



Nebraska Department of Natural Resources Floodplain Management for Local Officials



August 2007

The Nebraska Department of Natural Resources newsletter is published through assistance provided by FEMA under the Community Assistance Program – State Support Service Elements of the National Flood Insurance Program. The contents do not necessarily reflect the views and policies of the federal government.



FEMA

FEMA Elevation Certificate Workshop

2007

9:00 a.m. till 4:00 p.m.

- September 11** City Offices
211 West Third Street
North Platte
- September 12** Life Long Learning Center,
Northeast Community College
801 East Benjamin, Suite F
Norfolk
- September 13** Lower Platte South NRD,
3125 Portia Street
Lincoln

NDNR, The Professional Land Surveyors of Nebraska (PSAN) and Nebraska Floodplain and Stormwater Managers Association (NeFSMA) are again co-sponsoring a series of workshops across the state to provide training on the FEMA Elevation Certificate.

Presented by: *L. Scott Samuels, P.E.*, (Missouri Registration) from Central Missouri Engineering Services, Ashland, Missouri. Scott's presentation provided last year was very highly recommended by those that attended. This year we have expanded on the format to bring in the basics of Letter of Map amendment and Letter of Map Revision Based on Fill instruction.

This workshop is open to floodplain managers, surveyors, or others interested in better understanding the uses of and guidance on properly completing the elevation certificate, an essential floodplain management tool. The workshop will include information on the 2007 FEMA Elevation Certificate, E-LOMA and Letters of Map Revision and Amendment.

Fees are \$75.00 per seat. A \$25 deduction will be made for PSAN and NeFSMA Members. Registration includes a lunch, snacks and beverages. When registering please note location preference and make **checks payable to NeFSMA**. Submit to Nebraska Department of Natural Resources, 301 Centennial Mall South, P.O. Box 94676, Lincoln, NE 68509-4676, Attention: Bill Jones. Please provide phone number and email address for confirmation purposes. **(RSVP by September 1)**



NeFSMA

On January 24, 2007, the first quarterly meeting of NeFSMA was held at the Embassy Suites in Lincoln. The feature of this meeting was a presentation by Steve McMaster of Nebraska DNR on Natural Resource District based All-Hazard Planning.

For a community to receive hazard mitigation grant funds, an all-hazards mitigation plan must be completed and approved by FEMA. In an attempt to meet Nebraska's needs to get these plans in place, we have piloted a program using the natural resource district as the principal plan provider. Individual community plans are then incorporated in the NRD's All-Hazard Plan.

Steve provided a very informative presentation on this innovative process. Anyone that is interested in additional information is encouraged to contact Steve (His contact information is included at the back of this newsletter.)

The second quarterly meeting was held in conjunction with the International Erosion Control Association's 2007 Spring Workshop and Expo. This workshop was held April 17 through 19th at the downtown Holiday Inn in downtown Lincoln. The

workshop featured Sediment and Erosion Control training, Stream Restoration, and Stormwater Management. NeFSMA provided discounts for members that attended.

The third quarterly meeting is scheduled for August 17th at the Lied Center in Nebraska City.

Meet Frank Aebly



Since the departure of Roger Patterson as Director of the Nebraska Department of Natural Resources, Brian Dunnigan has assumed the Deputy Director's duties. That added responsibility left a gap in DNR's floodplain management program. We are proud to introduce Frank Aebly, the new Chief of the Floodplain Management Section. Dr. Aebly obtained his Bachelor's and Master's degrees in Physical Geography from the State University of New York in Buffalo. From there he moved to Virginia where he worked for Michael Baker Jr., on the Mapping Coordination Contractor (MCC) contract supporting FEMA's Western Studies Team. His last year on the MCC contract was spent as a Regional Coordinator for mapping activities in California and Hawaii. He moved to Nebraska in 2001 to pursue his Ph.D. in Geosciences at the University of Nebraska-Lincoln. He has a dog named Laurel and enjoys many outdoor activities.

Nonconversion Agreement

DNR staff has recently started encouraging the use of a floodplain management tool that administrators may find as a valuable asset to their programs. Areas are allowed for building access and limited storage below the Base Flood Elevation (BFE) to elevate a building. If that area is not

subgrade on all sides and meets the "wet floodproofing" requirements, limited usage of that area is allowed. Fill dirt brought to the site to elevate the building pad, piers, or pilings are the other alternatives to meet the "lowest floor" requirements. [These areas, after the development has been inspected, can quite easily be modified in a manner that is in conflict with floodplain management regulations, and a garage or storage area modified to become a family room or spare bedrooms.] Most communities have no legal authority to return to a development to ensure that it remains in compliance. A "Nonconversion Agreement" is a document that would be endorsed by the applicant and recorded with the deed for the property stating that the applicant has been informed that the area below the elevated floor is only allowed for limited storage and building access and any change of use is a violation of regulations. With this document, the community has proof that the building was built in compliance, and that any alteration of those areas would be done in violation of regulations.

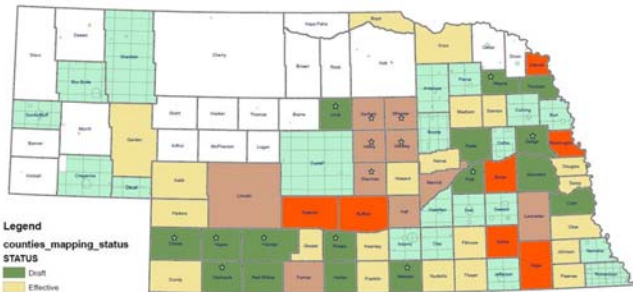
A nonconversion agreement would provide a layer of protection to the community, if at a later date, that individual, or future owner would sustain damages in a converted area and seek compensation from the community for allowing unsafe development.

Samples of non-conversion agreements can be located on the internet, and DNR plans to develop and make available a sample agreement for your use.

Update on Map Mod

Updated flood hazard mapping continues at a rapid pace in Nebraska. Since FEMA received funds for the Flood Map Modernization Program, Nebraska has effective digital maps, or digital maps in production for 54 counties. Twenty counties have original Flood Insurance Rate Maps that have not been revised and released in a digital format. That leaves only 19 Counties where flood hazards have not been determined. Those areas are mostly located in the sandhills where less frequent flooding has occurred and population is lower. DNR's goal is to provide flood hazard identification to all Nebraskans.

Nebraska Map Mod Status
August 2006



54 New Digital Maps,
20 Unchanged,
19 Not mapped

Levees

Levee certification can be a long and expensive process. In order for areas to be shown as protected by levees on Flood Insurance Rate Maps, FEMA requires that they be certified by the Corps of Engineers, or by a registered professional engineer.

This process can be lengthy and has created problems in releasing new FIRMs in a timely manner. To move the mapping forward, a process has been approved whereby FEMA can identify, as protected, areas behind levees that are likely to meet certification standards. There will be a note added to the FIRM identifying the area as protected by a Provisionally Accredited Levee for a 2-year period. If certification is obtained within that period, the map will then be modified to show the area as protected from the 100-year flood by the levee. If certification is not provided, the area behind the levee will lose its protected status and be identified with a Zone A or AE designation.

Many levees in Nebraska were not designed to provide protection from the 100-year flood. While those levees do provide significant flood protection, they do not provide sufficient protection to allow development behind them without floodplain management regulatory requirements.

CONTACTS

Nebraska DNR

Section Head: Frank Aebly: 402.471.3636
Mitigation/CRS: Steve McMaster: 402.471.3957
Program Information: Bill Jones: 402.471.3932
Nebraska Department of Natural Resources
301 Centennial Mall South, Fourth Floor
P.O. Box 94676, Lincoln, NE 68509

Nebraska DNR Website:

<http://www.dnr.ne.gov/>

FEMA Region VII

Nebraska Coordinator – Georgia Wright:
Natural & Technical Hazards Division
2323 Grand Boulevard, Suite 300
Kansas City, MO 64108-2670
Phone: 816.283.7539
Email: georgia.wright@dhs.gov

FEMA Website:

<http://www.fema.gov/>

Nebraska Floodplain and Stormwater Managers Association (NeFSMA) Website

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



DEPARTMENT OF NATURAL RESOURCES
301 CENTENNIAL MALL SOUTH, 4TH FLOOR
P.O. BOX 94676
LINCOLN, NE 68509-4676

29-01-00