

Appeal Process

The appeal is a formal objection to new or revised BFE shown on a Preliminary DFIRM or FIS report submitted by a community during the 90-day appeal period. An appeal must be based on data that show the proposed BFEs to be scientifically or technically incorrect. The distinction between “scientifically incorrect” and “technically incorrect” is important because of the differences in the types and amounts of data required to support the appeal.

“SCIENTIFICALLY INCORRECT”

Basis of Appeal	Data Required to Support Appeal	Data Certified By
Incorrect or inappropriate methodology used in a new study	<ul style="list-style-type: none"> ➤ Explanation for superiority of alternative hydrologic or hydraulic methodology. ➤ Revised study, including updated hydrologic and/or hydraulic analyses, flood profiles, and floodplain and floodway boundaries as necessary, using the alternative methods or data that are believed to be superior to those used in the preliminary study. 	Professional Engineer
Incorrect or inappropriate assumptions in the methodology used in a new study		

“TECHNICALLY INCORRECT”

Basis of Appeal	Data Required to Support Appeal	Data Certified By
Methodology not correctly applied in new study	<ul style="list-style-type: none"> ➤ Explanation for superiority of new application of hydrologic or hydraulic methodology. ➤ Revised study, including updated hydrologic and/or hydraulic analyses, flood profiles, and floodplain and floodway boundaries as necessary, in which the original methodology used in the preliminary study has been applied differently. 	Professional Engineer
Insufficient or poor quality data in new study		
Mathematical error in a new study	<ul style="list-style-type: none"> ➤ Information that identifies the error and provides the correct calculation. 	Professional Engineer or Registered Land Surveyor, as appropriate
Measurement error in a new study	<ul style="list-style-type: none"> ➤ Information that identifies the error and provides the correct measurement. 	
Physical change in the floodplain since the new study	<ul style="list-style-type: none"> ➤ Information that identifies the change and sufficient topographical and/or structural data for an updated hydraulic analysis. ➤ Certified topographic maps or other certified ground elevation data of greater detail or more recent than those used for the preliminary DFIRM panel in question. 	

Protest Process

The protest is a formal objection to new or revised information shown on a Preliminary DFIRM or FIS report during the 90-day appeal period that does not involve base flood elevations. Protests generally involve comments regarding the delineation of the updated floodplain boundaries and floodways, corporate limits, and road names/locations.

Basis of Protest	Data Required to Support Protest	Data Certified By
Floodplain boundaries, Floodway limits	<ul style="list-style-type: none">➤ Certified topographic maps or other ground certified ground elevation data of greater detail and/or more recent than those used for the preliminary FIRM panel in question.➤ Requested changes to the floodplain should be annotated on the topographic mapping and preliminary FIRM panel.➤ Protests of a floodway may require updated hydraulic modeling.	Professional Engineer, Registered Land Surveyor, or GIS Specialist
Corporate Limits, Road Names/Locations	<ul style="list-style-type: none">➤ Community maps in either digital or paper format showing the current information.	Community Official, Professional Engineer, Registered Land Surveyor, or GIS Specialist

Submittal of Appeals and Protests

All appeals and protests and all supporting data should be submitted to the Chief Executive Officer (CEO) of the community or to the local official designated by the CEO (such as a floodplain administrator, city planner, or city engineer). The CEO or designated community official should review each Appeal or Protest received regarding a preliminary FIRM or FIS report to verify that all supporting documentation is supplied. It is then the community’s responsibility to forward this information to the NFWFMD’s study contractor, URS, along with a statement as to whether the community supports or does not support the appeal or protest. Any appeals or protests received by the community must be forwarded to the NFWFMD’s study contractor, URS, before the completion of the 90-day appeal period. All appeals and protests and all supporting data should be sent to:

Robert Johnson, P.E.
URS Corporation Southern
7650 W. Courtney Campbell Causeway
Tampa, FL. 33607

In addition, it is requested that the community also send a copy of this information to:

Jerrick Saquibal, P.E., CFM
Northwest Florida Water Management District
81 Water Management District
Havana, Florida 32333