

**INITIAL NOTIFICATION LETTER, SCENARIO B:  
LEVEE IN FEDERAL SYSTEM (NON-LEVEE OWNER COMMUNITY)**

**[Mr./Ms.] (Full Name of Non-levee Owner Community Official)**  
**(Title of Non-levee Owner Community Official)**  
**(Non-levee Owner Community Official Address)**  
**(City, State Abbreviation, and Zip Code)**

Dear **[Mr./Ms.] (Non-levee Owner Community Official)**:

This is in regard to the **(Name of Levee)** shown on the effective Flood Insurance Rate Map (FIRM) and in the effective Flood Insurance Study (FIS) report for **(County or Community Name)**. As you may know, the Department of Homeland Security, Federal Emergency Management Agency (FEMA), **[is in the process of/will be]** producing a countywide FIS report and Digital Flood Insurance Rate Map (DFIRM) for **(County or Community Name)**. This effort **[is being/will be]** undertaken as part of the FEMA Flood Map Modernization (Map Mod) program.

As part of the FEMA effort to produce the DFIRM, it was determined that the flood hazard information presented on the effective FIRM and in the effective FIS report is based, in some areas, on flood protection provided by the **(Levee Name)**. Based on the information available and on the mapping standards of the National Flood Insurance Program (NFIP) at the time that the FIS was performed, FEMA accredited the levee with providing protection from the flood that has a 1-percent-chance of being equaled or exceeded in any given year. This 1-percent-annual-chance flood also is referred to as the base flood.

For FEMA to continue to accredit the identified levee with providing base flood protection, the levee must meet the requirements of the Code of Federal Regulations, Title 44, Section 65.10 (44 CFR 65.10), entitled "Mapping of Areas Protected by Levee Systems" (copy enclosed). In accordance with 44 CFR 65.10(a), it is the responsibility of the community or other party seeking recognition of a levee system to provide the data and documentation defined and outlined within the regulation. Specifically, the design and construction data provided must be certified by a registered professional engineer or by a Federal agency with responsibility for levee design.

FEMA understands that it may take time to acquire and/or assemble the data and documentation necessary to fully comply with 44 CFR 65.10. Therefore, FEMA has incorporated a process into the aggressive schedule of Map Mod that, if needed, will provide the community or other party seeking recognition of a levee system with additional time to submit all necessary data and documentation. This process can only take place if the levee owner, **(Levee Owner Name)**, and a representative of each impacted community sign and return the enclosed agreement within 90 days of the date of this letter (before **Month, Day, and Year of 91st Day Following Date of Letter**). Completion and submittal of the enclosed template will serve as your official request that FEMA label the levee as a Provisionally Accredited Levee (PAL) on the DFIRM and will serve as your agreement that, to the best of your knowledge, the levee meets the requirements of 44 CFR 65.10. As stated above, it is the responsibility of the levee owner to submit the data and documentation required by 44 CFR 65.10 in order to certify the levee as providing base flood protection. The completed agreement must be submitted before **(Month, Day, and Year of the 91st Day Following Date of Letter)** for the levee to receive the PAL designation.

By endorsing the agreement, you acknowledge that if all necessary data and documentation to comply with 44 CFR 65.10 are not provided before **(Month, Day, and Year of the Second Anniversary of 91st Day Following Letter)**, FEMA will initiate a map revision to redesignate certain areas on the landward side of the levee as Special Flood Hazard Area, the area subject to inundation by the base flood. Upon

receipt of the 44 CFR 65.10 data and documentation submittal, FEMA will review the data and documentation and determine whether the levee will continue to be accredited with providing base flood protection. Please note that affected communities that do not own and/or maintain the levee(s) in question are not responsible for submitting data and documentation necessary for 44 CFR 65.10 compliance.

The approved levees will be labeled as PALs during the 24-month period to convey to map users that levee certification verification is underway. FEMA recommends that you and other impacted communities implement outreach efforts to inform affected property owners that an assessment of the levee is underway. FEMA also encourages the purchase of flood insurance for structures in the area landward of the levee, even though coverage is not federally required.

If you have additional questions regarding the specific submittal requirements, please contact **(Regional Engineering Contact Name)** of my staff, either by telephone at **(Regional Engineering Contact's Telephone Number: (###) ###-####)** or by facsimile at **(Regional Engineering Contact's Fax Number: (###) ###-####)**.

We look forward to working with you and community officials to address this important matter. If there is anything we can do to facilitate the submittal process, please let us know.

Sincerely,

**(Regional Mitigation Division Director's Name)**  
**[Director/Acting Director], Mitigation Division**  
**FEMA Region (Region Numeral)**

Enclosures

cc: **(County or Community CEO)**  
**(County or Community Floodplain Administrator)**  
**(State NFIP Coordinator)**  
**(USACE Point of Contact)**  
Senator **(Senator's Last Name)**'s Washington, DC, Office  
Senator **(Senator's Last Name)**'s Washington, DC, Office  
Representative **(Representative's Last Name)**'s, Washington, DC, Office