

# Permitting Part 2: The Permitting Process

Nebraska Floodplain Management Division

**Isabella Bialas, CFM**

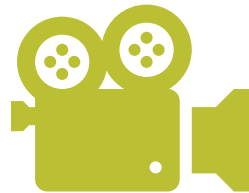
NE Floodplain Management  
NFIP Specialist

**Mercy Kipenda, CFM**

NE Floodplain Management  
NFIP Specialist

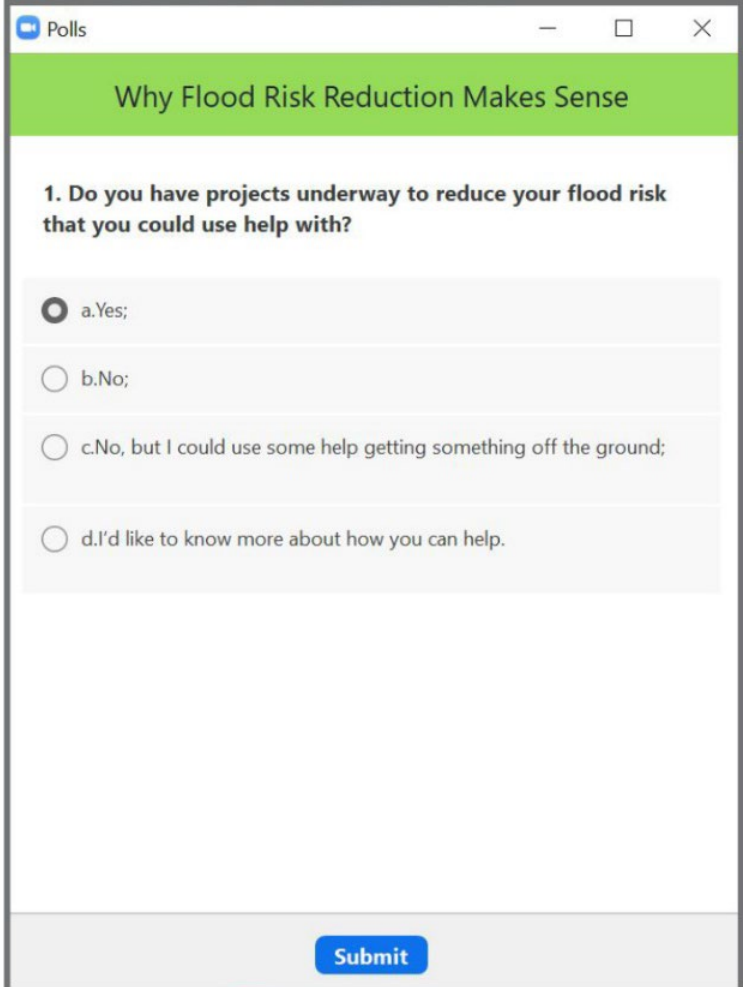
# Rules of the Road

- Attendees will be muted during the presentation to help eliminate background noise
- Use the chat to ask questions during the presentation.  
We will pause for questions during the presentation and at the end
- If you are experiencing any technical difficulties, send a private chat message to Michele York, or send an email to [michele.york@nebraska.gov](mailto:michele.york@nebraska.gov)
- We'll be recording this webinar for those who aren't able to attend today



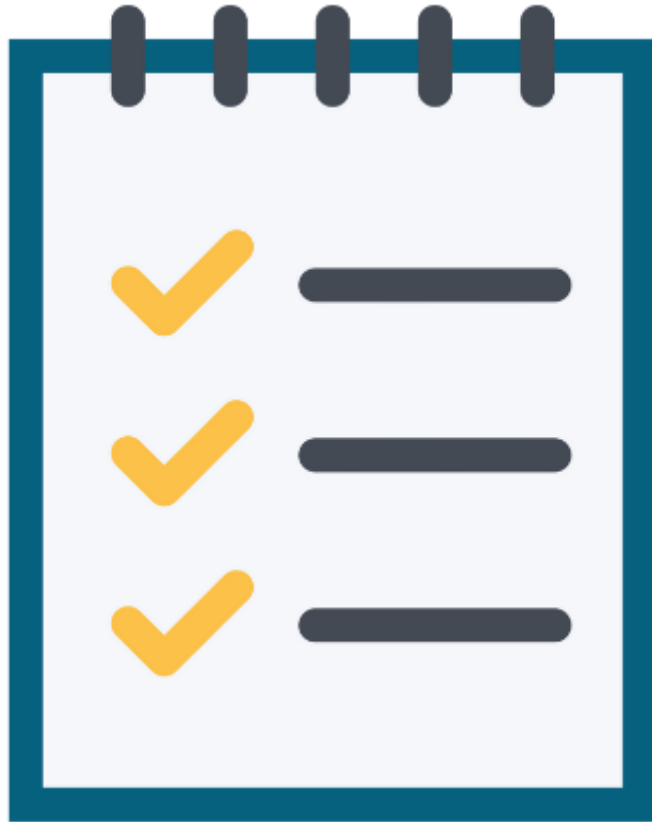
# Poll Questions

- Total of 3 poll questions. Your answers are anonymous.
- If you are a Certified Floodplain Manager (CFM) or a Nebraska Municipality Treasurer requesting Continuing Education Credit (CEC) today, you must answer all poll questions.
- Only the person registered and logged into zoom will receive credit. If multiple people are viewing the presentation together, you will each need to log into zoom using your unique link and answer the poll questions separately to receive credit



The screenshot shows a web-based poll interface. At the top, there is a green header bar with the text "Why Flood Risk Reduction Makes Sense". Below this, the poll question is displayed: "1. Do you have projects underway to reduce your flood risk that you could use help with?". There are four radio button options: "a.Yes;", "b.No;", "c.No, but I could use some help getting something off the ground;", and "d.I'd like to know more about how you can help.". The first option, "a.Yes;", is selected. At the bottom right of the form, there is a blue "Submit" button.

# Agenda



- 01 Introduction
- 02 Permitting Process Steps
- 03 Permitting Process Decision Tree
- 04 Helpful Tips & Resources
- 05 Key Takeaways

An aerial photograph of a flooded landscape, likely a coastal area. A road or railway line runs vertically through the center of the image, flanked by trees and vegetation. The surrounding area is submerged in water, with some small islands and patches of land visible. In the far distance, a city skyline is visible on the horizon. The entire image has a blue tint.

# Introduction



# Introduction

- Communities manage development in the special flood hazard area (SFHA) as a condition of NFIP participation through an **agreement**
- Development is managed in accordance with the local floodplain management ordinance
- Any development in the SFHA must have written permission (permit) prior to the start of construction

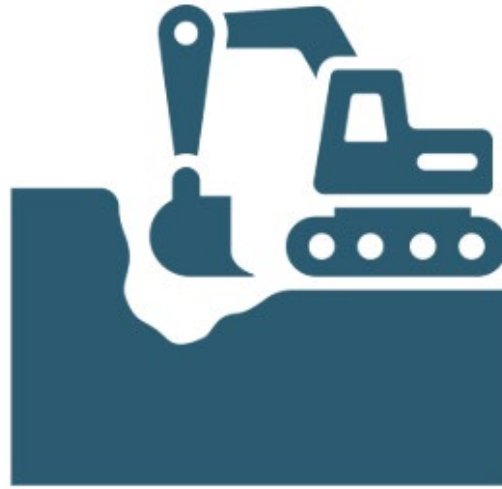
## Key Term:

**Agreement** – The Federal Government makes flood insurance available within communities that adopt and enforce floodplain management regulations to reduce flood risk to new floodplain development.

# Development - Definition

## Development:

*“any man-made 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.” 44 CFR 59.1*



# Why is this process necessary?

- Requirement of National Flood Insurance Program participation
- Federal & State Law (Code of Federal Regulations, Nebraska Administrative Code)
- Improves community resiliency by ensuring structures are built in compliance with local Floodplain Management regulations
- DWEE or FEMA will ask for these documents during a Community Assistance Contact (CAC) or Community Assistance Visit (CAV)






# Why is this process necessary?

- Unpermitted development within your community's SFHA is considered a violation
  - Unresolved violations can jeopardize the community's standing with the NFIP
  - Probation or suspension from the program could occur if no efforts are made to resolve issue



# Permitting Process

# The General Permitting Process

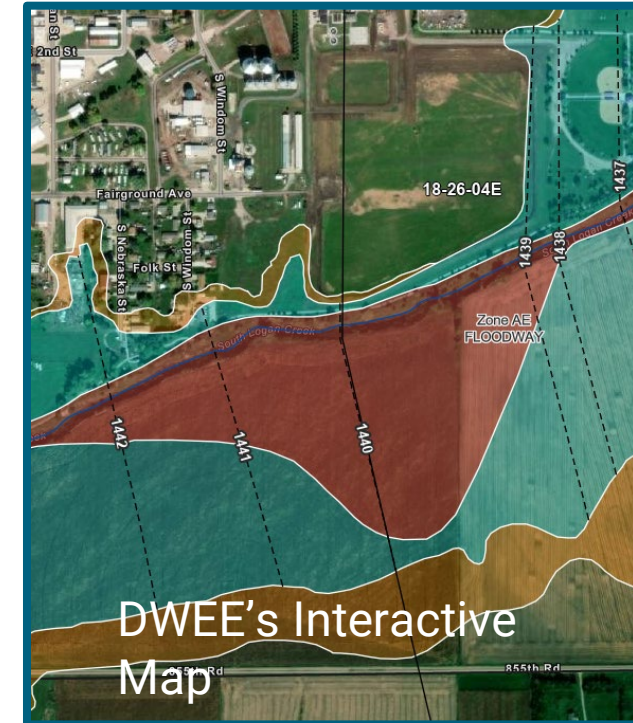
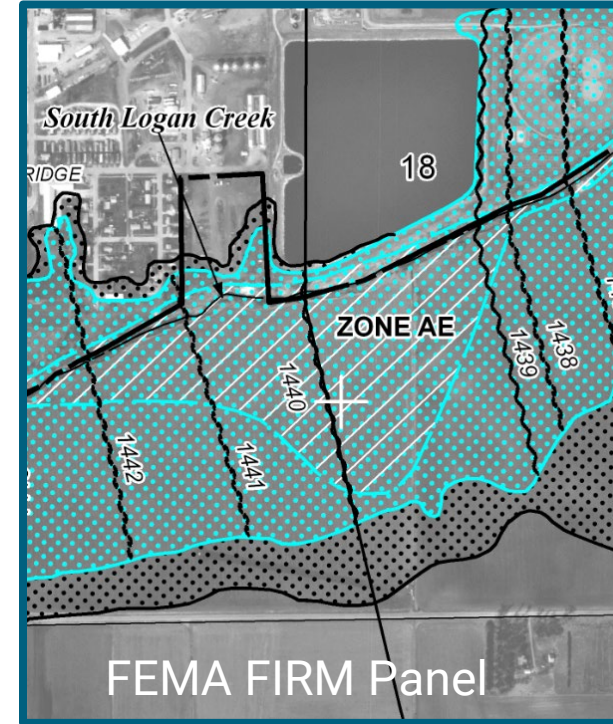
- Step 1:** Project Proposal
  - Step 2:** Floodplain Development Permit Application
  - Step 3:** Floodplain Administrator (FPA) Review of Application
  - Step 4:** FPA Permit Decision (Approve, Deny, Request Information)
  - Step 5:** Project Monitoring
  - Step 6:** Post-Construction Proof of Compliance
- 



# Step-by-Step Process – Step 1

## Project Proposal

- Floodplain Administrator checks the proposed location for floodplain
  - Use official FEMA FIRM panels or NE Floodplain Management's Interactive Map
- Communities should ensure they have easily discoverable contact information for the local floodplain administrator
- If other offices also receive/review permit applications, make sure they communicate with you!
- Remember to always ask for more details if needed



# Step-by-Step Process – Step 2

## Floodplain Development Permit Application

- If the proposed development is **not** in the floodplain, issue other local required permits for building
- If the proposed development **is** in a floodplain, provide the property owner with a blank Floodplain Development Permit Application form

The image shows two blank forms for Floodplain Development Permit Applications. The left form is titled 'Non-structural' and the right form is titled 'Structural Floodplain Development Permit Application'. Both forms include sections for owner information, project narrative, and development activities.

**Non-structural Form:**

- Place Jurisdiction Seal
- Non-structural
- \*Insert
- Owner Information: Property Owner Name, Address, City, State, Zip, Phone, Email
- Site Information: Address, City, State, Zip, Parcel #, Lot & Block Subd. / PLSS (S)
- Project Narrative
- Included Development Activities: Deck/Patio/Gazebo, Fence, Watercourse Alterat, Road or trail constru, Excavation or Remo, Other (describe)
- Included Submittal Documents: Completed applicati, Location map with fl, Site plan, Grading plan\*, Construction specific, Other (describe)
- \* If grades are not changing as a the location, elevation, and design
- \*\* For developments larger than 5
- \*\*\*For developments resulting in


**Structural Form:**

- Place Jurisdiction Seal
- FOR OFFICIAL USE ONLY: Ordinance / Resolution #, Date Filed, Jurisdiction, Date Decided, Permit No., Approved? Y N, Fee, Notes
- Structural Floodplain Development Permit Application
- \*Insert Community Office Address and FPA Contact Information Here\*
- Section A: Applicant and General Property Information
- Owner Information: Property Owner Name, Address, City, State, Zip, Phone, Email
- Applicant Information: Applicant Name, Address, City, State, Zip, Phone, Email, License No.
- Site Information: Address, City, State, Zip, Parcel #, Lot & Block Subd. / PLSS (S-T-R)
- Section B: Project Proposal
- Project Narrative
- For Structural Development Activities: Check all applicable activities
- Activity: New Structure, Existing Structure, Demolition and Replacement, Demolition, Relocation/Elevation, Alteration/Addition/Improvement, Repair after Damage
- Building Type: Residential, Non-residential, Multi-use Development, Manufactured Home, Accessory Building (sq. footage \_\_\_\_), Other (describe)
- Foundation Type: Check all that apply: Slab, Basement, Elevated on posts, piles, or piers, Elevated on posts, piles, or piers with enclosure, Above-ground crawlspace, Elevated above an enclosure (garage, stairway access)
- Will the structure have an enclosed space below the lowest floor and below the Base Flood Elevation? \_\_\_\_ Y \_\_\_\_ N
- Total square footage of enclosed area below BFE: \_\_\_\_

# Step-by-Step Process – Step 2

## Floodplain Development Permit Application


- You may have to walk the applicant through the application. Give them a brief explanation of the permit and the basic requirements:
  - Elevating & elevation certificate for structures
  - Less than 1' rise or no rise determinations
- The state model permit includes instructions for how to complete each section



Place  
Jurisdiction  
Seal

**Non-structural**

*\*Insert*



Place  
Jurisdiction  
Seal

**FOR OFFICIAL USE ONLY**

Ordinance / Resolution #: \_\_\_\_\_

Date Filed: \_\_\_\_\_ Jurisdiction: \_\_\_\_\_

Date Decided: \_\_\_\_\_ Permit No.: \_\_\_\_\_

Approved? ☐ Y ☐ N Fee: \_\_\_\_\_

Notes: \_\_\_\_\_

## Structural Floodplain Development Permit Application

*\*Insert Community Office Address and FPA Contact Information Here\**

**Section A: Applicant and General Property Information**

<p><b>Owner Information</b></p> <p>Property Owner Name: _____</p> <p>Address: _____</p> <p>City, State, Zip: _____</p> <p>Phone: _____</p> <p>Email: _____</p> <p><b>Site Information</b></p> <p>Address: _____</p> <p>City, State, Zip: _____</p> <p>Parcel #: _____</p> <p>Lot &amp; Block Subd. / PLSS (S-T-R): _____</p>	<p><b>Applicant Information</b> <span style="font-size: small;"><i>If different than owner.</i></span></p> <p>Applicant Name: _____</p> <p>Address: _____</p> <p>City, State, Zip: _____</p> <p>Phone: _____</p> <p>Email: _____</p> <p>License No.: _____</p>
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**Section B: Project Proposal**

Project Narrative:

**Included Development Activities**

☐ Deck/Patio/Gazebo

☐ Fence

☐ Watercourse Alteration

☐ Road or trail construction

☐ Excavation or Removal

☐ Other (describe): \_\_\_\_\_

Project Narrative:

**For Structural Development Activities** *Check all applicable activities*

<p><b>Activity:</b></p> <p><input type="checkbox"/> New Structure</p> <p><input type="checkbox"/> Existing Structure:</p> <p><input type="checkbox"/> Demolition and Replacement</p> <p><input type="checkbox"/> Demolition</p> <p><input type="checkbox"/> Relocation/Elevation</p> <p><input type="checkbox"/> Alteration/Addition/Improvement</p> <p><input type="checkbox"/> Repair after Damage</p>	<p><b>Building Type:</b></p> <p><input type="checkbox"/> Residential</p> <p><input type="checkbox"/> Non-residential</p> <p><input type="checkbox"/> Multi-use Development</p> <p><input type="checkbox"/> Manufactured Home</p> <p><input type="checkbox"/> Accessory Building (sq. footage _____)</p> <p><input type="checkbox"/> Other (describe): _____</p>
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**Included Submittal Documents**

☐ Completed application

☐ Location map with flood zone

☐ Site plan

☐ Grading plan\*

☐ Construction specifications

☐ Other (describe): \_\_\_\_\_

**Foundation Type** *Check all that apply*

☐ Slab

☐ Basement

☐ Elevated on posts, piers, or piers


☐ Elevated on posts, piers, or piers with enclosure

☐ Above-ground crawlspace

☐ Elevated above an enclosure (garage, stairway access)

Will the structure have an enclosed space below the lowest floor and below the Base Flood Elevation? ☐ Y ☐ N

Total square footage of enclosed area below BFE: \_\_\_\_\_



Place  
Jurisdiction  
Seal

**Non-structural**

*\*Insert*

**Included Development Activities**

☐ Deck/Patio/Gazebo

☐ Fence

☐ Watercourse Alteration

☐ Road or trail construction

☐ Excavation or Removal

☐ Other (describe): \_\_\_\_\_

Project Narrative:

**For Structural Development Activities** *Check all applicable activities*

<p><b>Activity:</b></p> <p><input type="checkbox"/> New Structure</p> <p><input type="checkbox"/> Existing Structure:</p> <p><input type="checkbox"/> Demolition and Replacement</p> <p><input type="checkbox"/> Demolition</p> <p><input type="checkbox"/> Relocation/Elevation</p> <p><input type="checkbox"/> Alteration/Addition/Improvement</p> <p><input type="checkbox"/> Repair after Damage</p>	<p><b>Building Type:</b></p> <p><input type="checkbox"/> Residential</p> <p><input type="checkbox"/> Non-residential</p> <p><input type="checkbox"/> Multi-use Development</p> <p><input type="checkbox"/> Manufactured Home</p> <p><input type="checkbox"/> Accessory Building (sq. footage _____)</p> <p><input type="checkbox"/> Other (describe): _____</p>
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**Included Submittal Documents**

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☐ Location map with flood zone

☐ Site plan

☐ Grading plan\*

☐ Construction specifications

☐ Other (describe): \_\_\_\_\_

**Foundation Type** *Check all that apply*

☐ Slab

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Total square footage of enclosed area below BFE: \_\_\_\_\_



Place  
Jurisdiction  
Seal

**Non-structural**

*\*Insert*

**Included Development Activities**

☐ Deck/Patio/Gazebo

☐ Fence

☐ Watercourse Alteration

☐ Road or trail construction

☐ Excavation or Removal

☐ Other (describe): \_\_\_\_\_

Project Narrative:

**For Structural Development Activities** *Check all applicable activities*

<p><b>Activity:</b></p> <p><input type="checkbox"/> New Structure</p> <p><input type="checkbox"/> Existing Structure:</p> <p><input type="checkbox"/> Demolition and Replacement</p> <p><input type="checkbox"/> Demolition</p> <p><input type="checkbox"/> Relocation/Elevation</p> <p><input type="checkbox"/> Alteration/Addition/Improvement</p> <p><input type="checkbox"/> Repair after Damage</p>	<p><b>Building Type:</b></p> <p><input type="checkbox"/> Residential</p> <p><input type="checkbox"/> Non-residential</p> <p><input type="checkbox"/> Multi-use Development</p> <p><input type="checkbox"/> Manufactured Home</p> <p><input type="checkbox"/> Accessory Building (sq. footage _____)</p> <p><input type="checkbox"/> Other (describe): _____</p>
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**Included Submittal Documents**

☐ Completed application

☐ Location map with flood zone

☐ Site plan

☐ Grading plan\*

☐ Construction specifications

☐ Other (describe): \_\_\_\_\_

**Foundation Type** *Check all that apply*

☐ Slab

☐ Basement

☐ Elevated on posts, piers, or piers


☐ Elevated on posts, piers, or piers with enclosure

☐ Above-ground crawlspace

☐ Elevated above an enclosure (garage, stairway access)

Will the structure have an enclosed space below the lowest floor and below the Base Flood Elevation? ☐ Y ☐ N

Total square footage of enclosed area below BFE: \_\_\_\_\_



Place  
Jurisdiction  
Seal

**Non-structural**

*\*Insert*

**Included Development Activities**

☐ Deck/Patio/Gazebo

☐ Fence

☐ Watercourse Alteration

☐ Road or trail construction

☐ Excavation or Removal

☐ Other (describe): \_\_\_\_\_

Project Narrative:

**For Structural Development Activities** <



# Step-by-Step Process – Step 2

## Floodplain Development Permit Application

The application, at a minimum, should include:

- Site location (address, parcel number, lot number, etc.)
- Contact information for the applicant
- Proposed project
- Indicate use or occupancy for any structures
- Plans and specifications for proposed construction
- Signature of applicant (owner or authorized agent) that the information is correct

Place Jurisdiction Seal	<b>FOR OFFICIAL USE ONLY</b>	
	Ordinance / Resolution #:	
	Date Filed:	Jurisdiction:
	Date Decided:	Permit No.:
	Approved? Y N	Fee:
Notes:		

### Structural Floodplain Development Permit Application

*\*Insert Community Office Address and FPA Contact Information Here\**

Section A: Applicant and General Property Information	
<b>Owner Information</b>	<b>Applicant Information</b> <i>If different than owner.</i>
Property Owner Name: _____	Applicant Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Phone: _____	Phone: _____
Email: _____	Email: _____
<b>Site Information</b>	License No.: _____
Address: _____	
City, State, Zip: _____	
Parcel #: _____	
Lot & Block Subd. / PLSS (S-T-R): _____	

Section B: Project Proposal
<b>Project Narrative:</b>

**For Structural Development Activities** *Check all applicable activities*

<b>Activity:</b>	<b>Building Type:</b>
<input type="checkbox"/> New Structure	<input type="checkbox"/> Residential
<input type="checkbox"/> Existing Structure:	<input type="checkbox"/> Non-residential
<input type="checkbox"/> Demolition and Replacement	<input type="checkbox"/> Multi-use Development
<input type="checkbox"/> Demolition	<input type="checkbox"/> Manufactured Home
<input type="checkbox"/> Relocation/Elevation	<input type="checkbox"/> Accessory Building (sq. footage _____)
<input type="checkbox"/> Alteration/Addition/Improvement	<input type="checkbox"/> Other (describe): _____
<input type="checkbox"/> Repair after Damage	

**Foundation Type** *Check all that apply*

<input type="checkbox"/> Slab	<input type="checkbox"/> Elevated on posts, piles, or piers with enclosure
<input type="checkbox"/> Basement	<input type="checkbox"/> Above-ground crawlspace
<input type="checkbox"/> Elevated on posts, piles, or piers	<input type="checkbox"/> Elevated above an enclosure (garage, stairway access)

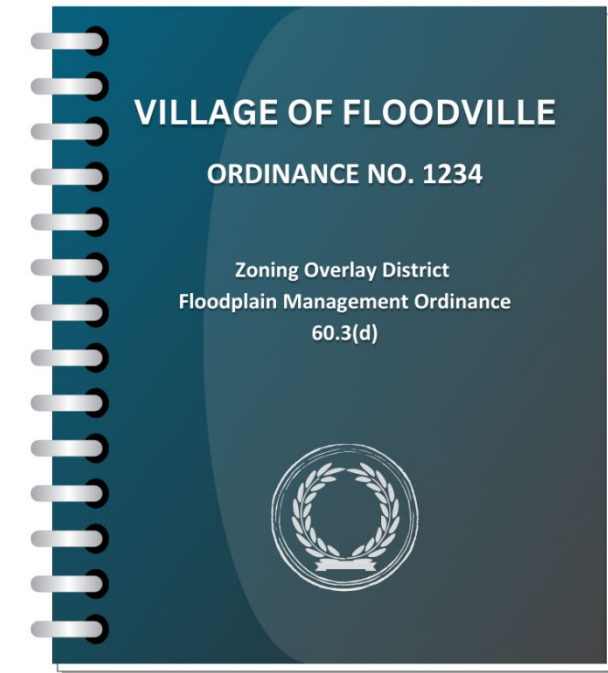
Will the structure have an enclosed space below the lowest floor and below the Base Flood Elevation? ☐ Y ☐ N

Total square footage of enclosed area below BFE: \_\_\_\_\_

# Step-by-Step Process – Step 3

## FPA Review of Application

- Review the proposal for compliance with local regulations
- You have a road map for compliance!
  - The local floodplain ordinance explains all floodplain requirements, and breaks them down by:
    - Flood zone (Zone A, floodway, flood fringe, etc.)
    - Development type (residential, non-residential, fill material, RVs, storage, etc.)



# Step-by-Step Process – Step 3

## FPA Review of Application

- Check that the application form is complete, and that the full application packet contains supporting information such as:
  - Determinations of floodwater rise
  - Engineer/surveyor/architect certifications
  - Plot plans
  - Grading plans
  - Structural specifications/blueprints
- If you're unsure of what you need, just give us a call!



# Step-by-Step Process – Step 3

## FPA Review of Application

If using the state model, the applicant must complete Sections A, B, and C:

### Section A

- Contact information for the applicant
- Specific location information for the project site

FOR OFFICIAL USE ONLY	
Ordinance / Resolution #:	
Date Filed:	Jurisdiction:
Date Decided:	Permit No.:
Approved? Y N	Fee:
Notes:	

Place  
Jurisdiction  
Seal

### Structural Floodplain Development Permit Application

*\*Insert Community Office Address and FPA Contact Information Here\**

#### Section A: Applicant and General Property Information

<b>Owner Information</b>	<b>Applicant Information</b> <i>If different than owner.</i>
Property Owner Name: _____	Applicant Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Phone: _____	Phone: _____
Email: _____	Email: _____
<b>Site Information</b>	License No.: _____
Address: _____	
City, State, Zip: _____	
Parcel #: _____	
Lot & Block Subd. / PLSS (S-T-R): _____	

#### Section B: Project Proposal

Project Narrative:

For Structural Development Activities Check all applicable activities

<b>Activity:</b>	<b>Building Type:</b>
<input type="checkbox"/> New Structure	<input type="checkbox"/> Residential
<input type="checkbox"/> Existing Structure:	<input type="checkbox"/> Non-residential
<input type="checkbox"/> Demolition and Replacement	<input type="checkbox"/> Multi-use Development
<input type="checkbox"/> Demolition	<input type="checkbox"/> Manufactured Home
<input type="checkbox"/> Relocation/Elevation	<input type="checkbox"/> Accessory Building (sq. footage _____)
<input type="checkbox"/> Alteration/Addition/Improvement	<input type="checkbox"/> Other (describe): _____
<input type="checkbox"/> Repair after Damage	

**Foundation Type** Check all that apply

<input type="checkbox"/> Slab	<input type="checkbox"/> Elevated on posts, piles, or piers with enclosure
<input type="checkbox"/> Basement	<input type="checkbox"/> Above-ground crawlspace
<input type="checkbox"/> Elevated on posts, piles, or piers	<input type="checkbox"/> Elevated above an enclosure (garage, stairway access)

Will the structure have an enclosed space below the lowest floor and below the Base Flood Elevation? ☐ Y ☐ N

Total square footage of enclosed area below BFE: \_\_\_\_\_

# Step-by-Step Process – Step 3

## FPA Review of Application

### Section B

- Full description of project
- Check-boxes for all included development activities
- Check-boxes for which documents they've submitted

### Section C

- Applicant certification

FOR OFFICIAL USE ONLY	
Ordinance / Resolution #:	
Date Filed:	Jurisdiction:
Date Decided:	Permit No.:
Approved? Y N	Fee:
Notes:	

Place  
Jurisdiction  
Seal

### Structural Floodplain Development Permit Application

*\*Insert Community Office Address and FPA Contact Information Here\**

#### Section A: Applicant and General Property Information

<b>Owner Information</b>	<b>Applicant Information</b> <i>If different than owner.</i>
Property Owner Name: _____	Applicant Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Phone: _____	Phone: _____
Email: _____	Email: _____
<b>Site Information</b>	License No.: _____
Address: _____	
City, State, Zip: _____	
Parcel #: _____	
Lot & Block Subd. / PLSS (S-T-R): _____	

#### Section B: Project Proposal

Project Narrative:

For Structural Development Activities Check all applicable activities

<b>Activity:</b>	<b>Building Type:</b>
<input type="checkbox"/> New Structure	<input type="checkbox"/> Residential
<input type="checkbox"/> Existing Structure:	<input type="checkbox"/> Non-residential
<input type="checkbox"/> Demolition and Replacement	<input type="checkbox"/> Multi-use Development
<input type="checkbox"/> Demolition	<input type="checkbox"/> Manufactured Home
<input type="checkbox"/> Relocation/Elevation	<input type="checkbox"/> Accessory Building (sq. footage _____)
<input type="checkbox"/> Alteration/Addition/Improvement	<input type="checkbox"/> Other (describe): _____
<input type="checkbox"/> Repair after Damage	

**Foundation Type** Check all that apply

<input type="checkbox"/> Slab	<input type="checkbox"/> Elevated on posts, piles, or piers with enclosure
<input type="checkbox"/> Basement	<input type="checkbox"/> Above-ground crawlspace
<input type="checkbox"/> Elevated on posts, piles, or piers	<input type="checkbox"/> Elevated above an enclosure (garage, stairway access)

Will the structure have an enclosed space below the lowest floor and below the Base Flood Elevation? ☐ Y ☐ N

Total square footage of enclosed area below BFE: \_\_\_\_\_

# Step-by-Step Process – Step 4

## FPA Permit Decision

- Decide if you have what you need to approve the application
- You may Approve, Deny, or Request more Information
  - If denied, provide the applicant with information why
  - If requesting more information, provide the applicant with a list of required documents. May use state model RFI

Place  
Jurisdiction  
Seal

**Request for Information – Incomplete Floodplain Development Permit Application**

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**General Information**

For Permit No.: \_\_\_\_\_ Requested by: \_\_\_\_\_  
Date Requested: \_\_\_\_\_ FPA Phone: \_\_\_\_\_  
Date information needed by: \_\_\_\_\_ FPA Email: \_\_\_\_\_  
After this date, a new permit application must be submitted.

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**Additional Documentation Requested**

The following information was not included in your initial floodplain development permit application. To process your request, please provide the following information to the floodplain administrator by the date indicated in the General Information section above. If the requested information is not provided by the deadline, a new floodplain development permit application must be submitted. DO NOT begin any development activity until an approved floodplain development permit is granted by the floodplain administrator.

<input type="checkbox"/> Applicant contact information	<input type="checkbox"/> No-rise certificate
<input type="checkbox"/> Applicant license number	<input type="checkbox"/> Less than 1' rise determination
<input type="checkbox"/> Site Address, Parcel No., or Legal Desc.	<input type="checkbox"/> Required state or federal permits <small>(see comments)</small>
<input type="checkbox"/> Better description of project	<input type="checkbox"/> Site specific BFE
<input type="checkbox"/> Location map	<input type="checkbox"/> CLOMR application
<input type="checkbox"/> Site plan (including floodplain/floodway)	<input type="checkbox"/> Pre-construction Elevation Certificate*
<input type="checkbox"/> Grading plan	<input type="checkbox"/> Elevation Certificate for existing structure
<input type="checkbox"/> Construction specifications	<input type="checkbox"/> Floodproofing Certificate
<input type="checkbox"/> Floor plans	<input type="checkbox"/> Flood opening/vent specifications
<input type="checkbox"/> Project cost estimate	

Additional Comments or Other Documentation Requested (Describe): \_\_\_\_\_

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**Floodplain Administrator Certification**

FPA Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
The above signature does not grant permission to begin development.



# Step-by-Step Process – Step 4

## FPA Permit Decision

- If approving the application, this is where the FPA will need to provide the applicant with the requirements for compliance
- They will need to know information such as:
  - The required Flood Protection Elevation (BFE + Freeboard). How high do they need to build?
  - Are flood openings in the foundation walls required?
  - Is this project a substantial improvement (is compliance required)?
  - Required elevations of HVAC/Utilities/Electrical
  - Any other information to meet your ordinance requirements

Permit No.: \_\_\_\_\_

**Section D: Project Requirements (To Be Completed by Floodplain Administrator)**

**Floodplain Information**

**FEMA Flood Zone:** ☐ A ☐ AE ☐ AH ☐ AO ☐ Floodway ☐ X (shaded) ☐ Other \_\_\_\_\_

**Base Flood Elevation:** \_\_\_\_\_ NGVD (29) \_\_\_\_\_ NAVD (88)

**Source of BFE:** ☐ FIRM / FIS ☐ Nebraska Floodplain Division ☐ Other: \_\_\_\_\_

**Required Flood Protection Elevation (FPE):** \_\_\_\_\_ NGVD (29) \_\_\_\_\_ NAVD (88)

**Regulatory Requirements**

**Residential:**

Minimum required elevation of top of lowest floor: \_\_\_\_\_ ft. (Required Flood Protection Elevation)

Enclosed area below lowest floor and below BFE? ☐ Yes ☐ No

Requirements for enclosed area below BFE:

Required Net Area of Openings: \_\_\_\_\_ Square Inches

Minimum required elevation for utilities/equipment: \_\_\_\_\_ ft. (Required Flood Protection Elevation)

**Nonresidential:**

Permitted Mitigation Method(s): ☐ Elevation of the Lowest Floor to or above required FPE  
☐ Dry-floodproofing to or above required FPE  
☐ Wet-floodproofing (only for pre-approved structures)

Required Net Area of Openings: \_\_\_\_\_ Square Inches

Enclosed area below lowest floor and below BFE? ☐ Yes ☐ No

Requirements for enclosed area below BFE:

Required Net Area of Openings: \_\_\_\_\_ Square Inches

Permitted Mitigation Method for Utilities/Equipment: ☐ Elevation to or above required FPE  
☐ Dry-floodproofing to or above required FPE

**Substantial Improvement Determination** For improvements/additions of an existing structure

**Cost of Improvements:** \_\_\_\_\_ (a) \_\_\_\_\_  
Attach an itemized cost estimate; See FEMA's "Included and Excluded Costs for Damage Repair Estimates"

**Value of Structure:** \_\_\_\_\_ (b) \_\_\_\_\_  
Attach assessment documents

Calculate the following:  $(a) \div (b) \times 100 = (c)$  \_\_\_\_\_ (c) \_\_\_\_\_

**Is the project a substantial improvement?** \_\_\_\_\_ Y \_\_\_\_\_ N  
If (c) is greater than or equal to 50%, the project is a substantial improvement.

If yes, project must meet applicable regulatory requirements listed above.

# Step-by-Step Process – Step 4

## FPA Permit Decision

- As the FPA, it is your job to provide the floodplain compliance requirements
- Determine the required Flood Protection Elevation (BFE + Freeboard)
- If using the state model permit, use Section D to record these requirements

Permit No.:	
<b>Section D: Project Requirements (To Be Completed by Floodplain Administrator)</b>	
<b>Floodplain Information</b>	
FEMA Flood Zone: <input type="checkbox"/> A <input type="checkbox"/> AE <input type="checkbox"/> AH <input type="checkbox"/> AO <input type="checkbox"/> Floodway <input type="checkbox"/> X (shaded) <input type="checkbox"/> Other	
Base Flood Elevation: <input type="text"/> NGVD (29) <input type="text"/> NAVD (88)	
Source of BFE: <input type="checkbox"/> FIRM / FIS <input type="checkbox"/> Nebraska Floodplain Division <input type="checkbox"/> Other: <input type="text"/>	
Required Flood Protection Elevation (FPE): <input type="text"/> NGVD (29) <input type="text"/> NAVD (88)	
<b>Regulatory Requirements</b>	
<b>Residential:</b>	
Minimum required elevation of top of lowest floor: <input type="text"/> ft. (Required Flood Protection Elevation)	
Enclosed area below lowest floor and below BFE? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Requirements for enclosed area below BFE:	
Required Net Area of Openings: <input type="text"/> Square Inches	
Minimum required elevation for utilities/equipment: <input type="text"/> ft. (Required Flood Protection Elevation)	
<b>Nonresidential:</b>	
Permitted Mitigation Method(s): <input type="checkbox"/> Elevation of the Lowest Floor to or above required FPE	
<input type="checkbox"/> Dry-floodproofing to or above required FPE	
<input type="checkbox"/> Wet-floodproofing (only for pre-approved structures)	
Required Net Area of Openings: <input type="text"/> Square Inches	
Enclosed area below lowest floor and below BFE? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Requirements for enclosed area below BFE:	
Required Net Area of Openings: <input type="text"/> Square Inches	
Permitted Mitigation Method for Utilities/Equipment: <input type="checkbox"/> Elevation to or above required FPE	
<input type="checkbox"/> Dry-floodproofing to or above required FPE	
<b>Substantial Improvement Determination</b> <small>For improvements/additions of an existing structure</small>	
Cost of Improvements: <small>Attach an itemized cost estimate; See FEMA's "Included and Excluded Costs for Damage Repair Estimates"</small>	(a) <input type="text"/>
Value of Structure: <small>Attach assessment documents</small>	(b) <input type="text"/>
Calculate the following: $(a) \div (b) \times 100 = (c)$	(c) <input type="text"/>
Is the project a substantial improvement? <small>If (c) is greater than or equal to 50%, the project is a substantial improvement.</small>	<input type="checkbox"/> Y <input type="checkbox"/> N
If yes, project must meet applicable regulatory requirements listed above.	

# Step-by-Step Process – Step 4

## FPA Permit Decision

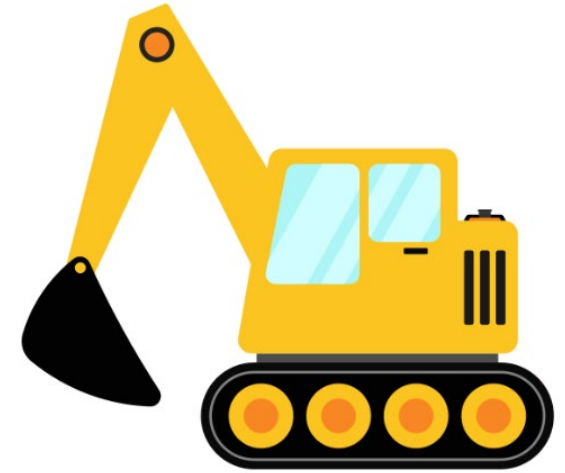
- For existing/nonconforming structures, review the application for substantial damage/improvement
- If the project will be a substantial improvement:
  - Provide the applicant with this determination
  - Clearly mark and communicate that compliance with regulations is required
  - This may require them to modify their original plans, which may require a new permit application



# Step-by-Step Process – Step 5

## Project Monitoring

- Once the applicant has an approved permit, they can begin work
- Note, work must begin within 180 days for the permit to be valid
  - After 180 days, a new permit is required
- If work does begin within 180 days, the permit is good for the life of the project, unless otherwise specified by the community
  - Communities have the authority to set limits!



# Step-by-Step Process – Step 5

## Project Monitoring

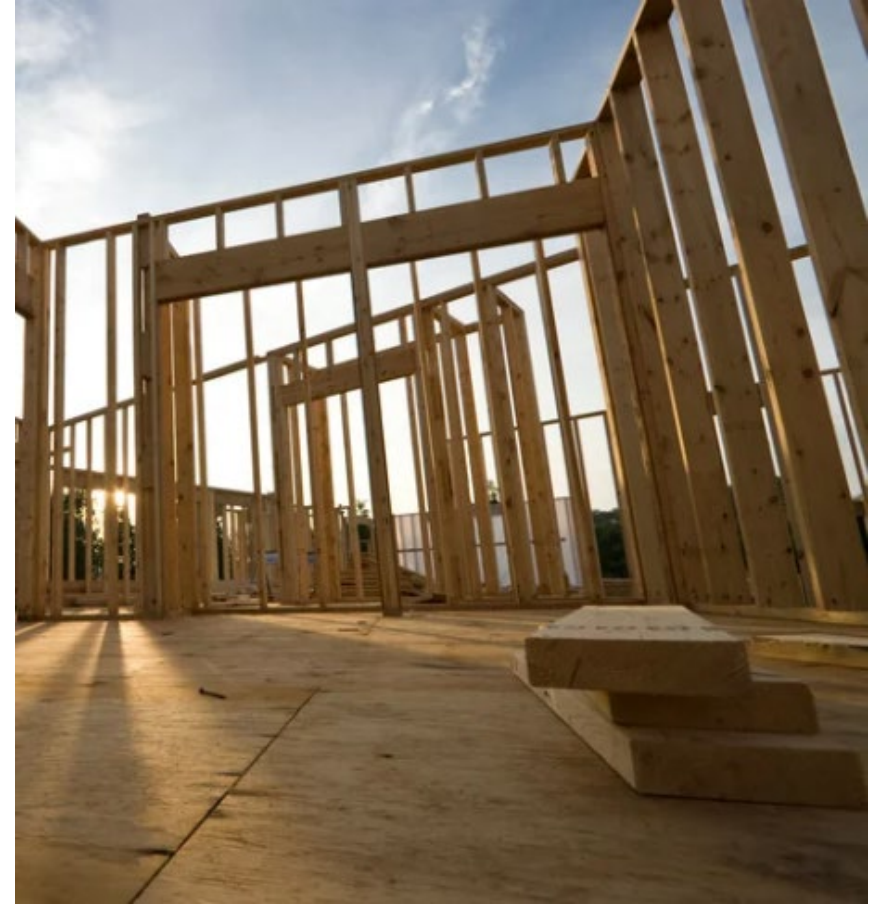
- The FPA is now responsible for monitoring the work/completing inspections
  - It can be extremely hard and costly to correct issues if you wait until construction is finished!
- Align your inspections with other building/utility/electrical inspections



# Step-by-Step Process – Step 5

## Project Monitoring

- Examples of mid-construction compliance verification may include:
  - Requesting a mid-construction elevation certificate (i.e. after foundation is poured) to check elevations of the floor
  - Checking and photographing grading activities to ensure they are staying within the bounds of the permit
  - Checking for other unauthorized work (additional structures, unauthorized improvements or additions to existing structures, etc.)





# Step-by-Step Process – Step 5

## Project Monitoring

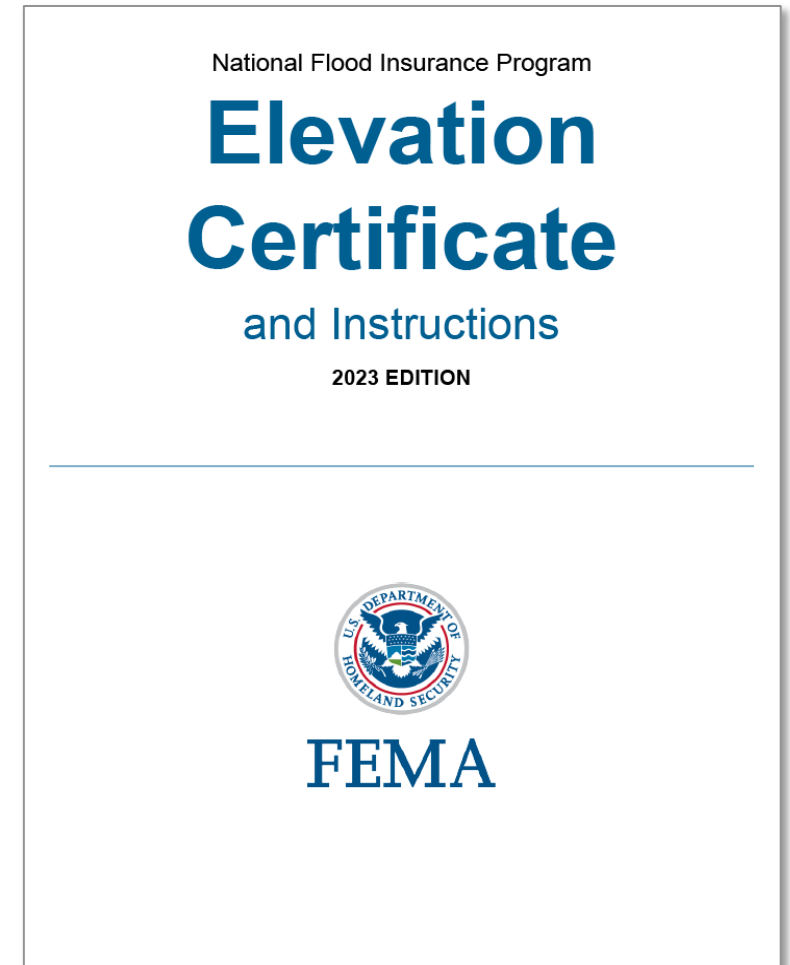
- If unauthorized work is discovered, communities can:
  - Issue a stop work order (if you have that authority), or
  - Pull the floodplain development permit (all communities have this authority)
- If this happens, you may contact our office for assistance
  - We have assisted a number of communities with similar situations



# Step-by-Step Process – Step 6

## Post-Construction Proof of Compliance

- Proof of compliance means any documentation that verifies compliance with the local ordinance and permit after construction is complete
- Post-construction floor elevations for any structure must be obtained and maintained by the community
  - 44 CFR 60.3(b)(5)
  - 44 CFR 60.3(b)(6)
- The [Elevation Certificate](#) is the recommended form for obtaining this information
  - Verifies post-construction floor elevations using surveyed elevations
  - Ensures the permit was followed



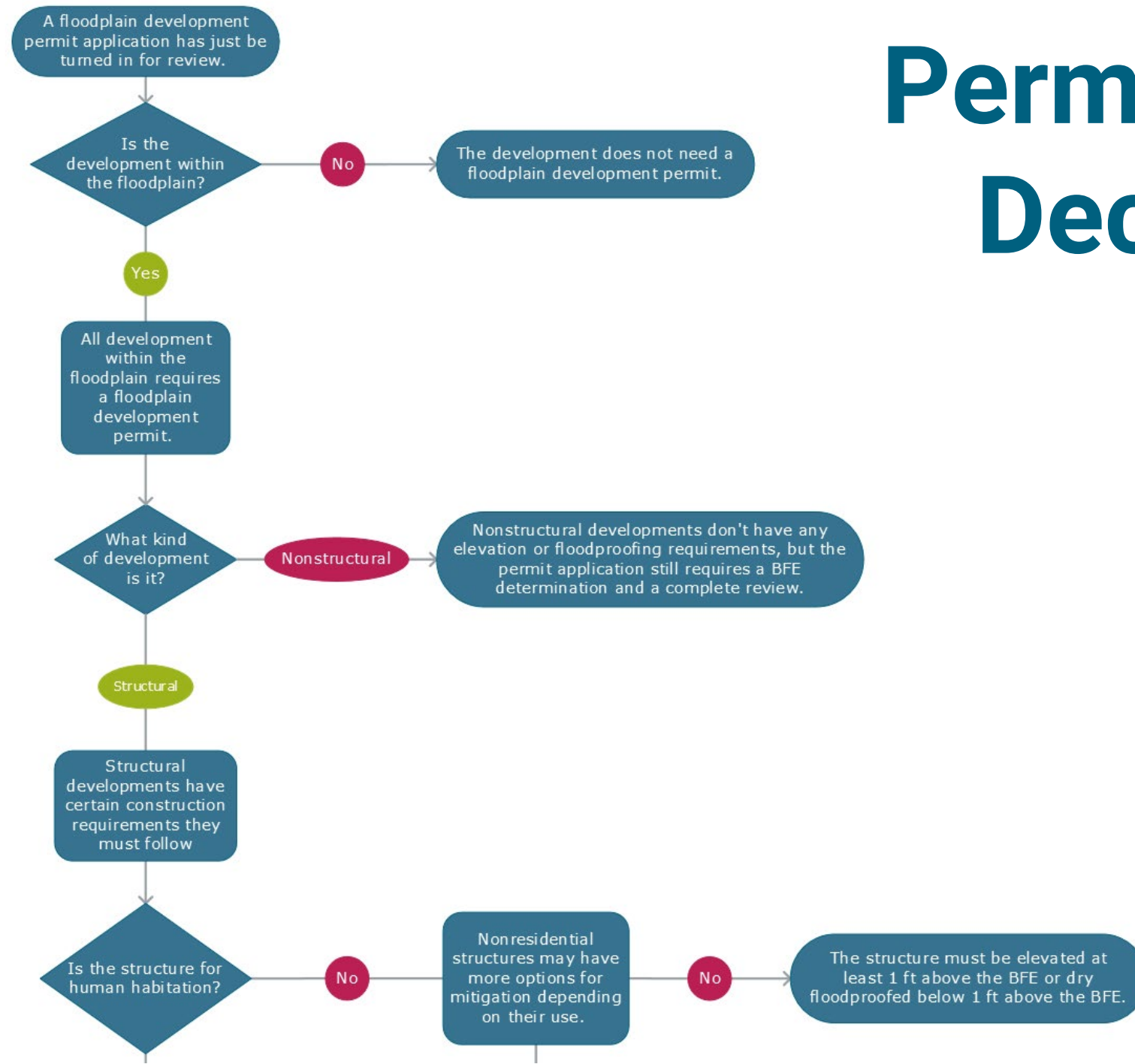
# Step-by-Step Process – Step 6

## Post-Construction Proof of Compliance

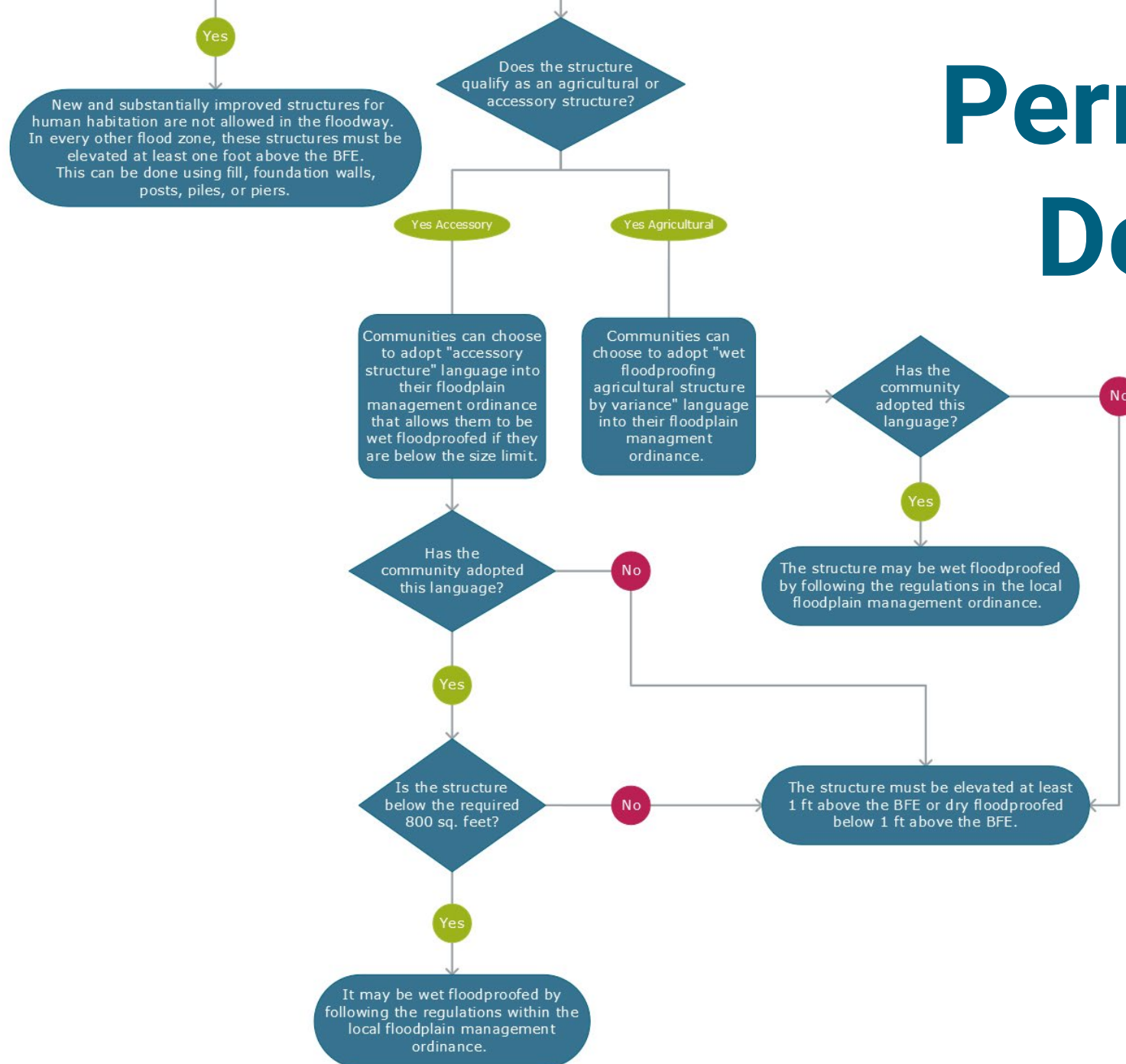
- For non-structures, post-construction proof of compliance may include:
  - Before and after photographs of grading demonstrating that the ground has been returned to pre-existing conditions
  - In-person site inspection
  - Verifying that all construction materials and equipment have been removed from site
  - Checking for any unauthorized work



# Permitting Decision Tree



# Permitting Decision Tree



# Permit Review



```
graph LR; A([Review for completeness]) --> B([Review for compliance]); B --> C([Approve/Deny]);
```

Review for completeness

Review for compliance


Approve/Deny



An aerial photograph of a flooded landscape, likely a golf course or park, with a bridge visible on the left. The water is a deep blue, and the surrounding land is green. The text "Base Flood Elevation Determinations" is overlaid in white.

# Base Flood Elevation Determinations

# BFE Determinations by Flood Zone

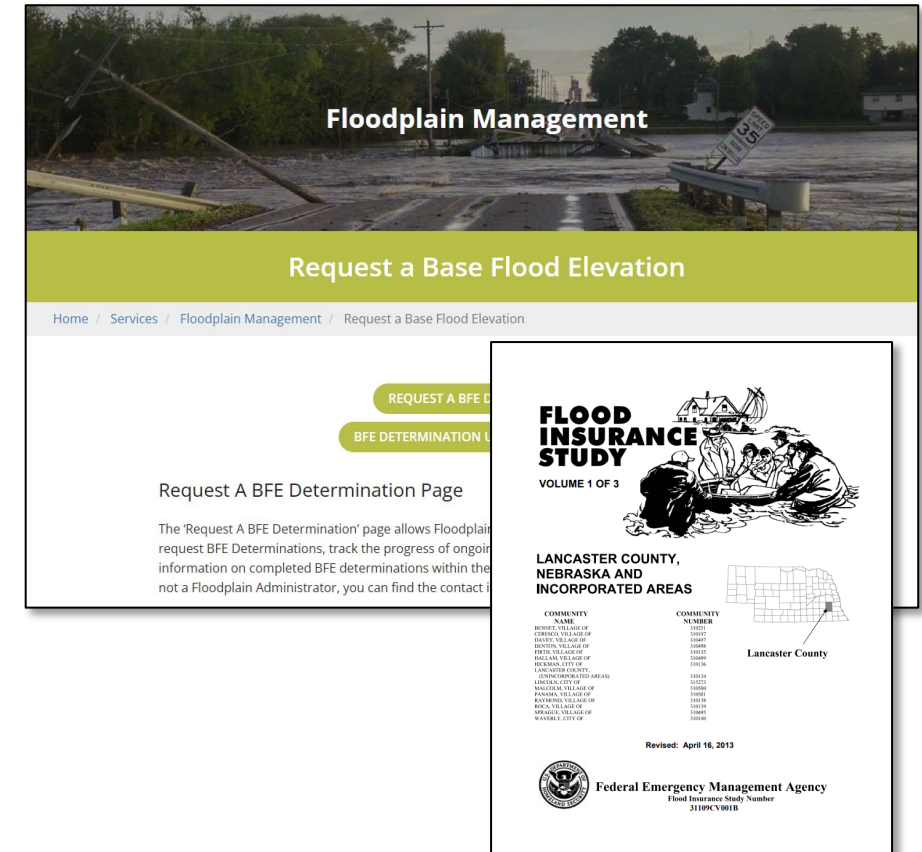
- The process for determining a Base Flood Elevation for a site depends on the flood zone
  - There are three places a BFE can come from:
    - Flood Insurance Rate Maps (AH , AO zones)
    - NDWEE or community Determinations (A zones)
    - Flood Insurance Study (AE zones)
- 

# BFE Determinations by Flood Zone


## Determining the Base Flood Elevation (BFE)

- Zone A floodplain: [request the information](#) from NDWEE's office
- Zone AE: Use the Flood Insurance Study (FIS)
- Zone AO & AH: depth number on the FIRM (2ft if no depth specified)

**\*\*Applicant required to provide own BFE determination if dev. is larger than 5 acres or 50 lots (whichever is less)**



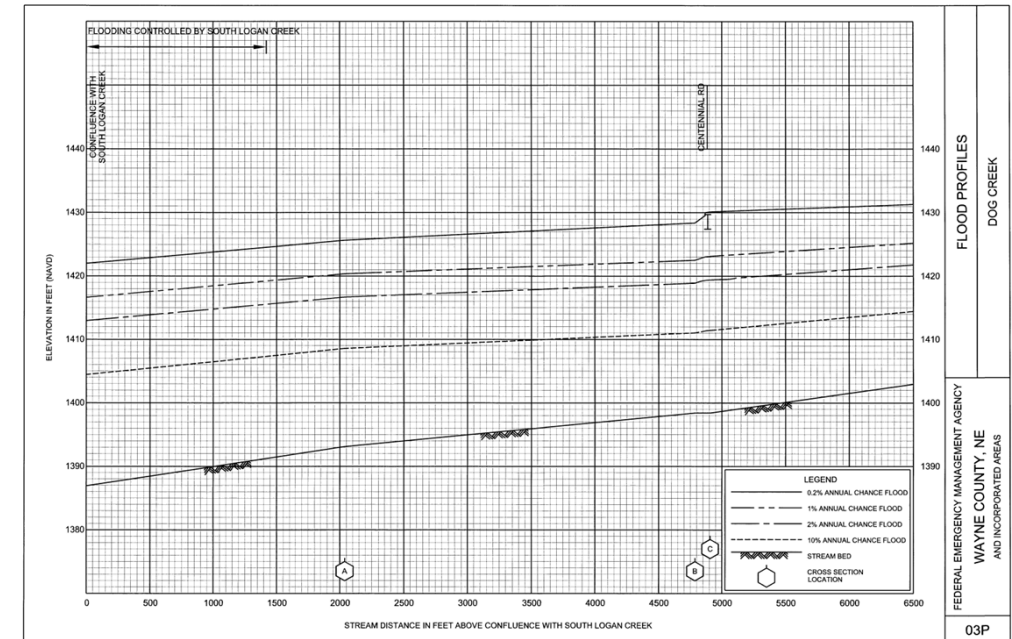
# BFE Determination: A Zones

- A Zones don't have Base Flood Elevations determined on the FIRM, and a Flood Insurance Study is not available
  - DWEE will provide base flood elevations for free
  - Floodplain administrators may request them at <https://dnr.nebraska.gov/floodplain/request-base-flood-elevation>
  - Password reset requests can be sent to [Michele.York@nebraska.gov](mailto:Michele.York@nebraska.gov)
- 



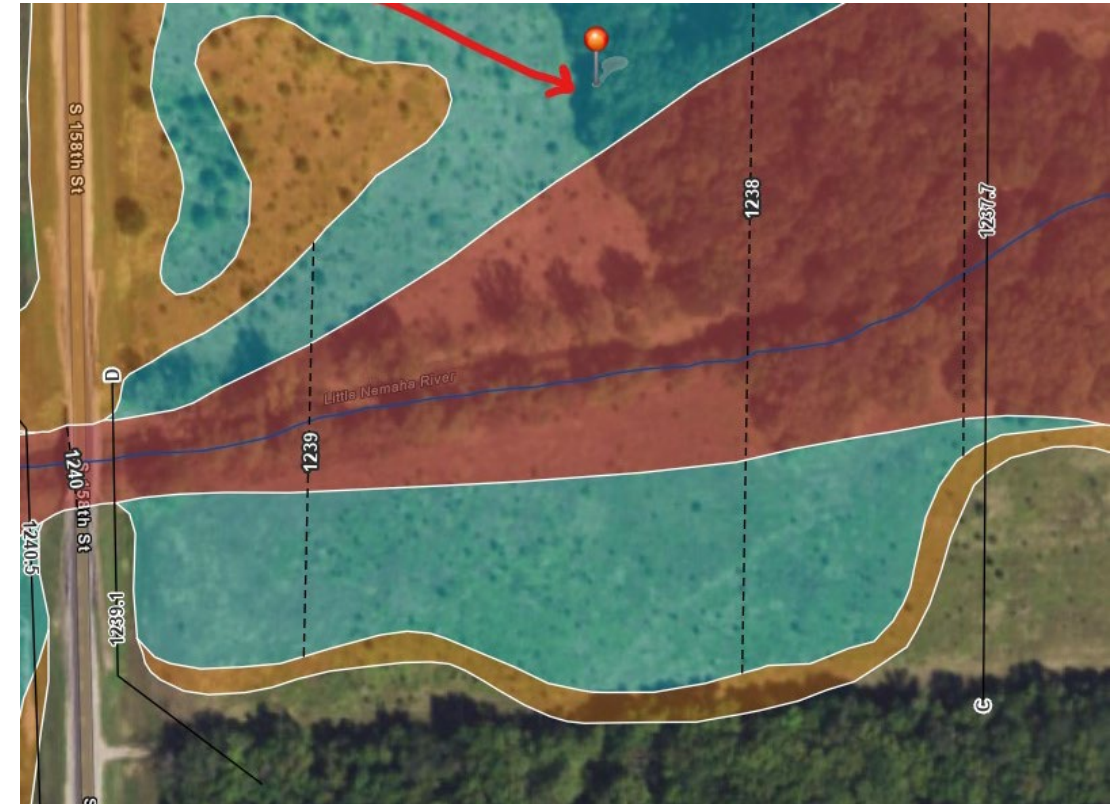
# BFE Determination: AE Zones

- BFE must be determined using the flood profiles in the Flood Insurance Study
- Measure the BFE to the nearest tenth of a foot
- Determination must be reasonable
- Floodplain administrators have the authority to make this determination



# Step 1: Determine the location of the development

- Create a point or box on the map showing where the development is proposed
- Be as accurate as possible
  - Ask the contractor, engineer, or surveyor to provide a site map if possible
  - If making a box, use the highest upstream part to determine the BFE





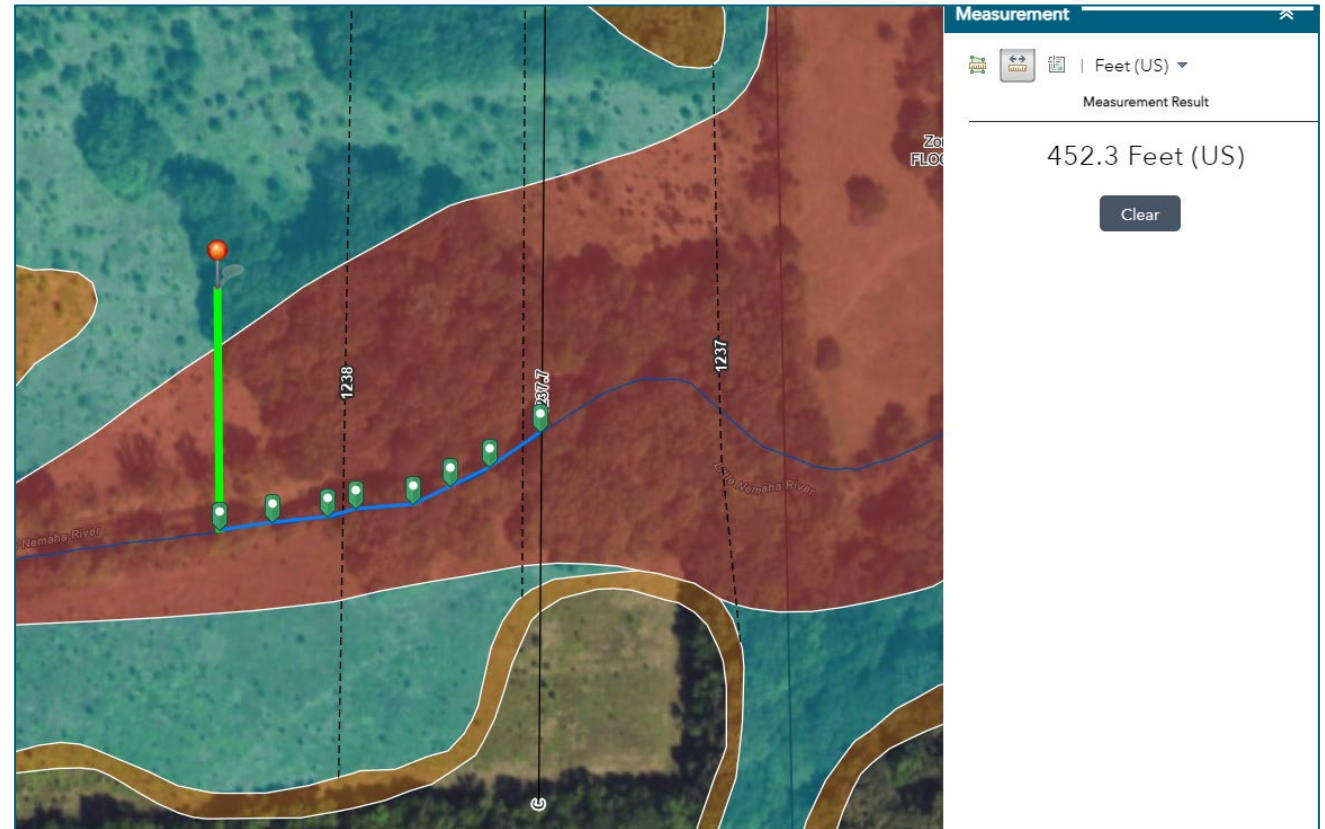
## Step 2: Find the cross-sections

- Identify the cross-sections the development is in between
  - In this case they are cross-sections C and D



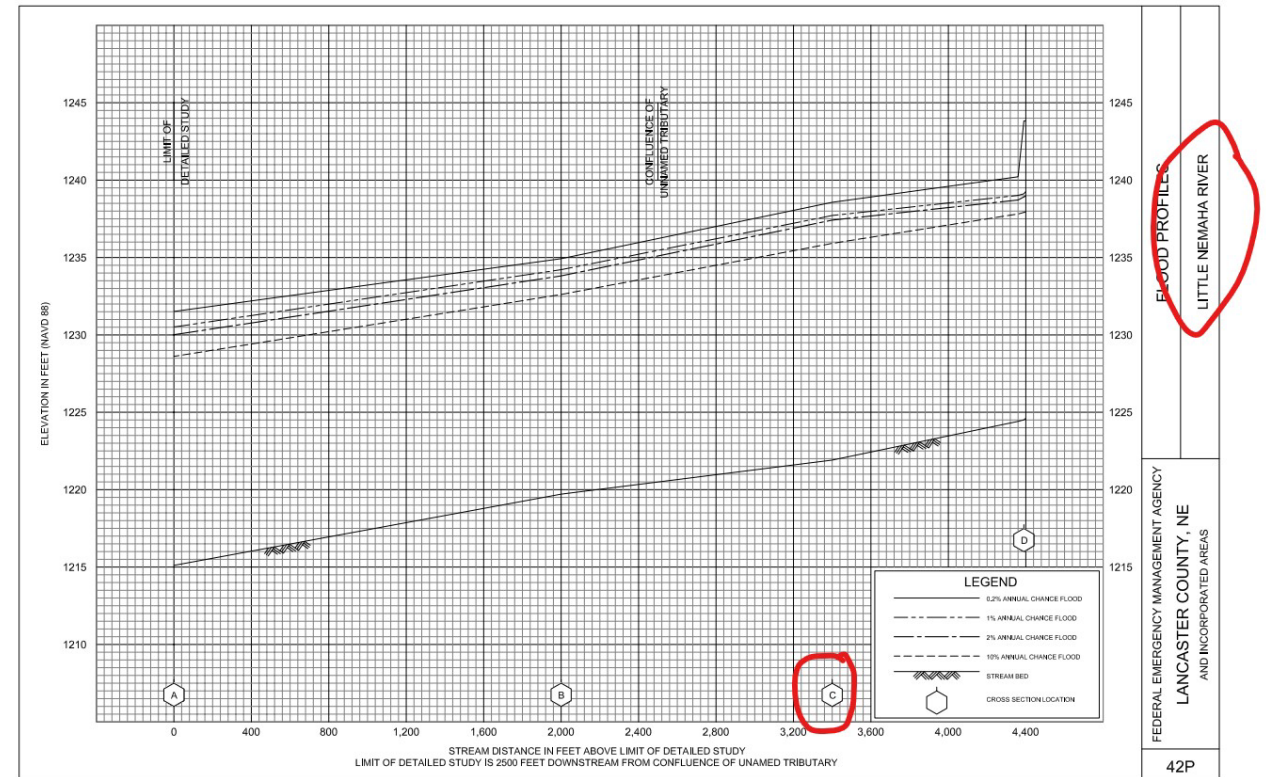
## Step 3: Measure distance along the “thalweg”

- Draw a line from the development location perpendicular to the stream/riverbed (also known as the thalweg)
- Measure the distance from the nearest cross-section to your line following the thalweg
  - *Thalweg: The bottom of a river channel (AKA profile baseline)*



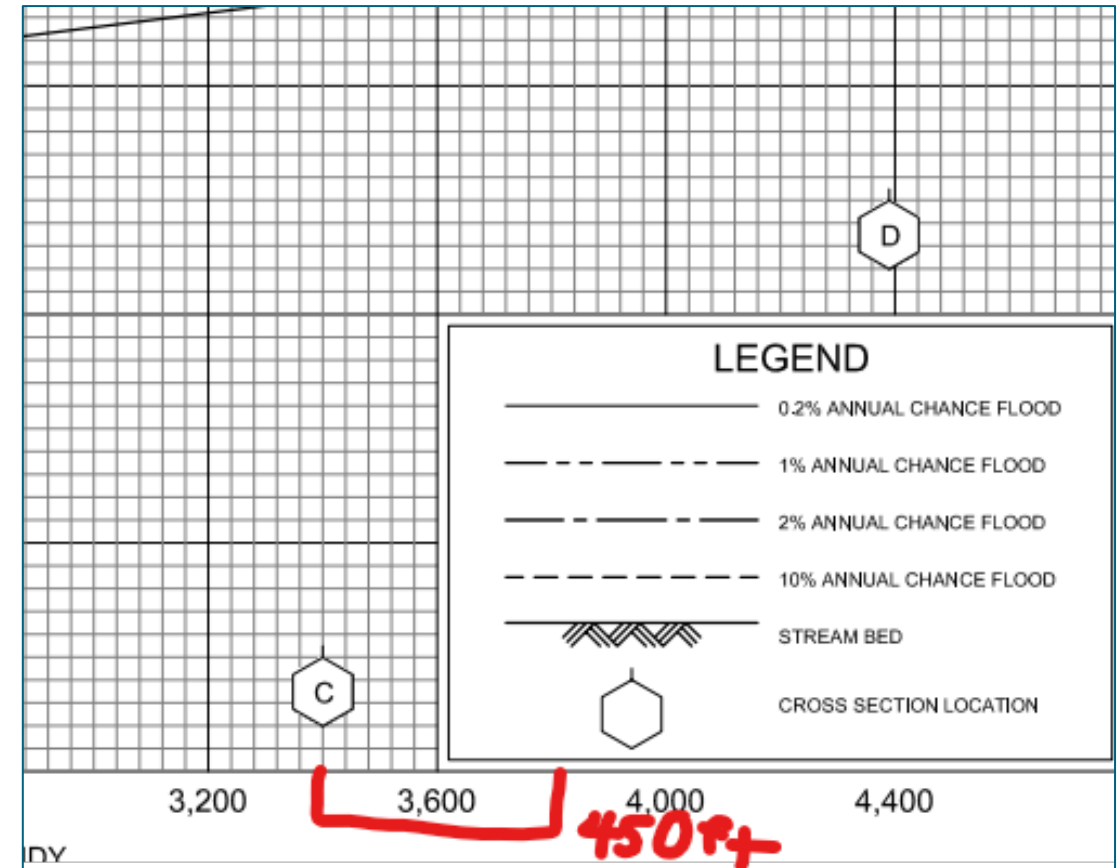
# Step 4: Find the correct Flood Profile

Open the Flood Insurance Study for the County. In this case, we are looking at Lancaster County's Find the Flood Profile for the correct river or stream showing the correct cross-sections. For this example, it is the Little Nemaha River



# Step 5: Measure the stream distance

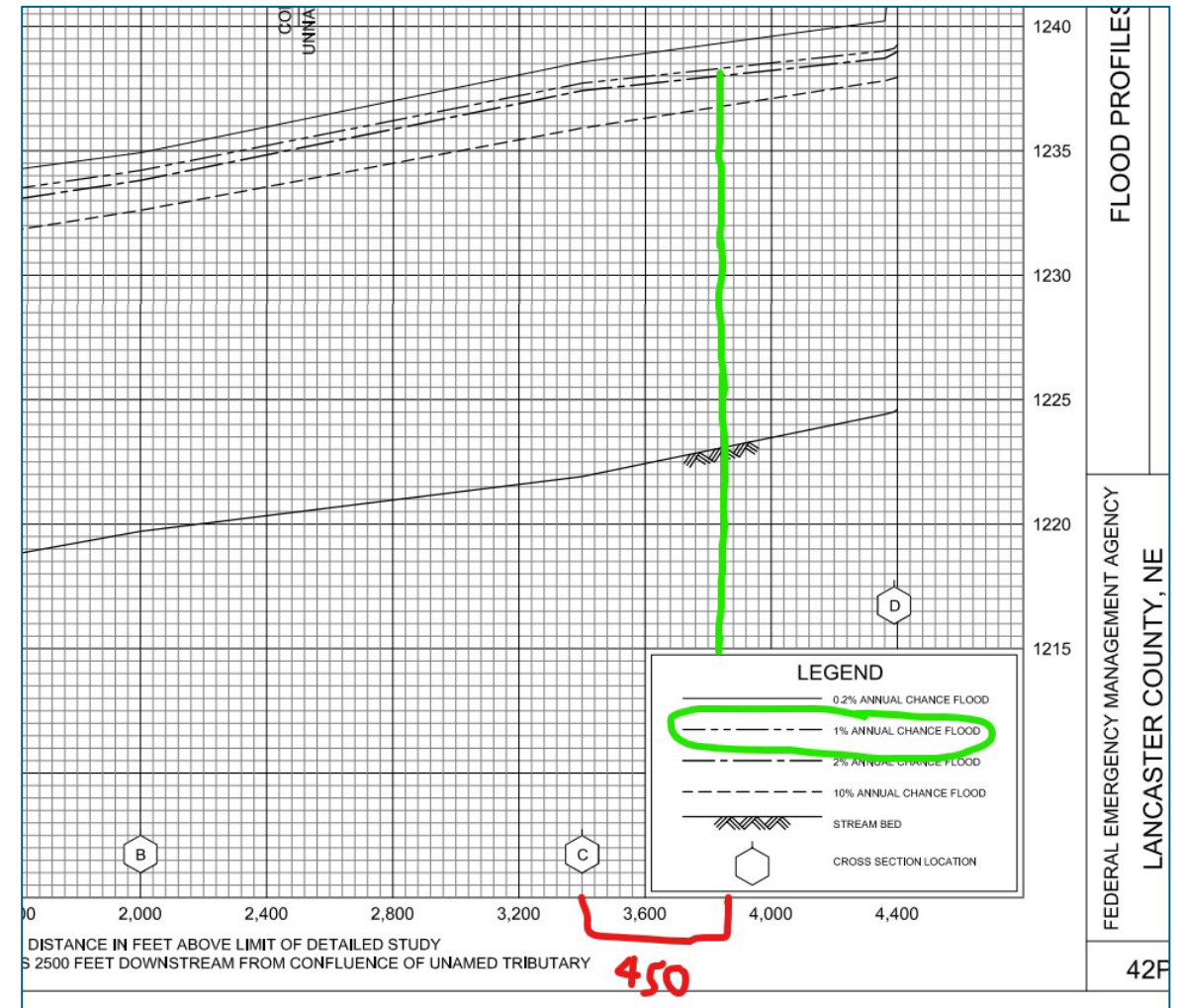
- Starting at the cross-section you measured from in Step 3, measure that same distance following the X-axis
  - In this case, it was about 450ft (refer to step 3).





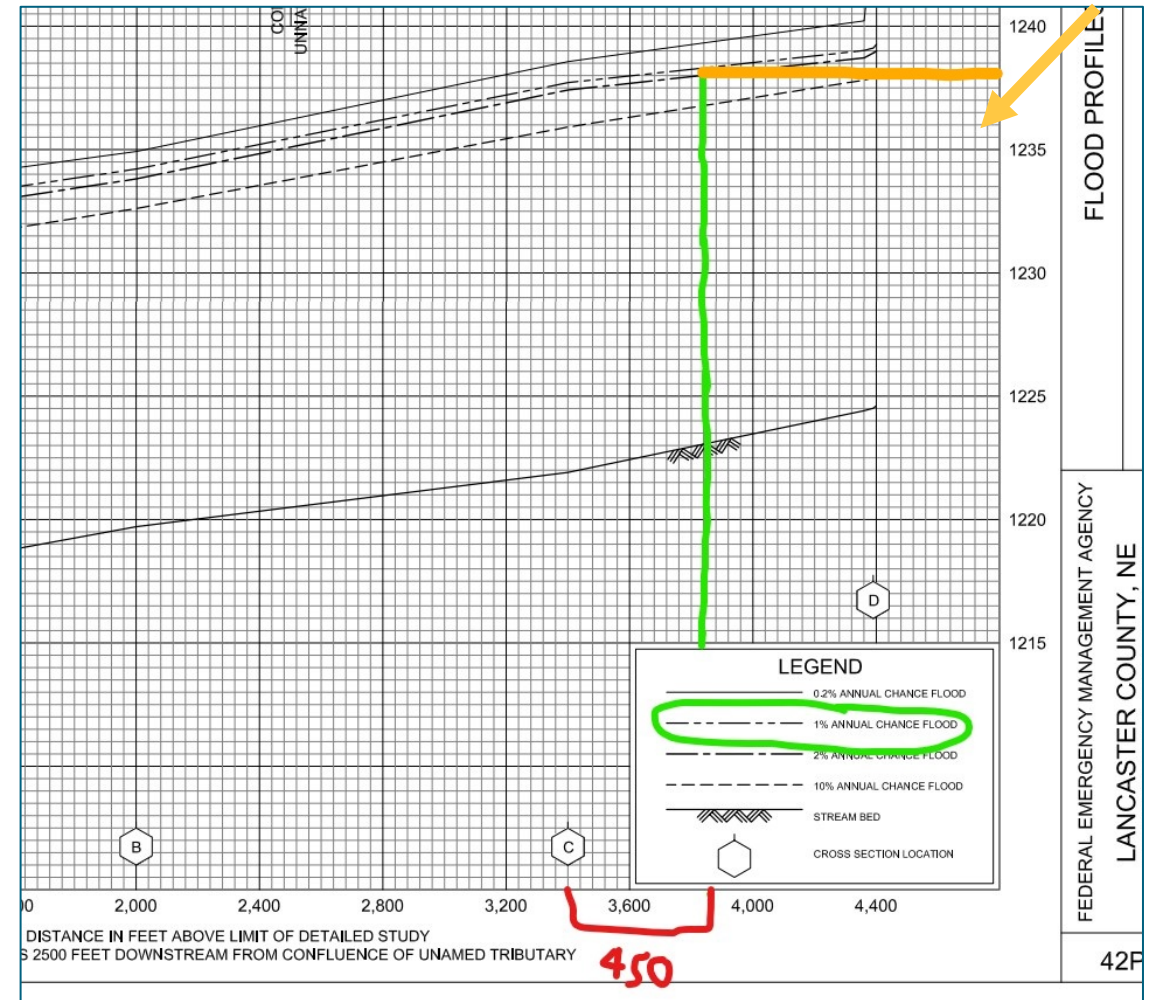
# Step 6: Find the 1% annual chance line

- Draw/follow a line from that distance until it intersects with the 1% annual chance line shown on the chart



# Step 7: Determine the BFE

- Use the Y-axis to determine the BFE
- Remember, interpolate to the nearest 10<sup>th</sup> of a foot
- This BFE is nearest to 1238.1ft

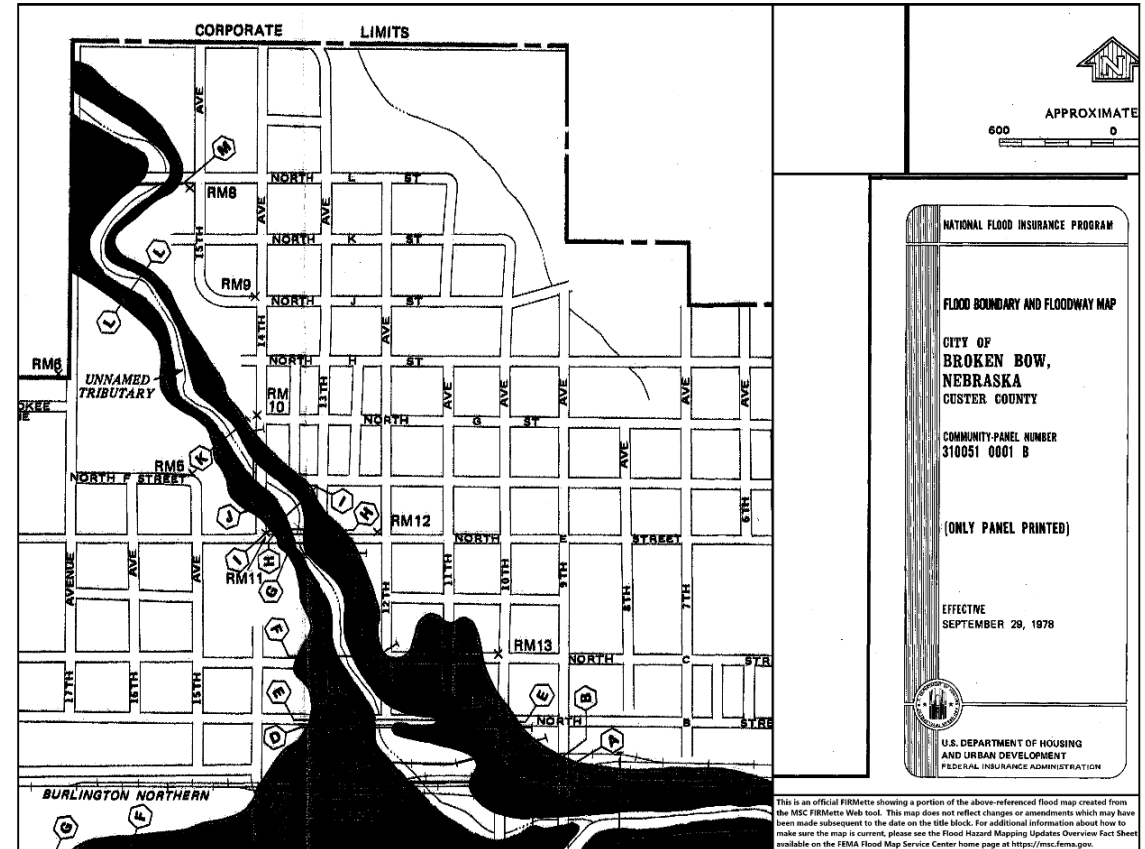




# Paper Maps

- Communities with paper maps may have to use their paper FIRM panels and follow the exact steps 1-3
- FIRM panels can be downloaded from the FEMA MSC

**\*\*Note:** the floodway map is likely a separate map from the FIRM panel(s)



An aerial photograph of a river and surrounding sports fields, including baseball and softball diamonds, with a blue overlay.

# Helpful Tips & Resources



# Resources

- NE Floodplain Management's Digital Desk Reference  
<https://dnr.nebraska.gov/floodplain/digital-desk-reference>
- NE Floodplain Management's Model Permit Application  
<https://dnr.nebraska.gov/floodplain/digital-desk-reference>
- NE Floodplain Management's Trainings  
<https://dnr.nebraska.gov/floodplain/training-and-workshops>



# Key Takeaways

# Key Takeaways

- Floodplain Development Permits are required for development in the Special Flood Hazard Area (SFHA)/floodplain
- State has a model permit application to assist, but is not required
- Review permit applications for completeness & correctness before deciding to approve or deny... ask for more information if needed!
  - We would be happy to help review materials if you are unsure of an application
- Inform community members make for an easier permitting process
  - Engage the community frequently!



# Upcoming Trainings

## **I'm the Floodplain Administrator, Now What?**

Wednesday, October 22<sup>nd</sup>

6 – 8 PM

## **Higher Floodplain Standards: Going Beyond the Minimums to Protect Your Community**

Tuesday, November 18<sup>th</sup>

1 – 2 PM

## **Basic Floodplain Management**

Thursday, December 11<sup>th</sup>

10 AM – 3 PM

Register at <https://dnr.nebraska.gov/floodplain/training-and-workshops>



# Follow us on Social Media!



**Nebraska Department of Water, Energy, and Environment**



**@nebraskadwee**



**Nebraska Department of Water, Energy, and Environment**



**@NebraskaDWEE**



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