FEMA

Fact Sheet

Scientific Resolution Panels

FEMA's new 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 will serve 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 during the 90-day appeal period an appeal or protest 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 resolution letter and has not exercised the SRP process will have 30 days from the issuance of the letter to request an SRP. Communities that have submitted appeals or protests but as of November 1, 2010 have not received an LFD will have until January 15, 2011, 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 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 or protest, an SRP (or Panel) of three or five members is 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 specifics of the appeal or protest, 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 protest is taken and have no personal or professional interest in its findings of the appeal or protest.

NIBS provides the list to the community and FEMA to select the Panel members. 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 CEO 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 or protest is eligible for an SRP, it forwards 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 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 or protest.

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

Resolution

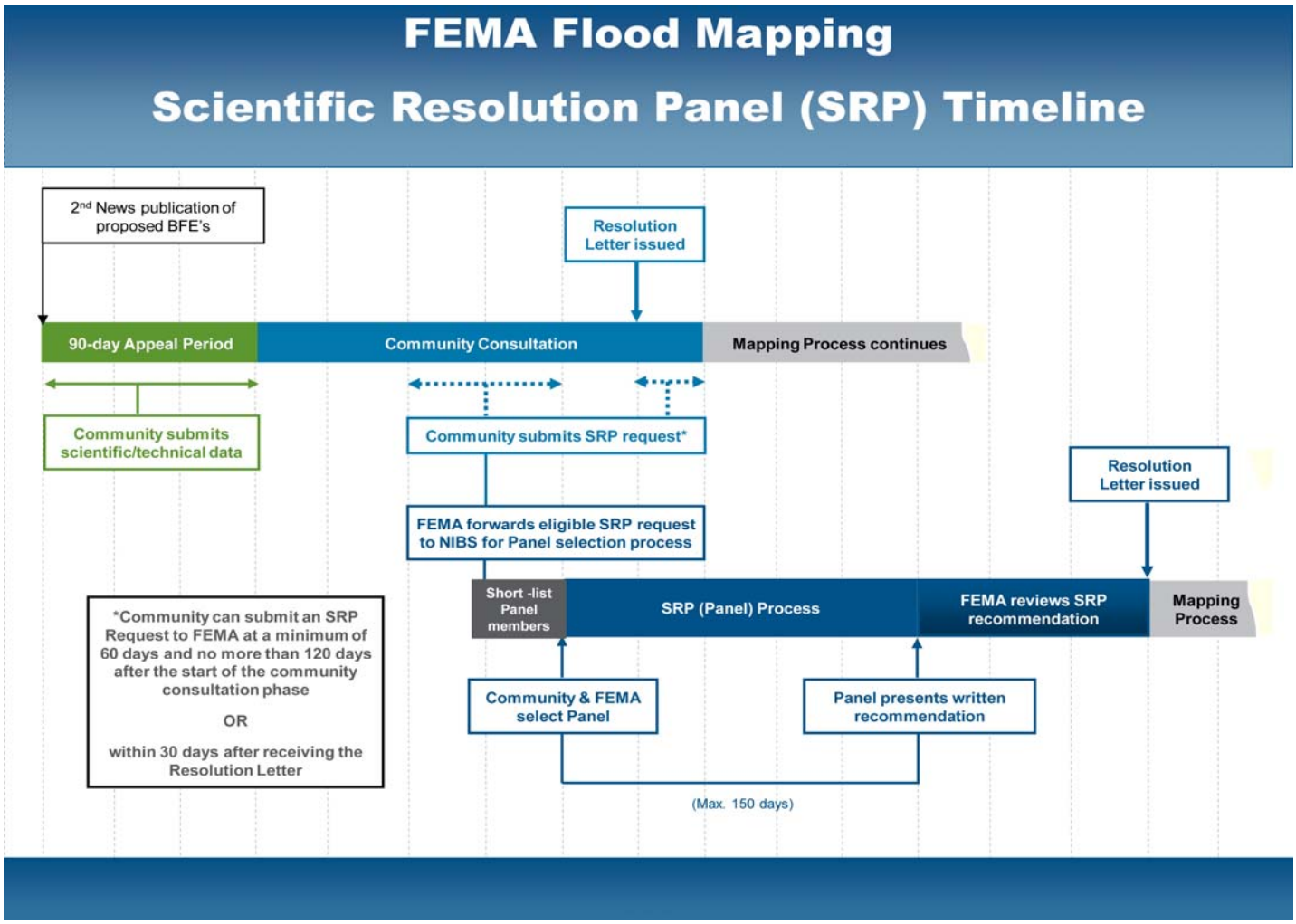
Based on the scientific and technical data submitted by the community and FEMA, the Panel will render a written recommendation that FEMA either deny the community's data or incorporate it in part or in whole into the FIRM. For an appeal or protest to be incorporated, the community's data must satisfy 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 to the FEMA Administrator, who will make the final determination. FEMA will issue a resolution letter.

If changes to the maps are made, FEMA will incorporate the changes into revised preliminary FIRMs and Flood Insurance Studies and make them available to the community with a resolution letter for review prior to issuing an LFD.

Once a determination is made and a resolution letter is issued, the community will not be able to re-file the appeal or protest of the proposed flood elevations nor request an SRP again.

For a regulatory appeal, 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.



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*.

Part 67 of the NFIP regulations, which pertains to appeals, is available on the "Forms and Publications" section of FEMA's Flood Hazard Mapping website at www.fema.gov/fhm.

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

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

Flood Hazard Mapping: www.floodmaps.fema.gov Flood Insurance: www.floodsmart.gov