



FEMA

December 31, 2012

The Honorable Fred O'Connor
Mayor, City of Oak Ridge North
27424 Robinson Road
Oak Ridge North, TX 77385

Re: Appeal/Protest/Comment Resolution for the City of Oak Ridge North, Montgomery County,
Texas

Dear Mayor O'Connor:

On September 29, 2008, the Federal Emergency Management Administration (FEMA) sent your community the Preliminary Digital Flood Insurance Rate Map (DFIRM) and Flood Insurance Study (FIS) for Montgomery County Texas and Incorporated Areas dated September 23, 2008. On November 18, 2008 a Community Coordination Meeting was held at 301 North Thompson, Suite 200, Conroe, Texas, in which FEMA officially presented the Preliminary DFIRMs and addressed comments and inquiries regarding the mapping process. On May 20, 2009 and May 27, 2009, a public notice for proposed Base Flood Elevation (BFE), (100 year or 1-percent chance annual flood elevation) changes was published in the *Conroe Courier, East Montgomery Observer, Tomball/Magnolia Potpourri* and the *Houston Chronicle* notifying the community of proposed BFE changes, and initiated a 90-day appeal/protest period which began on May 27, 2009 and concluded on August 25, 2009.

During the 90-day appeals/protests period **three (3)** cases regarding the City of Oak Ridge North were received. Case tracking numbers (**MTG_TX_959, MTG_TX_1197 and MTG_1198**) were assigned in an acknowledgment letter sent to your community on September 14, 2009.

- 1) **Case Tracking Number MTG_TX_959:** A letter dated November 3, 2008 from Mr. Fred O'Connor, discusses the concerns of Oak Ridge North regarding superseded LOMCs and their impact on the Preliminary DFIRMs for the City. In Mr. O'Connor's letter he explains that multiple drainage improvements made by the City were not incorporated into the DFIRMs even after discussions with the CF3R team. The flood hazards depicted on the Preliminary DFIRMs are not accurate as a result of the exclusion of these improvements. By not including the improvements and LOMCs on the DFIRMs, many residents will be impacted by increased flood insurance rates. The City feels that CF3R were resistant to involve them in the mapping process which resulted in inaccurate DFIRMs. The "Robinson Road Diversion" LOMC was not included in the mapping for Oak Ridge North after it was provided to the CF3R team for inclusion and is listed on the SOMA as superseded due to insufficient information; however, the City received no notification that there was insufficient information to incorporate the LOMC. The City requests that these concerns be addressed prior to the release of the DFIRMs and that the City be included in the corrections.

This case has been accepted. The Oak Ridge North city limits were provided to FEMA and have been incorporated into the DFIRMs. LOMRs 97-06-183P and 01-06-599P have been included in the revised DFIRMs.

- 2) **Case Tracking Number MTG_TX_1197:** In a letter from Mr. Scott C. Saenger, P.E., dated August 20, 2009, he reiterates the inaccuracies caused by superseded LOMCs, specifically in the Sam Bell Gully (aka Spring Oaks Channel) as submitted by Mayor Fred O'Connor. The City has provided a technical appeal package for Sam Bell Gully including updated modeling which indicates that a portion of the City is incorrectly mapped within the 100-year floodplain. The letter also includes information and technical data for use in updating the city limits of Oak Ridge North. The limits as shown on the Preliminary DFIRMs are incorrect.

This case has been accepted. LOMRs 97-06-183P and 01-06-599P have been included in the revised DFIRMs. LOMA 01-06-2009A will be revalidated on the SOMA.

- 3) **Case Tracking Number MTG_TX_1198:** Mr. Saenger's letter dated August 20, 2009 includes information and technical data for use in updating the city limits of Oak Ridge North. The limits as shown on the Preliminary DFIRMs are incorrect.

This case has been accepted. The updated Oak Ridge North city limits were provided to FEMA by the City and have been incorporated into the DFIRMs. There are some minor FIS adjustments that have been completed per the comments received in this protest.

Should you have any comments regarding this resolution, please submit them within 30 days of the date of this letter to the following address:

FEMA Region 6
Mitigation Division
800 North Loop 288, Denton, TX 76209
Attention: Larry Voice

If FEMA receives no comments from your community during the 30-day review, we will consider the resolution period completed for these concerns. Once all appeals, protests and comments have been resolved, FEMA will initiate final preparation of the FIRM and FIS Report and issue a Letter of Final Determination (LFD). The new FIRM and FIS Report will become effective within six months after the issuance of the LFD. During the six-month compliance period, your community will be required, as a condition of continued participation in the NFIP, to adopt or show evidence of adoption of applicable floodplain ordinances. Approximately three to four months before the effective date, FEMA will send your community printed copies of the new FIRM and FIS Report.


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We appreciate your community's comments and commitment to having the most accurate floodplain information available reflected in the FIS Report and FIRM. If you have any questions regarding this matter, please contact Larry Voice either by telephone at 940-898-5419 or by email at larry.voice@fema.dhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Pagano". The signature is written in a cursive, flowing style.

Frank Pagano
Mitigation Division Director

cc: Paul Mendes, City Manager/Floodplain Administrator
Scott C. Saenter, Jones and Carter, Inc.
Michael Segner, Division Director, Texas Water Development Board
Larry Voice, FEMA Region 6