



# Federal Emergency Management Agency

Washington, D.C. 20472

April 4, 2013

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Cecil L. Pendergrass  
Chairman, Lee County Board of Commissioners  
P. O. Box 398  
Fort Myers, FL 33902

IN REPLY REFER TO:

Case No.: 12-04-4132P  
Community Name: Lee County, FL  
Community No.: 125124  
Effective Date of  
This Revision: **August 16, 2013**

Dear Mr. Pendergrass:

The Flood Insurance Study report and 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 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*

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:

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., CFM  
Vice President  
J.R. Evans Engineering, P.A.



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## LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	Lee County Florida (Unincorporated Areas)	FILL	FLOODWAY HYDRAULIC ANALYSIS NEW TOPOGRAPHIC DATA
	COMMUNITY NO.: 125124		
IDENTIFIER	Hidden Harbor	APPROXIMATE LATITUDE & LONGITUDE: 26.489, -81.854 SOURCE: USGS QUADRANGLE DATUM: NAD 83	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM* NO.: 12071C0576F DATE: August 28, 2008		DATE OF EFFECTIVE FLOOD INSURANCE STUDY REPORT: August 28, 2008 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 Canal - from approximately 2,800 feet upstream of the confluence with Mullock Creek to just upstream of U.S. Highway 41

### SUMMARY OF REVISIONS

Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Ten Mile Canal	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 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 22304-4605. Additional Information about the NFIP is available on our website at <http://www.fema.gov/business/nfip>.

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Engineering Management Branch  
Federal Insurance and Mitigation Administration

132942 PT202.BKR.12044132P.H20 102-D-A



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## 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/Commonwealth 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 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/Commonwealth law have been obtained. State/Commonwealth 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/Commonwealth 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 revision has met our criteria for removing an area from the 1-percent-annual-chance floodplain to reflect the placement of fill. However, we encourage you to require that the lowest adjacent grade and lowest floor (including basement) of any structure placed within the subject area be elevated to or above the Base (1-percent-annual-chance) Flood Elevation.

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 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 22304-4605. Additional Information about the NFIP is available on our website at <http://www.fema.gov/business/nfip>.

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## 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 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 22304-4605. Additional Information about the NFIP is available on our website at <http://www.fema.gov/business/nfip>.

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## LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

### PUBLIC NOTIFICATION OF REVISION

#### PUBLIC NOTIFICATION

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below and through FEMA's Flood Hazard Mapping website at [https://www.floodmaps.fema.gov/fhm/Scripts/bfe\\_main.asp](https://www.floodmaps.fema.gov/fhm/Scripts/bfe_main.asp).

LOCAL NEWSPAPER      Name: *The Fort Myers News-Press*  
Dates: April 11, 2013 and April 18, 2013

Within 90 days of the second publication in the local newspaper, a citizen may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. Therefore, this letter will be effective only after the 90-day appeal period has elapsed and we have resolved any appeals that we receive during this appeal period. Until this LOMR is effective, the revised flood hazard determination information presented in this LOMR may be changed.

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 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 22304-4605. Additional Information about the NFIP is available on our website at <http://www.fema.gov/business/nfip>.

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FLOODING SOURCE		FLOODWAY				BASE FLOOD WATER-SURFACE ELEVATION (FEET NAVD)			
CROSS SECTION	DISTANCE <sup>1</sup>	WIDTH (FEET)	SECTION AREA (SQUARE FEET)	MEAN VELOCITY (FEET PER SECOND)	REGULATORY	WITHOUT FLOODWAY	WITH FLOODWAY	INCREASE	
TELEGRAPH CREEK (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									
DATA REVISED BY LOMR DATED SEPTEMBER 15, 2011									
A	700	1,120	3,290	7.6	9.5 <sup>2</sup>	2.0 <sup>3</sup>	2.9	0.9	
B	2,800	680	2,795	7.9	9.5 <sup>2</sup>	4.9 <sup>3</sup>	5.6	0.7	
C	4,150	948	16,706	0.5	9.5 <sup>2</sup>	5.7 <sup>3</sup>	6.4	0.7	
D	6,750	231	3,575	2.5	9.5 <sup>2</sup>	6.8 <sup>3</sup>	7.3	0.5	
E	8,245	981	4,024	2.2	9.5 <sup>2</sup>	7.4 <sup>3</sup>	8.2	0.8	
F	10,095	2,408	11,533	0.7	9.6	9.6	10.0	0.4	
G	12,491	1,532	4,808	1.6	10.0	10.0	10.6	0.6	
REVISED DATA									

<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.

DATA REVISED BY LOMR  
DATED JULY 30, 2010  
REVISED TO  
REFLECT LOMR

**TABLE 9**  
**FEDERAL EMERGENCY MANAGEMENT AGENCY**  
**LEE COUNTY, FL**  
**AND INCORPORATED AREAS**  
**TELEGRAPH CREEK - TEN MILE CANAL**

**FLOODWAY DATA EFFECTIVE: August 16, 2013**