and Planning (Risk MAP) Program are specified separately by statute, regulation, or FEMA policy (primarily the Standards for Flood Risk Analysis and Mapping). This document provides guidance to support the requirements and recommends approaches for effective and efficient implementation. Alternate approaches that comply with all requirements are acceptable.

For more information, please visit the FEMA Guidelines and Standards for Flood Risk Analysis and Mapping webpage ([www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping](http://www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping)). Copies of the Standards for Flood Risk Analysis and Mapping policy, related guidance, technical references, and other information about the guidelines and standards development process are all available here. You can also search directly by document title at [www.fema.gov/library](http://www.fema.gov/library).

## Table of Revisions

The following summary of changes details revisions to this document subsequent to its most recent version in May 2016.

Affected Section or Subsection	Date	Description
Sections 4.1, 4.2, and 4.36	May 2017	Figures related to the Quality Review (QR) 5, 6 and 7 Process has been updated to match those published within the <u>Quality Management for Flood Risk Projects Guidance</u> document. Very minor revisions were made specific to including KDP and MIP upload requirements related to the QR checklists.
Section 5.2	May 2017	Section has been revised to specific distribution of LFDs should be through United States Postal Service certified mail.
Section 6	May 2017	Update to reflect the MIP Studies Redesign effort. The MIP Studies Redesign has changed the names of MIP tasks as well as the how various tasks will be organized. Section 6 has been updated to reflect the new MIP tasks related to LFD. Additional information on what PPP deliverables are required to be uploaded to the MIP as well as what tasks need to be completed during the Final Map Production and Distribution Purchase Mapping Partners should reference <u>Data Capture Technical Reference</u> and <u>Post-Preliminary Deliverables Guidance</u> documents.

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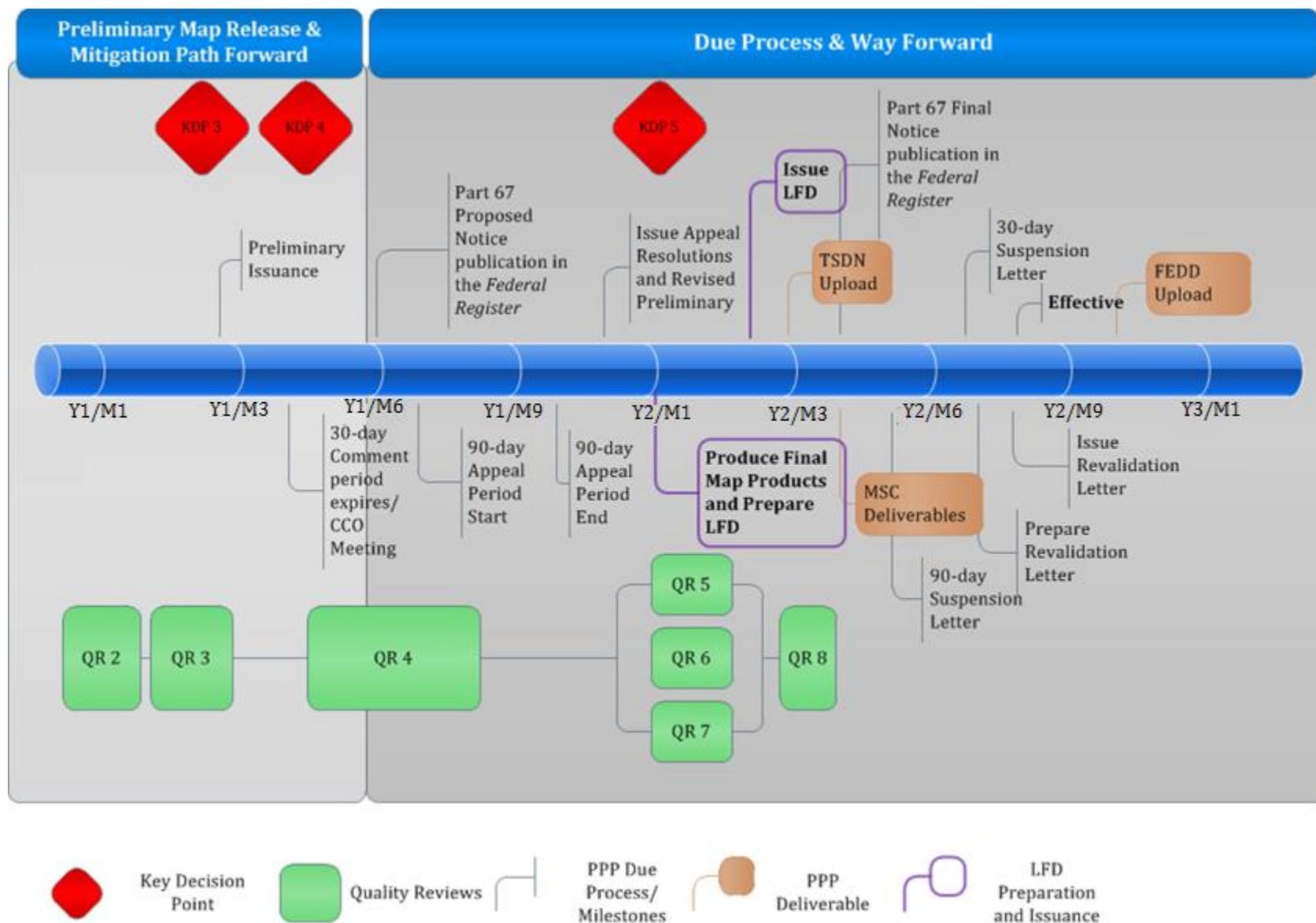
## **1.0 Introduction**

This document provides the standard procedures that staff from the Department of Homeland Security's Federal Emergency Management Agency (FEMA), FEMA contractors, and other organizations that partner with FEMA are to follow for processing new and revised Flood Insurance Study (FIS) reports, Flood Insurance Rate Maps (FIRMs), and FIRM Databases. Specifically, this document provides guidance on the steps leading up to and including the distribution of the Letter of Final Determination (LFD) during the Post-Preliminary Processing (PPP) and Due Process phase of a Flood Risk Project.

## **2.0 Post-Preliminary Processing Timeline**

In order to better understand where the LFD fits into the overall study process, Figure 1 depicts the overall PPP timeline of Flood Risk Projects to demonstrate where the deliverables occur.

Figure 1. PPP Timeline



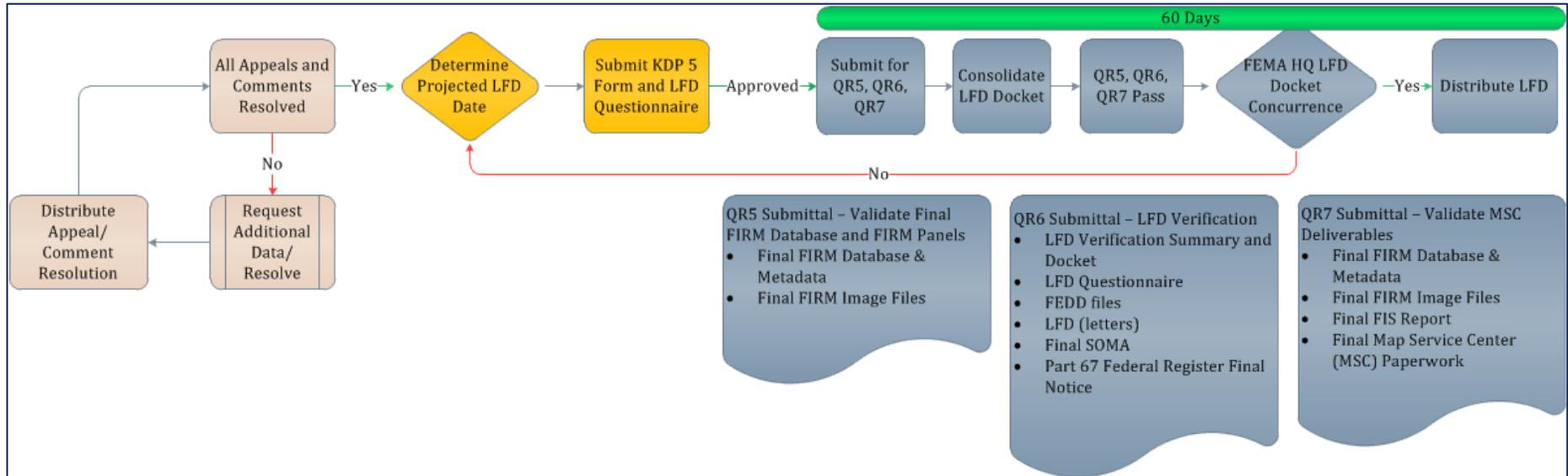
Detailed guidance on Key Decision Points (KDPs) and Quality Reviews (QRs) may be found in FEMA's Key Decision Point (KDP) Process Guidance and Quality Management for Flood Risk Projects Guidance documents.

### **3.0 LFD Overview**

After all appeals or comments are resolved as part of a Flood Risk Project, FEMA will issue an LFD informing the community that all Due Process requirements have been complied with on the Preliminary and/or Revised Preliminary map products that were provided to the community. The LFD will provide the projected map effective date and any pertinent direction regarding map adoption and Regional contact information. A final Summary of Map Actions (SOMA) is also sent with the LFD, as necessary, and lists all Letters of Map Change (LOMCs) that are affected by the study.

Key steps in the LFD process are shown in Figure 2, LFD Overview.

Figure 2. LFD Overview



After the 90-day appeal period (if required) has elapsed and all appeals and comments have been resolved, the designated Mapping Partner will, in coordination with the FEMA Region, choose a projected LFD date and FIRM effective date from a list provided by FEMA Headquarters (HQ). The LFD date must be no sooner than 60-days after the end of the statutory 90-day appeal period or following resolution of all appeals, whichever is later.

Prior to proceeding to the LFD and submitting for QRs 5-7, the designated Mapping Partner must coordinate with the Region to complete and submit the KDP 5 form, including submittal of the LFD Questionnaire and other documentation requested by the Region, and receive both Regional Branch Chief and FEMA HQ approvals in order to proceed towards the LFD date. Once KDP 5 approval is received, the designated Mapping Partner may finalize the map products and proceed with QRs 5-7, to be initiated at least 60 days prior to the projected LFD date.

The FEMA HQ designee, currently the Production and Technical Services (PTS) provider, will compile all Flood Risk Projects scheduled for each LFD date into one docket and provide to FEMA HQ for concurrence. FEMA HQ will ultimately provide final concurrence on the LFD docket. QRs 5-7 should pass on, or prior to, the scheduled LFD date. FEMA HQ LFD docket concurrence is required prior to LFD distribution by the FEMA HQ designee (PTS provider).

Following each LFD date, the FEMA HQ designee (PTS provider) will also compile the Part 67 Federal Register final notices for all Flood Risk Projects on that LFD docket. The Part 67 Federal Register final notice is coordinated such that it is published within 3 months of the LFD distribution.

With the distribution of the LFD, FEMA provides the community with 6 months to adopt floodplain management ordinances that comply with the new or modified flood hazard data presented on the FIRM and FIRM Database, as discussed in Section 60.2 of the National Flood Insurance Program (NFIP) regulations. The new or updated ordinances, which are sometimes referred to as “compliant” ordinances, must meet the requirements of Section 60.3 of the NFIP regulations.

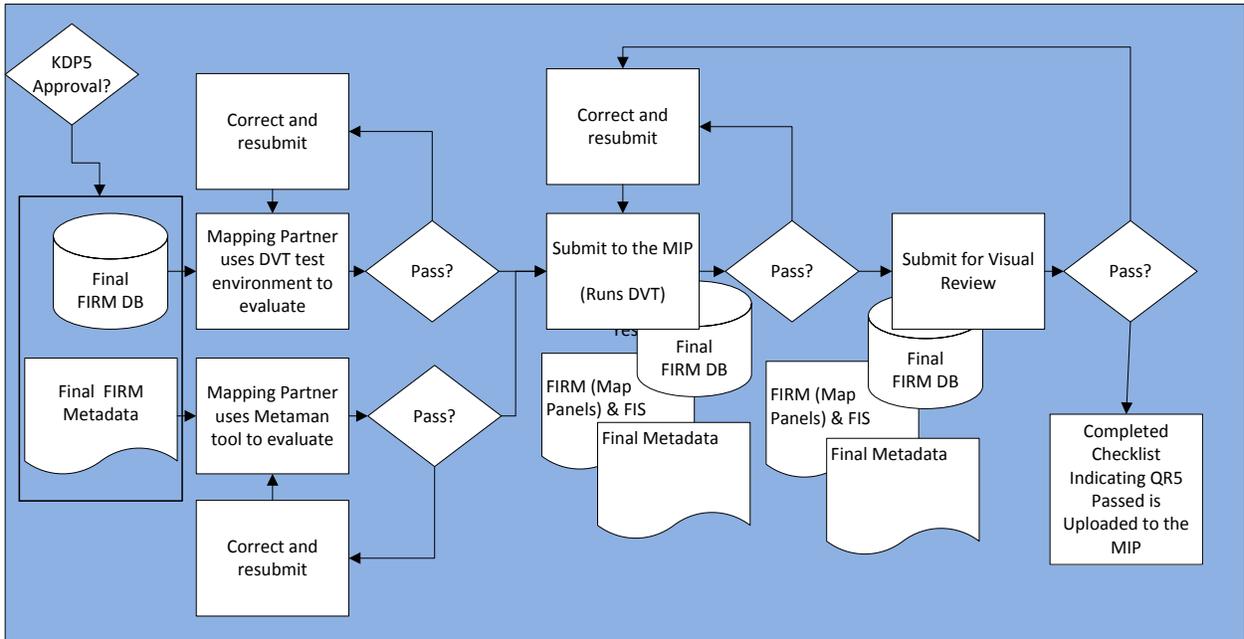
## **4.0 LFD Materials**

The LFD materials discussed in this section are submitted as part of QR5, QR6, and QR7, prior to the projected LFD date. Additional details may be found in FEMA’s [Quality Management for Flood Risk Projects Guidance](#) document. For Flood Risk Projects contracted to legacy or current PTS provider, the PTS will be responsible for submittal and review of QRs 5-7.

### **4.1 Quality Review 5 (Validate Final FIRM Database and FIRM Panels)**

The overall QR5 process is depicted in Figure 3. Materials submitted as part of QR5 include the final FIRM database and metadata, as well as final FIRM image files, and they are submitted at least 60 days prior to the projected LFD date. A Flood Risk Project must pass QR5 before the LFD may be distributed.

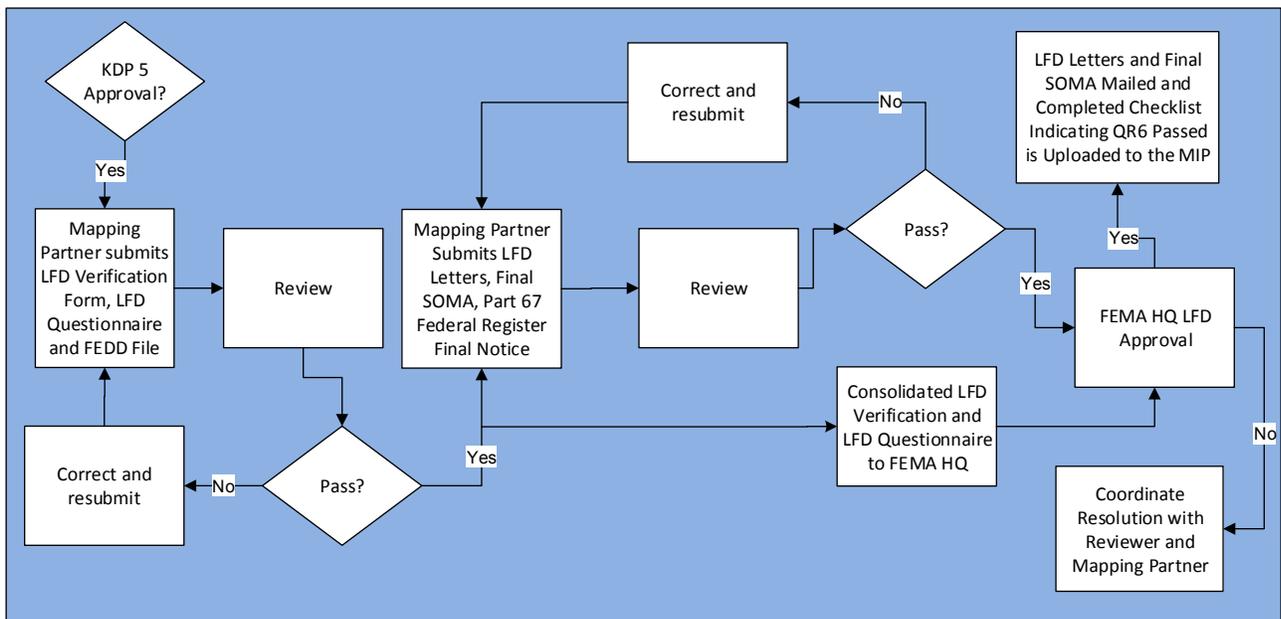
Figure 3. Quality Review 5 Process



#### 4.2 Quality Review 6 (Check LFD Before Distribution)

The overall QR6 process is depicted in Figure 4. Materials submitted as part of QR6 are described in the next subsections. A Flood Risk Project must pass QR6 before the LFD may be distributed.

Figure 4. Quality Review 6 Process



#### **4.2.1 LFD Verification Summary and Docket**

The LFD Verification Summary and Docket is a document that is filled out by the Mapping Partner responsible for the Flood Risk Project's Post-Preliminary Due Process phase. All affected communities are included on this docket for each Flood Risk Project. This also serves as FEMA's LFD docket for final LFD distribution concurrence by FEMA HQ. The LFD Verification Summary and Docket must be submitted to the FEMA HQ designee (PTS provider) as part of QR6, at least 60 days prior to the projected LFD date. Legacy PTS providers should provide this to the FEMA HQ designee (PTS provider) approximately four weeks prior to LFD date and after the QR6 review of the LFD Verification Summary and Docket has been completed. The FEMA HQ designee (PTS provider) will compile all Flood Risk Projects with all affected communities into one LFD docket for each LFD date prior to LFD and obtain concurrence from FEMA HQ to distribute the LFDs for all Flood Risk Projects on that LFD date using this docket.

The components of the LFD Verification Summary and Docket include general study information and community-level information. The LFD Verification Summary and Docket template may be requested through FEMA HQ or their designee (PTS provider). This template also includes a tab with additional guidance on how to populate the docket.

#### **4.2.2 LFD Questionnaire**

The LFD Questionnaire includes questions that are to be completed by the Mapping Partner responsible for the Flood Risk Project's Post-Preliminary Due Process phase. The LFD Questionnaire is initially submitted as part of the KDP 5 submittal and approval process and is used in the Regional and HQ review and approval process to determine if the study should proceed towards the projected LFD date. Additional detail on KDPs may be found in FEMA's [Key Decision Point \(KDP\) Process Guidance](#) document. Once KDP 5 approval is received from the Region and FEMA HQ, the LFD Questionnaire should also be submitted by the Mapping Partner as part of the QR6 submittal. Legacy PTS providers should provide the Questionnaire to the FEMA HQ designee (PTS provider) at the same time they provide the LFD Verification Summary and Docket. The LFD Questionnaire is consolidated for all studies on the same LFD date by the FEMA HQ designee (PTS provider) and submitted to FEMA HQ in advance of the LFD date, along with the consolidated LFD Verification Summary and Docket.

The LFD Questionnaire template may be requested through FEMA HQ or their designee (PTS provider). This template also includes a tab with additional guidance on how to populate the questionnaire.

#### **4.2.3 FEDD Files**

In accordance with Part 67.3 of the NFIP regulations, FEMA is required to establish and maintain a Flood Elevation Determination Docket (FEDD) file for communities affected by a newly created or updated FIRM. The documentation in the FEDD file is evidence that FEMA has provided due process to communities impacted by new or updated flood hazard information.

All Mapping Partners must submit FEDD files to the FEMA HQ designee (PTS provider) for review during QR6 (60 days before the LFD is scheduled to be issued). Documents that must be included at this stage are discussed in FEMA's [Technical Support Data Notebook and Flood](#)

Elevation Determination Docket Guidance document, and include preliminary correspondence, final community coordination meeting minutes, appeal period documentation (if applicable), revised preliminary correspondence (if applicable), and appeal and comment resolutions (if applicable).

The FEMA HQ designee (PTS provider) will review the submitted checklists and FEDD files for accuracy and completeness and work with the designated Mapping Partner to obtain any missing or incomplete items, as necessary. Once the determination is made that the FEDD files are complete and all due process requirements have been met, the designated Mapping Partner will be notified by the FEMA HQ designee (PTS provider) that processing of the study may continue, and the LFD may be issued. This approval to proceed assumes all final QR requirements have been met as well, as per FEMA's Quality Management for Flood Risk Projects Guidance document and applicable standards.

The FEMA HQ designee (PTS provider) will maintain the FEDD files beginning with the issuance of the LFD and will add copies of all correspondence issued after that date. This correspondence will include the LFD, final SOMA (if applicable), Part 67 Federal Register final notice (if applicable), 90- and 30-day letters (if applicable), Revalidation letters, and all applicable proof of receipt.

Additional details may be found in FEMA's Post-Preliminary Deliverables Guidance and Technical Support Data Notebook and Flood Elevation Determination Docket Guidance documents.

#### **4.2.4 Letters**

The LFD is the letter in which FEMA announces its final determination regarding the flood hazard information, a new or revised FIRM, FIS Report, and (when appropriate) Flood Boundary and Floodway Map (FBFM) for a particular community. An LFD is sent to each community impacted by a Flood Risk Project. This includes all communities that fall on a revised panel, regardless of if they are impacted by Flood Hazard Determination (FHD) changes. In the LFD, FEMA begins the compliance period and establishes the effective date for the new or revised map products.

The selection of the appropriate letter type and language is based on several factors, including community NFIP participation status, tribal status, appeal period requirements and resolution letter status, whether FHDs were impacted, SOMA assessment, and adoption requirements, including new Section 60.3 Level of Regulations, if needed.

If a community has FHD changes as a result of the Flood Risk Project, it is possible that their Level of Regulations, or floodplain management criteria, has changed. The type of flooding in the community determines which floodplain management criteria from Section 60.3 is applicable. Communities are required to adopt the appropriate provisions of Section 60.3 ("a" through "e") as a prerequisite to participation in the NFIP. It is therefore imperative that the determination of floodplain management criteria is accurate. The designated Mapping Partner should review the new flood hazard areas within each community to determine the appropriate new Level of Regulations that should be listed in the LFD.

The data populated in the LFD Verification Summary Form and Docket assists teams in determining the appropriate LFD to develop on a community-basis. Designated Mapping Partners should utilize the information collected for each community within the LFD Verification Summary Form and Docket along with the LFD Letter Type Index (also within the LFD Verification Summary Form and Docket template) to choose the correct letter type and populate the template.

It is important to note that much of the community-based data in the LFD Verification Summary Form and Docket is identified by the designated Mapping Partner by utilizing FEMA's Community Information System (CIS), including community contact information and confirming ordinance adoption and approval status.

It is important that the designated Mapping Partner keep contact information for community officials (particularly Chief Executive Officers (CEO)s and Floodplain Administrators (FPA)s current throughout the lifecycle of a Flood Risk Project. The authoritative source of this information is CIS. The designated Mapping Partner should check the CIS periodically prior to drafting LFDs to determine whether any updates are required. It is recommended that the designated Mapping Partner reconfirm community contact information if it has been more than three months since the last contact information was confirmed, or if there were recent elections within the community. The FEMA Project Officer may request support from the designated Mapping Partner in completing any updates needed to CIS.

The designated Mapping Partner should also review CIS and work with the Region to verify ordinance adoption and compliance status of each community prior to choosing the LFD letter type. If a community receives a non-compliant letter type at LFD, that community will be scheduled to receive 90- and 30-day letters reminding them of the upcoming study effective date and the requirement to adopt compliant language into their ordinances in order to continue to participate in the NFIP. CIS must reflect ordinance adoption as approved by the FEMA Region on a date on or after the LFD date in order for the 90- and 30-day letters to be withheld from mailing. If a community receives a compliant letter type at LFD, that community will not be scheduled to receive 90- and 30-day letters, regardless of the date of approved ordinance entered into CIS. The FEMA HQ designee (PTS provider) will review CIS prior to mailing 90- or 30-day letters to confirm if the community has received approval from the FEMA Region for a compliant ordinance; if CIS has not been updated to reflect this, the letters will be mailed. The PTS providers at the Regions will work with the Regions as requested to support ordinance review and updates to CIS during the 6-month compliance period immediately following LFD issuance.

LFDs are distributed only with FEMA HQ concurrence on the LFD docket. Distribution includes, but is not limited to, the CEO of the community, FPA of the community, the FEMA Regional Office, and the State NFIP Coordinator. LFD letter templates may be obtained through the FEMA HQ Due Process lead or their designee (PTS provider).

The final SOMA, discussed below, is included as an enclosure for each community's LFD, where appropriate.

#### **4.2.5 Final SOMA**

To ensure the modifications made by LOMCs, Letters of Map Amendments, Letters of Map Revision based on Fill, and Letters of Map Revisions (LOMRs), are included in a physical map update, the designated Mapping Partner performs searches for determinations at four stages: (1) before the Preliminary copies of the affected FIRM panel(s) are prepared and sent to the community for review and comment; (2) before Revised Preliminary copies of the affected FIRM panel(s) are prepared and sent to the community for review and comment; (3) before the LFD is sent to the community; and (4) before the effective date of the revised FIRM panels.

The final SOMA, if applicable, is mailed along with the LFD to each community impacted by the Flood Risk Project, which is distributed to, but is not limited to, the CEO, the FPA, the FEMA Regional Office, and the State NFIP Coordinator. In addition, the FEMA HQ designee (PTS provider) provides a copy of the final SOMA for inclusion on the LOMC Distribution Service. If no LOMCs have been issued for the affected FIRM panel(s), the designated Mapping Partner will include an explanatory paragraph in the LFD to acknowledge this fact, and a SOMA is not required to be sent to the CEO or any of the other recipients of the LFD. Regional preference may be to include a copy of a blank final SOMA to indicate there were no cases identified, so designated Mapping Partners should coordinate with the Regional Office to see where this preference may exist.

Approximately 45 days before the LFD date, as part of QR6, the designated Mapping Partner will generate and submit for review the final SOMA. The final SOMA should include all LOMCs included in the preliminary or revised preliminary SOMA and all LOMCs issued since the Preliminary or Revised Preliminary copies of the FIRM and FIS Report were distributed that fall within the Flood Risk Project panel footprint.

FEMA expects the designated Mapping Partner to maintain awareness of LOMCs, especially LOMRs, which go effective during the mapping project by reviewing the Mapping Information Platform (MIP) and coordinating with the LOMC production team. Designated Mapping Partners must incorporate into the final map products all LOMRs that have gone effective at least 2 months prior to the projected LFD date. Only FEMA HQ can authorize not incorporating a LOMR in favor of reissuing the LOMR after the new maps are effective. Therefore, the Mapping Partner should provide documentation of coordination with FEMA HQ (as well as the Region) if a LOMR will be reissued rather than incorporated. LOMRs that have been issued, but that are not yet effective, should not be incorporated as part of Preliminary or LFD/Effective FIRM production. Issued LOMRs may be subject to comments or appeals, and are not yet legally binding. Only Effective LOMRs should be incorporated. Additional details may be found in FEMA's LOMR Incorporation Guidance document. For more information on the SOMA process, please reference FEMA's Summary of Map Actions and Revalidation Letters Guidance document.

#### **4.2.6 Final Notice**

As part of QR6, the designated Mapping Partner should submit the Part 67 final notice for the Flood Risk Project to the FEMA HQ designee (PTS provider). The table within the notice should include all communities that were eligible for and received the statutory 90-day appeal period, as shown on the Part 67 proposed notice(s), along with their Community Map Repository (CMR)

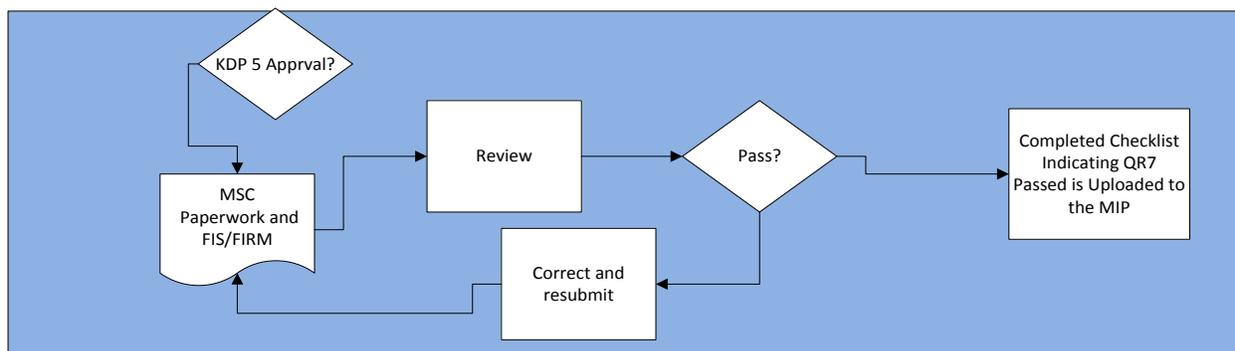
address. Designated Mapping Partners should confirm that the CMR address remains accurate, and verify that all regulatory products list the CMR address consistently and correctly.

Immediately following each LFD date, the FEMA HQ designee (PTS provider) will compile Part 67 final notices for all Flood Risk Projects that require publication in the Federal Register and prepare a Part 67 final notice docket for that LFD date. FEMA publishes Part 67 final notices in the Federal Register no later than 3 months following issuance of the LFD. This publication finalizes the FHDs for the Flood Risk Project. Additional information on Federal Register notices may be found in FEMA's [Federal Register Notices Guidance](#) document.

### 4.3 Quality Review 7 (Validate MSC Deliverables)

The overall QR7 process is depicted in Figure 5. Materials submitted as part of QR7 include the final FIRM database and metadata, final FIRM image files, Map Service Center (MSC) paperwork and FIS report, and must be submitted at least 60 days prior to the projected LFD date. A Flood Risk Project must pass QR7 before the LFD may be distributed.

Figure 5. Quality Review 7 Process



## 5.0 LFD Issuance Process

### 5.1 Approval

FEMA Regions and FEMA HQ will perform a review to determine if the Flood Risk Project is ready to move towards LFD at KDP 5, utilizing information provided in the KDP 5 form and the LFD Questionnaire, per FEMA's [Key Decision Point \(KDP\) Process Guidance](#) document.

Following KDP 5 approval, the designated Mapping Partner will submit for QRs 5-7. The FEMA HQ designee (PTS provider) will perform the reviews and coordinate to pass the QRs 5-7 by the projected LFD date. If there are any concerns identified during the QRs that may result in having to reproject the LFD, or concerns with passing QRs after the projected LFD date, the FEMA Region and FEMA HQ should be alerted immediately to identify the most appropriate path forward.

Prior to the LFD, the FEMA HQ designee (PTS provider) will consolidate all Flood Risk Projects for a particular LFD date into a single LFD Questionnaire and LFD Verification Summary and Docket (LFD docket) and provide the materials to FEMA HQ. If special circumstances exist with

a community or Flood Risk Project, FEMA HQ or their designee (PTS provider) may direct the designated Mapping Partner to submit an original hard copy of the LFD(s) for review.

On or around the LFD date, FEMA HQ, in coordination with their designee (PTS provider), will utilize the consolidated LFD docket and will notify designated Mapping Partners of LFD docket concurrence to distribute the LFDs.

## **5.2 Distribution**

LFDs may only be distributed once FEMA HQ concurs on the LFD docket for that specific LFD date.

On the LFD date and/or upon concurrence of the LFD docket, the FEMA HQ designee (PTS provider) will mail and/or electronically distribute the LFDs and enclosures (including the final SOMA and final Federal Register notice, if applicable) to the CEO, the FPA, the Regional Office, and the State NFIP Coordinator. Hard copy letters should be sent to the CEO and the FPA. At a minimum, CEO letters should be sent with a mail tracking receipt option (i.e. United States Postal Service certified mail). Receipt of delivery to the community in a timely manner must be tracked and documented for the final FEDD file. Proof of delivery is ideally tracked through the mailing delivery receipt option, but may also be recorded as delivered via email confirmation, fax, or phone log.

If any concerns are identified following the issuance of the LFD, the FEMA HQ Due Process lead should be contacted immediately so that a discussion on the appropriate path forward may occur.

The final map products are mailed by FEMA's MSC to the communities in the weeks following LFD distribution and only after QR8 passes on the Flood Risk Project. The final map products should arrive prior to eligible communities receiving the 90-day letters.

## **6.0 MIP Requirements**

For information on what PPP deliverables are required to be uploaded to the MIP as well as the appropriate MIP tasks to complete during the Final Map Production and Distribution Purchase related to LFD please see [Data Capture Technical Reference](#) and [Post-Preliminary Deliverables Guidance](#) documents. The completion of these tasks in a timely manner is critical to the adoption and compliance phase of a Flood Risk Project. Specifically, the "LFD Approval" MIP task must be saved and completed in conjunction with LFD distribution in order for the actual LFD and effective dates to populate in MIP and in CIS. In addition, it is critical that only communities impacted by the project are included within the geography of the Final Map Production and Distribution purchase. Accurate information in these systems at LFD is critical as Regions begin to review and approve ordinances and as 90- and 30-day letters are being prepared. Designated Mapping Partners must complete these tasks in a timely manner and ensure only communities impacted by the project are included within the geography of the Final Map Production and Distribution purchase.