



Federal Emergency Management Agency
Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
APPEAL START

August 19, 2024

The Honorable John Whicker
Mayor, City of Bluffton
128 East Market Street
Bluffton, IN 46714

Case No: 15-05-1087
Community: City of Bluffton, Wells County, IN
Community No.: 180289

Dear Mayor Whicker:

On September 30, 2021, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the revised Flood Insurance Rate Map (FIRM), and Flood Insurance Study (FIS) report for Wells County, Indiana and Incorporated Areas. FEMA has posted digital copies of these revised FIRM, and FIS Report materials to the following Website: <https://hazards.fema.gov/femportal/prelimdownload/>. The Preliminary FIRM, and FIS Report include proposed flood hazard information for certain locations in the City of Bluffton. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-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 News-Banner* on or about August 26, 2024, and September 3, 2024. 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 revised 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. The appeal procedure is outlined below for your information.

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 revised 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 revised 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:

Adam Bales
Indiana Department of Natural Resources
402 West Washington Street,
Indianapolis, Indiana 46204
or by email at ABales@in.dnr.gov

Additional copy to:

Ken Hinterlong, FEMA Region 5
536 South Clark Street, 6th Floor
Chicago, Illinois 60605
ken.hinterlong@fema.dhs.gov

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 revised FIRM and in the revised 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 State NFIP 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 revised FIRM and FIS Report become 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 revised 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 revised FIRM and FIS Report and will establish an effective date.

If you have any questions regarding the proposed flood hazard determinations, revised FIRM panels, or revised FIS report for your community, please call our FEMA Mapping and Insurance eXchange (FMIX), toll free, at 1 877 FEMA MAP (1 877 336 2627) or e-mail the FMIX staff at FEMA-FMIX@fema.dhs.gov.

Sincerely,



Luis V. Rodriguez, P.E,
Director, Engineering and Modeling Division
Risk Management Directorate | Resilience

List of Enclosures:

Newspaper Notice
Proposed Flood Hazard Determinations Federal Register Notice

“Scientific Resolution Panels” Overview

cc: Michael Lautzenheiser Jr., Floodplain Administrator, City of Bluffton
Community Map Repository

bcc: Mary Beth Caruso, Mitigation Division Director RV-MT
Ken Hinterlong, Regional Engineer, FEMA Region V
Darren Pearson, State NFIP Coordinator
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August 19, 2024

Case No: 15-05-1087S

Joshua Barkley
Town Board President
507 North Jefferson Street
Ossian, IN 46777

Community: Town of Ossian, Wells County, IN
Community No.: 180290

Dear Joshua Barkley:

On September 30, 2021, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the revised Flood Insurance Rate Map (FIRM), and Flood Insurance Study (FIS) report for Wells County, Indiana and Incorporated Areas. FEMA has posted digital copies of these revised FIRM, and FIS Report materials to the following Website: <https://hazards.fema.gov/femportal/prelimdownload/>. The Preliminary FIRM, and FIS Report include proposed flood hazard information for certain locations in the Town of Ossian. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

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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 revised FIRM, and FIS Report before they become effective.

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Adam Bales
Indiana Department of Natural Resources
402 West Washington Street,
Indianapolis, Indiana 46204
or by email at ABales@in.dnr.gov

Additional copy to:

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Sincerely,



Luis V. Rodriguez, P.E,
Director, Engineering and Modeling Division
Risk Management Directorate | Resilience

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Community Map Repository

bcc: Mary Beth Caruso, Mitigation Division Director RV-MT
Ken Hinterlong, Regional Engineer, FEMA Region V
Darren Pearson, State NFIP Coordinator
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Case File



Federal Emergency Management Agency
Washington, D.C. 20472

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August 19, 2024

Mason Raines
Town Council President
2985 Southeast Wabash Street - VC
Bluffton, IN 46714

CaseNo: 15-05-1087S
Community: Town of Vera Cruz,
Wells County, IN
Community No.: 180293

Dear Mason Raines:

On September 30, 2021, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the revised Flood Insurance Rate Map (FIRM), and Flood Insurance Study (FIS) report for Wells County, Indiana and Incorporated Areas. FEMA has posted digital copies of these revised FIRM, and FIS Report materials to the following Website: <https://hazards.fema.gov/femaportal/prelimdownload/>. The Preliminary FIRM, and FIS Report include proposed flood hazard information for certain locations in the Town of Vera Cruz. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-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 *The News-Banner* on or about August 26, 2024, and September 3, 2024. 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.

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Adam Bales
Indiana Department of Natural Resources
402 West Washington Street,
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or by email at ABales@in.dnr.gov

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Ken Hinterlong, FEMA Region 5
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Sincerely,



Luis V. Rodriguez, P.E,
Director, Engineering and Modeling Division
Risk Management Directorate | Resilience

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Darren Pearson, State NFIP Coordinator
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Federal Emergency Management Agency

Washington, D.C. 20472

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APPEAL START

August 19, 2024

Jeff Stringer
President of County Commissioners
102 West Market, Suite 205
Bluffton, IN 46714

Case No: 15-05-1087S
Community: Wells County, IN
(Unincorporated Areas)
Community No.: 180288

Dear Jeff Stringer:

On September 30, 2021, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the revised Flood Insurance Rate Map (FIRM), and Flood Insurance Study (FIS) report for Wells County, Indiana and Incorporated Areas. FEMA has posted digital copies of these revised FIRM, and FIS Report materials to the following Website: <https://hazards.fema.gov/femportal/prelimdownload/>. The Preliminary FIRM, and FIS Report include proposed flood hazard information for certain locations in Unincorporated Areas of Wells County, Indiana. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

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Barb O'Conner
Town Council President
PO Box 476
Zanesville, IN 46799

Case No: 15-05-1087S
Community: Town of Zanesville,
Wells County, IN
Community No.: 180573

Dear Barb O'Conner:

On September 30, 2021, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the revised Flood Insurance Rate Map (FIRM), and Flood Insurance Study (FIS) report for Wells County, Indiana and Incorporated Areas. FEMA has posted digital copies of these revised FIRM, and FIS Report materials to the following Website: <https://hazards.fema.gov/femportal/prelimdownload/>. The Preliminary FIRM, and FIS Report include proposed flood hazard information for certain locations in the Town of Zanesville. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-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 *The News-Banner* on or about August 26, 2024, and September 3, 2024. 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 revised 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. The appeal procedure is outlined below for your information.

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 revised 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 revised 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:

Adam Bales
Indiana Department of Natural Resources
402 West Washington Street,
Indianapolis, Indiana 46204
or by email at ABales@in.dnr.gov

Additional copy to:

Ken Hinterlong, FEMA Region 5
536 South Clark Street, 6th Floor
Chicago, Illinois 60605
ken.hinterlong@fema.dhs.gov

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 revised FIRM and in the revised 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 State NFIP 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 revised FIRM and FIS Report become 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 revised 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 revised FIRM and FIS Report and will establish an effective date.

If you have any questions regarding the proposed flood hazard determinations, revised FIRM panels, or revised FIS report for your community, please call our FEMA Mapping and Insurance eXchange (FMIX), toll free, at 1 877 FEMA MAP (1 877 336 2627) or e-mail the FMIX staff at FEMA-FMIX@fema.dhs.gov.

Sincerely,



Luis V. Rodriguez, P.E,
Director, Engineering and Modeling Division
Risk Management Directorate | Resilience

List of Enclosures:

Newspaper Notice
Proposed Flood Hazard Determinations Federal Register Notice
"Scientific Resolution Panels" Overview

cc: Michael Lautenheiser Jr., Floodplain Administrator, Town of Zanesville
Community Map Repository

bcc: Mary Beth Caruso, Mitigation Division Director RV-MT
Ken Hinterlong, Regional Engineer, FEMA Region V
Darren Pearson, State NFIP Coordinator
FEED File
Case File