



# Federal Emergency Management Agency

Washington, D.C. 20472

**May 12, 2014**

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Richard J. Berry  
Mayor, City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103

IN REPLY REFER TO:

Case No.: 13-06-4693R

Community Name: City of Albuquerque, NM

Community No.: 350002

Dear Mayor Berry:

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 Denton, Texas, at (940) 898-5127, 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 Web site at <http://www.fema.gov/business/nfip>

Sincerely,

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

List of Enclosures:  
Conditional Letter of Map Revision Comment Document

cc: Mr. Curtis A. Cherne, P.E., CFM  
Floodplain Administrator  
City of Albuquerque

Mr. Mark Wuest  
Western Albuquerque Land Holdings, LLC

Ms. Genevieve Donart, P.E.  
Issacson & Arfinan, P.A.



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## CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT

COMMUNITY INFORMATION		PROPOSED PROJECT DESCRIPTION	BASIS OF CONDITIONAL REQUEST
COMMUNITY	City of Albuquerque Bernalillo County New Mexico	CHANNELIZATION FILL	HYDRAULIC ANALYSIS NEW TOPOGRAPHIC DATA
	COMMUNITY NO.: 350002		
IDENTIFIER	Mirehaven Arroyo at Stormcloud	APPROXIMATE LATITUDE AND LONGITUDE: 35.109,-106.746 SOURCE: USGS QUADRANGLE DATUM: NAD 83	
AFFECTED MAP PANELS			
TYPE: FIRM* NO.: 35001C0326H DATE: August 16, 2012		* FIRM - Flood Insurance Rate Map	

### FLOODING SOURCES AND REACH DESCRIPTION

Mirehaven Arroyo A – from approximately 2,070 feet upstream of Ladera Dam Pond to approximately 3,540 feet upstream of Ladera Dam Pond

### PROPOSED PROJECT DESCRIPTION

Flooding Source	Proposed Project	Location of Proposed Project
Mirehaven Arroyo A	Channelization & Fill	from approximately 2,070 feet upstream of Ladera Dam Pond to approximately 3,540 feet upstream of Ladera Dam Pond

### SUMMARY OF IMPACTS TO FLOOD HAZARD DATA

Flooding Source	Effective Flooding	Proposed Flooding	Increases	Decreases
Mirehaven Arroyo A	Zone AE	Zone AE	None	Yes
	BFEs*	BFEs	Yes	Yes
	Zone AO	Zone AE	None	Yes
	Depth	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 22304-4605. Additional Information about the NFIP is available on the FEMA Web site at <http://www.fema.gov/business/nfip>.

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Engineering Management Branch  
Federal Insurance and Mitigation Administration

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**CONDITIONAL LETTER OF MAP REVISION  
COMMENT DOCUMENT (CONTINUED)**

**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:

Flooding Source: Mirehaven Arroyo A		Base Flood WSEL Change (feet)	Location of maximum change
Existing vs. Effective	Maximum increase	2.5	Approximately 2,270 feet upstream of Ladera Dam Pond
	Maximum decrease	2.9	Approximately 2,300 feet upstream of Ladera Dam Pond
Proposed vs. Existing	Maximum increase	7.3	Approximately 3,350 feet upstream of Ladera Dam Pond
	Maximum decrease	2.4	Approximately 2,370 feet upstream of Ladera Dam Pond
Proposed vs. Effective	Maximum increase	1.9	Approximately 2,270 feet upstream of Ladera Dam Pond
	Maximum decrease	3.7	Approximately 2,720 feet upstream of Ladera Dam Pond

Increases due to the proposed project that exceed those permitted under Subparagraph (c)(10) 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 floodplain that will cause BFE increases in excess of those permitted under Subparagraph 60.3(c)(10).

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.

- 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, entitled "Overview and Concurrence Form," must be included. A copy of this form may be accessed at [http://www.fema.gov/plan/prevent/fhm/dl\\_mt-2.shtm](http://www.fema.gov/plan/prevent/fhm/dl_mt-2.shtm).
- The detailed application and certification forms listed below may be required if as-built conditions differ from the proposed plans. If required, please submit new forms, which may be accessed at [http://www.fema.gov/plan/prevent/fhm/dl\\_mt-2.shtm](http://www.fema.gov/plan/prevent/fhm/dl_mt-2.shtm), or annotated copies of the previously submitted forms showing the revised information.

Form 2, entitled "Riverine Hydrology and Hydraulics Form." Hydraulic analyses for as-built conditions of the base flood must be submitted with Form 2.

Form 3, entitled "Riverine Structures Form."

- A certified topographic work map showing the revised and effective base floodplain boundaries. Please ensure that the revised information ties in with the current effective information at the downstream and upstream ends of the revised reach and any tributaries.
- An annotated copy of the FIRM, at the scale of the effective FIRM, that shows the revised base floodplain boundary delineations shown on the submitted work map and how they tie-in to the base floodplain boundary delineations shown on the current effective FIRM at the downstream and upstream ends of the revised reach and any tributaries.
- As-built plans, certified by a registered Professional Engineer, of all proposed project elements.
- Documentation of the individual legal notices sent to property owners who will be affected by any widening or shifting of the base floodplain and/or any increases in BFE.

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## CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT (CONTINUED)

### COMMUNITY INFORMATION (CONTINUED)

#### DATA REQUIRED FOR FOLLOW-UP LOMR (continued)

- An officially adopted maintenance and operation plan for the Unnamed Pond. This plan, which may be in the form of a written statement from the community Chief Executive Officer, an ordinance, or other legislation, must describe the nature of the maintenance activities, the frequency with which they will be performed, and the title of the local community official who will be responsible for ensuring that the maintenance activities are accomplished.
- FEMA's fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps may be accessed at [http://www.fema.gov/plan/prevent/fhm/frm\\_fees.shtm](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, Virginia 22304-4605

or submit the LOMR using the Online LOMC portal at: <https://hazards.fema.gov/femaportal/onlinelomc/signin>

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. Frank Pagano  
Director, Mitigation Division  
Federal Emergency Management Agency, Region VI  
Federal Regional Center, Room 206  
800 North Loop 288  
Denton, TX 76209  
(940) 898-5127

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A handwritten signature in black ink, appearing to read "Luis Rodriguez".

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