

DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
OVERVIEW & CONCURRENCE FORM

OMB Control Number: 1660-0016
Expiration: 1/31/2024

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 1 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing, reviewing, and submitting the form. You are not required to respond to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472 , Paperwork Reduction Project (1660-0016). Submission of the form is required to obtain or retain benefits under the National Flood Insurance Program. **Please do not send your completed survey to the above address.**

PRIVACY ACT STATEMENT

AUTHORITY: The National Flood Insurance Act of 1968, Public Law 90-448, as amended by the Flood Disaster Protection Act of 1973, Public Law 93-234.

PRINCIPAL PURPOSE(S): This information is being collected for the purpose of determining an applicant's eligibility to request changes to National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM).

ROUTINE USE(S): The information on this form may be disclosed as generally permitted under 5 U.S.C § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/FEMA/NFIP/LOMA-1 National Flood Insurance Program (NFIP); Letter of Map Amendment (LOMA) February 15, 2006, 71 FR 7990.

DISCLOSURE: The disclosure of information on this form is voluntary; however, failure to provide the information requested may delay or prevent FEMA from processing a determination regarding a requested change to a (NFIP) Flood Insurance Rate Maps (FIRM).

A. REQUESTED RESPONSE FROM DHS-FEMA

This request is for a (check one):

- CLOMR: A letter from DHS-FEMA commenting on whether a proposed project, if built as proposed, would justify a map revision, or proposed hydrology changes (See 44 CFR Ch. 1, Parts 60, 65 & 72). All CLOMRs require documentation of compliance with the Endangered Species Act. Refer to the Instructions for details.
- LOMR: A letter from DHS-FEMA officially revising the current NFIP map to show the changes to floodplains, regulatory floodway or flood elevations. (See 44 CFR Ch. 1, Parts 60, 65 & 72).

B. OVERVIEW

1. The NFIP map panel(s) affected for all impacted communities is (are):

Community No.	Community Name	State	Map No.	Panel No.	Effective Date
360506	City of Niagara Falls	NY	36063C	0309F, 0307E	5/4/2021, 9/17/2010

2. a. Flooding Source:

- b. Types of Flooding: Riverine Coastal Shallow Flooding (e.g., Zones AO and AH)
 Alluvial Fan Lakes Other (Attach Description)

3. Project Name/Identifier:

4. FEMA zone designations (choices: A, AH, AO, A1-A30, A99, AE, AR, V, V1-V30, VE, B, C, D, X)

a. Effective:

b. Revised:

5. Basis for Request and Type of Revision:

a. The basis for this revision request is (check all that apply)

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Physical Change | <input checked="" type="checkbox"/> Improved Methodology/Data | <input type="checkbox"/> Regulatory Floodway Revision | <input type="checkbox"/> Base Map Changes |
| <input type="checkbox"/> Coastal Analysis | <input type="checkbox"/> Hydraulic Analysis | <input type="checkbox"/> Hydrologic Analysis | <input type="checkbox"/> Corrections |
| <input type="checkbox"/> Weir-Dam Changes | <input type="checkbox"/> Levee Certification | <input type="checkbox"/> Alluvial Fan Analysis | <input type="checkbox"/> Natural Changes |
| <input type="checkbox"/> New Topographic Data | <input checked="" type="checkbox"/> Other (Attach Description) | | |

Note: A photograph and narrative description of the area of concern is not required, but is very helpful during review.

b. The area of revision encompasses the following structures (check all that apply)

- Structures: Channelization Levee/Floodwall Bridge/Culvert
 Dam Fill Other (Attach Description)

6. Documentation of ESA compliance is submitted (required to initiate CLOMR review). Please refer to the instructions for more information.

C. REVIEW FEE

Has the review fee for the appropriate request category been included? Yes Fee amount: \$ 0 _____
 No, Attach Explanation

- Please see the DHS-FEMA Web site at <http://www.fema.gov/forms-documents-and-software/flood-map-related-fees> for Fee Amounts and Exemptions.

D. SIGNATURES

1. REQUESTOR'S SIGNATURE

All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Name: Anthony Restaino	Company: City of Niagara Falls	
Mailing Address: Niagara Falls City Hall 745 Main Street Niagara Falls, NY 14301	Daytime Telephone: 716-286-4300	Fax No.:
	E-mail Address: anthony.restaino@niagarafallsny.gov	
	Date: 3/10/23	

Signature of Requestor (required): *Anthony Restaino*

2. COMMUNITY CONCURRENCE

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this Letter of Map Revision (LOMR) or conditional LOMR request. Based upon the community's review, we find the completed or proposed project meets or is designed to meet all of the community floodplain management requirements, including the requirements for when fill is placed in the regulatory floodway, and that all necessary Federal, State, and local permits have been, or in the case of a conditional LOMR, will be obtained. For Conditional LOMR requests, the applicant has documented Endangered Species Act (ESA) compliance to FEMA prior to FEMA's review of the Conditional LOMR application. For LOMR requests, I acknowledge that compliance with Sections 9 and 10 of the ESA has been achieved independently of FEMA's process. For actions authorized, funded, or being carried out by Federal or State agencies, documentation from the agency showing its compliance with Section 7(a)(2) of the ESA will be submitted. In addition, we have determined that the land and any existing or proposed structures to be removed from the SFHA are or will be reasonably safe from flooding as defined in 44CFR 65.2(c), and that we have available upon request by FEMA, all analyses and documentation used to make this determination.

Community Official's Name and Title: Robert Restaino, Mayor

Mailing Address: Niagara Falls City Hall 745 Main Street Niagara Falls, NY 14301	Community Name: City of Niagara Falls	
	Daytime Telephone: 716-286-4300	Fax No.:
	E-mail Address: robert.restaino@niagarafallsny.gov	

Community Official's Signature (required): *Robert Restaino* Date: 3/10/2023

3. CERTIFICATION BY REGISTERED PROFESSIONAL ENGINEER AND/OR LAND SURVEYOR

This certification is to be signed and sealed by a licensed land surveyor, registered professional engineer, or architect authorized by law to certify elevation information data, hydrologic and hydraulic analysis, and any other supporting information as per NFIP regulations paragraph 65.2(b) and as described in the MT-2 Forms Instructions. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Certifier's Name: John Gerlach, P.E.		License No.: 056591	Expiration Date: 21 Jan 2025
Company Name: City of Niagara Falls		Mailing Address: Niagara Falls City Hall 745 Main Street Niagara Falls, New York 14301 Attn: ENGINEERING	
Telephone No.: (716) 286-4418	Fax No.: (716) 286-4348		
E-mail Address: cnf.engineering@niagarafallsny.gov			
Signature: <i>John A. Gerlach</i>			Date: 06 March 2023

Ensure the forms that are appropriate to your revision request are included in your submittal.

Form Name and (Number)

Required if ...

- Riverine Hydrology and Hydraulics Form (Form 2) New or revised discharges or water-surface elevations
- Riverine Structures Form (Form 3) Channel is modified, addition/revision of bridge/culverts, addition/revision of levee/floodwall, addition/revision of dam
- Coastal Analysis Form (Form 4) New or revised coastal elevations
- Coastal Structures Form (Form 5) Addition/revision of coastal structure
- Alluvial Fan Flooding Form (Form 6) Flood control measures on alluvial fans



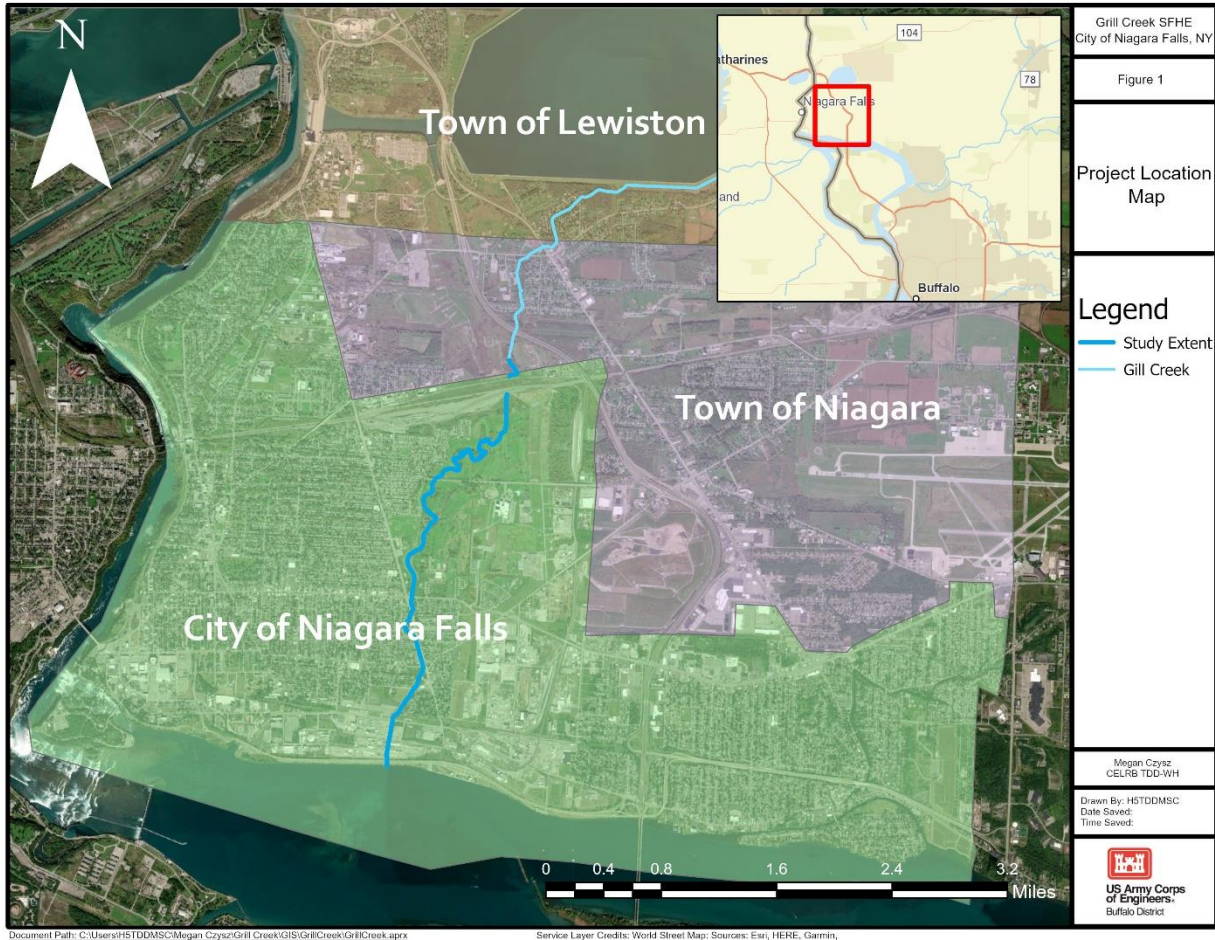


Figure 1: Project Location Map: Communities

Other Studies

The most recent effective Flood Insurance Study (FIS) for Niagara County, New York which included the City of Niagara Falls, was issued by the Federal Emergency Management Agency (FEMA) in November 2017 (FEMA, 2017). This was a revised version of an initial countywide FIS released in September 2010. The flows used for Gill Creek in the most recent FIS were from a Special Flood Hazard Evaluation Report of Gill Creek completed by the USACE Buffalo District in 2002 at the request of the city (USACE-LRB, 2002). This FIS was conducted to revise and update information on the existence and severity of flood hazards within the study area. This information is intended to be used to establish floodplain boundaries and assist the community in its efforts to promote floodplain management.

As specified in the Special Flood Hazard Evaluation Report for Gill Creek by the USACE Buffalo District (USACE, 2002), the study reach included Gill Creek from the Niagara River, upstream to the corporate boundary at Lockport Road. The study's scope of Gill Creek started slightly upstream of the corporate boundary upstream of Lockport Road, as the upstream limit, and continues downstream to the confluence with the Niagara River, as the downstream limit, and for a total length of 3.8 miles. As per USACE (2002), the hydrologic method used was USACE HEC HMS (USACE HEC-HMS, 1995) and the hydraulic method used was USACE HEC-RAS (USACE HEC-RAS, 1995).

Discrepancies in base flood elevations (i.e., water surface elevation for the 1% annual chance exceedance flood) between the hydraulic model from this study and the model from the previous 2002 study are significant; in some cases, the difference is over 3 ft (Table 10; Figure 11). The overall reason for discrepancies in the results is due to the significant differences in calculated peak flows. While there may be other contributing factors such as streambed profile, bridge geometries, topographic details, and channel/overbank Manning's ns it is hard to determine how significant these factors were.

The most obvious difference between models is the peak discharges. The 2002 calculated peak discharges are significantly higher than those calculated in this study. This is most likely due to a difference of approach. Table 11 shows a summary of the differences between the peak discharges. Due to the peak discharged being so significantly different it is hard to determine how much other factors may have impacted the results.

Beyond the peak discharge changes, some sections of the stream bed elevations are different from the previous flood profiles. Between cross sections A and B there is a steeper slope to the stream bed as well as cross section A having a lower invert elevation by about 2 feet. From just upstream of Hyde Park Dam to station 12000 the lake streambed is about 2.5 feet deeper and overall flatter. From cross section Q to U the streambed elevation in this study is generally 2 feet higher. This could also contribute to some of the differences seen, such as the larger BFE difference between cross sections A and B. The deeper streambed elevations in Hyde Park Lake may contribute to greater storage resulting in less flooding downstream.

Additionally, there are difference between the low and high chord of bridges modeled between this study and the previous study. However due to the lower water elevations resulting from the lower peak discharges the differences between the models due to the elevation differences are relatively low. Additionally, this study includes a new bridge immediately upstream of Robert Moses Parkway and eliminates a foot bridge that no longer exists between Walnut Avenue and Ferry Avenue. The table below, Table 12, summarizes the bridges where water reaches the low chords and compares the low chord and high chord elevations between this study and the 2002 Study for Gill Creek.

This will briefly address the new bridge located just upstream of Robert Moses Parkway. Below are screenshots from the files of the previous FIS and a screenshot of the new profiles generated during the recent Gill Creek FPMS project (2022). The image on the left shows the previous FIS and the image from the right is from the recent FPMS project. The bridge mentioned in the report is the access bridge which is located on the factories upstream of Robert Moses Parkway. The new access bridge has a low chord that is well above the water profiles so it can be concluded that the new bridge would not impact/affect the floodway as the water never reaches the low chord.

