



**FEMA**

September 30, 2011

The Honorable Dominic J. Frank  
Supervisor, Town of Herkimer  
114 North Prospect Street  
Herkimer, NY 13350

**RE:** Flood Risk Study Project Update – Herkimer County, NY

On March 10, 2011 Federal Emergency Management Agency (FEMA) Administrator Craig Fugate issued the Agency's formal response to inquiries concerning FEMA's current analysis method for communities affected by levees. FEMA received the inquiries from Members of both the U.S. Senate and U.S. House of Representatives. In his reply, Administrator Fugate committed to assess the approach currently being used to analyze areas behind non-accredited levees and develop more accurate approaches to modeling the flood hazards in these areas on Flood Insurance Rate Maps (FIRMs). Administrator Fugate also committed to a temporary hold on the issuance of Letters of Final Determination (LFDs) for communities impacted by levees or levee systems which employed the then current approach for non-accredited levees.

Although the analysis modeling and flood hazard mapping of these levee areas have been placed on hold in order to develop additional approaches; the flood risk which these levee systems were built to reduce remains. As our agency develops these new analytical approaches to mapping the impacts of levees, we trust that you will continue to promote flood risk awareness and local preparedness to the residents within your community.

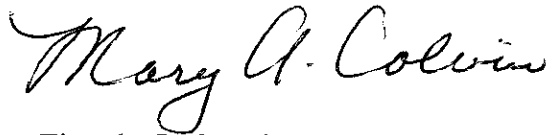
To avoid undue cost and confusion, this letter is intended to inform you of the effects of this decision on your community and the Herkimer County Flood Insurance Study currently underway.

The Town of Herkimer levees on both the Mohawk River and Bellinger Brook were found to be not in accordance with Title 44, Chapter 1, Section 65.10 of the Code of Federal Regulations (44 CFR 65.10), and as a result, portions of the Town may be impacted by FEMA's current approach for the analysis of non-accredited levees. FEMA is placing the affected Preliminary FIRM Panels (36043C0844E, 36043C0861E, and 36043C0863E) on hold until the new alternative levee modeling methods have been prepared and released for implementation.

If you agree, however, with the current flood risk identification for the Town of Herkimer levee system and you wish the affected Preliminary FIRM panels to be issued with a natural floodplain hydraulic analysis and not be placed on hold, please provide a formal response stating the community's desire to move forward with the Preliminary issuance of all FIRM panels for the Town of Herkimer no later than 60 days from the date of this letter.

We hope this information helps clarify the current status of your study and how FEMA will progress in the future. If you have any questions, please contact Robert Schaefer, Civil Engineer, FEMA Region II Risk Analysis Branch, at (212) 680-8808 or by e-mail at [Robert.Schaefer@fema.dhs.gov](mailto:Robert.Schaefer@fema.dhs.gov).

Sincerely,

A handwritten signature in black ink that reads "Mary A. Colvin". The signature is written in a cursive style with a large, prominent initial 'M'.

Timothy P. Crowley  
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DHS/FEMA Region II  
26 Federal Plaza  
New York, New York  
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cc: Mr. William Nechamen, NFIP NY State Coordinator  
Alan Fuchs, NYSDEC, Director of Bureau of Flood Protection and Dam Safety  
NYSDEC Regional Representative  
Kenneth Collis, Town Code Enforcement Officer  
Robyn Boyd, Study Manager