



Federal Emergency Management Agency

Washington, D.C. 20472

October 10, 2007

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Jerry Tolley
Mayor, Town of Elon
P.O. Box 595
104 South Williamson Avenue
Elon, NC 27244

IN REPLY REFER TO:
Case No.: 07-04-2651R
Community: Town of Elon, NC
Community No.: 370411

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Dear Mayor Tolley:

This responds to a request that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) comment on the effects that a proposed project would have on the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for your community, in accordance with Part 65 of the National Flood Insurance Program (NFIP) regulations. In a letter dated February 28, 2007, _____, P.E., CFM, of The John R. McAdams Company, Inc., requested that FEMA evaluate the effects that the proposed Shoppes at Waterford development would have on the flood hazard information shown along Michaels Branch. The proposed project, which will consist of fill in the flood fringe, an aerial utility crossing, a bridge crossing, a median on South Church Street (US 70) at the intersection with University Road, and a shopping center, will impact an area located along Michaels Branch from a point approximately 0.2 mile downstream of South Church Street (US 70) to a point approximately 0.5 mile upstream of South Church Street (US 70). The proposed project will impact the Town of Elon along Michaels Branch from to a point approximately 0.2 mile upstream of South Church Street (US 70) to a point approximately 0.5 mile upstream of South Church Street (US 70). The area of the proposed project is shown on FIRM numbers 3710884400K and 3710884500K, both dated June 18, 2007.

All data required to complete our review of this request for a Conditional Letter of Map Revision (CLOMR) were submitted by _____.

Because this revision request also affects the City of Burlington, a separate CLOMR for that community was issued on the same date as this CLOMR.

To determine the changes in flood hazards that will be caused by the proposed project, we compare the hydraulic modeling reflecting the proposed project (referred to as the proposed conditions model) to the hydraulic modeling used to prepare the 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 increases or decreases in flood hazards caused by more detailed modeling from increases or decreases in flood hazards that will be caused by the proposed project.

We reviewed the submitted data and the data used to prepare the effective FIRM for your community and determined that the proposed project meets the minimum floodplain management criteria of the NFIP. The submitted existing conditions HEC-RAS version 3.1.3 hydraulic computer model, dated August 20, 2007,

based on updated topographic information, was used as the base conditions model in our review of the proposed conditions model for this CLOMR request. We believe that, if the proposed project is constructed as shown on the submitted project plans titled "Shoppes at Waterford, Road Widening, South Church Street, Plan and Profile," dated February 15, 2007, prepared by The John R. McAdams Company, Inc. and "Shoppes at Waterford, Phase 2, Bridge Plan," dated February 7, 2007, prepared by The John R. McAdams Company, Inc., and the data listed below are received, a revision to the FIRM would be warranted.

The submitted existing conditions HEC-RAS hydraulic computer model, dated August 20, 2007, used more up-to-date and accurate topographic information than the effective model. When compared to the effective model, the existing conditions model reflects increases and decreases in the Base (1-percent annual chance) Flood Elevations (BFEs) along Michaels Branch, with a maximum increase of 0.9 foot at a point approximately 2,400 feet upstream of South Church Street (US 70), and a maximum decrease of 0.4 foot at a point approximately 1,300 feet upstream of South Church Street (US 70).

When we compared the existing conditions model to the proposed conditions model, we determined that the proposed project will cause decreases in the BFEs, with a maximum decrease of 0.3 foot at a point approximately 1,200 feet upstream of South Church Street (US 70).

The proposed project will have the following impacts:

Base Flood Elevations

When compared to the effective data, the BFEs will increase and decrease along Michaels Branch, with a maximum increase of 0.9 foot at a point approximately 2,400 feet upstream of South Church Street (US 70), and a maximum decrease of 0.2 foot at a point approximately 1,300 feet upstream of South Church Street (US 70).

1-Percent Annual Chance Floodplain

When compared to the effective data, the width of the Special Flood Hazard Area (SFHA), the area that would be inundated by the base flood, will increase and decrease. The maximum increase of approximately 150 feet will occur at a point approximately 1,600 feet upstream of South Church Street (US 70), and the maximum decrease of approximately 100 feet will occur at a point approximately 1,400 feet upstream of South Church Street (US 70).

Floodway

When compared to the effective data, the width of the floodway along Michaels Branch will increase. The maximum increase of approximately 50 feet will occur at a point approximately 1,300 feet upstream of South Church Street (US 70).

Upon completion of the project, your community may submit the data listed below and request that we make a final determination on revising the effective FIRM and FIS report.

- 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 increases in BFE in excess of those permitted under Paragraph 60.3(d)(3). Please provide 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 post-project conditions, as stated in Paragraph 65.12(b).

- Detailed application and certification forms, which were used in processing this request, 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, titled "Overview & Concurrence Form," must be included.
- The detailed application and certification forms listed below may be required if as-built conditions differ from the preliminary plans. If required, please submit new forms or annotated copies of the previously submitted forms showing the revised information.

Form 2, titled "Riverine Hydrology & Hydraulics Form"

Form 3, titled "Riverine Structures Form"

Hydraulic analyses, for as-built conditions, of the base flood; the floods having a 10-, 2-, and 0.2-percent chance of being equaled or exceeded in any given year; and the regulatory floodway, together with a certified topographic work map showing the revised floodplain and floodway boundaries, must be submitted with Form 2.

- A copy of the effective FIRM for the entire area of revision, annotated to reflect the as-built conditions 1-percent and 0.2-percent annual chance floodplain and floodway boundaries along Michaels Branch.
- Effective October 30, 2005, FEMA revised the fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps. In accordance with this schedule, the current fee for this map revision request is \$4,000 and must be received before we can begin processing the request. Please note, however, that the fee schedule is subject to change, and requesters are required to submit the fee in effect at the time of the submittal. Payment of this fee shall be made in the form of a check or money order, made payable in U.S. funds to the National Flood Insurance Program, or by credit card. The payment must be forwarded to the following address:

NC MT-2 LOMC Depot
P.O. Box 300025
Raleigh, NC 27622-0025

- As-built plans, certified by a registered professional engineer, of all proposed project elements.
- Community acknowledgment of the map revision request.
- A copy of the public notice distributed by your community stating its intent to modify the regulatory floodway, or a statement by your community that it has notified all affected property owners and affected adjacent jurisdictions.

- Evidence of notification of the property owners impacted by the increases in the 1-percent annual chance water-surface elevations and widening of the 1-percent annual chance floodplain and floodway along Michaels Branch. The property owners' written acceptance of the increases is required for the revision to become effective on the date of issuance.

After receiving appropriate documentation to show that the project has been completed, FEMA will initiate a revision to the FIRM and FIS report. The North Carolina Floodplain Mapping Program (NCFMP) will review all revision requests in accordance with the FEMA Cooperating Technical Partners initiative. For more information on this initiative, we encourage you to visit the dedicated portion of the FEMA Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/ctp_main.shtm or visit the NCFMP website at <http://www.ncfloodmaps.com>. Because the BFEs would change as a result of the project, a 90-day appeal period would be initiated, during which community officials and interested persons may appeal the revised BFEs based on scientific or technical data.

The basis of this CLOMR is, in whole or in part, a channel-modification/culvert project. NFIP regulations, as cited in Paragraph 60.3(b) (7), require that communities assure 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 regulations. Consequently, the ultimate responsibility for maintenance of the modified channel and culvert rests with your community.

This CLOMR is based on minimum floodplain management criteria established under the NFIP. Your community is responsible for approving all floodplain development and for ensuring all necessary permits required by Federal or State law have been received. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If the State, county, or community has adopted more restrictive or comprehensive floodplain management criteria, these criteria take precedence over the minimum NFIP criteria.

If you have any questions regarding floodplain management regulations for your community or the NFIP in general, please contact the Consultation Coordination Officer (CCO) for your community. Information on the CCO for your community may be obtained by calling the Director, Federal Insurance and Mitigation Division of FEMA in Atlanta, Georgia, at (770) 220-5400. If you have any technical questions regarding this CLOMR, please contact the NCFMP at (919) 715-5711 ext. 106, or the FEMA Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627).

Sincerely,



Beth A. Norton, CFM, Project Engineer
Engineering Management Section
Mitigation Division

For: William R. Blanton Jr., CFM, Chief
Engineering Management Section
Mitigation Division