



FEMA

July 31, 2008

The Honorable Herbert Gears
Mayor, City of Irving
825 W. Irving Blvd
Irving, Texas 75060

IN REPLY REFER TO:
DAL_TX_537

Dear Mayor Gears:

On June 22, 2007, the Federal Emergency Management Administration (FEMA) sent your community the Preliminary Digital Flood Insurance Rate Map (DFIRM) and Flood Insurance Study (FIS) for Dallas County and the Incorporated Areas. A 30 day period was allowed for review of the maps. Shortly thereafter, a Community Coordination Officer's Meeting (CCO Meeting) was held at 9AM on Friday July 20, 2007 at the North Central Texas Council of Governments (NCTCOG) Offices, Center Point II, 616 Six Flags Drive, in Arlington, Texas in which comments and inquiries were addressed. On January 31, 2008 and February 7, 2008, a public notice of Base Flood Elevation (BFE, 100 year or 1-percent chance annual flood elevation) changes was published in the *Dallas Morning News*, notifying the community of BFE changes, and initiated a 90 day appeals period which ended on May 13, 2008.

During the 90 day appeal period, a protest was received from the City of Irving regarding a floodway revision request for the Dallas County Utility and Reclamation District Levee (DCURD). The protest was submitted by Garry Fennell, P.E., CFM, Senior Civil Engineer on behalf of the City of Irving. The case was evaluated, deemed accepted and has warranted a revision to the Preliminary DFIRMs. Listed below is a summary of the protest and the findings specific to this case.

Case DAL_TX_537, regarding the expansion of the floodway from the river side of the levee to the land side toe of the levee in the DCURD area on the Elm Fork Trinity River, submitted by Garry Fennell, P.E. of the City of Irving has been accepted. Section H.5 of FEMA's Guidelines and Specifications for Flood Hazard Mapping Partners, Appendix H: Guidance for Mapping of Areas Protected by Levee Systems requires that the floodway boundary be mapped to the land side toe of a certified levee. FEMA's Mapping Partner identified the land side toe based on the available topographic data. However, in this area, considerable fill has been placed on the land side of the levee making an accurate assessment difficult. The city has identified a virtual land side toe and will provide a levee protection easement to insure the integrity of the levee. This new floodway boundary will be shown on the effective DFIRMs.

Your community and the protestor have thirty (30) days from the date of this letter to comment on this conclusion. Any comments received during this 30-day period will be reviewed and incorporated as appropriate before final publication. Comments may be sent to the Mitigation Division, FEMA Region VI, 800 North Loop 288, Denton, TX, 76209, reference DAL_TX_537.

Once all the appeals and protests regarding the Preliminary DFIRMs for Dallas County and the Incorporated Areas have been reviewed and deemed accepted or denied the next step in the publication process will be the issuance of a Letter of Final Determination (LFD). The LFD will finalize the Base Flood Elevations (BFEs)

for your community, initiate the six-month compliance period and establish an effective date for the Revised Effective DFIRM and FIS text. During the six-month compliance period, your community will be required,
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as a condition of continued participation in the NFIP, to adopt or show evidence of adoption of applicable floodplain ordinances.

If you have any questions regarding this matter, please contact Jack Quarles, P.E., Chief Risk Analysis Branch of the Mitigation Division at FEMA Region VI in Denton, TX, either by telephone at 940-898-5156, or by email at jack.quarles@dhs.gov.

Sincerely,



Frank Pagano
Mitigation Director

cc: Jim Cline
Director of Public Works, City of Irving

Garry Fennell
Senior Civil Engineer, City of Irving

Congressman Pete Sessions
Congress of the United States
House of Representatives

Jacobs, Carter, Burgess

Michael B. Schiff, Sr.
Interinvest Companies

Stephen H. Kanoff
5000 Riverside Associates, LP

Barry Henry
BH O'Connor Partners, LP

Stephen Bronnor
Parmenter Realty Partners

Marc E. Sullivan
ICON Partners

Spencer Stuart, Jr.
Legacy Partners

Mike Howard, CFM
Texas Water Development Board

Jack Quarles
FEMA Region V