



Appeals and Comments on Morris County Preliminary Flood Insurance Rate Maps

Overview

The Federal Emergency Management Agency (FEMA) has released Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS) report showing flood hazard data for communities in Morris County, New Jersey.

FEMA is releasing the preliminary FIRMs to provide local officials and residents the opportunity to identify concerns before the FIRMs and FIS reports are finalized and become the basis of floodplain management, development, and flood insurance requirements. By seeking community input early, FEMA intends to obtain and incorporate stakeholder information and feedback early in the map review process and avoid delays and costly revisions later when the maps are finalized. This fact sheet provides an overview for submitting an **appeal** or **comment** on FEMA map products.

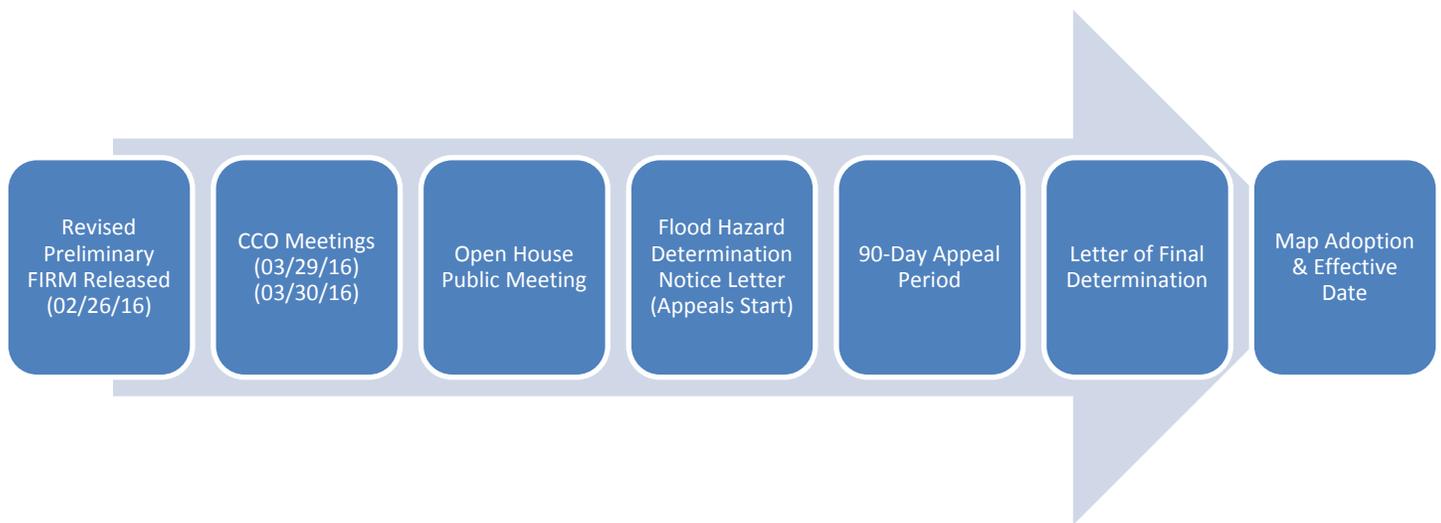
Background

FEMA regulations define the notification process and timeframe for appeals by community officials, private individuals, and other stakeholders before the FIRM and FIS report become effective. Now that FEMA has produced and delivered the preliminary FIRM and FIS report to Morris County communities, the formal review process has begun, and includes:

- Posting the preliminary FIRM and FIS report online for public review;
- Holding meetings with community officials (CCO Meeting) and the general public (Open House Meeting); and
- Publishing flood hazard determination notices about the updated FIRM and FIS report.

A statutory 90-day appeal period for the preliminary FIRM and FIS report starts with the publication of the flood hazard determination notices in the local newspaper. Figure 1 illustrates the Morris County Flood Hazard Study timeline.

Figure 1: Morris County Flood Hazard Study Timeline.



Communities should check the [Status of Map Change Requests](#) web page for specific dates when key milestones are reached for their flood study. Further information about this process can be found in [Adoption of Flood Insurance Rate Maps by Participating Communities](#).

What is the difference between an Appeal and a Comment?

An **appeal** is part of the regulatory process detailed in Part 67 of the National Flood Insurance Program (NFIP) regulations (see *Additional Resources* section below). To be considered an appeal, technical data must be submitted during the statutory 90-day appeal period that follows the release of the preliminary FIRM and FIS report. Appeals concern additions or changes to the flood hazard information shown on the preliminary FIRM and must be based on technical data that demonstrates the proposed flood hazard information is scientifically or technically incorrect. Appeals

address Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or Zone designations, and/or regulatory floodway delineations. The flood hazard information shown on the preliminary FIRM and in the FIS report is developed by experienced engineers and mapping professionals using the latest engineering methods and computer models. As a result, an appeal of the flood hazard information requires similar detailed technical data to demonstrate the preliminary flood hazard information is scientifically or technically incorrect.

A **comment** addresses other information in the FIS report or on the FIRM that does not involve new or changed flood hazard information. Comments can address corporate limits, jurisdictional boundaries, road names, base map changes, and requests for incorporation of changes resulting from a Letter of Map Revision (LOMR). By FEMA definition, the term “comment” may also apply to concerns with flood hazard data that were submitted outside the statutory 90-day appeal period.

More detail regarding the appeal and comment process can be found on FEMA's website in the document titled [Criteria for Appeals of Flood Insurance Rate Maps](#).

Can anyone submit information to revise FEMA's map products?

Yes. In fact, review and submittal of technical data by local community officials and the public is critical in the development and refinement of preliminary FIRMs. It is important for community officials to identify areas in their community where they believe the flood risk is incorrectly mapped (understated or overstated) and prepare technical data to submit to FEMA to support those concerns. Local review and feedback will produce a more precise final product and floodplain management tool that more accurately characterizes community conditions and that community officials, property owners, residents, and the general public can use to determine and reduce their flood risk. *Keep in mind, while anyone can submit data to revise the FIRM and FIS report, all data must be submitted through the local community, who will submit the information directly to FEMA.*

When can information be submitted?

Technical data or comments can be submitted any time following release of preliminary work maps or preliminary FIRM and FIS report until the close of the statutory 90-day appeal period. Communities are notified by letter regarding the start of the official 90-day appeal period, which begins after the preliminary FIRM and FIS report are issued and the proposed flood hazard determination notices are published twice in local newspapers. FEMA will begin reviewing and resolving appeals and comments as they are received.

While community officials are encouraged to submit appeals and comments as they are received from stakeholders, a technical data package submitted **before** the start of the statutory 90-day appeal period cannot be classified as a formal appeal, according to FEMA regulation. Therefore, officials should resubmit the data package, or send a letter requesting review of the submitted data, **immediately following the start of the 90-day appeal period**, if the community's concerns have yet to be resolved. This is especially true if:

- The community wishes to ensure review of the concern will be eligible for review through the Scientific Resolution Panel (SRP) process. More details regarding this process can be found on FEMA's website in the [Scientific Resolution Panels](#) fact sheet; or
- A review of the preliminary FIRM and FIS report indicates a previously submitted concern has not been resolved or resolved to the appellant's satisfaction.

For more information, please contact the [FEMA Map Information eXchange](#) (FMIX), email a Map Specialist [here](#), or call 877-336-2627.

How is information submitted?

Residents and other members of the public must submit their concerns and feedback through the local community. The local official responsible for floodplain management, or his/her designee, will review the concerns prior to submittal to FEMA by the community Chief Executive Officer. The community reviews and consolidates all appeals and divides them into one of two categories: 1) appeals or 2) comments (see section titled "*What is the difference between an Appeal and a Comment*"). After the community review is complete, the community issues a written opinion stating whether the information (scientific and technical data) presented is sufficient to justify an appeal, in the community's name, on behalf of the property owner or lessee. The community then must forward all appeals and comments that it receives, along with

its decision to appeal or not appeal on behalf of the property owner or lessee, to FEMA not later than 90-days after the date of the second newspaper publication.

To avoid a concern being overlooked, each individual concern should be documented on the *Appeal/Comment Submission Form* (included at the end of this fact sheet), and the supporting data submitted for review must be clearly listed on the form. If there is insufficient space on the form to clearly document a concern or list the supporting data, additional page(s) can and should be used.

Keep in mind that any request for a change to the preliminary work maps or FIRMs must be supported by scientific and technical data. The better the supporting documentation, the more thorough and efficient the FEMA review will be, and the more quickly an acceptable change can be made.

All comments and data must be submitted through the local community and the community Chief Executive Officer should submit all information to Robert J. Schaefer, P.E. (Telephone: (212) 680-8808, Email: Robert.Schaefer@fema.dhs.gov) by email or by mail to one of the addresses below. Please be advised that FEMA Region II has moved from 26 Federal Plaza to One World Trade Center as of March 1, 2016 and digital submission of information/data is recommended and is handled more efficiently.

Address if using US Postal Service:

Robert J. Schaefer, P.E.
Mitigation Civil Engineer
Federal Emergency Management Agency
FEMA Region II
26 Federal Plaza
New York, NY 10278

Address if using UPS/FedEx/Overnight services:

Robert J. Schaefer, P.E.
Mitigation Civil Engineer
Federal Emergency Management Agency
FEMA Region II
One World Trade Center
52nd Floor - Mail Room
New York, NY 10007

APPEAL/COMMENT SUBMISSION FORM

APPELLANT/COMMENTS INFORMATION

Full Name(s) of Appellant(s):

Company/Organization/Entity (if applicable):

Mailing Address:

City:

State:

ZIP Code:

Telephone:

E-mail:

SITE INFORMATION

Site Description:

Address or Nearest Intersection:

Community:

County/Borough:

State:

Affected FIRM Panel(s):

Flooding Source(s):

NATURE OF APPEAL OR COMMENT

Refer to FEMA's publication: [Criteria for Appeals of Flood Insurance Rate Maps](http://www.fema.gov) available at <http://www.fema.gov>. Note that your request will be categorized as an appeal or comment based on the nature of the request, the supporting information provided, and whether or not the request was received during the statutory 90 day appeal period.

This is an appeal of:

- Proposed Base Flood Elevations (BFEs)
- Proposed Flood Depths
- Proposed Special Flood Hazard Area (SFHA) Boundaries
- Proposed Regulatory Floodway Boundaries
- Proposed SFHA Zone Designations

OR

This is a comment about:

- Street/Road Name(s)
- Flooding Source Name(s)
- Jurisdictional Boundaries
- Other _____

General Description of Appeal or Comment:

SUPPORTING DOCUMENTATION

Refer to FEMA's publication: [Criteria for Appeals of Flood Insurance Rate Maps](http://www.fema.gov) available at <http://www.fema.gov>.

The following documentation is being submitted to support this appeal or comment:

- Hydrologic or Hydraulic Analyses
- Coastal Analyses
- More Detailed Topographic Data
- Revised Floodplain Mapping
- Revised Flood Insurance Study Information
- Other _____

CONFIRMATION AND SIGNATURE

I, the undersigned, attest that all of the above is true and accurate to the best of my knowledge.

Name: _____

Date: _____