

AMENDMENTS TO NATIONAL FLOOD INSURANCE PROGRAM MAPS APPLICATION FORM FOR SINGLE RESIDENTIAL STRUCTURE OR LOT

General Background Information

In 1968, the U.S. Congress passed the National Flood Insurance Act, which created the National Flood Insurance Program (NFIP). The NFIP was designed to reduce future flood losses through the adoption of local floodplain management regulations and to provide protection for property owners against potential losses through an insurance mechanism that allows a premium to be paid for the protection of those who need it most. The creation of the NFIP represented a major shift in Federal strategy from previous structural flood-control and disaster relief programs.

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt floodplain management ordinances that meet certain minimum requirements intended to reduce future flood losses. The community official or agency responsible for floodplain management in a community may be able to provide information that would be useful to a requester. This official or agency usually is responsible for engineering, public works, flood control, or planning in the community as well.

Use of Application Forms

The Federal Emergency Management Agency (FEMA) implemented the use of application forms for requesting revisions or amendments to NFIP maps for two reasons. First, the forms provide requesters with a comprehensive, step-by-step process to follow. This process provides the requester with assurance that all necessary information to support their request is being submitted to FEMA at one time, thus avoiding the need to go through an iterative process of providing additional information in a piecemeal fashion, which can result in a time-consuming and cost-intensive process. Second, use of the forms assures that the requesters' submissions are complete and more logically structured, and generally allows FEMA to complete its review in a shorter timeframe.

This form should be used to request that FEMA remove a single structure or a legally recorded parcel of land or portions thereof, described by metes and bounds certified by a Registered Professional Engineer or Licensed Land Surveyor, from a designated Special Flood Hazard Area (SFHA), an area that would be inundated by the flood having a 1-percent-annual-chance of being equaled or exceeded in any given year (base flood), via Letter of Map Amendment (LOMA). A LOMA is a letter from FEMA stating that an **existing** structure or parcel of land that has not been elevated by fill (i.e. the existing structure or parcel of land is on natural grade) would not be inundated by the base flood. **Fill** is defined as material placed to raise the ground to or above the Base Flood Elevation (BFE). The common construction practice of removing unsuitable existing material (topsoil) and backfilling with select structural material is not considered the placement of fill if the practice does not alter the existing (natural ground) elevation, which is at or above the BFE. **Fill placed before the date of the first NFIP map showing the area in an SFHA is considered natural ground.**

The MT-EZ form shall not be used for requests submitted by developers, for requests involving multiple structures or lots, for property in alluvial fan areas or coastal high hazard areas (V zones), or requests involving the placement of fill—for such requests, requesters should use the MT-1 or MT-2 application forms, as appropriate. The MT-1 and MT-2 forms packages may be downloaded from the FEMA Flood Hazard Mapping website at http://www.fema.gov/fhm/frm_form.shtm.

For additional assistance in completing this form, interested parties may consult the LOMA Tutorial, available on FEMA's Flood Hazard Mapping website at: http://www.fema.gov/fhm/ot_main.shtm. This tutorial provides guidance to LOMA requesters, as well as an online tool to complete the MT-EZ form.

Data Submission Requirements

In accordance with NFIP regulations, FEMA will use the information provided in the MT-EZ form to determine whether property (i.e., structure, parcel of land) should be removed from a designated SFHA. In certain instances, additional data not

referenced on the MT-EZ form may be required. A FEMA representative will notify the requester of any additional data requirements.

Applicable Regulations

The regulations pertaining to LOMAs are presented in Title 44, Chapter I, Code of Federal Regulations (CFR), Part 70, which are available at http://www.access.gpo.gov/nara/cfr/waisidx_03/44cfr70_03.html. The purpose of Part 70 is to provide an administrative procedure whereby FEMA will review information submitted by an owner or lessee of property who believes that their property has been inadvertently included in a designated SFHA. Part 70 provides information about the technical difficulty of accurately delineating the SFHA boundaries on the NFIP map for a community. Part 70 procedures shall not apply if the topography has been altered since the effective date of the first NFIP map [i.e., a Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHB)] showing the property to be within the SFHA.

Basis of Determination

If no fill has been placed, FEMA's determination as to whether a structure or legally recorded parcel of land, or portions thereof, described by metes and bounds, may be removed from the SFHA will be based on a comparison of the BFE with certain elevation information. For LOMA requests involving property located in Zone A, with no BFEs determined, interested parties should refer to FEMA-265, *Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*, available on FEMA's Flood Hazard Mapping Web at http://www.fema.gov/fhm/dl_zone_a.shtm. The elevation information required will depend on whether a structure or a legally recorded parcel of land is to be removed from the SFHA.

The following special considerations may affect FEMA's determination:

- In areas of sheetflow flooding (Zone AO), the elevation of the Lowest Adjacent Grade (including deck posts) and the elevation of the lowest floor (including basement/crawl space) of the structure(s) must be elevated above the elevation of the highest surrounding ground by at least the amount of the depth specified on the FIRM. In addition, adequate drainage paths must be maintained to guide floodwaters around and away from the structure(s).
- If the lowest floor of a building has been elevated on posts, piers, or pilings above the BFE and any portion of the structure (i.e., posts, pilings, or piers) is still below the BFE, the building will not be removed from the SFHA.

Response Timeframe

In accordance with Section 70.4 of the NFIP regulations, FEMA will notify the requester of the determination in writing within 60 days of the date of receipt of all required data. Information about the status of active LOMA requests and other Letter of Map Change (LOMC) requests is available from FEMA's Status of Map Change Requests database at http://www.fema.gov/fhm/st_main.shtm.

Effect on Insurance Purchase Requirements

Although FEMA may issue a LOMA removing a structure from the SFHA, it is the lending institution's prerogative to require flood insurance, as a condition of a loan, if it deems such action appropriate. However, if the lending institution agrees to waive the flood insurance purchase requirement for a structure, the property owner is eligible for a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. If the property owner has been required to renew his or her policy during a period when a revised NFIP map was being printed, the premium will be refunded for an additional year. To initiate processing of the refund, the property owner should provide the LOMA and evidence of the waiver of the flood insurance requirement from the lending institution to the insurance agent or broker who sold the policy.

General Instructions – Section A

The property owner, a Licensed Land Surveyor, or a Registered Professional Engineer may complete Section A to support a request for a LOMA for a single structure or lot.

Before completing Section A, the requester must obtain one of the following documents from the County/Parish Clerk, Recorder, or Register of Deeds for the community:

- A copy of the Plat Map for the property, showing the recordation information (e.g., Book/Volume and Page numbers or Document/Instrument number) and containing the recorder's seal and recordation date.
- A copy of the Deed for the property, showing the recordation information (e.g., Book/Volume and Page numbers or Document/Instrument number) containing the recorder's seal and recordation date, accompanied by a tax assessor's or other suitable map showing the surveyed location of the property.

The requester also must obtain a photocopy of the effective FIRM panel (including the Title Block) that shows the area in which the property is located. The FIRM should be available at the community map repository or from the community official or agency responsible for floodplain management. However, the FIRM Index and FIRM panels may be ordered from the FEMA Map Service Center (MSC), for a nominal fee. To place orders from the MSC, interested parties may visit the MSC website at <http://www.msc.fema.gov> and click on the "FEMA Flood Map Store" link. (For some communities, the effective NFIP map may be a Flood Hazard Boundary Map (FHBM), not a FIRM. In such cases, the requester should obtain and use the FHBM.)

The FEMA Flood Map Store allows requesters to search for maps and other technical data historically available from the MSC online. Requesters can search by the three following search options: Catalog, Map Search, and Quick Order. The Catalog option allows requesters to search through the FEMA Flood Map Store for all available data. The Map Search option allows requesters to search for data available for an individually specified map area. The Quick Order option allows requesters to search and order available data by specific FIRM panel or by state, county, or community identification number. All search options will allow requesters to search desired data and add that data to a "shopping cart" for later payment options. Payment must be in the form of a credit card. Only Visa and MasterCard are accepted.

Requesters without Internet access should contact the MSC by calling 1-800-358-9616. Requesters also may fax their requests to the MSC at 1-800-358-9620.

Specific Instructions – Section A

Number 1 - Fill Placement

Regardless of the type of LOMC being requested, the requester must clearly state, to the best of his or her knowledge, whether fill has been placed on the property. The requester must answer "yes" or "no" to this question. (See "Use of Application Forms" for additional information about fill.) If fill has been placed on the property, the requester must submit a request for a Letter of Map Revision Based on Fill (LOMR-F) using the MT-1 application forms so that FEMA may determine whether the structure or lot should be removed from the SFHA. To obtain a copy of the MT-1 application forms package, interested parties should visit FEMA's Flood Hazard Mapping website at http://www.fema.gov/fhm/dl_mt-1.shtm or call the FEMA Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627).

Number 2 - Legal Description of Property

The requester should describe the property by referring to the recorded deed or plat map. The description may consist of a lot number and subdivision name, a parcel number, a tract number, or any other information provided in the deed or plat to identify the property. It is not necessary to reproduce a lengthy description of the property as it appears in the Deed. In addition, the requester should enter the street address for the property, if one is available, if the property address is different from the mailing address.

Number 3 - Structure or Property That Is Subject of Request

FEMA will make a LOMA determination for a structure or a parcel of land. The requester should select the one for which they would like FEMA to make a determination. If the request is for a structure, the requester must provide the date of construction in this section. Date of construction information usually may be obtained from real estate settlement documents, the property developer, or the local government office where real estate and/or land development transactions are recorded.

Signature

The requester must provide his or her name, mailing address, and telephone number in the space provided. The requester also must sign and date, where indicated, to certify the accuracy of the information provided in Section A of the form. A Licensed Land Surveyor or Registered Professional Engineer may sign this form for the requester when submitting on behalf of the requester.

General Instructions – Section B

A Licensed Land Surveyor or Registered Professional Engineer must complete Section B unless an NFIP Elevation Certificate has already been completed for the property. If an Elevation Certificate has already been completed, the Elevation Certificate may be submitted in lieu of Section B of the MT-EZ form.

Before completing Section B, the surveyor or engineer must obtain the effective FIRM panel, effective Flood Boundary and Floodway Map (FBFM) panel (if printed), and Flood Insurance Study (FIS) report that cover the area in which the property is located. These can be obtained from the Community Map Repository or ordered from the MSC, for a nominal fee. To place orders from the MSC online, the engineer or surveyor should visit the MSC website at <http://www.msc.fema.gov/> and click on the “FEMA Flood Map Store” link. (For some communities, the effective NFIP map may be an FHBM), not a FIRM. In such cases, the engineer or surveyor should obtain and use the FHBM.)

The FEMA Flood Map Store allows users, including homeowners, surveyors, and engineers, to search for maps and other technical data historically available from the MSC online. Searches can be conducted under the three following search options: Catalog, Map Search, and Quick Order. The Catalog option allows surveyors and engineers to search through the Flood Map Store for all available data. The Map Search option allows surveyors and engineers to search for data available for an individually specified map area. The Quick Order option allows surveyors and engineers to search available data by a specific FIRM panel or by state, county, or community identification number. All search options will allow surveyors and engineers to search desired data and add that data to a "shopping cart" for later payment options. Payment must be in the form of a credit card. Only Visa and MasterCard are accepted.

Surveyors and engineers who do not have Internet access should contact the MSC by calling 1-800-358-9616. They also may fax their requests to the MSC at 1-800-358-9620.

Specific Instructions – Section B

Items to be Removed From the SFHA

The surveyor or engineer must identify what is to be removed from the SFHA. The surveyor or engineer must provide the required elevation information as described on the form.

Number 1 - Type of Construction

If the request involves or will involve a structure, the surveyor or engineer must provide the type of construction.

- **Crawl Space** – The area below the first floor is enclosed by solid or partial perimeter walls.
- **Slab on Grade** – The bottom floor is at or above grade level on at least one side.
- **Basement/Enclosure** – The bottom floor is below grade level on all sides. Note: Buildings constructed above crawl spaces that are below grade on all sides should also use this type of construction.
- **Other** – All other structure types not listed above including, but not limited to; split levels, structures on piers, mobile homes, etc.

Number 2 - Building Information

The surveyor or engineer must provide the street address for the property, if one is available, and a brief description of the property by referring to the recorded deed or plat map. The description may consist of a lot number and subdivision name, a parcel number, a tract number, or any other information provided in the deed or plat to identify the property. It is not necessary to reproduce a lengthy description of the property as it appears in the Deed.

Number 3 - Flood Insurance Rate Map Information

In the first box, the surveyor or engineer must provide the NFIP community number as it appears in the Title Block of the FIRM (or FHBM) panel that shows the area where the property is located. In the second box, the surveyor or engineer must provide the map and panel number. For additional information on reading FIRM panels interested parties may consult the tutorial “How to Read a FIRM” on FEMA’s Flood Hazard Mapping website: http://www.fema.gov/fhm/ot_firmr.shtm.

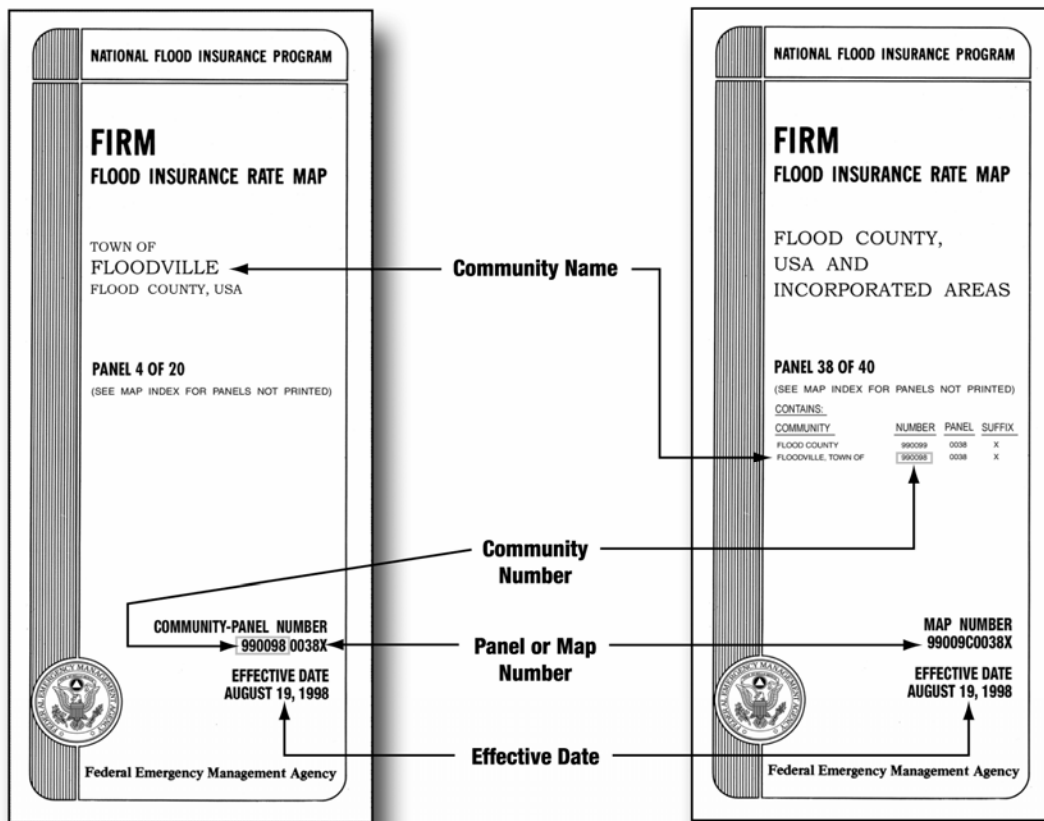


Figure 1. Sample FIRM Panel (Single Community)

Figure 2. Sample FIRM Panel (Countywide)

In the third box, the surveyor or engineer must provide the BFE. The surveyor or engineer may obtain the BFE by locating the property on the effective FIRM for the community in which the property is located. Upon locating the property on the FIRM, the engineer or surveyor should determine the type of flooding and the flood zone where the property is located. The summary below provides direction as to how to determine the BFE as a result of the flooding type and flood zone determination.

- **Riverine Flooding Systems (Zones AE or A1-A30)** – Consult the FIS report for the community in which the property is located. Locate the flood profile for the flooding source by name. Estimate the property’s location along the flood profile and extrapolate the BFE using the 100-year flood profile line.
- **Lacustrine (Stillwater) Flooding Systems** – Consult the FIS report for the community in which the property is located. Locate the Summary of Stillwater Elevations table. Locate the flooding source, by name, and use the BFE listed in the table. The flooding source’s BFE is normally shown to the nearest 0.1 foot. If the flooding source is not listed in the Summary of Stillwater Elevations table, use the BFE as shown on the FIRM.
- **Coastal Flooding Systems (Zone AE or A1-A30)** – Obtain the BFE from the FIRM panel. Consult the FIS report for the community in which the property is located. Locate the Summary of Stillwater Elevations table in the FIS report. Identify the flooding source, by name, and use the BFE listed in the table. Compare the BFE listed in this table to the BFE obtained from the FIRM. If the stillwater elevation listed in the table is less than or equal to the whole-foot BFE shown on the FIRM minus 0.5 foot, a wave height, wave runup, and/or wave setup component exists. In this case, use the whole-foot BFE shown on the FIRM. If the stillwater elevation listed in the table is greater than the whole-foot BFE shown on the FIRM minus 0.4 foot, use the stillwater elevation shown in the table as the BFE.
- **Coastal Flooding Systems (Zone VE or V1-V30)** – Obtain the BFE from the FIRM panel. Consult the FIS report for the community in which the property is located. Locate the Summary of Stillwater Elevations table in the FIS report. Identify the flooding source, by name, and use the BFE listed in the table. Compare the BFE listed in this table to the BFE obtained from the FIRM. If the stillwater elevation listed in this table is less than or equal to the whole-foot BFE shown on the FIRM minus 0.5 foot, a wave height, wave runup, and/or wave setup component exists. In this case, use the whole-foot BFE shown on the FIRM. If the stillwater elevation listed in the table is greater than the whole-foot BFE shown on the FIRM minus 0.4 foot, use the stillwater elevation shown in the table as the BFE. (Any structure/parcel of land located seaward of the landward toe of the primary frontal dune may not be removed from a Zone VE or V1-V30.)
- **Zone A Flooding** – If the property is located in Zone A, an area of approximate flooding with no BFEs determined, determine a BFE . Consult with a Federal, State, or local government agency to determine if that agency has developed a BFE. Such agencies include the U.S. Army Corps of Engineers; the U.S. Geological Survey; the State’s Department of Natural Resources, Department of Environmental Quality, or Department of Transportation; or the local Planning and Zoning Department. If a BFE has not previously been developed, consult FEMA 265, *Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*, available on the FEMA Flood Hazard Mapping website at http://www.fema.gov/fhm/dl_zonea.shtm. This publication is an excellent resource that details the appropriate methods for determining BFEs in SFHAs designated Zone A. To obtain a printed copy of this publication, or to obtain additional information about developing BFEs, contact the FEMA Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627). If the property is greater than 50 lots or 5 acres, whichever is the lesser, the engineer or surveyor must determine a BFE in accordance with Paragraph 60.3(b)(3) of the NFIP regulations, available online at http://www.access.gpo.gov/nara/cfr/waisidx_03/44cfr60_03.html.
- **Shallow/Sheet Flooding (Zone AH or AO)** –For a property located in Zone AH, an area of shallow flooding, use the BFE shown on the FIRM. For a property located in Zone AO, an area of sheet flooding, use the average depth elevation shown on the FIRM and add that depth to the lowest grade on the property.

Number 4

Lowest Adjacent Grade (LAG) to the Structure – For requests involving a structure, provide the LAG elevation, to the nearest 0.1 foot or meter. If the FIRM shows BFEs in meters, the accuracy of the LAG elevation must be to the nearest 0.1 meter.

Lowest Lot Elevation – For requests involving property, not a structure, provide the lowest lot elevation to the nearest 0.1 foot or meter. If FIRM shows BFEs in meters, the accuracy of the lowest lot elevation must be to the nearest 0.1 meter.

Elevation Datum – Provide the elevation datum (e.g., National Geodetic Vertical Datum of 1929, North American Vertical Datum of 1988) for which the property elevations are referenced. If the datum being referenced is different than the datum used to produce the effective FIRM, provide the datum conversion.

Subsidence or Uplift – Land subsidence is the lowering of the ground as a result of water, oil, gas extraction, as well as other phenomena such as soil compaction, decomposition of organic material, and tectonic movement. Periodically, the National Geodetic Survey relevels some benchmarks to determine new elevations above the National Geodetic Vertical Datum of 1929; however, not all benchmarks are relevelled each time.

Check “yes” if the area of the property is in an area of subsidence or uplift, and provide the date of the current releveling; check “no” if the area of the property is not in an area of subsidence or uplift. In areas experiencing ground subsidence (e.g., Harris County, Texas, and Incorporated Areas); the most recently adjusted Elevation Reference Mark (ERM) must be used for accurate ground and structure elevations. Consult the effective FIS report for the community where the property is located or the local floodplain administrator for the most current ERM data.

In general, the effects of subsidence can be accounted for by determining ground and structure elevations using benchmark elevations with the same releveling date as the benchmarks used to develop the BFEs on the FIRM. Benchmark releveling dates may be different for different flooding sources. No adjustment is necessary to the BFEs on the FIRM.

Certification (by a Licensed Land Surveyor, Registered Professional Engineer, or Architect)

The certifier must provide his or her name, license number and expiration date, his or her company name, telephone number and, if applicable, his or her fax number. The certifier’s seal, if available, may be provided here. The certifier must sign and date the Elevation Form, where indicated, to certify the accuracy of the information provided. Not all states authorize architects to certify elevation information.

Submitting the Package to FEMA

In addition to the completed MT-EZ form, all requests must include a copy of the subdivision plat map (with recordation data and stamp of the Recorder’s Office) or a copy of the property deed (with recordation data and stamp of the Recorder’s Office), accompanied by a tax assessor’s map or other suitable map showing the surveyed location of the property with respect to local streets and watercourses; a copy of the effective FIRM panel and/or FBFM, if applicable; and a map scale and North arrow for all maps submitted.

All LOMA requests should be sent to the address listed below.

FEMA LOMA Depot
3601 Eisenhower Avenue
Alexandria, VA 22304-6425
Attention: LOMA Manager

Interested parties who have any additional questions about the LOMA request process may consult the FEMA Flood Hazard Mapping website at <http://www.fema.gov/fhm/> or call the FEMA Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627). For information on the status of a particular LOMA request, interested parties also may consult FEMA’s Status of Map Change Requests database, available on the FEMA Flood Hazard Mapping website at http://www.fema.gov/fhm/st_main.shtm.