



Federal Emergency Management Agency

Washington, D.C. 20472

March 22, 2023

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
APPEAL START

The Honorable Ben Zeller
Judge, Victoria County
101 North Bridge Street
Room 102
Victoria, TX 77901

Community: Victoria County,
Texas
(Unincorporated Areas)
Community No.: 480637

Dear Judge Zeller:

On September 22, 2022, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the unincorporated areas of Victoria County, Texas. FEMA has posted digital copies of these FIRM and FIS Report materials at <https://hazards.fema.gov/femaportal/prelimdownload/>.

We also request that your community make the hard copy Preliminary FIRM and FIS Report available for review at your community's map repository located at Dr. Pattie Dodson Public Health Center, 2805 North Navarro Street, Suite 106, Victoria, Texas 77901. The Preliminary FIRM and FIS Report include proposed flood hazard information for certain locations in the unincorporated areas of Victoria County, Texas. The proposed flood hazard information may include the addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (one-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

We have published a notice of the proposed flood hazard determinations in the *Federal Register* and will publish a public notification concerning the appeal process (explained below) in the *Victoria Advocate* on or about March 29, 2023 and April 5, 2023. We will also publish a separate notice of the flood hazard determinations on the "Flood Hazard Determinations on the Web" portion of the FEMA Website (https://www.floodmaps.fema.gov/fhm/BFE_Status/bfe_main.asp). We have enclosed copies of the notice published in the *Federal Register* and the newspaper notice for your information.

These proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). However, before any new or modified flood hazard information is effective for floodplain management purposes, FEMA will provide community officials and citizens an opportunity to appeal the proposed flood hazard information presented on the Preliminary FIRM and FIS report posted to the above-referenced Website.

Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) is intended to ensure an equitable balancing of all interests involved in the setting of flood hazard determinations. The legislation provides for an explicit process of notification and appeals for your community and for private persons prior to this office making the flood hazard determinations final.

During the 90-day appeal period following the second publication of the public notification in the above-named newspaper, any owner or lessee of real property in your community who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may appeal to you,

or to an agency that you publicly designate. It is important to note, however, that the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard determinations are scientifically or technically incorrect. The appeal data must be submitted to FEMA during the 90-day appeal period. Only appeals of the proposed flood hazard determinations supported by scientific or technical data can be considered before FEMA makes its final flood hazard determination at the end of the 90-day appeal period.

Note that the 90-day appeal period is statutory and cannot be extended. However, FEMA also will consider comments and inquiries regarding data other than the proposed flood hazard determinations (e.g., incorrect street names, typographical errors, omissions) that are submitted during the appeal period, and will incorporate any appropriate changes to the FIRM and FIS Report before they become effective.

If your community cannot submit scientific or technical data before the end of the 90-day appeal period, you may nevertheless submit data at any time. If warranted, FEMA will revise the FIRM and FIS Report after the effective date. This means that the FIRM would be issued with the flood hazard information presently indicated, and flood insurance purchase requirements would be enforced accordingly, until such time as a revision could be made.

Any interested party who wishes to appeal should present the data that tend to negate or contradict our findings to you, or to an agency that you publicly delegate, in such form as you may specify. We ask that you review and consolidate any appeal data you may receive and issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by your community in its own name or on behalf of the interested parties. Whether or not your community decides to appeal, you must send copies of individual appeals and supporting data, if any, to our FEMA Regional Office in Denton, Texas at the address listed below:

Roosevelt Grant
Mitigation Division Director
ATTN: Diane Howe, Appeals Coordinator
FEMA Region VI
Federal Regional Center
800 North Loop 288
Denton, Texas 76209-3698

If we do not receive an appeal or other formal comment from your community in its own name within 90 days of the second date of public notification, we will consolidate and review on their own merits such appeal data and comments from individuals that you may forward to us, and we will make such modifications to the proposed flood hazard information presented on the FIRM and in the FIS Report as may be appropriate. If your community decides to appeal in its own name, all individuals' appeal data must be consolidated into one appeal by you, because, in this event, we are required to deal only with the local government as representative of all local interests. We will send our final decision in writing to you, and we will send copies to the community floodplain administrator, each individual appellant, and the NFIP State Coordinator.

All appeal submittals will be resolved by consultation with officials of the local government involved, by an administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Use of a Scientific Resolution Panel (SRP) is also available to your community in support of the appeal resolution process when conflicting scientific or technical data are submitted during the appeal period. 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. An SRP is an option after FEMA and community officials have been

engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Please refer to the enclosed "Scientific Resolution Panels" fact sheet for additional information on this resource available to your community.

FEMA will make the reports and other information used in making the final determination available for public inspection. Until the conflict of data is resolved and the FIRM becomes effective, flood insurance available within your community will continue to be available under the effective NFIP map, and no person shall be denied the right to purchase the applicable level of insurance at chargeable rates.

The decision by your community to appeal, or a copy of its decision not to appeal, should be filed with this office no later than 90 days following the second publication of the flood hazard determination notice in the above-named newspaper. Your community may find it appropriate to call further attention to the proposed flood hazard determinations and to the appeal procedure by using a press release or other public notice.

If warranted by substantive changes, during the appeal period we will send you Revised Preliminary copies of the FIRM and FIS Report. At the end of the 90-day appeal period and following the resolution of any appeals and comments, we will send you a Letter of Final Determination, which will finalize the flood hazard information presented on the FIRM and FIS Report and will establish an effective date.

If there are further questions regarding the FIRM and FIS Report for the community, please feel free to contact one of the Regional contacts listed below for additional assistance:

For questions concerning:	Name	Telephone Number	Email
Engineering/Mapping	Larry Voice	(940) 435-9078	larry.voice@fema.dhs.gov
Community Outreach	Cynthia Wirz	(940) 898-5164	cynthia.wirz@fema.dhs.gov
Insurance	Gilbert Giron, Jr.	(940) 765-7267	gilbert.giron@fema.dhs.gov
Compliance	Michael Segner	(940) 383-7267	michael.segner@fema.dhs.gov

If you have any questions concerning mapping issues in general, please call the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP), or e-mail the FMIX staff at FEMA-FMIX@fema.dhs.gov.

Sincerely,



Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

Enclosures:
Newspaper Notice
Proposed Flood Hazard Determinations *Federal Register* Notice
"Scientific Resolution Panels" Fact Sheet

cc: Ariel Gomez, Floodplain Administrator, Victoria County
Gayle Davidson, NFIP State Coordinator, Texas Water Development Board (electronic copy)
Daniel Zell, Compass Region 6 Regional Director, RSC 6 (electronic copy)

bcc: FEDD File

Provide this notification email to the distribution list provided below within 2 days of mailing the letters and posting the web notice to the public website. Along with a PDF version of the letters, newspaper notice and the Proposed Rule published in the *Federal Register*, please include the following information in the email:

- approved docket
- web notice link
- start/end date of the appeal period
- if this is a first-time countywide or a PMR update
- the affected communities (please distinguish which communities are receiving a 90-day appeal period and which communities are receiving a 90-day comment period)

Distribution List:

RSC 6 (RSC Lead): Rachel Mollenhoff (rachel.mollenhoff@aecom.com)

RSC 6 (RPS Manager): Sydney Rauh (rauhsj@cdmsmith.com)

Study Manager/Leads, Compass

Larry Voice, (larry.voice@fema.dhs.gov) FEMA Project Monitor for the project

Michael Segner (Michael.segner@fema.dhs.gov) FEMA Compliance Specialist for the project

Lisa Jennings (Lisa.Jennings@fema.dhs.gov) for all projects

Ron Wanhanen (Ronald.Wanhanen@fema.dhs.gov) for all Risk MAP Projects

Diane Howe (Diane.Howe@fema.dhs.gov) for all projects

Cynthia Wirz (Cynthia.Wirz@fema.dhs.gov) for all projects

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-3591-EM; Docket ID FEMA-2023-0001]

California; Amendment No. 2 to Notice of an Emergency Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of an emergency declaration for the State of California (FEMA-3591-EM), dated January 9, 2023, and related determinations.

DATES: This amendment was issued January 11, 2023.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The notice of an emergency declaration for the State of California is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared an emergency by the President in his declaration of January 9, 2023.

Alameda, Contra Costa, Fresno, Kings, Lake, Madera, Mono, San Benito, San Francisco, and Tulare Counties for emergency protective measures (Category B), limited to direct federal assistance, under the Public Assistance program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,
Administrator, Federal Emergency Management Agency.

[FR Doc. 2023-01902 Filed 1-30-23; 8:45 am]

BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2023-0002; Internal Agency Docket No. FEMA-B-2303]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

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).

DATES: Comments are to be submitted on or before May 1, 2023.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> 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 <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-2303, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and

Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://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.

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 https://www.floodsrp.org/pdfs/srp_overview.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 <https://hazards.fema.gov/femaportal/>

prelimdownload and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date 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 <https://msc.fema.gov> for comparison.

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

Michael M. Grimm,
Assistant Administrator for Risk Management, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Craighead County, Arkansas and Incorporated Areas Project: 18-06-0001S Preliminary Date: June 16, 2022	
City of Jonesboro	City Hall, 300 South Church Street, Jonesboro, AR 72401.
Unincorporated Areas of Craighead County	Craighead County Annex, 511 Union, Room 119, Jonesboro, AR 72401.
Black Hawk County, Iowa and Incorporated Areas Project: 17-07-0295S Preliminary Date: August 5, 2022	
City of Cedar Falls	City Hall, 220 Clay Street, Cedar Falls, IA 50613.
City of La Porte City	City Hall, 202 Main Street, La Porte City, IA 50651.
City of Waterloo	City Hall, Planning and Zoning Department, 715 Mulberry Street, Waterloo, IA 50703.
Unincorporated Areas of Black Hawk County	Black Hawk County Courthouse, 316 East 5th Street, Waterloo, IA 50703.
Roosevelt County, New Mexico and Incorporated Areas Project: 20-06-0114S Preliminary Date: August 9, 2022	
Unincorporated Areas of Roosevelt County	Roosevelt County Courthouse, Planning Department, 109 West 1st Street, Portales, NM 88130.
Village of Causey	Roosevelt County Courthouse, Planning Department, 109 West 1st Street, Portales, NM 88130.
Village of Dora	Roosevelt County Courthouse, Planning Department, 109 West 1st Street, Portales, NM 88130.
Bertie County, North Carolina and Incorporated Areas Project: 12-04-8614S Preliminary Date: September 30, 2021	
Town of Askewville	Bertie County Inspection Department, 106 Dundee Street, Windsor, NC 27983.
Town of Colerain	Town Hall, 101 B Winton Street, Colerain, NC 27924.
Town of Lewiston-Woodville	Town Hall, 103 West Church Street, Lewiston-Woodville, NC 27849.
Town of Windsor	Building Inspections Department, 128 South King Street, Windsor, NC 27983.
Unincorporated Areas of Bertie County	Bertie County Inspection Department, 106 Dundee Street, Windsor, NC 27983.
Martin County, North Carolina and Incorporated Areas Project: 12-04-8614S Preliminary Date: September 30, 2021	
Unincorporated Areas of Martin County	Martin County Building Inspections Department, 205 East Main Street, Williamston, NC 27892.
Pitt County, North Carolina and Incorporated Areas Project: 12-04-8614S Preliminary Date: September 30, 2021	
Unincorporated Areas of Pitt County	Pitt County Planning Department, 1717 West 5th Street, Greenville, NC 27834.
Washington County, North Carolina and Incorporated Areas Project: 12-04-8614S Preliminary Date: September 30, 2021	
Town of Creswell	Town Hall, 104 South 6th Street, Suite 68, Creswell, NC 27928.
Town of Plymouth	Washington County Permits, Inspections, and Emergency Management Department, 205 East Main Street, Plymouth, NC 27962.
Town of Roper	Mayor's Office, 301 West Buncombe Street, Roper, NC 27970.
Unincorporated Areas of Washington County	Washington County Permits, Inspections, and Emergency Management Department, 205 East Main Street, Plymouth, NC 27962.
Tulsa County, Oklahoma and Incorporated Areas Project: 18-06-0010S Preliminary Date: August 26, 2022	
City of Bixby	Public Works Dawes Building, 113 West Dawes Avenue, Bixby, OK 74008.

Community	Community map repository address
City of Broken Arrow	Operations Building, 485 North Poplar Avenue, Broken Arrow, OK 74012.
City of Tulsa	Stormwater Design Office, 2317 South Jackson Avenue, Suite 302, Tulsa, OK 74107.
Unincorporated Areas of Tulsa County	Tulsa County Headquarters, 218 West 6th Street, Suite 210, Tulsa, OK 74119.

Smith County, Tennessee and Incorporated Areas
Project: 20-04-0039S Preliminary Date: July 28, 2021

Town of Carthage	Municipal Building, 314 Spring Street, Carthage, TN 37030.
Town of Gordonsville	City Hall, 63 East Main Street, Gordonsville, TN 38563.
Town of South Carthage	South Carthage Town Hall/Municipal Building, 106 South Main Street, Carthage, TN 37030.
Unincorporated Areas of Smith County	Smith County Planning Commission, 303 High Street North, Carthage, TN 37030.

Victoria County, Texas and Incorporated Areas
Project: 15-06-0744S Preliminary Date: September 22, 2022

City of Victoria	700 Main Center—Development and Permitting Center, 702 North Main Street, Suite 128, Victoria, TX 77901.
Unincorporated Areas of Victoria County	Victoria County, Dr. Pattie Dodson Public Health Center, 2805 North Navarro Street, Suite 106, Victoria, TX 77901.

[FR Doc. 2023-01886 Filed 1-30-23; 8:45 am]
 BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-4504-DR; Docket ID FEMA-2023-0001]

Kansas; Amendment No. 9 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.
ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Kansas (FEMA-4504-DR), dated March 29, 2020, and related determinations.

DATES: This change occurred on January 9, 2023.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Andrea Spillars, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Kathy Fields as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,
 Administrator, Federal Emergency Management Agency.

[FR Doc. 2023-01905 Filed 1-30-23; 8:45 am]
 BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-4677-DR; Docket ID FEMA-2022-0001]

South Carolina; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.
ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of South Carolina (FEMA-4677-

DR), dated November 21, 2022, and related determinations.

DATES: This amendment was issued December 22, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of South Carolina is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of November 21, 2022.

Abbeville, Aiken, Allendale, Anderson, Bamberg, Barnwell, Beaufort, Calhoun, Cherokee, Chester, Chesterfield, Colleton, Darlington, Dorchester, Edgefield, Fairfield, Florence, Greenville, Greenwood, Hampton, Kershaw, Lancaster, Laurens, Lee, Lexington, Marion, Marlboro, McCormick, Newberry, Oconee, Orangeburg, Pickens, Richland, Saluda, Spartanburg, Sumter, Union, and York Counties for emergency protective measures (Category B), including direct federal assistance under the Public Assistance program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals

OVERVIEW

SCIENTIFIC RESOLUTION PANELS

The Federal Emergency Management Agency (FEMA), through its flood hazard mapping program, Risk MAP (Risk Mapping, Assessment, and Planning), identifies flood hazards, assesses flood risks, and partners with states, tribes and local communities to provide accurate flood hazard and risk data to guide them in taking effective mitigation actions. The resulting National Flood Insurance Program (NFIP) maps provide the basis for community floodplain management regulations and flood insurance requirements.

What is a Scientific Resolution Panel?

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) are developed collaboratively, using the best science available.

Flood hazards are constantly changing, and FEMA updates FIRMs through several methods to reflect those changes. When proposed changes to a FIRM are met with conflicting technical and/or scientific data during a regulatory appeal period, an independent third-party review of the information may be appropriate. An SRP serves as an independent third party.

The SRP process benefits both FEMA and the community:

- ▶ It offers a neutral review process by independent third parties.
- ▶ It confirms FEMA's commitment to using the best science for the purpose of accurately depicting flood hazards on flood maps.
- ▶ It provides an additional opportunity for resolving community appeals involving conflicting technical and/or scientific data.

While FEMA had previously established an SRP process, the Biggert-Waters Flood Insurance Reform Act of 2012 formally established a statutory SRP process. The *Appeal and Comment Processing Guidance for Flood Risk Analysis and Mapping*, which incorporates the legislative requirements for the SRP, is available at www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping

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* at www.fema.gov/media-library/assets/documents/17930

Part 67 of the NFIP regulations, which pertains to appeals, is available at <http://www.fema.gov/guidance-documents-other-published-resources>

FEMA's Guidelines and Standards for Flood Risk Analysis and Mapping webpage includes the *Appeal and Comment Processing Guidance for Flood Risk Analysis and Mapping*: www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping

Templates and Other Resources:

www.fema.gov/media-library/assets/documents/32786?id=7577

Other Important Links:

- NIBS Scientific Review Panel website: www.floodsrp.org/
- Risk MAP: www.fema.gov/risk-mapping-assessment-and-planning-risk-map
- Information on Recent and Upcoming Map Changes: www.fema.gov/status-map-change-requests
- Flood Insurance: www.floodsmart.gov

RISK MAPPING, ASSESSMENT, AND PLANNING PROGRAM (RISK MAP)

The Federal Emergency Management Agency's Risk MAP Program delivers quality data that increases public awareness and leads to action to reduce risk to life and property. Risk MAP is a nationwide program that works in collaboration with states, tribes, and local communities using best available science, rigorously vetted standards, and expert analysis to identify risk and promote mitigation action, resulting in safer, more resilient communities.

Who Can Request an SRP?

A community, tribe, or other political entity with the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction can request that FEMA use an SRP when conflicting technical and/or scientific data have been presented. For additional information, review the *Appeal and Comment Processing Guidance for Flood Risk Analysis and Mapping* at www.fema.gov/guidelines-and-standards-flood-risk-analysis-and-mapping.

When Can Communities Request an SRP?

A community can request an SRP if the following requirements have been met:

- ▶ It has not yet received a Letter of Final Determination (LFD) from FEMA.
- ▶ Conflicting technical and/or scientific data, submitted during the 90-day appeal period, resulted in different flood hazards than those proposed by FEMA.
- ▶ At least 60 days of community consultation with FEMA (but no more than 120 days) have taken place.

Additionally, a community that receives a FEMA-issued resolution letter and has not previously 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 for Building Sciences (NIBS), a non-profit organization independent of FEMA. NIBS will administer the SRPs, ensuring that proper guidelines and procedures are employed and maintaining a cadre of experts from which panel members are selected.

Panel Member Selection

Five panelists are convened for each appeal brought to the SRP request. Panel members are technical experts in surface water hydrology, hydraulics, coastal engineering, and other engineering and scientific fields that relate to the creation of FIRMs and Flood Insurance Studies (FIS) throughout the United States.

Based on the technical challenges associated with each request, NIBS develops a list of potential members with relevant expertise, from its cadre of experts. NIBS also checks that those listed are available to serve, do not reside in the state from which the appeal or data were filed, and have no personal or professional interest in its findings for the flood risk project.

NIBS provides the list to the community and FEMA to select the panel members. The community selects at least the simple majority (three), and FEMA selects the remaining panel members from the short list of cadre members, based on the technical challenges of the appeal or data submittal.

The Process

To request a review by an SRP, the community's Chief Executive Officer or designee completes an SRP Request Form and submits it to FEMA during the time periods outlined above. Once FEMA confirms that the situation and the conflicting technical and/or scientific data are eligible for an SRP, it forwards the SRP Request Form to NIBS, which will initiate the panel selection process and develop a list of potential members.

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

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

Resolution

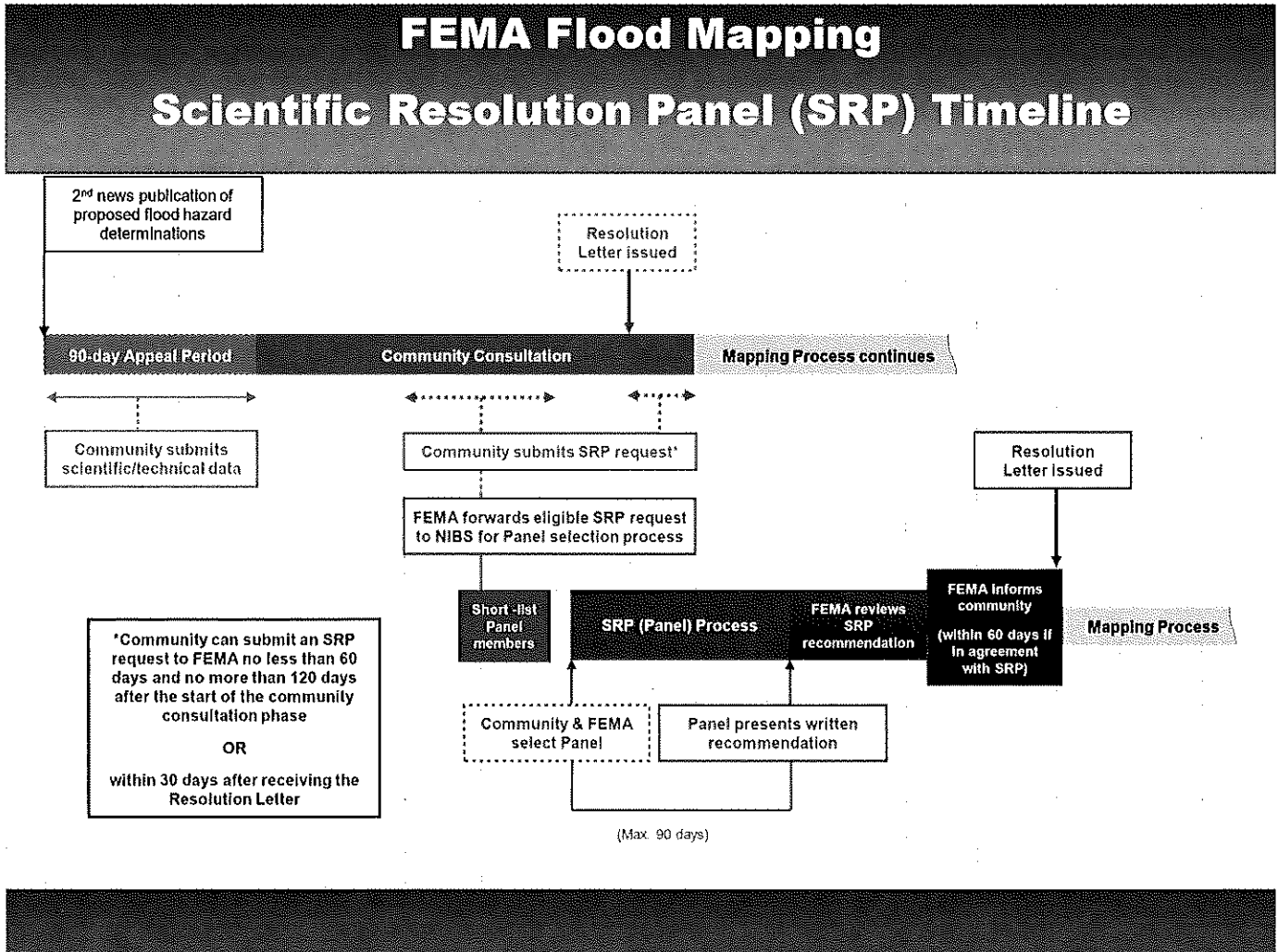
The panel must present its written report to the community and FEMA within 90 days of being convened, and that report will be used by the FEMA Administrator for making the final determination. A panel determination must be in favor of either FEMA or the community on each distinct element of the dispute, and the panel may not offer any alternative determination as a resolution. In the case of a dispute submitted by the community on behalf of an owner or lessee of real property in the community, the panel determination must be in favor of either FEMA, the community, or the owner/lessee on each distinct element of the dispute.

If changes to the maps are recommended in the panel's determination, and FEMA elects to implement the panel's determination, FEMA will incorporate the changes into a revised Preliminary FIRM and, if appropriate, FIS report. The revised products will be available to the community for review, with a resolution letter, before FEMA issues an LFD.

Once the SRP provides its determination and FEMA issues its resolution letter to implement the recommendations, the SRP recommendations are binding on all appellants and not subject to judicial review.

If the FEMA Administrator elects not to accept the panel's findings, the Administrator will issue a written justification within 60 days of receiving the report from the SRP. Under these circumstances, the appellants maintain their right to appeal FEMA's final determination to the appropriate Federal District Court.

Figure 1: SRP Timeline



DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

Proposed Flood Hazard Determinations for Victoria County, Texas and Incorporated Areas

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 the City of Victoria, and the unincorporated areas of Victoria 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 the aforementioned communities. 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. This appeal period will commence on the second publication date of this notice scheduled on or about April 5, 2023. 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 https://www.floodmaps.fema.gov/flm/BFE_Status/bfe_main.asp, or call the FEMA Mapping and Insurance eXchange toll free at 1-877-FEMA MAP (1-877-336-2627).