

# Nebraska Floodplain and Stormwater Managers Association



## Newsletter January 2007

### 2007 NeFSMA Board

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<http://www.nefsma.net/>

### Upcoming Quarterly Meeting

The first quarterly membership meeting for 2007 has been planned in association with the Nebraska Association of Resource Districts (NARD) Annual Legislative Conference on Wednesday, January 24 at the Embassy Suites in Lincoln to discuss all-hazard mitigation planning. The Embassy Suites are located at 1040 P Street. The meeting is scheduled for 1:30 p.m in the Regents C room. Mitigation plans are required for communities to receive federal assistance following a presidentially declared disaster. To assist in reaching the goal of having communities better prepared for handling disasters, the framework of developing plans based on natural resource districts was established. The Papio-Missouri River NRD was the pilot for this program. The mitigation plan has successfully demonstrated that with the support

of local NRDs, this process serves as a forum to get communities involved, and have plans approved.

Lower Platte South NRD is on track to initiate its mitigation planning in the near future. Making other districts aware of this process is vital to preparing Nebraska communities for potential disasters. Natural disaster planning encompasses a larger scope than just flooding. Plans to mitigate the impact of winter storms, fires, tornado, and drought are other potential natural disasters.

Disaster plans are completed as basin-wide plans, but each community in the NRD will scope its own plans.

### OCTOBER 2006 ANNUAL MEETING

The 2006 Annual Meeting was held on September 22<sup>nd</sup> at the Central Platte Natural Resources District offices in Grand Island.

Donna Garden and Mary Schroer from NDEQ spoke on changes in EPA's approach to managing stormwater and LB 1226. Reports from the Board and discussion on membership and upcoming training workshop opportunities were discussed. An election of officers was followed by a brown-bag lunch.

Chad Nabity, Regional Planning Director for Hall County, provided information on new countywide Flood Insurance Rate Map production and issues that Hall County is experiencing with this process. Lalit Jha, Project Manger for JEO Engineering, provided information on the Grand Island Flood Control Project for Silver, Moores and Prairie Creeks. Milt Moravek, Assistant Manager for Central Platte NRD, provided a presentation on the Wood River Diversion project followed by a tour of the diversion and the Grand Island Flood Control Project.

Two dozen NeFSMA members were in attendance. This gathering proved to be a good opportunity for members to interact with other professionals in an informal setting and learn and

share information on topics that are of interest to the membership.

## **DECEMBER 2006 BOARD MEETING**

The 2007 NeFSMA Board met on December 1, 2006 to discuss board matters and upcoming training possibilities. The following topics were noted:

- Disaster Assessment and the Residential Substantial Damage Estimator (RSDE) Tool.
- Certified Floodplain Manager (CFM) exam will be administered, upon request, by NDNR. A 3-hour pre-exam discussion prior to proctoring the exam is also available.
- NDNR is considering a 6-hour Elevation Certificate Workshop for surveyors and other interested parties.

Anyone having any other suggestions should contact Vice Chair LeAnn Klein at (308) 233-5640.

## **Are you a Certified Floodplain Manager?**

The Nebraska Department of Natural Resources is a supporter of the Association of State Floodplain Managers. A part of that support includes encouraging individuals that work in fields related to floodplain management to train and test to become Certified Floodplain Managers (CFMs). NDNR, upon request, will schedule and proctor exams for individuals seeking this certification. A review session can be provided prior to taking the exam.

The ASFPM website, <http://www.floods.org> provides access to a study manual, in PDF format, covering the material that will be included in the exam. Applicants must schedule with and pay fees to ASFPM to take this exam. Please coordinate your interest in taking the exam with NDNR, to ensure that proctoring of the exam can be scheduled. In the past, the exam has been coordinated so several individuals can take the exam at one time. NDNR, upon request, will provide a CD copy of the training material. Contact Bill Jones at 402-471-3932 or [bjones@dnr.ne.gov](mailto:bjones@dnr.ne.gov)

## **NDNR LEADERSHIP NAMED**

On January 3, 2007, Governor Heinemann announced Ann Bleed as the new director of the NDNR. Her first administrative action was the promotion of Brian Dunnigan as Deputy Director.

Mr. Dunnigan, a NeFSMA member, was promoted from his position as the Head of the Floodplain Management and Dam Safety Section where he was a strong advocate of the floodplain management program. Although Brian's role is changed, he will remain a strong ally of NeFSMA. Congratulations Brian and good luck!

## **2007 DUES**

The annual dues for 2007 are now due. If you have not sent in your application form, please see the website at [www.nefsma.net](http://www.nefsma.net) or contact John Cambridge at (402) 742-2903. Annual dues are \$35 for individual and \$100 for corporate/organization (allows 2 voting members).

## **Who Says I Can't Build There?**

Actually, they probably didn't say that you can't build there. Most likely your city or county official said you have to do certain things if you want to build in a place where floods will damage property and put people at risk.

There are 350 cities, villages, and counties in Nebraska that have floodplain management ordinances restricting development in the floodplain. These communities participate in the National Flood Insurance Program (NFIP).

If there is a floodplain map for your community, the odds are that your community is in the NFIP and has a floodplain management ordinance. If you're in doubt, ask your community or county official, or contact the Nebraska Department of Natural Resources (NDNR). If flood insurance can be sold in your community, the community has agreed to abide by some minimum requirements on what type of development is allowed in the floodplain.

The governing document is the community's ordinance, which has to meet certain minimum state and federal rules. The state's rules are established in *Nebraska Administrative Code, Title 258, Chapter 1: Rules and Regulations Concerning Minimum Standards for Floodplain Management Programs*. The federal rules are established by the Department of Homeland Security's Federal Emergency Management Agency (FEMA), which administers the NFIP.

FEMA's NFIP rules focus on protecting buildings (flood insurance policies are limited to

buildings and their contents). The state and FEMA requirements noted in the local ordinance can be summarized under five basic rules. These basic rules are reviewed here:

**Rule #1** - *The “official floodplain map” is the Flood Insurance Rate Map (FIRM) and in many communities, an accompanying Flood Insurance Study (FIS).*

The FIRM and study are developed by FEMA, approved by the state, and adopted by the community. These documents include the floodplain delineation, labeled with a designation of A, A1-30, AE, AO, or AH. These maps can be viewed at your community/county offices, or at FEMA’s Flood Map Store on FEMA’s website – <http://store.msc.fema.gov>.

**Rule #2** - *All development in the A Zones must have a permit from the community.*

Development is defined as “any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.”

In other words, if you’re going to change the shape of the ground in the floodplain or put something of value on it, you need to obtain the community approval. This is the only way the community can ensure that all the state, federal, and local requirements are met.

**Rule #3** - *Development must not increase the flood hazard on other property.*

Development along a river or other channel cannot obstruct flows so as to cause an increase in flooding on other properties. The best way to make sure of this is to stay out of the regulatory floodway. If a floodway has not been designated at the location of your proposed development, there may be a requirement to demonstrate that the proposed development will not cause damages to others.

**Rule #4** - *New buildings must be protected from flood damage.*

New buildings may be built in the floodplain, but they must be protected from damage by the 100-year flood. The lowest floor of residential buildings (including basements) must be elevated to or above the flood protection elevation stated in the ordinance. Nonresidential buildings

must be either elevated or flood proofed. A key part of this requirement is that the permit office must have a record of how high the building was elevated. This is usually conducted by a surveyor, who completes a FEMA Elevation Certificate after the building is built and before the community issues the certificate of occupancy.

**Rule #5** - *A substantially improved building is treated as a new building.*

The regulations define “substantial improvement” as any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This requirement also applies to buildings that are substantially damaged.

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