

LAW OFFICES OF

HIBLER & SOMMER
(INDIVIDUAL PRACTITIONERS)
LORENE OFFICE PLAZA
9862 LORENE
SUITE 200
SAN ANTONIO, TEXAS 78216-4452

P. OTIS HIBLER

pohibler@swbcll.net

(210) 341-2759

FAX NO. (210) 341-8432

04-221
amended

Received 6/27/05

RICHARD H. SOMMER
ADMITTED IN
TEXAS, NEW JERSEY & WISCONSIN
rhsommer@swball.net

June 24, 2005

Elaine Chan
U.S. Department of Homeland Security
Office of the General Counsel
Washington D.C. 20472

VIA FACSIMILE NO. (202) 646-4536

RE: Freedom of Information Request

Dear Ms. Chan:

You have been corresponding with Jodi Hibler. First off, thank you for all your past help in getting us information from the FEMA archives/library. Here is a better description of papers that we still need in connection with the Freedom of Information Request that we transmitted to FEMA on July 13, 2004.

The materials requested and described below pertain to the land located along Leon Creek and shown in the FIRM Map Panel described below:

Community	Number	Panel	Suffix
San Antonio, City of	480045	0253 of 900	E & F

Specifically, we are requesting correspondence that preceded the LOMR [Letter of Map Revision] that took effect on January 20, 2000 and correspondence sent in connection with the CLOMR [Conditional Letter of Map Revision] of July 15, 1997. The LOMR and CLOMR affected FIRM/ FEMA map panel 0253 E dated February 16, 1996. **To assist you in connection with this search, we are attaching a letter dated September 10, 1999 and the LOMR map of January 20, 2000.**

NOTE: The LOMR and CLOMR arise out of land fill project on a 91-acre tract of land owned by Santikos Investments. That tract of land is located along UTEX/

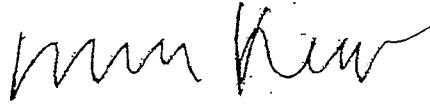
UTSA Blvd West of IH-10 and East of Leon Creek. New City Block 14746.

1. All data, reports, and correspondence that was exchanged by or between **Pape Dawson and FEMA** in connection with the Santikos Investment **flood plain study and land fill project or the request to FEMA for a LOMR (Letter of Map Revision) or CLOMR (Conditional Letter of Map Revision)**; This project involved placing land fill along Leon Creek and asking FEMA to update the FIRM flood-plain map with a CLOMR and LOMR. Please include the **plans (including the as-built plans)** and all reports prepared by Pape Dawson showing how the **land fill** would be placed and at what locations and depths along Leon Creek.
2. All data, reports, and correspondence that was exchanged by or between Pape Dawson and FEMA in connection with the CLOMR of July 15, 1997 and the LOMR of January 20, 2000.
3. All papers, reports, studies, maps, data, computer models, surveys, completed FEMA submission forms, 3-D maps, Computer-Aided studies, correspondence, generated in connection with or pertaining to the Conditional Letter of Map Revision (CLOMR) issued by FEMA on July 15, 1997 and the Letter of Map Revision (LOMR) of January 20, 2000. Please include the 3-D drawing file that described how the cross section geometry data were determined for the LOMR.
4. All other papers, reports, studies, maps, data, computer models, surveys, FEMA maps, LOMR's, CLOMR's or other papers showing changes or revisions to the FIRM/ FEMA map panel 0253 E from January 1, 1998 to and through the present.
5. All evidence that neighboring landowners were notified of the request for this CLOMR and/or LOMR, including any correspondence from FEMA advising Santikos Investments or Pape Dawson of the need to inform neighboring land owners of the pending application for a LOMR and CLOMR.

OTHER INFORMATION OF A MORE GENERAL NATURE: Please also send us all letters of transmittal and related correspondence that was sent by Pape Dawson to FEMA before January 4, 2002 in connection with the map revision of January 4, 2002 and in particular any letters of transmittal from Pape Dawson to FEMA whereby Pape Dawson forwards updated information about the boundaries of the Leon Creek flood plain.

I thank you in advance for any help that you can provide to us.

Sincerely,



Richard H. Sommer

RHS/jlh

enclosure as noted

xc: Malcolm and Peggy Wardlaw

VIA FACSIMILE NO. 408-0106



Federal Emergency Management Agency

Washington, D.C. 20472

SEP 10 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Howard W. Peak
Mayor, City of San Antonio
P.O. Box 839966
San Antonio, TX 78283-3966

IN REPLY REFER TO:
Case No.: 99-06-1195P

Community: City of San Antonio, Texas
Community No.: 480045
Panel Affected: 48029C0253 E
Effective Date of **JAN 20 2000**
This Revision:

102-I-A-C

Dear Mayor Peak:

This responds to a request that the Federal Emergency Management Agency (FEMA) revise the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Bexar County, Texas and Incorporated Areas (the effective FIRM and FIS report for your community), in accordance with Part 65 of the National Flood Insurance Program (NFIP) regulations. In a letter dated April 21, 1999, Mr. Billy Classen, P.E., Assistant Project Manager, Pape-Dawson Engineers, Inc., requested that FEMA revise the FIRM and FIS report to show the effects of placement of fill along the southeastern overbank of Leon Creek from approximately 80 feet upstream to approximately 3,300 feet upstream of UTSA Boulevard; an existing 85-foot-long bridge at West Hausman Road; an existing 50-foot-long bridge at UTSA Boulevard; and more detailed topographic information to reflect existing watershed conditions. This request follows up on a Conditional Letter of Map Revision issued on July 15, 1997.

All data required to complete our review of this request were submitted with letters from Mr. Rey Garcia, Pape-Dawson Engineers, Inc., and Mr. Classen.

We have completed our review of the submitted data and the flood data shown on the effective FIRM and FIS report. We have revised the FIRM and FIS report to modify the elevations and floodplain boundary delineations of the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) along Leon Creek from approximately 750 feet downstream of West Hausman Road to approximately 5,020 feet upstream of UTSA Boulevard. As a result of the modifications, the base flood elevations (BFEs) for Leon Creek and the width of the Special Flood Hazard Area (SFHA), the area that would be inundated by the base flood, increased in some areas and decreased in other areas. No insurable structures are affected by the increases in BFE and SFHA width. The modifications are shown on the enclosed annotated copies of FIRM Panel(s) 48029C0253 E and Profile Panel(s) 164P and 165P. This Letter of Map Revision (LOMR) hereby revises the above-referenced panel(s) of the effective FIRM and the affected portions of the FIS report, both dated February 16, 1996.

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The following table is a partial listing of existing and modified BFEs:

Location	Existing BFE (feet)*	Modified BFE (feet)*
Approximately 2,850 feet downstream of UTSA Boulevard	954	951
Approximately 100 feet upstream of UTSA Boulevard	960	966

*Referenced to the National Geodetic Vertical Datum, rounded to the nearest whole foot

Public notification of the proposed modified BFEs will be given in the *San Antonio Express-News* on or about October 15 and October 22, 1999. A copy of this notification is enclosed. In addition, a notice of changes will be published in the *Federal Register*. Within 90 days of the second publication in the *San Antonio Express-News*, a citizen may request that FEMA reconsider the determination made by this LOMR. Any request for reconsideration must be based on scientific or technical data. All interested parties are on notice that, until the 90-day period elapses, the determination to modify the BFEs presented in this LOMR may itself be modified. The modifications will be effective after the 90-day appeal period has elapsed. The map panel(s) as listed above and as modified by this letter will be used for all flood insurance policies and renewals issued for your community.

Because this LOMR will not be printed and distributed to primary users, such as local insurance agents and mortgage lenders, your community will serve as a repository for these new data. We encourage you to disseminate the information reflected by this LOMR throughout the community, so that interested persons, such as property owners, local insurance agents, and mortgage lenders, may benefit from the information. We also encourage you to prepare a related article for publication in your community's local newspaper. This article should describe the assistance that officials of your community will give to interested persons by providing these data and interpreting the NFIP maps.

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel(s) and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This LOMR is based on minimum floodplain management criteria established under the NFIP. Your community is responsible for approving all floodplain development, and for ensuring all necessary permits required by Federal or State law have been received. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If the State, county, or community has adopted more restrictive or comprehensive floodplain management criteria, these criteria take precedence over the minimum NFIP criteria.

This determination has been made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and is in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed minimum NFIP criteria. These criteria are the minimum and do not supersede any State or local requirements of a more stringent nature. This includes adoption of the

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effective FIRM to which the regulations apply and the modifications described in this LOMR. Our records show that your community has met this requirement.

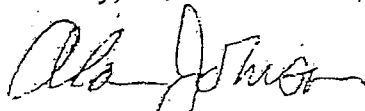
A Consultation Coordination Officer (CCO) has been designated to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Mr. Frank Pagano
Director, Mitigation Division
Federal Emergency Management Agency, Region VI
Federal Regional Center, Room 205
800 North Loop 288
Denton, Texas 76201-3698
(940) 898-5127

FEMA makes flood insurance available in participating communities; in addition, we encourage communities to develop their own loss reduction and prevention programs. Our Project Impact initiative, developed by FEMA Director James Lee Witt, seeks to focus the energy of businesses, citizens, and communities in the United States on the importance of reducing their susceptibility to the impact of all natural disasters, including floods, hurricanes, severe storms, earthquakes, and wildfires. Natural hazard mitigation is most effective when it is planned for and implemented at the local level, by the entities who are most knowledgeable of local conditions and whose economic stability and safety are at stake. For your information, we are enclosing a Project Impact Fact Sheet. For additional information on Project Impact, please visit our Web site at www.fema.gov.

If you have any questions regarding floodplain management regulations for your community or the NFIP in general, please contact the CCO for your community at the telephone number cited above. If you have any technical questions regarding this LOMR, please contact Mr. Alan Johnson of our staff in Washington, DC, either by telephone at (202) 646-3403 or by facsimile at (202) 646-4596.

Sincerely,



Alan A. Johnson, P.E., Project Engineer
Hazards Study Branch
Mitigation Directorate

For: Matthew B. Miller, P.E., Chief
Hazards Study Branch
Mitigation Directorate

Enclosure(s)

cc: Mr. John L. German, P.E.
Director of Public Works
City of San Antonio

Mr. Billy Classen, P.E.
Assistant Project Manager
Pape-Dawson Engineers, Inc.

