IMPORTANT FLOOD DISTRICT NOTICE
HOPEWELL EMERGENCY MANAGEMENT AGENCY

Flood District Residents / Property Owner's
Hopewell Township

July 30, 2014

RE: Federal Emergency Management Agency Special Flood Hazard Areas

Dear Hopewell Flood District Residents / Property Owner's,

Please be advised that on February 15, 2013 the Department of Homeland Security's Federal Emergency Management Agency **(FEMA)** provided Beaver County Communities (Hopewell Township) revised copies of the Preliminary Flood Insurance Rate Maps **(FIRM)** and Flood Insurance Study **(FIS)** Report. FEMA has posted digital copies of these revised documents to the Website: http://www.fema.gov/preliminaryfloodhazarddata. The proposed flood hazard information may include the addition or modification of Special Flood Hazard Areas **(SFHAs)** being the areas that would be inundated by the base (1 %- percent-annual-chance) flood; Base Flood Elevations **(BFEs)** or depths; zone designations; or regulatory floodways.

Next, on December 1, 2011, FEMA revised its existing appeal policy to expand the due process procedures currently provided for new or modified BFEs and base flood depths to other new or modified flood hazard information shown on a FIRM, including the addition or modification of any SFHA boundary or zone designation or regulatory floodway. ***NOTE New/Additional information of FEMA's Expanded Appeals Process **(EAP)** is given in the following part of this correspondence titled ***"Changes to FEMA's Appeals Process."***

Now, FEMA, will publish notification of the proposed flood hazard determinations for Beaver County (Hopewell) in the Federal Register and notification concerning the appeal process in the Beaver County Times on or about 7/29 and 8/5/14. The Appeals Process also follows this notice. "Flood Hazard Determinations" can also be found on the FEMA Website at www.fema.gov/plan/prevent/fhm/bfe

Finally, these proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that Hopewell Township must adopt to remain qualified for participation in the National Flood Insurance Program **(NFIP)**. Most importantly, before any new or modified flood hazard information is effective, FEMA will provide an opportunity to appeal the proposed flood hazard information of the FIRM (maps) and the FIS (Flood Insurance Study). During a 90-Day Appeal period following the second publication of the public notification in the BC Times, any owner or lessee of real property in Hopewell Township who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may appeal that determination. **(See Appeals Process & Criteria)**

The following information explains the changes to FEMA's Appeals Process and the Criteria for Appeals of the Flood Insurance Rate Maps. Also, there is the Federal Register Notice that was published by FEMA. Please see important phone numbers and website addresses for information and help regarding flood district property determinations and insurance. The revised FIRM's Maps are available for public inspection at the Township Zoning Office.

If you have any questions regarding the proposed flood hazard determinations, FIRM Panels or FIS Report for Hopewell Township, please call the FEMA Map Information Exchange **(FMIX)**, toll free, at 1-877-FEMA MAP (1-877-336-2627) or e-mail the FMIX Staff at FEMAMapSpecialist@riskmapcds.com.

Please be advised that if I can be of any assistance in any concerns that you may have about your property, feel free to contact me at the Hopewell Township Zoning Office, 724-375-3112, x107 or at zoningofficer@hopewelltwp.com

Sincerely,

John Bates

John Bates
Hopewell Township Zoning Officer
Hopewell Township Emergency Management Coordinator

FEMA

Changes to FEMA's Appeals Process

FEMA is revising its existing appeal policy to expand the due process procedures currently provided for new or modified Base Flood Elevations (BFEs) and base flood depths to other new or modified flood hazard information shown on a Flood Insurance Rate Map (FIRM), including the addition or modification of any Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway. SFHAs are areas subject to inundation by the base flood and include the following flood insurance risk zone designations: A, AO, AH, A1-A30, AE, A99, AR, AR/A1-A30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-V30, VE, and V. The regulatory floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water-surface elevation more than a designated height.

When is the new policy effective?

This guidance is effective as of December 1, 2011 and applies to certain in-progress and all future flood studies and Physical Map Revisions (PMRs). Specifically it will apply to all flood studies and PMRs for which preliminary and certain revised preliminary FIRMs and Flood Insurance Study (FIS) reports are issued on or after December 1, 2011. It will also apply to all flood studies and PMRs for which a proposed flood hazard determination (formerly called a Proposed Rule) is published in the FEDERAL REGISTER on or after December 1, 2011. It will not apply to flood studies and PMRs for which preliminary FIRMs and FISs were issued prior to December 1, 2011 and for which a statutory 90-day appeal period was not required at the time of issuance.

The guidance also applies to Letters of Map Revision (LOMRs) that reflect updated flood hazards issued on or after December 1, 2011.

What Effect will the Policy Change Have?

Under the new policy, the addition/modification of BFEs/base flood depths or any change in SFHA boundary, floodway delineation, or zone designation requires a statutory 90-day appeal period and the fulfillment of the additional due process notification requirements outlined in the National Flood Insurance Program regulations.

Federal Register publications and other public notices identifying appealable FIRM changes will be simplified under the *Expanded Appeals Process* and will no longer include specific flooding source names or BFE listings; instead links to online preliminary Flood Insurance Studies (FISs) and FIRMs and LOMR documents will be included in the notices to allow users to better understand the changes being made to their community's FIS and FIRM.

For More Information

For more detailed information on the *Expanded Appeals Process*, refer to FEMA Procedure Memorandum 57; or contact your local FEMA Region Office: http://www.fema.gov/plan/prevent/fhm/fp_key.shtm.

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FEMA

Scientific Resolution Panels

FEMA's Scientific Resolution Panel (SRP) process reinforces FEMA's commitment to work with communities to ensure the flood hazard data depicted on Flood Insurance Rate Maps (FIRMs) is built collaboratively using the best science available. Flood hazards are constantly changing, and as such, FEMA regularly updates FIRMs through several methods to reflect those changes. When changes to the FIRMs are met with conflicting technical and scientific data, an independent third party review of the information may be needed to ensure the FIRMs are updated correctly. The Scientific Resolution Panel serves as the independent third party.

Who can request an SRP?

A community, Tribe or political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction can request FEMA use the SRP when conflicting data are presented. Chief Executive Officers or authorized community representatives must make or endorse the SRP request if they did not develop or propose the conflicting technical data.

When can communities request an SRP?

A community can request an SRP if it has:

- Not received a Letter of Final Determination (LFD);
- Submitted an appeal during the 90-day appeal period with scientific or technical data resulting in different flood hazards than those proposed by FEMA;
- Allowed at least 60 days of community consultation with FEMA (but no more than 120 days).

Additionally, a community that has received a FEMA-issued appeal resolution letter and has not exercised the SRP process will have 30 days from the issuance of the letter to request an SRP.

Independent Panel Sponsor

The SRP process is managed by the National Institute of Building Sciences (NIBS), a non-profit organization independent from FEMA. NIBS will act as the Panel Sponsor, coordinating the SRPs, ensuring that proper regulations and procedures are employed and maintaining a cadre of experts from which Panel members are selected.

Panel Member Selection

For each appeal, an SRP (or Panel) of three or five members will be convened. Panel members are technical experts in surface water hydrology, hydraulics, coastal engineering, and other engineering and scientific fields that relate to the creation of Flood Hazard Maps and Flood Insurance Studies throughout the United States.

Based on the technical specifications of the appeal, NIBS will develop a list of potential panel members with relevant expertise from its cadre of experts. NIBS will ensure that there is no conflict of interest amongst the panel members. NIBS will confirm that members do not reside in the state from which the appeal is taken and have no personal or professional interest in its findings of the appeal.

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NIBS will provide the list of eligible panel members to the community and FEMA. The community selects the majority (in the case of a five-member Panel, the community selects three), and FEMA selects the minority (in the case of a five-member Panel, FEMA selects two).

The Process

To request an SRP, the Chief Executive Officer of a community or authorized representative completes an SRP Request Form and submits it to FEMA during the time periods outlined above.

Once FEMA confirms the appeal is eligible for an SRP, FEMA will forward the SRP Request form to NIBS to initiate the Panel selection process and develop a list of potential members.

Once the Panel is convened, Panel members will be provided with a summary of the issue, FEMA's data, and the data the community submitted during the 90-day appeal period. Panel members will review the data and, on a point-by-point basis, deliberate and make a decision based on the scientific and technical challenges of the appeal.

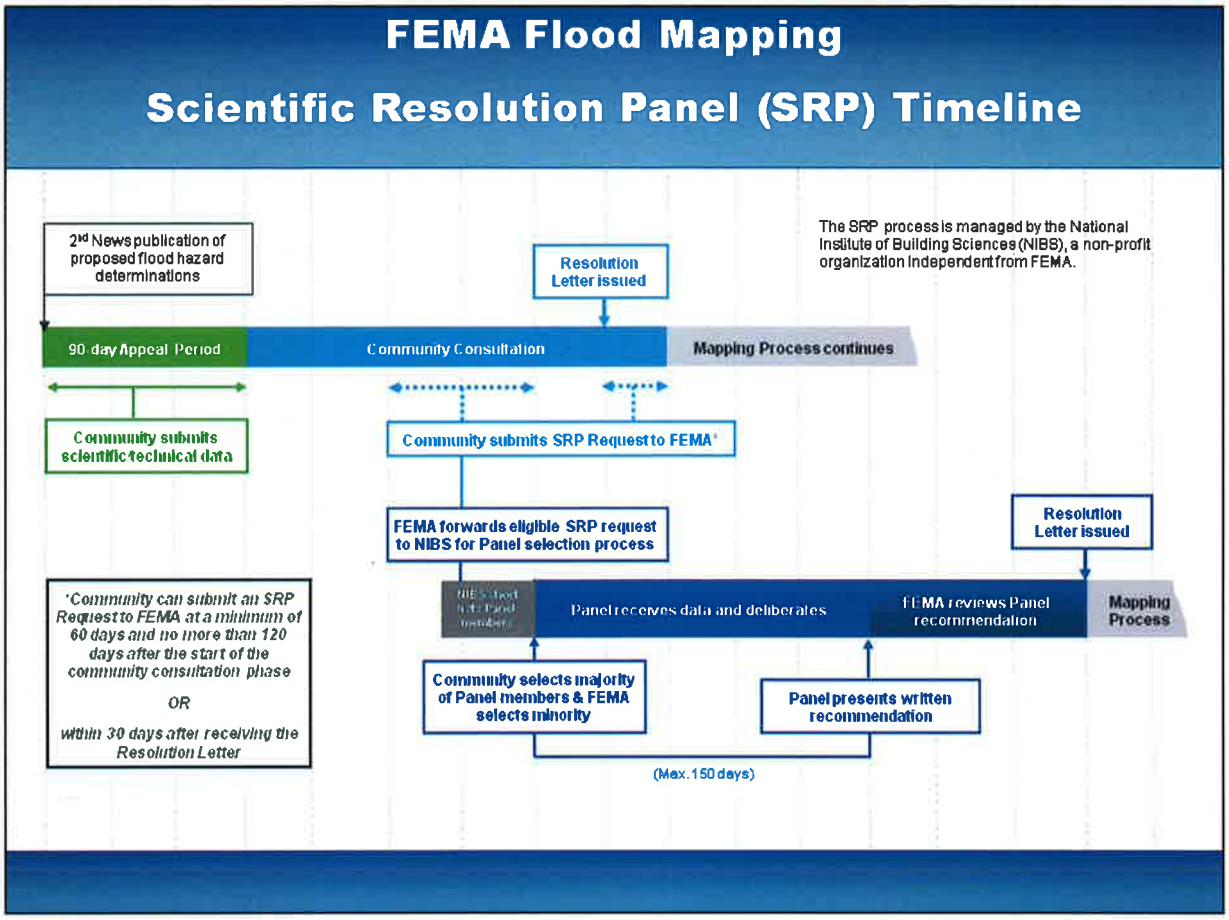
If the community feels it is necessary to make an oral presentation in support of its appeal, it must include a justification on the SRP Request Form.

Resolution

The Panel will render a written recommendation to FEMA, based on the scientific and technical data submitted by the community and FEMA. The recommendation may either deny the community's data or incorporate it in part or in whole into the FIRM. For an appeal to be incorporated, the community's data must satisfy the NFIP standards for flood hazard mapping.

The Panel will present a written report with its decision and rationale to FEMA and the community no later than 150 days after being convened. The SRP's decision will become the recommendation provided to the FEMA Administrator. Once a final determination has been made, FEMA will issue a resolution letter. If changes to the maps are made, FEMA will incorporate the changes into revised preliminary FIRM panels and Flood Insurance Study. These changes will be made available to the community with a resolution letter for review prior to the issuance of an LFD.

Once a determination is made and a resolution letter is issued, the community will not be able to re-submit an appeal of the proposed flood hazard information nor request an SRP again. If the community is not satisfied with the recommendation of the Panel or the determination of the FEMA Administrator, it may appeal to the appropriate United States District Court, as outlined in Section 67.12 of the National Flood Insurance Program (NFIP) regulations.



For Additional Information

For more information on appeals, see the FEMA document: *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps: A Guide for Community Officials* available online at http://www.fema.gov/library/viewRecord.do?id=4053.

Part 67 of the NFIP regulations, which pertains to appeals, is available through the "Forms, Documents, and Software" section of FEMA's Flood Hazard Mapping website at http://www.fema.gov/forms-documents-and-software.

Other Important Links: http://www.floodsrp.org/ www.fema.gov/plan/prevent/fhm/st_hot.shtm#2

Status of Map Change Requests: http:/www.fema.gov/plan/prevent/fhm/st_main.shtm

Risk MAP: www.fema.gov/plan/prevent/fhm/rm_main.shtm

Flood Hazard Mapping: http://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping

Flood Insurance: www.floodsmart.gov

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DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

Proposed Flood Hazard Determinations for Beaver County, Pennsylvania
(All Jurisdictions)

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has issued a preliminary Flood Insurance Rate Map (FIRM), and where applicable, Flood Insurance Study (FIS) report, reflecting proposed flood hazard determinations within all jurisdictions of Beaver County. These flood hazard determinations may include the addition or modification of Base Flood Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. Technical information or comments are solicited on the proposed flood hazard determinations shown on the preliminary FIRM and/or FIS report for all jurisdictions of Beaver County. These flood hazard determinations are the basis for the floodplain management measures that your community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program. However, before these determinations are effective for floodplain management purposes, you will be provided an opportunity to appeal the proposed information. For information on the statutory 90-day period provided for appeals, as well as a complete listing of the communities affected and the locations where copies of the FIRM are available for review, please visit FEMA's website at www.fema.gov/plan/prevent/fhm/bfe, or call the FEMA Map Information eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627).

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

Dated: April 22, 2014.

Roy E. Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2014–11007 Filed 5–12–14; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2014–0002; Internal Agency Docket No. FEMA–B–1412]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before August 11, 2014.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1412, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *http://floodsrp.org/pdfs/srp_fact_sheet.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

Community	Community map repository address
Beaver County, Pennsylvania (All Jurisdictions)	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Borough of Ambridge	Borough Hall, 600 11th Street, Ambridge, PA 15003.
Borough of Baden	Borough Hall, 149 State Street, Baden, PA 15005.
Borough of Beaver	Borough Municipal Building, 469 Third Street, Beaver, PA 15009.
Borough of Big Beaver	Big Beaver Borough Municipal Building, 114 Forest Drive, Darlington, PA 16115.
Borough of Bridgewater	Bridgewater Borough Municipal Building, 199 Boundary Lane, Beaver, PA 15009.
Borough of Conway	Borough Hall, 1208 Third Avenue, Conway, PA 15027.
Borough of Darlington	Borough Hall, 604 Morris Street, Darlington, PA 16115.
Borough of East Rochester	Borough Hall, 760 Spruce Avenue, East Rochester, PA 15074.

Community	Community map repository address
Borough of Eastvale	Eastvale Borough Office, 510 Second Avenue, Eastvale, Beaver Falls, PA 15010.
Borough of Economy	Economy Borough Municipal Building, 2856 Conway Wallrose Road, Baden, PA 15005.
Borough of Fallston	Borough Secretary's Office, 158 Beaver Street, Fallston, PA 15066.
Borough of Freedom	Borough Municipal Complex, 901 3rd Avenue, Freedom, PA 15042.
Borough of Georgetown	Office of the Borough Secretary, 323 3rd Street, Georgetown, PA 15043.
Borough of Glasgow	Glasgow Borough Hall, 174 Route 68, Midland, PA 15059.
Borough of Homewood	Homewood Borough Office, 102 Second Avenue, Beaver Falls, PA 15010.
Borough of Hookstown	Borough Building, 262 Main Street, Hookstown, PA 15050.
Borough of Industry	Borough Office, 1620B Midland Beaver Road, Industry, PA 15052.
Borough of Koppel	Borough Office, 3437 3rd Avenue, Koppel, PA 16136.
Borough of Midland	Borough Office, 936 Midland Avenue, Midland, PA 15059.
Borough of Monaca	Borough Office, 928 Pennsylvania Avenue, Monaca, PA 15061.
Borough of New Brighton	Borough Office, 610 3rd Avenue, New Brighton, PA 15066.
Borough of New Galilee	Borough Community Hall, 201 Washington Avenue, New Galilee, PA 16141.
Borough of Ohioville	Ohioville Borough Annex Building, 6268 Tuscarawas Road, Industry, PA 15052.
Borough of Patterson Heights	Patterson Heights Borough Hall, 600 7th Avenue, Beaver Falls, PA 15010.
Borough of Rochester	Borough Municipal Building, 350 Adams Street, Rochester, PA 15074.
Borough of Shippingport	Municipal Building, 164 State Route 3016, Shippingport, PA 15077.
Borough of South Heights	Borough Building, 4069 Jordan Street, South Heights, PA 15081.
Borough of West Mayfield	West Mayfield Borough Building, 4609 West 8th Avenue, Beaver Falls, PA 15010.
City of Aliquippa	City Hall 581, Franklin Avenue, Aliquippa, PA 15001.
City of Beaver Falls	City Hall, 715 15th Street, Beaver Falls, PA 15010.
Township of Brighton	Brighton Township Municipal Building, 1300 Brighton Road, Beaver, PA 15009.
Township of Center	Center Township Municipal Building, 224 Center Grange Road, Aliquippa, PA 15001.
Township of Chippewa	Chippewa Township Municipal Building, 2811 Darlington Road, Beaver Falls, PA 15010.
Township of Darlington	Township Municipal Building, 3590 Darlington Road, Darlington, PA 16115.
Township of Daugherty	Daugherty Township Municipal Building, 2182 Mercer Road, New Brighton, PA 15066.
Township of Franklin	Franklin Township Hall, 897 State Route 288, Fombell, PA 16123.
Township of Greene	Greene Township Hall, 262 Pittsburgh Grade Road, Hookstown, PA 15050.
Township of Hanover	Hanover Township Hall, 2731 State Route 18, Hookstown, PA 15050.
Township of Harmony	Harmony Township Municipal Building, 2501 Woodland Road, Ambridge, PA 15003.
Township of Hopewell	Hopewell Township Municipal Building, 1700 Clark Boulevard, Aliquippa, PA 15001.
Township of Independence	Independence Township Municipal Building, 104 School Road, Aliquippa, PA 15001.
Township of Marion	Marion Township Municipal Building, 485 Hartzell School Road, Fombell, PA 16123.
Township of New Sewickley	New Sewickley Township Municipal Building, 233 Miller Road, Rochester, PA 15074.
Township of North Sewickley	North Sewickley Township Municipal Building, 893 Mercer Road Beaver, Falls, PA 15010.
Township of Patterson	Patterson Township Municipal Complex, 1600 19th Avenue, Beaver Falls, PA 15010.
Township of Potter	Potter Township Municipal Building, 206 Mowry Road, Monaca, PA 15061.
Township of Pulaski	Pulaski Township Municipal Building, 3401 Sunflower Road, New Brighton, PA 15066.
Township of Raccoon	Raccoon Township Municipal Building, 1234 State Route 18, Aliquippa, PA 15001.
Township of Rochester	Municipal Building 1013, Elm Street, Rochester, PA 15074.
Township of South Beaver	South Beaver Township Fire Hall, 773 State Route 168, Darlington, PA 16115.
Township of Vanport	Municipal Building, 477 State Avenue, Vanport, PA 15009.
Township of White	White Township Building, 2511 13th Avenue (Clayton Road), Beaver Falls, PA 15010.

Butler County, Pennsylvania (All Jurisdictions)

Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*

Criteria for Appeals of Flood Insurance Rate Maps

November 30, 2011

FEMA

This document outlines the criteria for appealing proposed changes in flood hazard information on Flood Insurance Rate Maps (FIRMs) during the appeal period. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) applies rigorous standards in developing and updating flood hazard information and provides communities with an opportunity to review the updated flood hazard information presented on new or revised FIRMs before they become final.

1. Background

The regulatory requirements related to appeals are found in Part 67 of the National Flood Insurance Program (NFIP) regulations. Additional FEMA procedural details are provided in Procedure Memorandum No. 57, *Expanded Appeals Process*, dated November 30, 2011. Detailed information on appeals can also be found in *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials* and FEMA's *Document Control Procedures Manual.* All referenced documents are accessible through the "Guidance Documents and Other Published Resources" webpage, located at: http://www.fema.gov/plan/prevent/fhm/frm_docs.shtm.

As outlined in these documents, an appeal period is provided for all new or modified flood hazard information shown on a FIRM, including additions or modifications of any Base (1-percent-annual-chance) Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway. SFHAs are areas subject to inundation by the base (1-percent-annual-chance) flood and include the following SFHA zone designations: A, AO, AH, A1-A30, AE, A99, AR, AR/A1-A30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-V30, VE, and V. Therefore, a statutory 90-day appeal period is required when a flood study, Physical Map Revision (PMR), or Letter of Map Revision (LOMR) is proposed in which:

- New BFEs or base flood depths are proposed or currently effective BFEs or base flood depths are modified;
- New SFHAs are proposed or the boundaries of currently effective SFHAs are modified;
- New SFHA zone designations are proposed or currently effective SFHA zone designations are modified; and
- New regulatory floodways are proposed or the boundaries of currently effective floodways are modified.

Clarification on the necessity for an appeal period is provided for certain specific circumstances outlined below:

- Edge matching of effective floodplain boundaries or information. This usually occurs in first-time countywide flood mapping projects when effective BFEs, base flood depths,

SFHAs, or floodways are extended to an adjacent community that previously had differing or no BFEs, base flood depths, SFHAs, or floodways shown on their effective FIRM in order to fix a map panel to map panel mismatch. In these instances, **an appeal period is required** because BFEs, base flood depths, SFHAs, or floodways are changing or being shown for the first time in the area.

- Redelineation of effective floodplain boundaries. This occurs when an effective SFHA boundary is redrawn on the FIRM using new or updated topography to more accurately represent the risk of flooding. In these instances **an appeal period is required** because the SFHA boundary is changing. However, the appeal period will only apply to the updated SFHA boundary delineations, not the methodology used to originally establish BFEs/flood depths (since this will not have changed).

- Revisions to SFHA zone designations. A revision to an SFHA zone designation may occur with or without a BFE and/or boundary change. For example, when a Zone VE floodplain is changed to a Zone AE designation to reflect the updated location of a Primary Frontal Dune (PFD), the BFE and SFHA boundary may not necessarily change. For any change in SFHA zone designation, including the *removal* of an SFHA designation from a FIRM, **an appeal period is required**.

- Regulatory floodway boundaries. When the effective floodway boundary is redrawn on the FIRM to more accurately represent the extent of the encroachment, **an appeal period is required**.

- MT-1 cases. When the SFHA or floodway boundary is amended due to the issuance of a Letter of Map Amendment (LOMA), Letter of Map Revision based on Fill (LOMR-F), Letter of Map Revision – Floodway, or other MT-1 case, **an appeal period is not required.**

- Annexation of effective floodplain boundaries. When a new or revised FIRM shows new community boundaries which include effective BFEs, base flood depths, SFHAs, or floodways, **an appeal period is not required,** provided no BFE, base flood depth, SFHA, or floodway changes apply.

  However, in cases where the flood hazard information in the annexed area has never received due process (for example, if the area is shown for information only on all FIRMs depicting the area), **an appeal period is required**.

- Reissuance of effective LOMRs: When a LOMR is reissued after not being incorporated into a revised FIRM, **an appeal period is not required**.

- Updates that do not impact flood hazard data: When flood studies, PMRs, or LOMRs result in changes to FIRMs that do not impact BFEs, base flood depths, SFHAs, or floodways, **an appeal period is not required**.

- Datum Conversions: **An appeal period is not required** specifically for a datum conversion (e.g., a conversion from NGVD 29 to NAVD 88).

1.1. Additional Procedures for LOMRs

Beginning with LOMRs issued on or after December 1, 2011, the following procedures will apply:

In order to provide sufficient due process rights for changes due to LOMRs, any LOMR in a compliant community that requires an appeal period will become effective 120 days from the second newspaper publication date, following FEMA's current policy. This allows time to collect appeals, as well as provides for newspaper publication schedule conflicts. LOMRs in non-compliant communities or in communities that require adoption of the LOMR will become effective following the six month compliance period.

Evidence of public notice or property owner notification of the changes due to a LOMR will continue to be requested during the review of the LOMR request. This will help to ensure that the affected population is aware of the flood hazard changes in the area and the resultant LOMR. However, evidence of property owner acceptance of the changes due to a LOMR will no longer be requested. Because all LOMRs that require an appeal period will become effective 120 days from the second newspaper publication date, the receipt of such acceptance will have no effect on the effective date of the LOMR; therefore, there is no need for the requester to pursue acceptance.

2. Appeal Eligibility Requirements

Areas that are eligible for appeal include:

- Areas showing new or revised BFEs or base flood depths
- Areas showing new or revised SFHA boundaries (including both increases and decreases in the extent of the SFHA)
- Areas where there is a change in SFHA zone designation
- Areas showing new or revised regulatory floodway boundaries (including both increases and decreases in the extent of the regulatory floodway).

The area of concern must be within the scope of the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundary changes and

be supported by scientific and/or technical data. The criteria for data submittals are outlined in Title 44, Chapter 1, Code of Federal Regulations, Section 67.6(b) and in this document.

The statutory 90-day appeal period cannot be extended. FEMA may provide an additional 30 days for a community after the 90-day appeal period has ended to submit supporting and clarifying data for an appeal received during the appeal period. No appeals will be accepted after the 90-day appeal period.

Challenges that do not relate to new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways are not considered appeals. Challenges received by FEMA during the appeal period that do not address these items will be considered comments. Comments include, but are not limited to the following:

- The impacts of changes that have occurred in the floodplain that should have previously been submitted to FEMA in accordance with 44 Code of Federal Regulations, Section 65.3;
- Corporate limit revisions;
- Road name errors and revisions;
- Requests that changes effected by a LOMA, LOMR-F, or LOMR be incorporated;
- Base map errors; and
- Other possible omissions or potential improvements to the mapping.

Any significant problems identified by community officials or residents (at formal meetings or otherwise) will be addressed appropriately.

3. Supporting Data and Documentation Required for Appeals

The BFEs and base flood depths presented in Flood Insurance Study (FIS) reports and shown on FIRMs are typically the result of coastal, hydrologic and hydraulic engineering methodologies. Floodway configurations, generally developed as part of the hydraulic analyses, are adopted by communities as a regulatory tool for floodplain management and are delineated on FIRMs along with SFHAs.

Because numerous methodologies have been developed for estimating flood discharges and flood elevations/depths, and other flood hazard information under a variety of conditions, FEMA contractors, mapping partners, and others whose data and documentation FEMA approves and uses, such as communities, regional entities and State agencies participating in the Cooperating Technical Partners (CTP) Program, use their professional judgment in selecting methodologies that are appropriate for the conditions along a particular segment of a particular flooding source.

For FEMA contracted flood studies and PMRs the approach to be used will usually be discussed with community officials at the beginning of the flood study or PMR mapping process.

Because the methodologies are the result of attempts to reduce complex physical processes to mathematical models, the methodologies include simplifying assumptions. Usually, the methodologies are used with data developed specifically for the flood study, PMR, or LOMR. Therefore, the results of the methodologies are affected by the amount of data collected and the precision of any measurements made.

Because of the judgments and assumptions that must be made and the limits imposed by cost considerations, the correctness of the BFEs, base flood depths and other flood hazard information is often a matter of degree, rather than absolute. For that reason, appellants who contend that the BFEs, base flood depths, or other flood hazard information is incorrect because better methodologies could have been used, better assumptions could have been made, or better data could have been used, must provide alternative analyses that incorporate such methodologies, assumptions, or data and that quantify their effect on the BFEs, base flood depths or other flood hazard information. FEMA will review the alternative analyses and determine whether they are superior to those used for the flood study, PMR, or LOMR and whether changes to the FIS report and/or FIRM, or LOMR are warranted as a result.

Unless appeals are based on indisputable mathematical or measurement errors or the effects of natural physical changes that have occurred in the floodplain, they must be accompanied by all data that FEMA needs to revise the preliminary version of the FIS report and FIRMs. Therefore, appellants should be prepared to perform coastal, hydrologic and hydraulic analyses, to plot new and/or revised Flood Profiles, and to delineate revised SFHA zone and regulatory floodway boundaries as necessary.

An appeal must be based on data that show the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways to be scientifically or technically incorrect. All analyses and data submitted by appellants must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate. The data and documentation that must be submitted in support of the various types of appeals are discussed in the subsections that follow.

3.1. Appealing BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways

Scientifically incorrect BFEs, base flood depths, SFHA zone designations, or regulatory floodways:

Proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways are said to be scientifically incorrect if the methodology used in the determination of the BFEs,

base flood depths, SFHA zone designations, or regulatory floodways is inappropriate or incorrect, or if the assumptions made as part of the methodology are inappropriate or incorrect. An appeal that is based on the proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways being scientifically incorrect would, therefore, contend that the use of a different methodology or different assumptions would produce more accurate results. A list of National Flood Insurance Program-accepted hydrologic, hydraulic and coastal models is available on FEMA's website at http://www.fema.gov/plan/prevent/fhm/en_modl.shtm. To show that an inappropriate or incorrect coastal, hydraulic or hydrologic methodology has been used, an appellant must submit the following data, as applicable:

- New hydrologic analysis based on alternative methodology and if applicable, updated hydraulic/floodway or coastal analyses based on the updated discharge values;
- New hydraulic/floodway analysis based on alternative methodology and original flood discharge values (if the appeal does not involve the hydrologic analysis);
- New coastal analyses based on alternative methodology and original stillwater elevations (if the appeal does not involve the hydrologic analysis);
- Explanation for superiority of alternative methodology;
- As applicable, revised Summary of Discharges Table, Flood Profiles, Transect Data Table, Summary of Stillwater Elevations Table, and Floodway Data Table (FDT); and
- Revised SFHA zone boundaries and, if applicable, regulatory floodway boundary delineations.

Technically Incorrect BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways:

The proposed BFEs, base flood depths, SFHA zone designation or regulatory floodways are said to be technically incorrect if at least one of the following is true.

- **The methodology was not applied correctly.**
    - To show that a hydrologic methodology was not applied correctly, an appellant must submit the following:
        - New hydrologic analysis in which the original methodology has been applied differently;
        - Explanation for superiority of new application;
        - New hydraulic/floodway or coastal analysis based on flood discharge values from new hydrologic analysis;

        - Revised Summary of Discharges Table and/or Flood Profiles and, if applicable, FDT; and
        - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
    - To show that a hydraulic methodology was not applied correctly, an appellant must submit the following information. (*Please note that an appeal to a floodway configuration cannot be solely based on surcharge values.)*
        - New hydraulic/floodway analysis, based on original flood discharge values, in which the original methodology has been applied differently;
        - As applicable, revised Flood Profiles, FDT and other FIS report tables as needed; and
        - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
    - To show that a coastal methodology was not applied correctly, an appellant must submit the following:
        - New coastal analysis, based on the original stillwater elevations, in which the original methodology has been applied differently;
        - Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.
- **The methodology was based on insufficient or poor-quality data.**
    - To show that insufficient or poor-quality hydrologic data were used, an appellant must submit the following:
        - Data believed to be better than those used in original hydrologic analysis;
        - Documentation for source of data;
        - Explanation for improvement resulting from use of new data;
        - New hydrologic analysis based on better data;
        - New hydraulic/floodway or coastal analysis based on flood discharge values resulting from new hydrologic analysis;
        - Revised Summary of Discharges Table, Flood Profiles and, if applicable, FDT; and
        - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
    - To show that insufficient or poor-quality hydraulic data were used, an appellant must submit the following:

        - Data believed to be better than those used in original hydraulic analysis;
        - Documentation for source of new data;
        - Explanation for improvement resulting from use of new data;
        - New hydraulic analysis based on better data and original flood discharge values;
        - Revised Flood Profiles and, if applicable, FDT; and
        - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
    - To show that insufficient or poor-quality coastal analysis data were used, an appellant must submit the following:
        - Data believed to be better than those used in original coastal analysis;
        - Documentation for source of new data;
        - Explanation for improvement resulting from use of new data;
        - New coastal analysis based on better data and original stillwater elevation values; and
        - Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.
- **The application of the methodology included indisputable mathematical or measurement errors.**
    - To show that a mathematical error was made, an appellant must identify the error. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.
    - To show that a measurement error (e.g., an incorrect surveyed elevation used in the flood study, PMR, or LOMR) was made, appellants must identify the error and provide the correct measurement. Any new survey data provided must be certified by a Registered Professional Engineer or Licensed Land Surveyor. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.
- **The methodology did not account for the effects of natural physical changes that have occurred in the floodplain.**
    - For appeals based on the effects of natural physical changes that have occurred in the base floodplain, appellants must identify the changes that have occurred and provide the data FEMA needs to perform a revised analysis. The data may include new stream channel and floodplain cross sections or coastal transects.

3.2. Appeals to SFHA Boundaries

The supporting data required for changes to SFHA zone boundaries will vary, depending on whether the boundaries are for flooding sources studied by detailed methods or flooding sources studied by approximate methods, as discussed below.

Flooding sources studied by detailed methods

Usually, detailed SFHA zone boundaries are delineated using topographic data and the BFEs and base flood depths resulting from the hydraulic analysis performed for the flood study, PMR, or LOMR. If topographic data are more detailed than those used by FEMA or show more recent topographic conditions, appellants should submit that data and the revised SFHA zone boundaries for FEMA to incorporate into the affected map panels. All maps and other supporting data submitted must be certified by a Registered Professional Engineer or a Licensed Land Surveyor and must reflect existing conditions. Maps or data prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified. For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data.*

Flooding Sources Studied by Approximate Methods

Usually, where BFEs or base flood depths are not available, flood zone boundaries are delineated with the best available data, including flood maps published by other Federal agencies, information on past floods, and simplified hydrologic and hydraulic analyses. If more detailed data or analyses are submitted, FEMA will use them to update the flood hazard information shown on the affected map panels. Such data and analyses may include the following:

- Published flood maps that are more recent or more detailed than those used by FEMA;
- Analyses that are more detailed than those performed by FEMA or that are based on more detailed data than those used by FEMA;
- Topographic data and resulting updated SFHA boundaries.

For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data.*

Please note that, when applicable, appeals related to the *methodology* used to develop an approximate flood zone boundary must follow the guidelines established for appeals to BFEs, base flood depths, SFHA zone designations, or regulatory floodways under Section 3.1 above. However, since flood profiles, FDTs, Summary of Discharges Tables, Transect

Data Tables, and Summary of Stillwater Elevations Tables are not developed in support of approximate floodplain boundaries, these data will not need to be submitted for appeals to flooding sources studied by approximate methods.

All submitted data and analyses must be certified by a Registered Professional Engineer or a Licensed Land Surveyor. Maps prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified.

Additional Guidance on Appeal Submittals Involving Topographic Data
For appeal submittals that involve topographic data, the following additional guidelines must be followed:

- The data must be more detailed/accurate, and/or reflect more recent topographic conditions, and be in a digital Geographic Information System (GIS) format preferably;
- The appeal submittal must clearly state which flooding sources are being appealed based on the updated topographic data;
- Updated SFHA boundary delineations that reflect the submitted topographic data for each appealed flooding source must also be provided, preferably in digital GIS format;
- All topographic data submitted must adhere to FEMA's current data capture standards for such data;
- If necessary, a data sharing agreement must be provided.

4. Appeal Period Procedures

Appeals and comments must be resolved by following the procedures below:

- Acknowledgement by FEMA of the receipt of an appeal in writing, ensuring that acknowledged appeals include ALL of the criteria discussed above.

- Acknowledge the receipt of comments. This can be done either in writing, by FEMA, or through a documented phone conversation between the mapping partner and the community that submitted the comments. At a minimum FEMA must notify the community in writing that it did not receive any appeals. This can be done by separate correspondence or by the inclusion of language in the Letter of Final Determination (LFD).

- FEMA or the mapping partner will evaluate any scientific or technical data submitted for compliance with existing mapping statues, regulations, or Guidelines and Standards.
- FEMA or the mapping partner will request any additional scientific or technical data required to properly review the appeal or comment.
- FEMA or the mapping partner will make a recommendation to FEMA on the resolution of the appeal or comment.
- FEMA or the mapping partner will prepare a draft appeal resolution letter (if **all** the criteria for an appeal are met).
- The assigned mapping partner shall dispatch the signed FEMA appeal resolution letter and if warranted, Revised Preliminary copies of the FIRM and FIS report to the community CEO and floodplain administrator and all appellants. All correspondence must be prepared and issued on FEMA Headquarters or FEMA Regional letterhead.
- FEMA provides a comment period of 30 days following the date the appeal or comment resolution letter is issued. Any comments received during the 30 day comment period must be addressed and resolved before proceeding with the LFD. Extensions to this 30 day period can only be granted with FEMA Headquarters approval.

5. General Technical Guidance

Detailed guidance on the supporting documentation that must be submitted in support of an appeal can be found in *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials.*

Unless appeals are based on the use of alternative models or methodologies, the hydrologic and hydraulic analyses that appellants submit must be performed with the models used for the flood study, PMR, or LOMR. Generally, when appellants are required to submit hydrologic or hydraulic analyses, those analyses must be performed for the same recurrence interval floods as those performed for the flood study, PMR, or LOMR. The vertical datum used in any data submitted must match the datum used in the preliminary FIS report and FIRM. Further, SFHA boundaries are to be shown on a topographic map (preferably, in digital form) whose scale and contour interval are sufficient to provide reasonable accuracy.

New flooding information cannot be added to a FIRM in such a way as to create mismatches with the flooding information shown for unrevised areas. Therefore, in performing new analyses and developing revised flooding information, appellants must tie the new BFEs, base flood

depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundaries into those shown on the maps for areas not affected by the appeal.

All analyses and data submitted by appellants, including those that show mathematical or measurement errors must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate.

6. Scientific Resolution Panel (SRP)

FEMA's Scientific Resolution Panel (SRP) process reinforces FEMA's commitment to work with communities to ensure the flood hazard data depicted on FIRMs is built collaboratively using the best science available.

When changes to the FIRMs are met with conflicting technical and scientific data, an independent third party review of the information may be needed to ensure the FIRMs are updated correctly. The SRP serves as the independent third party. To be eligible for an SRP, an appeal must include supporting information or data to substantiate that the BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways proposed by FEMA are scientifically or technically incorrect. An SRP request is an option only after FEMA and a local community have been engaged in a collaborative consultation process for at least 60 days without a mutually-acceptable resolution of an appeal.