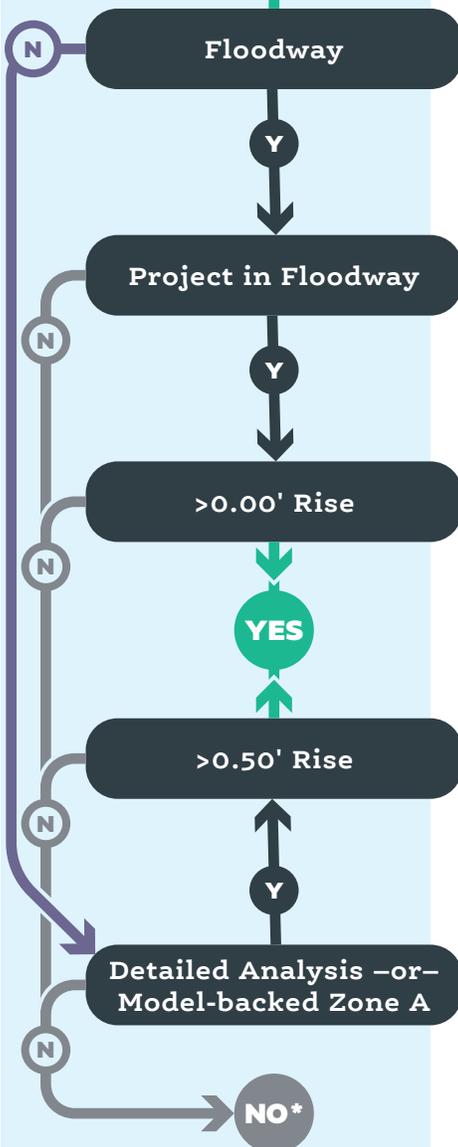


Is a **CLOMR** Required?



* Unless Required by Local Government

When are **LOMRs** & **CLOMRs** required?

A **Letter of Map Revision (LOMR)** is **FEMA's** official modification to an effective **Flood Insurance Rate Map (FIRM)**. **LOMRs** can change the existing regulatory floodway, the **Base Flood Elevations (BFEs)**, or the **Special Flood Hazard Area (SFHA)**.

A **Conditional Letter of Map Revision (CLOMR)** is a letter from **FEMA** commenting on whether a proposed project meets minimum **National Flood Insurance Program (NFIP)** standards.

A **LOMR** is required when:

- >> Project results in **BFE** increases or decreases in excess of 0.30 vertical feet compared to existing conditions (or a more stringent standard adopted by the local government).
—CWCB Floodplain Rules and Regulations (2021) Rule 12.H
- >> There are any physical changes affecting flooding conditions (extent or elevations).
—Revision of BFE Determinations, Title 44 C.F.R. I(B)65§65.6 (2022)
- >> Project has an approved **CLOMR**.
- >> Required by the local government.

A **CLOMR** is required when:

- >> Proposed improvements result in **BFE** increase of more than 0.50 vertical feet **without a floodway***.
- >> Proposed improvements result in any **BFE** increase greater than 0.00 vertical feet **with floodway***.
- >> Required by the local government.
- >> Some communities' regulations require a **CLOMR** for any modification to the **Special Flood Hazard Area (SFHA)**.

*based on detailed analysis or model-backed; the majority of the **Zone A** floodplains in the District are both. For questions on the basis of the effective floodplain information, contact **MHFD's Floodplain Manager**.

A **CLOMR** is recommended when:

- >> The proposed design modifies (relocates, shifts, or widens) the **Special Flood Hazard Area**.
- >> A goal of the project is flood risk reduction. Consider obtaining **FEMA's** review and comment during design to ensure the project will meet the intended goal.
- >> The proposed design is hydraulically sensitive or is very close to causing an increase that would require a **CLOMR**. The concern in this scenario is that design/field changes could result in the as-built project not being in compliance with **NFIP** or local government requirements.
- >> The floodplain administrator cannot verify the impact of the proposed work to ensure the project is compliant with **NFIP** or local government requirements.
- >> A change to effective hydrology is requested.

What is a violation?

During review and processing of a **CLOMR** or **LOMR** request, **FEMA** may identify a community is potentially in violation of **NFIP** Flood Plain Management Criteria for Flood-Prone Areas, Title 44 C.F.R. I(B)60(A)§60.3 (2022).

Violations can result when *man-made changes cause unacceptable rises in BFEs*. This can occur when as-built projects cause **BFE** increases on projects that were permitted in the floodway with a *no-rise certification and analysis*. This can also occur when as-built projects cause **BFE** increases greater than approved in the **CLOMR**.

Without an approved **CLOMR**, any increase greater than 0.00 vertical feet (floodway) or 0.50 vertical feet (no floodway) is a violation. If your project has an approved **CLOMR**, more leniency is granted for the as-built condition. If a **CLOMR** was completed, **FEMA** will consider the following factors when evaluating a potential violation:

- >> Post-Project **BFEs** higher than **CLOMR**, but less than existing conditions (**CLOMR** stage) **BFEs** are not considered a violation.
- >> Post-project **BFE** increases contained in a flood control structure, such as a constructed channel, are not considered violations because the increased flood risk is mitigated by the flood control structure.
- >> If total **BFE** increase is equal to or less than in the **CLOMR** but occurs in a different location (e.g. a proposed drop was shifted during construction), this is not likely to be considered a violation unless particularly significant.

In some cases, significant design changes following an approved **CLOMR** can trigger the need for an updated **CLOMR**, particularly if the changes result in **BFE** increases greater than the increases proposed in the issued **CLOMR**. For questions about when design changes may require a new **CLOMR**, please contact the *Community's Floodplain Administrator* or *MHFD's Floodplain Manager* for assistance.



Additional Resources

Urban Drainage and Flood Control District d/b/a Mile High Flood District. Floodplain Regulation. August 2020: mhfd.org/wp-content/uploads/2021/01/057-2020.pdf

Colorado Water Conservation Board. Rules and Regulations for Regulatory Floodplains in Colorado. 2021: dnrweblink.state.co.us/CWCB/0/edoc/215736/2%20CCR%20408-1%20Floodplain%20Rules_Final%20Adopted%20Rules.pdf

Code of Federal Regulations: Title 44 – Emergency Management and Assistance. 2022: www.ecfr.gov/current/title-44

Mile High Flood District

2480 W 26th Ave, Suite 156-B

Denver, CO 80211

Phone: 303-455-6277

www.mhfd.org