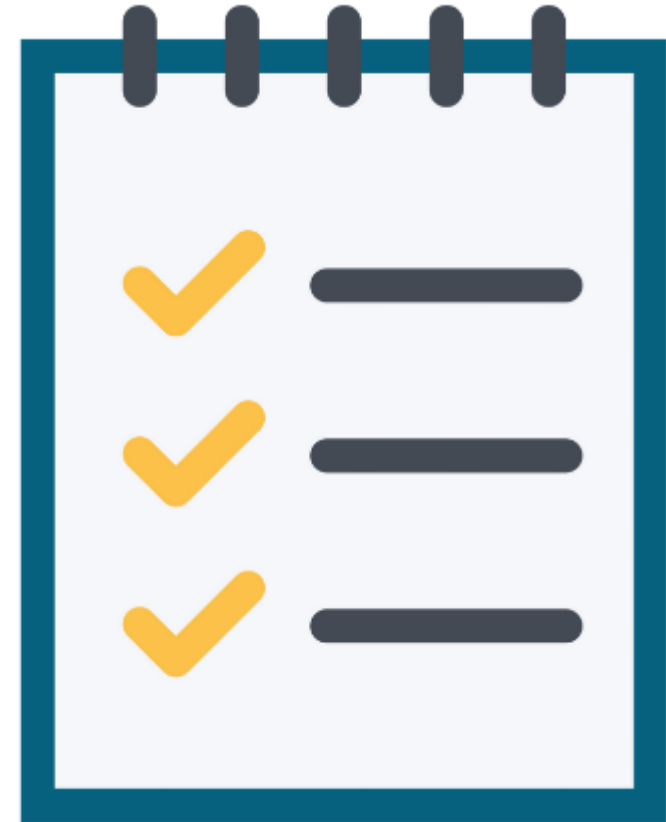


# Nebraska Model Floodplain Ordinance Update

Committee Meeting #3  
January 8, 2025

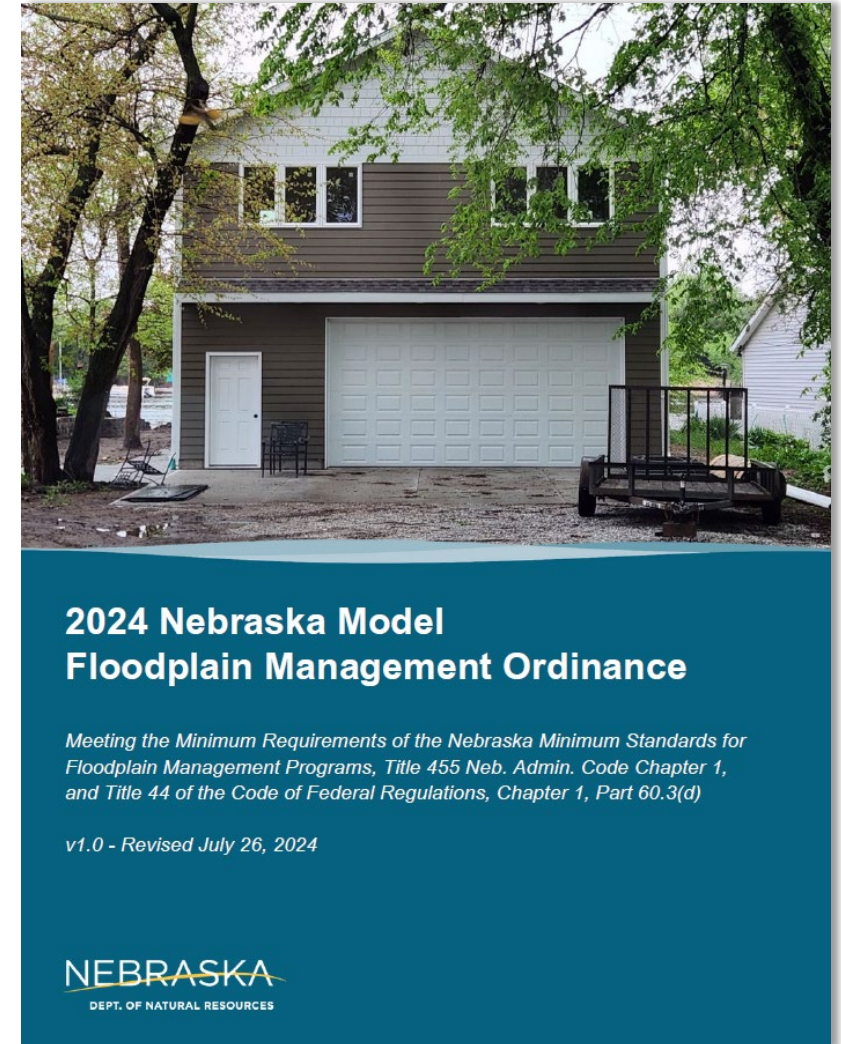
# Today's Agenda

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



# Progress Update

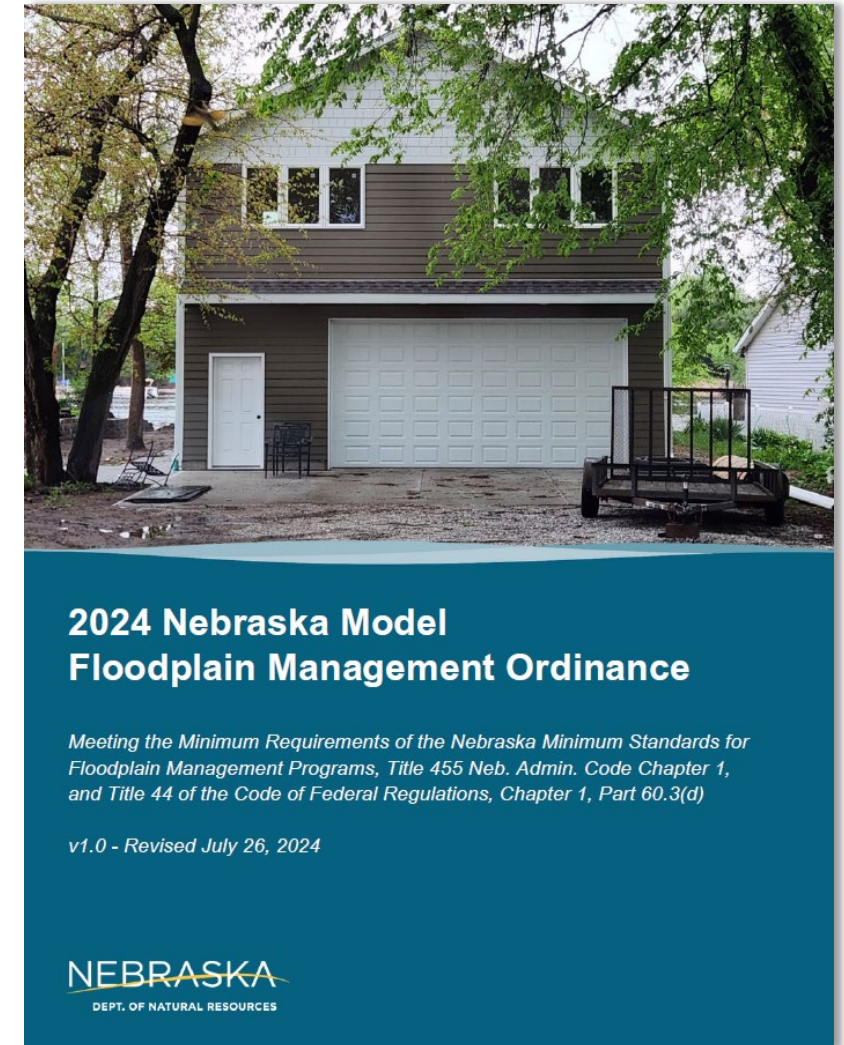
- Drafts for 60.3(a), (b), (c), and (d) models
- Guidance for optional and higher standards is complete
- All comments received from committee members have been addressed
- NeDNR legal counsel has reviewed the current draft and the higher standards document





# 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



# Model Ordinance Update Process

**July**

**February**

NeDNR  
reviews  
existing model

Advisory  
Committee  
formed

Model Draft  
Submitted to  
FEMA for  
Approval

NeDNR  
distributes new  
model

NeDNR hosts  
trainings and  
provides  
assistance

Committee  
Meeting #1

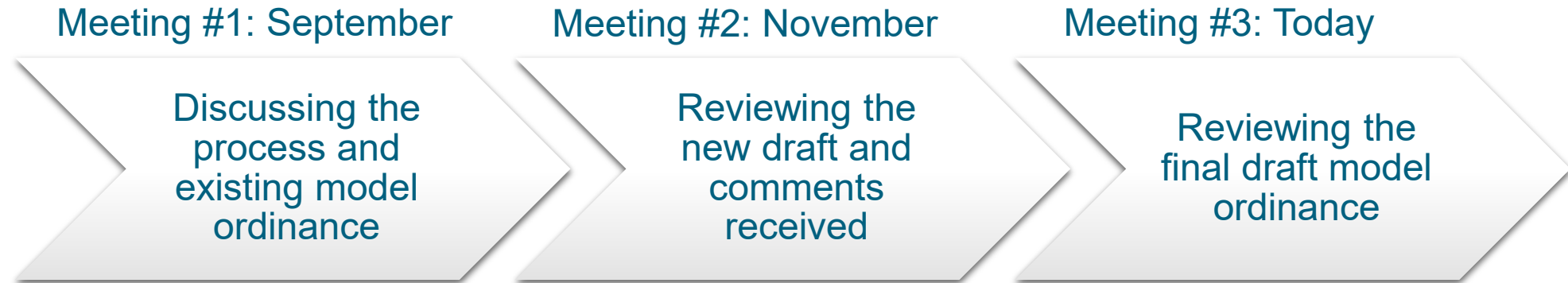
Committee  
Meeting #2

Committee  
Meeting #3



# 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 THEROF.*

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

#### 1.21 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)


#### 1.22 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:

# Discussion

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



# QUESTIONS?

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**NEBRASKA**  
DEPT. OF NATURAL RESOURCES