



Federal Emergency Management Agency

Washington, D.C. 20472

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COUNCIL MEMBERS

TOWN ATTORNEY

TOWN MANAGER

✓ TOWN CLERK

May 17, 2022

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P

The Honorable Raymond Murphy
Mayor, Town of Fort Myers Beach
c/o Roger T. Hernstadt, Town Manager
2525 Estero Boulevard
Fort Myers, Florida 33931

Community Name: Town of Fort Myers Beach,
Lee County,
Florida
Community No.: 120673
Map Panels Affected: See FIRM Index

Dear Mayor Murphy:

This is to notify you of the final flood hazard determination for Lee County, Florida and Incorporated Areas, in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

The statutory 90-day appeal period that was initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the local newspaper has elapsed. FEMA received a submittal regarding the Revised Preliminary Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) during that time. Please note that only those submittals that satisfy the data requirements defined in 44 CFR Part 67 and submitted during the 90-day appeal period are considered appeals. However, we determined that changes were warranted based on the submitted data and have incorporated the applicable changes into final copies of the FIS and FIRM.

Accordingly, the flood hazard determinations for your community are considered final. The final notice for flood hazard determinations will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on November 17, 2022. Before the effective date, we will send your community final printed copies of the FIS report and FIRM. For insurance purposes, the community number and new suffix code for the panels being revised are indicated on the FIRM and must be used for all new policies and renewals.

Because the FIS report for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter.

Town of Fort Myers Beach

MAY 20 2022

Received by: _____

It must be emphasized that all the standards specified in 44 CFR Part 60.3 (e) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions in this Paragraph of the NFIP regulations:

1. Amending existing regulations to incorporate any additional requirements of 44 CFR Part 60.3 (e).
2. Adopting all the standards of 44 CFR Part 60.3 (e) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of 44 CFR Part 60.3 (e).

Also, prior to the effective date, your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of the floodplain management regulations that meet the standards of 44 CFR Part 60.3 (e) of the NFIP regulations by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

Many states and communities have adopted building codes based on the International Codes (I-Codes); the model I-Codes (2009 and more recent editions) contain flood provisions that either meet or exceed the minimum requirements of the NFIP for buildings and structures. The model codes also contain provisions, currently found in an appendix to the International Building Code, that apply to other types of development and NFIP requirements. In these cases, communities should request review by the NFIP State Coordinator to ensure that local floodplain management regulations are coordinated (not duplicative or inconsistent) with the State or Local building code. FEMA's resource, *Reducing Flood Losses through the International Code: Coordinating Building Codes and Floodplain Management Regulations, 5th Edition (2019)*, provides some guidance on this subject and is available at <https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes/flood>.

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended, and 44 CFR Part 59.24.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be affected when the revised FIRM panels referenced above become effective. If no LOMCs were issued previously for your community, you are receiving a SOMA for informational purposes only.

Once the FIS report and FIRM are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance requirements, and many other planning applications. Copies of the digital files of the FIRM panels may be obtained by calling our FEMA Mapping and Insurance eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP) or by visiting the Map Service Center at <https://www.msc.fema.gov>. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

For assistance with your floodplain management ordinance or enacting the floodplain management regulations, please contact Conn Cole, NFIP State Coordinator for Florida by telephone at 850-815-4507. If you should require any additional information, we suggest that you contact the Director, Mitigation Division of FEMA, Region IV at 770-220-5406 for assistance. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the telephone number shown above. Additional information and resources you may find helpful regarding the NFIP and floodplain management can be found on our website at <https://www.fema.gov/flood-maps>. Copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

Enclosure:
Final SOMA

cc: Community Map Repository
Kristin Schumacher, Floodplain Manager, Town of Fort Myers Beach

FINAL SUMMARY OF MAP ACTIONS

Community: FORT MYERS BEACH, TOWN OF

Community No: 120673

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on November 17, 2022.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

2A. LOMCs on Revised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

FINAL SUMMARY OF MAP ACTIONS

Community: FORT MYERS BEACH, TOWN OF

Community No: 120673

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMR	13-04-3849P	12/27/2013	150 OLD SAN CARLOS BOULEVARD	4
LOMR	15-04-6044P	04/04/2016	1028 FIFTH STREET	4
LOMR	16-04-7620P	05/25/2017	SUNCAPER CONDOMINIUM LOMR	4
LOMR	17-04-0306P	05/25/2017	WATERSIDE LOMR	4
LOMR	17-04-1151P	06/29/2017	CRECIENTE CONDOMINIUM LOMR	4
LOMR	16-04-8301P	09/06/2017	PINK SHELL VACATION VILLAS LOMR	4
LOMR	17-04-3444P	12/04/2017	SAND CAPER CONDOMINIUM LOMR	4
LOMR	17-04-5861P	12/26/2017	1165 ESTERO BOULEVARD LOMR	4
LOMR	17-04-5026P	03/08/2018	PELICAN WATCH LOMR	4
LOMR	17-04-7870P	06/07/2018	1510 ESTERO BLVD LOMR	4
LOMR	18-04-0640P	06/14/2018	GULLWING BEACH RESORT LOMR	4
LOMR	18-04-2108P	10/15/2018	ISLAND REEF LOMR	4

FINAL SUMMARY OF MAP ACTIONS

Community: FORT MYERS BEACH, TOWN OF

Community No: 120673

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMR	18-04-4850P	01/31/2019	BERMUDA DUNES LOMR	4
LOMR	18-04-6934P	06/13/2019	EDEN HOUSE CONDOMINIUM LOMR	4
LOMR	19-04-1243P	07/18/2019	LAHAINA RESORT LOMR	4
LOMR	19-04-3002P	10/11/2019	2650 ESTERO BLVD LOMR	4
LOMR	19-04-1744P	10/22/2019	LEONARDO ARMS BEACH CONDO BUILDING II LOMR	4
LOMR	19-04-0629P	10/28/2019	CARIBBEAN BEACH CLUB	4
LOMR	19-04-4644P	11/18/2019	151 OLD SAN CARLOS BLVD LOMR (PREVIOUS LOMR CASE 19-04-1308P)	4
LOMR	19-04-4050P	01/23/2020	LEONARDO ARMS LOMR	4
LOMR	19-04-5110P	01/27/2020	NANKE RESIDENCE	4
LOMR	20-04-1546P	10/22/2020	CORNERSTONE BEACH RESORT LOMR	4
LOMR	20-04-2530P	12/24/2020	1301 ESTERO BLVD (7-ELEVEN) LOMR	4
LOMR	20-04-3679P	01/19/2021	SHAMRON BEACH LOMR	4
LOMR	21-04-3079P	11/10/2021	8375 LAGOON ROAD	4
LOMR	21-04-5796P	03/21/2022	WYNDHAM GARDEN HOTEL	4

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- 1. Insufficient information available to make a determination.
- 2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
- 3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
- 4. Revised hydrologic and hydraulic analyses.
- 5. Revised topographic information.
- 6. Superseded by another LOMC.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		