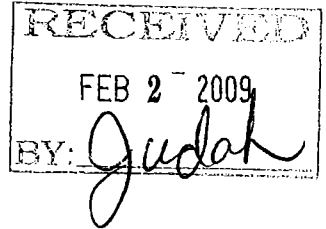




# Federal Emergency Management Agency

Washington, D.C. 20472

January 27, 2009



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Ray Judah  
Commissioner  
Lee County  
P.O. Box 398  
Fort Myers, FL 33902

IN REPLY REFER TO:

Case No.: 09-04-0340P  
Community Name: Lee County, FL  
Community No.: 125124  
Effective Date of  
This Revision: **January 27, 2009**

Dear Mr. Judah:

The Flood Insurance Study report and the Flood Insurance Rate Map for your community have been revised by this Letter of Map Revision (LOMR). Please use the enclosed annotated map panel(s) revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals issued in your community.

Additional documents are enclosed which provide information regarding this LOMR. Please see the List of Enclosures below to determine which documents are included. Other attachments specific to this request may be included as referenced in the Determination Document. If you have any questions regarding floodplain management regulations for your community or the National Flood Insurance Program (NFIP) in general, please contact the Consultation Coordination Officer for your community. If you have any technical questions regarding this LOMR, please contact the Director, Mitigation Division of the Department of Homeland Security's Federal Emergency Management Agency (FEMA) in Atlanta, Georgia, at (770) 220-5400, or the FEMA Map Assistance Center 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,

Dahlia Kasperski, P.E., CFM, Program Specialist  
Engineering Management Branch  
Mitigation Directorate

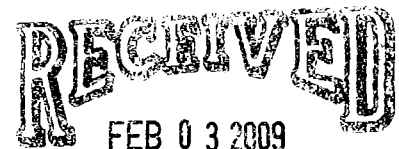
For: William R. Blanton Jr., CFM, Chief  
Engineering Management Branch  
Mitigation Directorate

List of Enclosures:

Letter of Map Revision Determination Document  
Annotated Flood Insurance Rate Map  
Annotated Flood Insurance Study Report

cc: Mr. Robert Stewart  
Floodplain Manager  
Public Works Department  
Lee County

Ms. Elizabeth A. Fountain, P.E.  
Q. Grady Minor & Associates, P.A.



COMMUNITY DEVELOPMENT



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT**

| COMMUNITY AND REVISION INFORMATION                        |   | PROJECT DESCRIPTION   | BASIS OF REQUEST                                       |
|---|---|---|--|
| COMMUNITY   | Lee County<br>Florida<br>(Unincorporated Areas) | NO PROJECT  | FLOODWAY<br>NEW TOPOGRAPHIC DATA<br>HYDRAULIC ANALYSIS |
|   | COMMUNITY NO.: 125124                           |   |  |
| IDENTIFIER  | Alico Commons Publix                            | APPROXIMATE LATITUDE & LONGITUDE: 26.300, -81.800<br>SOURCE: Precision Mapping Streets    DATUM: NAD 83 |  |
| ANNOTATED MAPPING ENCLOSURES                              |   | ANNOTATED STUDY ENCLOSURES  |  |
| TYPE: FIRM*    NO.: 12071C0576 F    DATE: August 28, 2008 |   | DATE OF EFFECTIVE FLOOD INSURANCE STUDY REPORT: August 28, 2008<br>FLOODWAY DATA TABLE: 9               |  |

Enclosures reflect changes to flooding sources affected by this revision.

\* FIRM - Flood Insurance Rate Map; \*\* FBFM - Flood Boundary and Floodway Map; \*\*\* FHBM - Flood Hazard Boundary Map

**FLOODING SOURCE(S) & REVISED REACH(ES)**

Ten Mile Creek - from approximately 3,100 feet downstream of Interstate 41 to approximately 100 feet upstream

**SUMMARY OF REVISIONS**

| Flooding Source | Effective Flooding | Revised Flooding | Increases | Decreases |
|-----------------|--------------------|------------------|-----------|-----------|
| Ten Mile Creek  | Floodway           | Floodway         | NONE      | YES       |

\* BFEs - Base Flood Elevations

**DETERMINATION**

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

*Dahlia Kasperski*

Dahlia Kasperski, P.E., CFM, Program Specialist  
Engineering Management Branch  
Mitigation Directorate



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

### COMMUNITY INFORMATION

#### APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State or local requirements to which the regulations apply.

We provide the floodway designation to your community as a tool to regulate floodplain development. Therefore, the floodway revision we have described in this letter, while acceptable to us, must also be acceptable to your community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations.

#### COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS report for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State law have been obtained. State or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Handwritten signature of Dahlia Kasperski in cursive.

Dahlia Kasperski, P.E., CFM, Program Specialist  
Engineering Management Branch  
Mitigation Directorate



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

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

**STATUS OF THE COMMUNITY NFIP MAPS**

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel(s) and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

A handwritten signature in cursive script that reads "Dahlia Kasperski".

Dahlia Kasperski, P.E., CFM, Program Specialist  
Engineering Management Branch  
Mitigation Directorate



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**PUBLIC NOTIFICATION OF REVISION**

This revision is effective as of the date of this letter. Any requests to review or alter this determination should be made within 30 days and must be based on scientific or technical data.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

A handwritten signature in cursive script that reads "Dahlia Kasperski".

Dahlia Kasperski, P.E., CFM, Program Specialist  
Engineering Management Branch  
Mitigation Directorate

| FLOODING SOURCE                |                       | FLOODWAY        |                                     |  |                  | BASE FLOOD WATER-SURFACE ELEVATION<br>(FEET NAVD) |                  |          |  |
|--------------------------------|-----------------------|-----------------|-------------------------------------|--|------------------|---|------------------|----------|--|
| CROSS SECTION                  | DISTANCE <sup>1</sup> | WIDTH<br>(FEET) | SECTION<br>AREA<br>(SQUARE<br>FEET) | MEAN<br>VELOCITY<br>(FEET PER<br>SECOND) | REGULATORY       | WITHOUT<br>FLOODWAY                               | WITH<br>FLOODWAY | INCREASE |  |
| TELEGRAPH CREEK<br>(Continued) |                       |                 |                                     |  |                  |   |                  |          |  |
| I                              | 10,932                | 732             | 5,860                               | 1.9                                      | 15.9             | 15.9  | 16.9             | 1.0      |  |
| J                              | 12,088                | 750             | 4,689                               | 2.5                                      | 16.6             | 16.6  | 17.5             | 0.9      |  |
| K                              | 13,430                | 902             | 7,845                               | 1.5                                      | 17.7             | 17.7  | 18.6             | 0.9      |  |
| L                              | 15,528                | 1,220           | 7,356                               | 0.1                                      | 17.9             | 17.9  | 18.9             | 1.0      |  |
| M                              | 16,847                | 1,882           | 9,354                               | 0.1                                      | 17.9             | 17.9  | 18.9             | 1.0      |  |
| N                              | 17,307                | 1,566           | 9,742                               | 0.1                                      | 17.9             | 17.9  | 18.9             | 1.0      |  |
| TEN MILE CANAL                 |                       |                 |                                     |  |                  |   |                  |          |  |
| A                              | 700                   | 145             | 933                                 | 9.5                                      | 9.5 <sup>2</sup> | 1.9 <sup>3</sup>                                  | 2.9              | 1.0      |  |
| B                              | 2,800                 | 679             | 3,108                               | 2.8                                      | 9.5 <sup>2</sup> | 5.4 <sup>3</sup>                                  | 6.1              | 0.7      |  |
| C                              | 4,150                 | 2,967           | 11,950                              | 0.7                                      | 9.5 <sup>2</sup> | 6.4 <sup>3</sup>                                  | 7.1              | 0.7      |  |
| D                              | 6,750                 | 1,084           | 6,103                               | 1.4                                      | 9.5 <sup>2</sup> | 7.1 <sup>3</sup>                                  | 7.7              | 0.6      |  |
| E                              | 8,245                 | 1,680           | 4,800                               | 1.8                                      | 9.5 <sup>2</sup> | 7.7 <sup>3</sup>                                  | 8.3              | 0.6      |  |
| F                              | 10,095                | 4,547           | 16,512                              | 0.5                                      | 9.5              | 9.5   | 9.9              | 0.4      |  |
| G                              | 12,491                | 2,507           | 9,017                               | 0.9                                      | 9.7              | 9.7   | 10.1             | 0.4      |  |

Revised  
Data

REVISED TO  
REFLECT LOMR  
EFFECTIVE: January 27, 2009

<sup>1</sup> Feet above mouth.  
<sup>2</sup> Elevation computed without consideration of wave effects.  
<sup>3</sup> Elevation computed without consideration of backwater effects from Estero Bay.

|  |   |
|--|---|
| <b>FEDERAL EMERGENCY MANAGEMENT AGENCY</b><br><br><b>LEE COUNTY, FL</b><br><br><b>AND INCORPORATED AREAS</b> | <b>FLOODWAY DATA</b><br><br><b>TELEGRAPH CREEK - TEN MILE CANAL</b> |
|--|---|

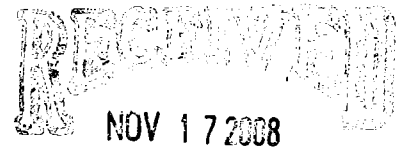
**TABLE 9**



# NATIONAL FLOOD INSURANCE PROGRAM

FEMA NATIONAL SERVICE PROVIDER

November 12, 2008



Ms. Elizabeth A. Fountain, P.E.  
Q. Grady Minor & Associates, P.A.  
11940 Fairway Lakes Drive, Suite Six  
Fort Myers, FL 33913

IN REPLY REFER TO:  
Case No.: 09-04-0340P  
Community: Lee County, FL  
Community No.: 124125

COMMUNITY DEVELOPMENT

316-AD

Dear Ms. Fountain:

This responds to your request dated October 14, 2008 that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issue a revision to the Flood Insurance Rate Map (FIRM) for Lee County, Florida and Incorporated Areas. Pertinent information about the request is listed below.

|                         |                      |
|-------------------------|----------------------|
| Identifier:             | Alico Commons Publix |
| Flooding Source:        | Ten Mile Canal       |
| FIRM Panel(s) Affected: | 12071C0576 F         |

The data required to complete our review, which must be submitted within 90 days of the date of this letter, are listed on the enclosed summary.

If we do not receive the required data within 90 days, we will suspend our processing of your request. Any data submitted after 90 days will be treated as an original submittal.

FEMA receives a very large volume of requests and cannot maintain inactive requests for an indefinite period of time. Therefore, we are unable to grant extensions for the submission of required data for revision requests. If a requester is informed by letter that additional data are required to complete our review of a request, the data **must** be submitted within 90 days of the date of the letter.

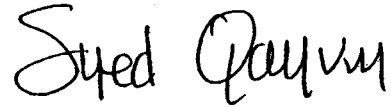
If you have general questions about your request, FEMA policy, or the National Flood Insurance Program, please call the FEMA Map Assistance Center; toll free, at 1-877-FEMA MAP (1-877-336-2627). If you have specific questions concerning your request, please contact your case reviewer, Ms. Kathryn Breaux, P.E., CFM, by e-mail at [kathryn.breaux@mapmodteam.com](mailto:kathryn.breaux@mapmodteam.com) or by telephone at

3601 Eisenhower Avenue, Alexandria, VA 22304-6425 PH:1-877-FEMA MAP FX: 703.960.9125

The Mapping on Demand Team, under contract with the Federal Emergency Management Agency, is the National Service Provider for the National Flood Insurance Program

(601) 933-6224, or the Revisions Coordinator for your State, Sonal Kulkarni, M.S., at sonal.kulkarni@mapmodteam.com or at (703) 317-6235.

Sincerely,

A handwritten signature in black ink that reads "Syed Qayum". The signature is written in a cursive style with a large, prominent 'S' at the beginning.

Syed Qayum, CFM  
National LOMR Technical Manager  
Michael Baker Jr., Inc.

Enclosure

cc: Mr. Robert Stewart  
Floodplain Manager  
Public Works Department  
Lee County





# NATIONAL FLOOD INSURANCE PROGRAM

## FEMA NATIONAL SERVICE PROVIDER

### Summary of Additional Data Required to Support a Letter of Map Revision

Case No.: 09-04-0340P

Requester: Ms. Elizabeth Fountain, P.E.

Community: Lee County, FL

Community No.: 124125

The issues listed below must be addressed before we can continue the review of your request.

1. Our review of your request revealed that Lee County is affected by this revision. Please provide community acknowledgment in the form of a letter stating that officials from Lee County have reviewed the revision request and understand the effects of the revision on flooding conditions in the community, and that any existing or proposed structures to be removed from the Special Flood Hazard Area, the area that would be inundated by the base (1-percent-annual-chance) flood, are reasonably safe from flooding. Alternatively, please submit MT-2 Application/Certification Form 1, entitled "Overview & Concurrence Form," signed by an official from Lee County.
2. Please submit a copy of the public notice distributed by officials from Lee County stating their intent to revise the regulatory floodway, or provide a statement that all affected property owners have been notified, in compliance with Paragraph 65.7(b)(1) of the National Flood Insurance Program regulations. These notices must include the extent of revision, the changes to the regulatory floodway, and contact information for any interested parties. An example of public notice can be found in Figure 3 of the MT-2 instructions, which may be accessed at [http://www.fema.gov/txt/fhm/mt2\\_inst.htm](http://www.fema.gov/txt/fhm/mt2_inst.htm).

Please send the required data directly to Michael Baker Jr., Inc., Attention: Ms. Kathryn Breaux, at 2925 Layfair Drive, Jackson, MS 39232. For identification purposes, please include the case number referenced above on all correspondence.



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Bob Janes  
*District One*

A. Brian Bigelow  
*District Two*

November 17, 2008

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

Re: Notification of Floodway Revision for Ten Mile Canal

Frank Mann  
*District Five*

Donald D. Stilwell  
*County Manager*

Dear Property Owner:

David M. Owen  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

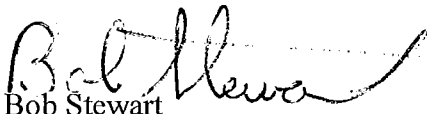
The Flood Insurance Map (FIRM) for a community depicts the floodplain, the area which has been determined to be subject to a 1% (100 year) or greater chance of flooding in any given year. The floodway is the portion of the floodplain that includes the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water-surface elevation by more than a designated height.

The Lee County Community Development Department, in accordance with National Flood Insurance Program regulation 65.7(b)(1), hereby gives notice of the County's intent to revise the 1% annual chance (100 year) floodway, generally located approximately 1,700 feet west from the intersection of Alico Road and US-41. Specifically, the floodway shall be revised from a point approximately 1,400 feet downstream of Alico Road to a point 1,100 feet upstream of Alico Road. As a result of the floodway revision, the floodway shall narrow with a maximum narrowing of 1,950 feet to a point approximately 400 feet downstream of Alico Road.

Maps and detailed analysis of the floodway revision can be reviewed at [www.lee-county.com/dcd](http://www.lee-county.com/dcd) or the Department of Community Development at 1500 Monroe Street, Fort Myers, FL, 33901. If you have any questions or concerns about the proposed project or its affect on your property, you may contact Bob Stewart, Building Official at (239) 533-8320 for additional information.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT

  
Bob Stewart  
Building Official