



Federal Emergency Management Agency

Washington, D.C. 20472

October 8, 2004

THE HONORABLE ANDY SMALL
MAYOR, CITY OF NAPOLEON
255 WEST RIVERVIEW
NAPOLEON, OH 43545-0000

CASE NO.: 04-05-A796A
COMMUNITY: CITY OF NAPOLEON, HENRY COUNTY, OHIO
COMMUNITY NO.: 390266

DEAR MAYOR SMALL:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Revision based on Fill (LOMR-F) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMR-Fs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

Sincerely,

Doug Bellomo, P.E., CFM, Acting Chief
Hazard Identification Section, Mitigation Division
Emergency Preparedness and Response Directorate

LIST OF ENCLOSURES:

- LOMR-F-DEN DETERMINATION DOCUMENT (NON-REMOVAL)
- LOMR-F DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Mr. Everett C. Johnson

563 E. Riverview Ave.



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (NON-REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF NAPOLEON, HENRY COUNTY, OHIO	A portion of Section 7, Township 5 North, Range 7 East, as described in the Warranty Deed recorded in Volume 197, Pages 493, 494, and 495, in the Office of the Recorder, Henry County, Ohio
	COMMUNITY NO.: 390266	
AFFECTED MAP PANEL	NUMBER: 3902660005D	
	NAME: CITY OF NAPOLEON, HENRY COUNTY, OHIO	
	DATE: 11/21/995	
FLOODING SOURCE: MAUMEE RIVER		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 41.384, -84.131 SOURCE OF LAT & LONG: PRECISION MAPPING STREETS 4.0 DATUM: NAD 83

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS NOT REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD 29)	LOWEST ADJACENT GRADE ELEVATION (NGVD 29)	LOWEST LOT ELEVATION (NGVD 29)
—	—	—	563 East Riverview Avenue	Loading Dock	AE	656.2 feet	655.1 feet	—

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). Therefore, flood insurance is required for the subject property described above. If fill was placed on the subject property to raise its elevation above the base flood elevation after the effective date of the first NFIP map showing the property in the SFHA, then, for the subject property to be outside of the SFHA, it must be demonstrated that the subject property is reasonably safe from flooding in accordance with Part 65.5(a)(4) of our regulations. Further guidance on determining if the subject property is reasonably safe from flooding may be found in FEMA Technical Bulletin 10-01. A copy of this bulletin can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/mit/tb1001.pdf>.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination and information regarding your options for obtaining a Letter of Map Revision based on Fill. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

Doug Bellomo, P.E., CFM, Acting Chief
Hazard Identification Section, Mitigation Division
Emergency Preparedness and Response Directorate

Version 1.3.3

1029299.1LOMR-F-ML05023A796



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LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

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	COMMUNITY NO.: 390266	
AFFECTED MAP PANEL	NUMBER: 390266005D	
	NAME: CITY OF NAPOLEON, HENRY COUNTY, OHIO	
	DATE: 11/2/1995	
FLOODING SOURCE: MAUMEE RIVER		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 41.384, -84.131 SOURCE OF LAT & LONG: PRECISION MAPPING STREETS 4.0 DATUM: NAD 83

DETERMINATION

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ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

DETERMINATION TABLE (CONTINUED)
PORTIONS REMAIN IN THE FLOODWAY

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

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ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

DETERMINATION TABLE (CONTINUED)

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD 29)	LOWEST ADJACENT GRADE ELEVATION (NGVD 29)	LOWEST LOT ELEVATION (NGVD 29)
—	—	—	563 East Riverview Avenue	North Building	X (shaded)	656.2 feet	658.3 feet	—

PORTIONS OF THE PROPERTY REMAIN IN THE FLOODWAY (This Additional Consideration applies to the preceding 2 Properties.)

A portion of this property is located within the Special Flood Hazard Area and the National Flood Insurance Program (NFIP) regulatory floodway for the flooding source indicated on the Determination/Comment Document while the subject of this determination is not. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation, and any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Modifications to the NFIP regulatory floodway must be accepted by both the Federal Emergency Management Agency (FEMA) and the community involved. Appropriate community actions are defined in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/about/regoff.htm>.

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DETERMINATION

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**LETTER OF MAP REVISION BASED ON FILL
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)


DETERMINATION TABLE (CONTINUED)

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ADDITIONAL INFORMATION REGARDING DENIALS OF REQUESTS FOR CONDITIONAL LETTERS OF MAP AMENDMENT AND CONDITIONAL LETTERS OF MAP REVISION BASED ON FILL

When making determinations on requests for Conditional Letters of Map Amendment (CLOMAs) and Conditional Letters of Map Revision based on the placement of fill (CLOMR-Fs), the Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that FEMA's conditional denial of a request to remove a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property will continue to be subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). As mentioned earlier, this determination is based on the flood hazard information available at the time. If more detailed property or flood hazard information becomes available, and the requester believes the information will support removing the property from the SFHA, the requester may submit the information to FEMA at any time and request that FEMA reconsider its determination. In areas where base flood elevations (BFEs) shown on the effective National Flood Insurance Program (NFIP) map were used for the original determination, new BFEs cannot be used until they have been proposed and finalized through the community appeal process. The appeal process is described in detail in Part 67 of the NFIP regulations.

If FEMA denies a request for a CLOMA because the elevation of the lowest adjacent grade (the lowest ground touching a structure) would be below the BFE and that elevation is raised to or above the BFE by the placement of fill material, the requester may submit the appropriate supporting data and request a LOMR-F in accordance with Paragraph 65.5(a)(4) of the NFIP regulations. In this circumstance, if both the elevation of the lowest ground touching the structure *and* the elevation of the lowest floor (including basement/crawl space) are at or above the BFE, FEMA will issue a LOMR-F to remove the structure from the SFHA. If fill material is used to elevate the lowest ground touching the structure and the lowest floor (including basement/crawl space) to or above the BFE, the requester also must submit a completed copy of Form 4, "Community Acknowledgment of Requests Involving Fill," from the MT-1 application/certification forms package that must be used for all LOMR-F requests. The application/certification forms package maybe downloaded directly from our website at http://www/fema.gov/mit/tsd/HM_mpchg.htm, or copies maybe obtained by calling our Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627).

The NFIP regulations provide a requester with a period of 90 days from the date of a denial letter to submit data and request that FEMA reconsider its determination without repayment of review and processing fees. Data submitted after 90 days, or data which show that a project has been significantly altered in design or scope other than as necessary to respond to findings made in FEMA's original determination, are subject to all submittal/payment procedures.

Effective September 1, 2002, FEMA revised the fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps, thereby establishing flat review and processing fees for most types of requests. Effective September 1, 2002, FEMA modified that fee schedule. All new requests will be processed under the current fee schedule.