



Federal Emergency Management Agency

Washington, D.C. 20472

August 3, 2012

RECEIVED

AUG 16 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable John E. Manning
Chair, Lee County Board of Commissioners
Post Office Box 398
Fort Myers, FL 33902-0398

IN REPLY REFER TO: **COUNTY COMMISSIONER**
Case No.: 11-04-1870R **DISTRICT 1**
Community Name: Lee County, FL
Community No.: 125124

Dear Mr. Manning:

We are providing our comments with the enclosed Conditional Letter of Map Revision (CLOMR) on a proposed project within your community that, if constructed as proposed, could revise the effective Flood Insurance Study report and Flood Insurance Rate Map for your community.

If you have any questions regarding the floodplain management regulations for your community, the National Flood Insurance Program (NFIP) in general, or technical questions regarding this CLOMR, please contact the Director, Mitigation Division of the Federal Emergency Management Agency (FEMA) Regional Office in Atlanta, Georgia, at (770) 220-5400, or the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP). Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Sincerely,

Beth A. Norton, Program Specialist
Engineering Management Branch
Federal Insurance and Mitigation Administration

For: Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

List of Enclosures:

Conditional Letter of Map Revision Comment Document

cc: (see attached list)

Courtesy Copy List - Lee County, FL

The Honorable Christopher Constance
Chairman, Charlotte County Board of
Commissioners

Mr. Robert Stewart, CFM
Building Official
Department of Community Development
Lee County

Mr. Chip Hague, CFM
Floodplain Manager
Charlotte County

Mr. Thomas J. Danahy
President
Babcock Ranch Management, LLC

Mr. Andrew D. Tilton, P.E.
Vice President
Johnson Engineering, Inc.



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CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT

COMMUNITY INFORMATION		PROPOSED PROJECT DESCRIPTION	BASIS OF CONDITIONAL REQUEST
COMMUNITY	Lee County Florida (Unincorporated Areas)	BRIDGE CULVERT FILL	HYDROLOGIC ANALYSIS HYDRAULIC ANALYSIS NEW TOPOGRAPHIC DATA FLOODWAY
	COMMUNITY NO.: 125124		
IDENTIFIER	Babcock Ranch Community	APPROXIMATE LATITUDE & LONGITUDE: 26.769, -81.725 SOURCE: USGS QUADRANGLE DATUM: NAD 83	
AFFECTED MAP PANELS			
TYPE: FIRM*	NO.: 12071C0138F DATE: August 28, 2008	* FIRM - Flood Insurance Rate Map	
TYPE: FIRM*	NO.: 12071C0139F DATE: August 28, 2008		
TYPE: FIRM*	NO.: 12071C0301F DATE: August 28, 2008		

FLOODING SOURCE(S) AND REACH DESCRIPTION

Trout Creek/Curry Lake Canal – from approximately 1,790 feet upstream of the confluence with Stricklin Gully to approximately 28,860 feet upstream

PROPOSED PROJECT DESCRIPTION

Flooding Source	Proposed Project	Location of Proposed Project
Trout Creek/Curry Lake Canal	New Bridge	Approximately 4,220 feet upstream of the confluence with Stricklin Gully
	New Bridge	Approximately 6,220 feet upstream of the confluence with Stricklin Gully
	Fill Placement	On the left and right overbanks throughout the project area

SUMMARY OF IMPACTS TO FLOOD HAZARD DATA

Flooding Source	Effective Flooding	Proposed Flooding	Increases	Decreases
Trout Creek/Curry Lake Canal	Zone AE	Zone AE	Yes	Yes
	Floodway	Floodway	Yes	Yes
	BFEs*	BFEs	Yes	Yes

* BFEs - Base (1-percent-annual-chance) Flood Elevations

COMMENT

This document provides the Federal Emergency Management Agency's (FEMA's) comment regarding a request for a CLOMR for the project described above. This document is not a final determination; it only provides our comment on the proposed project in relation to the flood hazard information shown on the effective National Flood Insurance Program (NFIP) map. We reviewed the submitted data and the data used to prepare the effective flood hazard information for your community and determined that the proposed project meets the minimum floodplain management criteria of the NFIP. Your community is responsible for approving all floodplain development and for ensuring that all permits required by Federal or State/Commonwealth law have been received. State/Commonwealth, county, and community officials, based on their knowledge of local conditions and in the interest of safety, may set higher standards for construction in the Special Flood Hazard Area (SFHA), the area subject to inundation by the base flood. If the State/Commonwealth, county, or community has adopted more restrictive or comprehensive floodplain management criteria, these criteria take precedence over the minimum NFIP criteria.

This comment is based on the flood data presently available. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304. Additional Information about the NFIP is available on the FEMA website at <http://www.fema.gov/nfip>.

Beth A. Norton

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Engineering Management Branch
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125360 PT202.BKR.12041870R.H17 104



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CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT (CONTINUED)

OTHER COMMUNITIES AFFECTED BY THIS CONDITIONAL REQUEST

CID Number: 120061

Name: Charlotte County, Florida (Unincorporated Areas)

AFFECTED MAP PANELS

TYPE: FIRM* NO.: 12015C0475F DATE: May 5, 2003

TYPE: FIRM* NO.: 12015C0500F DATE: May 5, 2003

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COMMUNITY INFORMATION

To determine the changes in flood hazards that will be caused by the proposed project, we compared the hydraulic modeling reflecting the proposed project (referred to as the proposed conditions model) to the hydraulic modeling used to prepare the Flood Insurance Study (FIS) (referred to as the effective model). If the effective model does not provide enough detail to evaluate the effects of the proposed project, an existing conditions model must be developed to provide this detail. This existing conditions model is then compared to the effective model and the proposed conditions model to differentiate the increases or decreases in flood hazards caused by more detailed modeling from the increases or decreases in flood hazards that will be caused by the proposed project.

The table below shows the changes in the BFEs:

BFE Comparison Table

Flooding Source: Trout Creek/Curry Lake Canal		BFE Change (feet)	Location of maximum change
Existing vs. Effective	Maximum increase	0.7	Approximately 4,520 feet upstream of Stricklin Gully
	Maximum decrease	0.2	Approximately 3,460 feet upstream of Stricklin Gully
Proposed vs. Existing	Maximum increase	0.3	Approximately 7,500 feet upstream of Stricklin Gully
	Maximum decrease	0.1	Approximately 8,970 feet upstream of Stricklin Gully
Proposed vs. Effective	Maximum increase	0.2	Approximately 7,500 feet upstream of Stricklin Gully
	Maximum decrease	0.1	Approximately 6,220 feet upstream of Stricklin Gully

Increases due to the proposed project that exceed those permitted under Paragraphs (c)(10) or (d)(3) of Section 60.3 of the NFIP regulations must adhere to Section 65.12 of the NFIP regulations. With this request, your community has complied with all requirements of Paragraph 65.12(a) of the NFIP regulations. Compliance with Paragraph 65.12(b) also is necessary before FEMA can issue a Letter of Map Revision when a community proposes to permit encroachments into the effective regulatory floodway that will cause BFE increases in excess of those permitted under Paragraph 60.3(d)(3).

NFIP regulations Subparagraph 60.3(b)(7) requires communities to ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management ordinances; therefore, responsibility for maintenance of the altered or relocated watercourse, including any related appurtenances such as bridges, culverts, and other drainage structures, rests with your community. We may request that your community submit a description and schedule of maintenance activities necessary to ensure this requirement.

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CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT (CONTINUED)

COMMUNITY INFORMATION (CONTINUED)

DATA REQUIRED FOR FOLLOW-UP LOMR

Upon completion of the project, your community must submit the data listed below and request that we make a final determination on revising the effective FIRM and FIS report. If the project is built as proposed and the data below are received, a revision to the FIRM and FIS report would be warranted.

- Form 1, entitled "Overview & Concurrence Form." Detailed application and certification forms must be used for requesting final revisions to the maps. Therefore, when the map revision request for the area covered by this letter is submitted, Form 1, Form 2 entitled "Riverine Hydrology & Hydraulics Form," and Form 3, entitled "Riverine Structures Form," must be included. If as-built conditions differ from the proposed plans, please submit new forms, which can be accessed at http://www.fema.gov/plan/prevent/fhm/dl_mt-2.shtm, or annotated copies of the previously submitted forms showing the revised information.
- Hydraulic analyses, for as-built conditions, of the base flood; the 10-percent, 2-percent, and 0.2-percent-annual-chance floods; and the regulatory floodway, together with a topographic work map showing the revised floodplain and floodway boundaries. Please ensure that the revised information ties in with the current effective information at the downstream and upstream ends of the revised reach, that all topwidths for the revised floodplain and floodway boundaries shown on the work map match the revised hydraulic analysis, and that all ineffective flow areas are appropriate. Please also ensure that all encroachment stations in the hydraulic analysis are located at the bank stations or in the floodway fringe, the area between the channel bank station and the limits of the base floodplain.
- An annotated copy of the FIRM, at the scale of the effective FIRM, that shows the revised floodplain and floodway boundary delineations shown on the submitted work map and how they tie into the floodplain and floodway boundary delineations shown on the current effective FIRM at the downstream and upstream ends of the revised reach.
- As-built plans, certified by a registered professional engineer, of all proposed project elements.
- A copy of the public notice distributed by your community, stating its intent to revise the regulatory floodway, or a signed statement by your community that it has notified all affected property owners and affected adjacent jurisdictions.
- Documentation of the notification to property owners who will be affected by any widening/shifting of the base floodplain and/or any BFE increases along Trout Creek/Curry Lake Canal.

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COMMUNITY INFORMATION (CONTINUED)

- Evidence that your community has, prior to approval of the proposed encroachment, adopted floodplain management ordinances that incorporate the increased BFEs and revised floodway boundary delineations to reflect the post-project conditions, as stated in Paragraph 65.12(b).
- Please provide evidence that the project has complied with all terms and conditions of the incidental take permit outlined in the Biological Opinion (41320-207-FA-1048) from the United States Fish and Wildlife Service (USFWS) dated August 21, 2009. Please also provide evidence that the project has complied with the additional measures for other species, as detailed in the USFWS letter report dated August, 31, 2007.
- FEMA's fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps can be accessed at http://www.fema.gov/plan/prevent/fhm/frm_fees.shtm. The fee at the time of the map revision submittal must be received before we can begin processing the request. Payment of this fee can be made through a check or money order, made payable in U.S. funds to the National Flood Insurance Program, or by credit card (Visa or MasterCard only). Please forward the payment, along with the revision application, to the following address:

LOMC Clearinghouse
847 South Pickett Street
Alexandria, VA 22304

After receiving appropriate documentation to show that the project has been completed, FEMA will initiate a revision to the FIRM and FIS report. Because the flood hazard information (i.e., base flood elevations, base flood depths, SFHAs, zone designations, and/or regulatory floodways) will change as a result of the project, a 90-day appeal period will be initiated for the revision, during which community officials and interested persons may appeal the revised flood hazard information based on scientific or technical data.

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CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT (CONTINUED)

COMMUNITY INFORMATION (CONTINUED)

COMMUNITY REMINDERS

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Mr. Brad Loar
Director, Mitigation Division
Federal Emergency Management Agency, Region IV
Koger Center – Rutgers Building
3003 Chamblee Tucker Road
Atlanta, GA 30341
(770) 220-5400

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