

**Federal Emergency Management Agency (FEMA)  
Map Adoption Steps & Appeals for  
New Flood Insurance Rate Maps**

**Merrimack County**

Milestones\*

September 28, 2007	FEMA sends letters to communities regarding availability of the Preliminary Flood Insurance Study (FIS) and Preliminary Flood Insurance Rate Maps (FIRMs) for review and comment.
October 2007	The NH Office of Energy & Planning (OEP) conducts floodplain ordinance compliance reviews for all Merrimack County communities. OEP sends each community a letter detailing any necessary changes to their floodplain ordinance and information about the map adoption process.
January 17, 2008	FEMA holds Community Coordination Meetings to explain what has been updated on the maps and the map adoption process.
April 7, 2008	<p>If applicable, FEMA sends a certified return receipt letter to the chief executive official (CEO) of a community informing the community of the new base flood elevations and information about the appeal process.</p> <p>If applicable, FEMA publishes two notices of the proposed base flood elevation determination for Merrimack County in the Federal Register and in local area newspaper(s).</p>
April 28 – July 28, 2008 90-Day Appeal Period**	The 90-day appeal period begins on the date the second notice is published in local area newspaper(s). After the appeal period and any appeals have been resolved, FEMA issues a Letter of Final Determination, which will be sent to the community's CEO, the State Coordinating Agency, and all individual appellants. After the appeal period, FEMA publishes the final base flood elevations in the Federal Register.
October 19, 2009 to April 19, 2010 Six-Month Compliance Period	<p>Communities will have six months after the issuance of the Letter of Final Determination to adopt any changes to their floodplain ordinance through their legislative body and adopt the new maps through a resolution by their governing body. A town clerk-certified copy of the updated floodplain ordinance and resolution has to be submitted to OEP and FEMA Region 1 <b>before</b> the maps become effective.</p> <p>Until FEMA is informed a community is compliant (has successfully completed the adoption process) by OEP, the community will receive "90-Day" and "30-Day" letters reminding them that they have those many days until the maps go effective and to adopt the new maps.</p>
April 19, 2010	<p>FIS and FIRMs become effective.</p> <p><b>Any community that has not adopted the new maps and submitted a certified copy of their updated floodplain ordinance to FEMA Region 1 before the maps become effective will be suspended from the National Flood Insurance Program.</b></p>

\* Future dates are tentative and are subject to change

\*\* See next page for more details.

## **Appeal Period**

- The 90-day appeal period begins after the 2<sup>nd</sup> notice is published in the local newspapers.
- An appeal must include scientific or technical data that tend to negate or contradict the proposed flood elevation findings.
- Appeals by citizens shall be submitted to the chief executive officer (CEO) of the community for review and determination if the scientific or technical grounds for an appeal warrants forwarding the appeal to FEMA.
- Any and all appeals by citizens or the community received within 90 days must be resolved, before the next step.
- The FEMA Administrator shall resolve such appeals by consultation with local officials, or by administrative hearings, or by submission of the contradictory data to an independent scientific body or appropriate Federal agency.
- After 90 days and after all appeals are resolved, FEMA will issue a Letter of Final Determination.
- Within 60 days of a Final Determination, an appeal may be filed with the U.S. District Court.

**For more information about appeals and protests**, please view FEMA's *Appeals and Protests to NFIP Maps – A Guide for Community Officials* at:

<http://www.nh.gov/oep/programs/floodplainmanagement/documents/AppealsandProteststoNFIPMaps.pdf>

## **Merrimack County Maps and Study Available for Viewing**

Digital Flood Insurance Rate Maps - [www.granit.unh.edu/dfirms](http://www.granit.unh.edu/dfirms)

Flood Insurance Study - [www.granit.unh.edu/dfirms/FIS.html](http://www.granit.unh.edu/dfirms/FIS.html)

Any questions or problems accessing the maps and study, please contact:

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Complex Systems Research Center  
Morse Hall  
University of New Hampshire  
Durham, NH 03824

Phone: (603) 862-1792  
Email: [Chris.Phaneuf@unh.edu](mailto:Chris.Phaneuf@unh.edu)

## **More Information**

For more information about the Map Modernization Program in NH, please visit the NH Office of Energy and Planning's web site at <http://www.nh.gov/oep/programs/floodplainmanagement/modernization.htm>.

If you have any questions about the map adoption process, please contact the NH Office of Energy and Planning either by phone at (603) 271-2155 or by email at [jennifer.gilbert@nh.gov](mailto:jennifer.gilbert@nh.gov).