

FEDERAL EMERGENCY MANAGEMENT AGENCY

Fee Schedule for Processing Requests for Map Changes and for Flood Insurance Study Backup Data for Fiscal Year 1997

AGENCY: Federal Emergency
Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice contains the revised fee schedules for processing certain requests for changes to National Flood Insurance Program (NFIP) maps and for processing requests for Flood Insurance Study (FIS) backup data. The changes in the fee schedules will allow FEMA to reduce further the expenses to the NFIP by recovering more fully the costs associated with (1) processing conditional and final map change requests and (2) retrieving, reproducing, and distributing technical and administrative support data related to FIS analyses and mapping.

DATES: The revised fee schedules are effective for all requests dated October 1, 1996 or later.

FOR FURTHER INFORMATION CONTACT: Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, 500 C Street SW., Washington, DC 20472, (202) 646-2756 or by facsimile at (202) 646-4596 (not toll-free calls).

SUPPLEMENTARY INFORMATION: This notice contains the revised fee schedules for processing certain requests for changes to NFIP maps and for processing requests for FIS backup data. The revised schedule for map changes is effective for all requests dated October 1, 1996, or later, in accordance with the final rule for changes to 44 CFR parts 65, 70, and 72 published elsewhere in this edition of the Federal Register, and supersedes the current fee schedule established on June 30, 1992.

The revised fee schedule for requests for FIS backup data also is effective for all requests dated October 1, 1996 or later, and supersedes the current fee schedule published in the Federal Register on June 30, 1992.

The basis for the fee schedule for requests for Conditional Letters of Map Amendment (CLOMAs), Conditional Letters of Map Revision Based on Fill (CLOMR-Fs), Conditional Letters of Map Revision (CLOMRs), Letters of Map Revision Based on Fill (LOMR-Fs), Letters of Map Revision (LOMRs), and Physical Map Revisions (PMRs) and for the fee schedule for requests for FIS backup data is provided in the separately published final rule.

A primary component of the fees is the prevailing private-sector rates charged to FEMA for labor and materials. Because these rates and the actual review and processing costs may vary from year to year, FEMA will evaluate the fees at the end of each fiscal year and publish revised fee schedules, when needed, as notices in the Federal Register.

Simplification of Fee Schedule for Conditional and Final Map Changes

The existing fee collection process is complex and its administration requires time-intensive efforts on the part of FEMA. It also increases the time required to provide the requesters with the product they require. The current system requires requesters to submit an initial fee that is not intended to cover the full review and processing costs or the cartographic production costs. Requesters subsequently receive invoices for the balances. The current system is complicated further by the pre-authorized spending limits placed on each product. When FEMA determines these limits will be exceeded, written authorization to proceed must be obtained before FEMA can proceed with its review. Processing of the request is delayed until the written authorization is received.

FEMA has streamlined the process by (1) charging flat user fees for most map change products and services; (2) requiring full payment of fees before work is begun on most map change requests; (3) consolidating similar products or services into a limited number of user fee categories; and (4) limiting the number of products for which requesters may receive exemptions from payment of fees. As a result, requesters know the cost of most products before FEMA begins work.

The initial fee for requests for LOMRs and CLOMRs based on structural measures on alluvial fans has been maintained because (1) such requests are rare, (2) the FEMA review for these requests is usually very complex, and (3) the costs involved in processing the requests can fluctuate significantly.

Fees for Conditional and Final Map Revisions Based on Structural Measures on Alluvial Fans

Based on a review of actual cost data for Fiscal Year 1995, FEMA established \$5,000 as the initial fee for requests for LOMRs and CLOMRs based on structural measures on alluvial fans. FEMA will recover the remainder of the review and processing costs by invoicing the requester before issuing a determination letter, consistent with current practice. The prevailing private-

sector labor rate charged to FEMA (\$50 per hour) will be used to calculate the total reimbursable fees.

Fee Schedule for Requests for Conditional Letters of Map Amendment and Conditional and Final Letters of Map Revision Based on Fill

Based on a review of actual cost data for Fiscal Year 1995, FEMA established the following flat user fees, which are to be submitted by requesters with all requests dated October 1, 1996 or later:

Request for single-lot/single-structure CLOMA, CLOMR-F, and LOMR-F, \$400

Request for multiple-lot/multiple-structure CLOMA, \$700

Request for multiple-lot/multiple-structure CLOMR-F and LOMR-F, \$800

Request for single-lot/single-structure LOMR-F based on as-built information (CLOMR-F previously issued by FEMA), \$300

Request for multiple-lot/multiple-structure LOMR-F based on as-built information (CLOMR-F previously issued by FEMA), \$700

Fee Schedule for Requests for Map Revisions

Unless the request is otherwise exempted under 44 CFR 72.5, requesters must submit the flat user fees shown below with requests for LOMRs and PMRs dated October 1, 1996 or later that are not based on structural measures on alluvial fans. These fees are based on a review of actual cost data for Fiscal Year 1995.

Request based on bridge, culvert, channel, or combination thereof, \$3,700

Request based on levee, berm, or other structural measure, \$4,300

Request based on as-built information submitted as followup to CLOMR, \$2,300

Request based solely on submission of more detailed data, \$2,300

Fee Schedule for Requests for Conditional Map Revisions

Unless the request is otherwise exempted under 44 CFR 72.5, requesters must submit the flat user fees shown below with requests for CLOMRs dated October 1, 1996 or later that are not based on structural measures on alluvial fans. These fees are based on a review of actual cost data for Fiscal Year 1995.

Request based on new hydrology, bridge, culvert, channel, or combination thereof, \$3,100

Request based on levee, berm, or other structural measure, \$3,300

Fee Schedule for Requests for Flood Insurance Study Backup Data

Requesters must submit the user fees shown below with requests for FIS backup data dated October 1, 1996 or later. These fees are based on a review of actual cost data for Fiscal Year 1995. They are based on the complete recovery of FEMA's costs for retrieving, reproducing, and distributing the data, as well as a pro rata share of the costs for maintaining the data and operating the fee reimbursement system.

As under the previous fee schedule, all entities except FEMA's Study Contractors, FEMA's Technical Evaluation Contractors, and the Federal agencies involved in performing FISs (i.e., U.S. Army Corps of Engineers, U.S. Geological Survey, Natural Resources Conservation Service, and Tennessee Valley Authority) will be charged for requests for FIS backup data. The only other exception is that one copy of the FIS backup data will be provided to a community free of charge if the data are requested during the statutory 90-day appeal period for an initial or revised FIS for that community.

FEMA has established seven categories into which requests for FIS backup data are separated. These categories are:

- (1) Category 1—Paper copies, microfiche, or diskettes of hydrologic and hydraulic backup data for current or previously effective FIS
- (2) Category 2—Paper or mylar copies of topographic mapping developed during FIS process

(3) Category 3—Paper copies or microfiche of survey notes developed during FIS process

(4) Category 4—Paper copies of individual Letters of Map Change

(5) Category 5—Paper copies of preliminary map panels

(6) Category 6—Computer tapes of Digital Line Graph files

(7) Category 7—Computer diskettes and user's manuals for FEMA programs (e.g., Wave Height, Wave Runup, Alluvial Fan)

A non-refundable fee of \$90, to cover the preliminary costs of research and retrieval, must be submitted to initiate requests for data under Categories 1, 2, and 3. The total costs of processing requests in Categories 1, 2, and 3 above will vary based on the complexity of the research involved in retrieving the data and the volume and medium of data to be reproduced and distributed. The initial fee will be applied against the total costs to process the request, and FEMA will invoice the requester for the balance before the data are provided. No data will be provided to a requester until all required fees have been paid.

No initial fee is required to initiate a request for data under Categories 4 through 7. Requesters will be notified by telephone about the availability of materials and the fees associated with requested data. As with requests for data under Categories 1, 2, and 3, no data will be provided to requesters until all required fees are paid.

The costs for processing requests under Categories 4 through 7 will not

vary. Therefore, FEMA established flat user fees for these categories of requests. The flat user fees are shown below.

Request Under Category 4

First letter, \$ 40

Each additional letter, \$10

Request Under Category 5

First panel, \$35

Each additional panel, \$2

Request Under Category 6 (per county), \$150

Request Under Category 7 (per copy), \$25

Payment Submission Requirements

Fee payments must be made in advance of services being rendered. These payments shall be made in the form of a check or money order or by credit card payment. Checks and money orders must be made payable, in U.S. funds, to the National Flood Insurance Program. FEMA will provide receipts to requesters for their records or billing purposes.

The fees collected will be deposited to the National Flood Insurance Fund, which is the source of funding for providing these services.

Dated: January 28, 1997.

Richard W. Krimm,

Executive Associate Director, Mitigation Directorate.

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