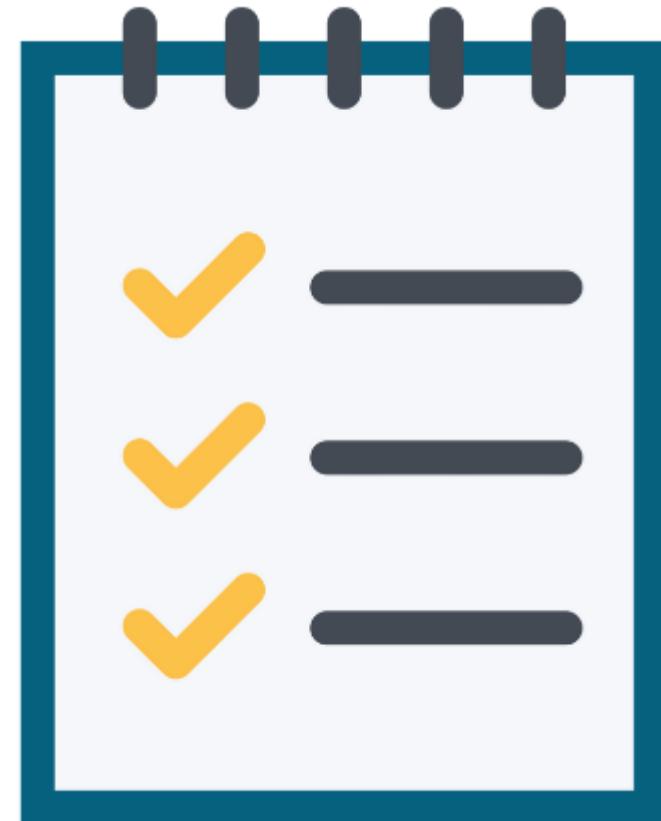


Nebraska Model Floodplain Ordinance Update

Committee Meeting #3
January 8, 2025

Today's Agenda

1. Status Update
2. Summary of Changes
3. Draft Review
4. Next Steps
5. Questions/Discussion



Progress Update

- Drafts for 60.3(a), (b), (c), and (d) models
- Guidance for optional and higher standards is complete
- All comments received from committee members have been addressed
- NeDNR legal counsel has reviewed the current draft and the higher standards document



2024 Nebraska Model Floodplain Management Ordinance

Meeting the Minimum Requirements of the Nebraska Minimum Standards for Floodplain Management Programs, Title 455 Neb. Admin. Code Chapter 1, and Title 44 of the Code of Federal Regulations, Chapter 1, Part 60.3(d)

v1.0 - Revised July 26, 2024

NEBRASKA
DEPT. OF NATURAL RESOURCES

Progress Update

- Key Changes:
 - *NEW: Version tracking system
 - *NEW: Table of Contents
 - *NEW: Forward Letter
 - *NEW: Drafting Instructions and Checklist
 - Floodway standards relocated for 60.3(d) model
 - Added additional procedures for encroachment permitting
 - Corrected statute references



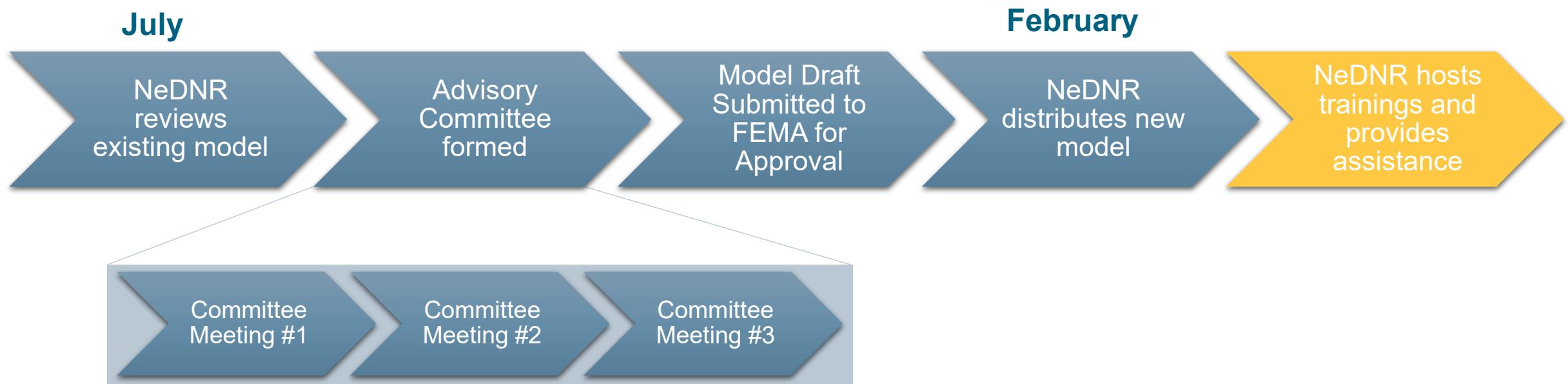
2024 Nebraska Model Floodplain Management Ordinance

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Model Ordinance Update Process



Model Ordinance Update Process

- Committee meets at least three times



Next Steps

- Committee will review this final draft for any last changes
 - Return comments in 2 weeks
- NeDNR staff will complete an internal review
- Draft will be sent to FEMA for final review and approval
- New model is released!

ORDINANCE/RESOLUTION NO. [Number]

Floodplain Management Ordinance

Pursuant to 44 CFR 60.3(d),
Neb. Rev. Statutes Chapter 31 Article 10, and
Neb. Admin. Code Title 455 Ch. 1

AN ORDINANCE INTRODUCED BY THE [GOVERNING BODY] IDENTIFYING FLOODPLAIN, FLOODWAY, AND FLOOD FRINGE AREAS DEFINING THE SAME AND SETTING FORTH REGULATIONS THEREOF.

BE IT ORDAINED by the [Title of Chief Executive Officer] of [Community], Nebraska as follows:

SECTION 1.0 STATUTORY AUTHORIZATION, FINDINGS OF FACT, AND PURPOSE

1.1 STATUTORY AUTHORIZATION

The Nebraska Legislature delegated the responsibility to local governmental units to adopt regulations designed to protect the public health, safety, general welfare, and property of the people of the state. In Neb. Rev. Stat. §§ 31-1001 to 31-1023, the Nebraska Legislature further delegated the responsibility to such local governments to adopt, administer, and enforce floodplain management regulations which meet or exceed the standards adopted by the Nebraska Department of Natural Resources. Therefore, the [Governing Body] of [Community Name], Nebraska ordains as follows:

1.2 FINDINGS OF FACT

1.2.1 Flood Losses Resulting from Periodic Inundation

The flood hazard areas of [Community Name], Nebraska are subject to inundation that results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
(Neb. Rev. Stat. §31-1001)

1.2.2 General Causes of Flood Losses

These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities as well as the occupancy of flood hazard areas by uses vulnerable to floods or hazardous to others that are inadequately elevated or otherwise unprotected from flood damages.
(Neb. Rev. Stat. §§ 31-1001, 31-1015)

1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance/regulation to promote the public health, safety, and general welfare and to minimize those losses described in Section 1.2 by applying the provisions of this ordinance/regulation to:

Nebraska Model Floodplain Management Ordinance 60.3(d) | Page 6

Discussion

- How is everyone feeling about the new format so far?
- Any concerns since the last meeting?
- General questions?

QUESTIONS?

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