



# Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:  
19P-A



January 17, 2012

Jonathan F. Henry  
Chairperson, Board of Selectmen  
Town of Marion  
Town House  
2 Spring Street  
Marion, Massachusetts 02738

Community: Town of Marion,  
Plymouth County, Massachusetts  
Community No.: 255213  
Map Panels Affected: See FIRM Index

Dear Mr. Henry:

This is to formally notify you of the final flood elevation determination for the Town of Marion, Plymouth County, Massachusetts (All Jurisdictions), in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood elevations shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

On July 15, 1992, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issued a Flood Insurance Rate Map (FIRM) that identified the Special Flood Hazard Areas (SFHAs), the areas that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), in your community. Recently, FEMA completed a re-evaluation of flood hazards in your community. On May 28, 2008, FEMA provided you with Preliminary copies of the Flood Insurance Study (FIS) report and FIRM that identify existing flood hazards in your community, including Base Flood Elevations (BFEs). The proposed BFEs for your community were published in *The Hanover Mariner* on August 24, 2011, and August 31, 2011; *The Enterprise*, *The Hingham Journal*, *The Hull Times*, *The Middleborough Gazette*, *The Norwell Mariner*, *The Patriot Ledger*, *The Sentinel*, *The Standard Times*, *The Wanderer*, *The Wareham Courier*, and *The Whitman-Hanson Express* on August 25, 2011, and September 1, 2011; *The Halifax Plympton Reporter* on August 26, 2011, and September 2, 2011; and in the *Federal Register* at Part 67, Volume 76, Page 50443 thru 50446, on August 15, 2011.

The statutory 90-day appeal period, which was initiated on the second newspaper publication date cited above, has ended. The proposed BFEs for your community were appealed during that time. All technical data submitted in support of the appeal have been evaluated, and the appeal has been resolved. Therefore, the BFEs for your community are considered final. The final rule for BFEs will be published in the *Federal Register* as soon as possible. The FIRM for your community will become effective on July 17, 2012. Before the effective date, FEMA will send you final printed copies of the FIS report and FIRM.

Because the FIS establishing the BFEs for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter. Prior to July 17, 2012, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show

evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(e) of the NFIP regulations (44 CFR 59, etc.) by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(e) of the NFIP regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS and FIRM to which the regulations apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(e);
2. Adopting all the standards of Paragraph 60.3(e) into one new, comprehensive set of regulations;  
or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(e).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended.

In addition to your community using the FIS to manage development in the floodplain, FEMA will use the FIS to establish appropriate flood insurance rates. On the effective date of the revised FIRM, actuarial rates for flood insurance will be charged for all new structures and substantial improvements to existing structures located in the identified Special Flood Hazard Areas, the areas subject to inundation by the base flood. These rates may be higher if structures are not built in compliance with the floodplain management standards of the NFIP. The actuarial flood insurance rates increase as the lowest elevations (including basement) of new structures decrease in relation to the BFEs established for your community. This is an important consideration for new construction because building at a higher elevation can greatly reduce the cost of flood insurance.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the SFHA as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based are being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM and FIS report for your community have been prepared in our countywide format, which means that flood hazard information for all jurisdictions has been combined into one FIRM and FIS report. When the FIRM and FIS report are printed and distributed, your community will receive only those panels that present flood hazard information for your community. We will provide complete sets of the FIRM panels to county officials, where they will be available for review by your community.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627). In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If your community is encountering difficulties in enacting the necessary floodplain management measures required to continue participation in the NFIP, we urge you to call the Acting Director, Federal Insurance and Mitigation Division of FEMA, Region I, in Boston, Massachusetts, at (617) 956-7571 for assistance. If you have any questions concerning mapping issues in general or the enclosed Summary of Map Actions, please call our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627). Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the National Flood Insurance Program*, *Frequently Asked Questions Regarding the Effects that Revised Flood Hazards have on Existing Structure*, *Use of Flood Insurance Study (FIS) Data as Available Data*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling our (FMIX).

Sincerely,



Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

Enclosure:

Final Summary of Map Actions

cc: Community Map Repository  
Scott Shippey, Building Commissioner/Zoning Enforcement Officer, Town of Marion

## FINAL SUMMARY OF MAP ACTIONS

Community: MARION, TOWN OF

Community No: 255213

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on July 17, 2012.

## 1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

## 2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	199500457R01	12/11/1995	20 VINE STREET	2552130004D	25023C0559J
LOMA	96-01-022A	02/20/1996	714 FRONT STREET	2552130002D	25023C0556J
LOMA	199600271R01	11/29/1996	19 PITCHER STREET	2552130004D	25023C0559J
LOMA	04-01-0012A	03/22/2004	LOT 1 -- 330 FRONT STREET	2552130004D	25023C0559J
LOMA	06-01-B673X	08/02/2006	ESTATE OF KATHARYN H. WATSON, LOT 2 -- 109 ALLEN'S POINT ROAD (MA) (TT)	2552130005E	25023C0578J
LOMA	06-01-B835A	10/24/2006	LANDS OF CERKOVITZ, LOT 19 -- 16 ROCKY KNOCK LANE	2552130007E	25023C0567J
LOMA	07-01-0293A	01/04/2007	4 SARAH SHERMAN LANE -- Lot 5, Plan of Land in Marion	2552130004D	25023C0559J
LOMR-F	09-01-0227A	12/11/2008	28 PINEWOOD DRIVE	2552130002D	25023C0557J

## FINAL SUMMARY OF MAP ACTIONS

Community: MARION, TOWN OF

Community No: 255213

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	09-01-0483A	03/12/2009	RIVERS EDGE ESTATES, LOT 6 -- 61 BULLIVANT FARM ROAD	2552130002D	25023C0557J
LOMA	09-01-1447A	09/29/2009	145,149,153,157,163, & 165 County Rd.	2552130002D	25023C0557J
LOMA	09-01-1135A	06/24/2009	80 Piney Point Road	2552130005E	25023C0578J
LOMA	10-01-0266A	12/01/2009	131 Bullivant Farm Road	2552130002D	25023C0557J
LOMA	10-01-1490A	06/11/2010	10 Brook Haven Lane	2552130002D	25023C0556J
LOMA	11-01-1081A	01/24/2011	17 Olde Meadow Road	2552130007E	25023C0567J
LOMA	11-01-1767A	04/19/2011	11 Main Street	2552130004D	25023C0559J

## 3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	99-01-844A	07/09/1999	A PARCEL OF LAND-52 BULLIVANT FARM RD	1
LOMR-F	08-01-0171A	02/07/2008	LOTS 11-13, BLANKINSHIP'S LANDING -- 604B, 604C, & 604D POINT ROAD	4
LOMA	10-01-1381A	06/22/2010	49 Front Street, Marion, MA	4
LOMA	10-01-1380A	07/27/2010	68 CREEK ROAD	4
LOMA	11-01-1127A	03/08/2011	LOT A -- 105 FRONT STREET	4
LOMA	11-01-0800A	02/15/2011	27 Pawkechatt Way	4
LOMA	12-01-0385A	11/17/2011	24 Hammetts Cove Road	4

## FINAL SUMMARY OF MAP ACTIONS

Community: MARION, TOWN OF

Community No: 255213

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

**4. LOMCs To Be Redetermined**

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

**Billing Code 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

**Docket ID FEMA-2011-0002**

**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

**ADDRESSES:** The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail)

[Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local

circulation and ninety (90) days have elapsed since that publication. The Deputy Federal Insurance and Mitigation Administrator has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community.

The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act. This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This final rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This final rule meets the applicable standards of Executive Order 12988.

#### **List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is amended as follows:

**PART 67—[AMENDED]**

1. The authority citation for part 67 continues to read as follows:

**Authority:** 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978

Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 67.11 [Amended]**

2. The tables published under the authority of § 67.11 are amended as follows:

<b>Plymouth County, Massachusetts (All Jurisdictions)</b>			
<b>Docket No.: FEMA-B-7786</b>			
Flooding Source(s)	Location of Referenced Elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground ^Elevation in meters (MSL) Modified	Communities Affected
Aassawompsett Pond	Entire shoreline within community	+55	Town of Middleborough
Accord Brook	Approximately 3,300 feet upstream of State Route 228	+115	Town of Norwell
Atlantic Ocean	Approximately 150 feet south of the intersection of Brant Beach Avenue and Ocean View Avenue	+19	Town of Hingham, Town of Hull, Town of Marion, Town of Mattapoisett, Town of Wareham
	Approximately 210 feet southeast of the intersection of Highland Avenue and Mount Pleasant Way	+22	
Bear Swamp	The area around State Route 105	+14	Town of Rochester
Doggett Brook	The area around State Route 105	+14	Town of Rochester
Fall Brook	The low land area between Azel Road and Howland Road	+82	Town of Lakeville
French Stream	Approximately 1,200 feet upstream of the Golf Cart Bridge	+104	Town of Abington
	Approximately 900 feet downstream of Spruce Street	+123	
Great Quittacas Pond	Entire shoreline within community	+55	Town of Middleborough, Town of Rochester
Hathaway Pond	The area around State Route 105	+14	Town of Rochester
Hockomock River	At the Town River confluence	+63	Town of Bridgewater
	Approximately 1,000 feet downstream of the Maple Street Bridge	+63	
Matfield River	At the Bridge Street bridge	+33	Town of East Bridgewater
	Approximately 260 feet upstream of the Bridge Street bridge	+33	

Meadow Brook	Approximately 300 feet downstream of State Route 18	+75	Town of Whitman
Oldham Pond	Entire shoreline within community	+59	Town of Hanson
Rocky Meadow Brook	At the Weweantic River confluence	+77	Town of
	Approximately 0.75 mile upstream of France Street	+84	Middleborough
Salisbury Plain River	Approximately 1 mile downstream of the Sergeants Way Bridge	+67	Town of West
	Approximately 3,200 feet downstream of the Sergeants Way Bridge	+70	Bridgewater
Satucket River	Just upstream of the Pond Street Bridge	+42	Town of Halifax
Shumatuscacant River	Approximately 1,000 feet upstream of the Essex Street Bridge	+78	Town of Whitman
	Approximately 3,000 feet upstream of the Essex Street Bridge	+80	
Stream River	At the Shumatuscacant River confluence	+80	Town of Whitman
	Approximately 400 feet upstream of the Shumatuscacant River confluence	+80	
Third Herring Brook	From downstream of the River Street Bridge to the North River confluence	+8	Town of Hanover
Town River	Approximately 1,200 feet upstream of the High Street Bridge	+47	Town of
	Approximately 1,500 feet upstream of the High Street Bridge	+48	Bridgewater
	Approximately 1,100 feet upstream of the Forest Road Bridge	+62	
	At the Hockomock River confluence	+63	
Tributary A	Just upstream of the Summer Street Bridge	+71	Town of Hanover
Tributary to Meadow Brook	Approximately 1,300 feet upstream of the Meadow Brook confluence	+75	Town of Whitman
	Approximately 1,600 feet upstream of the Meadow Brook confluence	+75	
Weweantic River	Approximately 1 mile downstream of State Route 58	+63	Town of
	At the Rocky Meadow Brook confluence	+77	Middleborough, Town of Wareham

\*National Geodetic Vertical Datum.

+North American Vertical Datum.

#Depth in feet above ground.

^Mean Sea Level, rounded to the nearest 0.1 meter.

#### ADDRESSES:

##### Town of Abington:

Maps are available for inspection at the Town Hall, 500 Gliniewicz Way, Abington, MA 02351

##### Town of Bridgewater:

Maps are available for inspection at the Town Hall, 66 Central Square, Bridgewater, MA 02324

**Town of East Bridgewater:**

Maps are available for inspection at the Town Hall, 175 Central Street, East Bridgewater, MA 02333

**Town of Halifax:**

Maps are available for inspection at the Town Hall, 499 Plymouth Street, Halifax, MA 02338

**Town of Hanover:**

Maps are available for inspection at the Town Hall, 550 Hanover Street, Suite 29, Hanover, MA 02339

**Town of Hanson:**

Maps are available for inspection at the Town Hall, 542 Liberty Street, Hanson, MA 02341

**Town of Hingham:**

Maps are available for inspection at the Town Hall, 210 Central Street, Hingham, MA 02043

**Town of Hull:**

Maps are available for inspection at the Town Hall, 253 Atlantic Avenue, Hull, MA 02045

**Town of Lakeville:**

Maps are available for inspection at the Town Hall, 346 Bedford Street, Lakeville, MA 02347

**Town of Marion:**

Maps are available for inspection at the Town Hall, 2 Spring Street, Marion, MA 02738

**Town of Mattapoisett:**

Maps are available for inspection at the Town Hall, 16 Main Street, Mattapoisett, MA 02739

**Town of Middleborough:**

Maps are available for inspection at the Town Hall, 10 Nickerson Avenue, Middleborough, MA 02346

**Town of Norwell:**

Maps are available for inspection at the Town Hall, 345 Main Street, Norwell, MA 02061

**Town of Rochester:**

Maps are available for inspection at the Town Hall, One Constitution Way, Rochester, MA 02770

**Town of Wareham:**

Maps are available for inspection at the Memorial Town Hall, Administration Department, 54 Marion Road, Wareham, MA 02571

**Town of West Bridgewater:**

Maps are available for inspection at the Town Hall, 65 North Main Street, West Bridgewater, MA 02379

**Town of Whitman:**

Maps are available for inspection at the Town Hall, 54 South Avenue, Whitman, MA 02382

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated:

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**David L. Miller,**

Associate Administrator,

Federal Insurance and Mitigation Administration,

Department of Homeland Security,

Federal Emergency Management Agency.