



# The Antediluvian

## Ohio's Floodplain Management Newsletter

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Issue 2

**MISSION STATEMENT:** The Mission of Floodplain Management Program is to provide leadership to local governments, state agencies, and interested parties toward cooperative management of Ohio's floodplains to support the reduction of flood damage and the recognition of the floodplain's natural benefit. This mission will be accomplished through technical assistance, public awareness, education, and development/protection standards.



### FIVE Presidential Declarations for Flood Disaster in Three Years for Ohio!

By Cynthia J. Crecelius, Program Manager,  
Division of Water Floodplain Management Program

For the last several years we have had either a current or very recent flood disaster to recount in *The Antediluvian*. The summer of 1998 is no different. A series of severe storms resulted in flooding, lightning, and wind damage beginning on June 24, 1998. The Governor's disaster declaration included twenty-six counties, most affected by flooding. The counties included are: Athens, Belmont, Coshocton, Delaware, Franklin, Guernsey, Harrison, Holmes, Jackson, Jefferson, Knox, Licking, Marion, Meigs, Monroe, Morgan, Morrow, Muskingum, Noble, Ottawa, Perry, Pickaway, Richland, Sandusky, Tuscarawas and Washington. Estimates from the Ohio Emergency Management Agency indicated as many as 9,000 persons were out of their homes. Eleven deaths were confirmed. Numerous state, U.S. and local highways were closed due to high water and bridge or culvert damage. Several streams including Wills Creek in Cambridge set record high water elevations. Twenty-three of the twenty-six counties affected were also included in a Presidential Declaration.

The Federal Emergency Management Agency

(FEMA) designates the scope of assistance that the Presidential Declaration will include. The Governor requests the major disaster declaration (Presidential) when it is beyond the capability of the local and state governments to handle the response. Disaster recovery assistance from the federal government falls into three broad categories. Human Services provide aid for individuals, families and business owners, sometimes referred to as individual Assistance. Infrastructure Support aids state, local and specific private nonprofit organizations for limited emergency services and

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repair / replacement of disaster-damaged facilities. This is also known as Public Assistance. The third category is Hazard Mitigation grants to fund measures that will reduce future losses to public and private property. Some disasters will involve assistance only for individuals or only public assistance. Hazard mitigation is included with most since it has a direct benefit to reducing future risks. This disaster included all three types of assistance; however, certain counties received only Individual Assistance or Public Assistance and some received both. Hazard mitigation is available to all. The disaster assistance is not designed to make individuals or communities whole (in other words exactly like they were before the disaster), rather it is intended to help people and towns meet immediate needs to begin the recovery process.

Preliminary damage reports compiled by the Ohio Emergency Management Agency show 322 dwellings destroyed in the central and southeast Ohio area; 729 with major damage and 1,152 with minor damage. State officials estimate dollar losses in the flooded communities at more than \$150 million. Damage to homes, businesses and churches is estimated at \$48 million; disaster cost incurred by local, state and federal governments is estimated at \$82 million. Not included in these estimates is economic injury to local business or agricultural losses.

The deadline to apply for federal and state disaster assistance was Saturday, August 29, 1998. As of the first week of August, FEMA had issued more than \$6.2 million in temporary disaster housing assistance to over 3,600 eligible flood victims. Almost 7,400 persons have registered with FEMA for disaster assistance. The Small Business Administration

has approved more than \$6.5 million in low interest disaster loans to cover residential and business losses which insurance did not compensate. The State of Ohio's Individual and Family Grant Program has disbursed over \$1.3 million in grants for disaster-related necessary expenses (not covered by other assistance programs).

The good news is that after five devastating floods in the last three years, more and more Ohio residents and business owners are taking steps to reduce their risk from floods in the future. Ohioans are mitigating. They are recovering smarter, by recognizing the flood risk and consciously restoring their development to eliminate as much risk in the future as reasonably practical. Smart Recovery is a partnership between the Federal Emergency Management Agency, Ohio Department of Natural Resources, Ohio Emergency Management Agency and the citizens of Ohio. Smart Recovery was created after the March 1997 flood disaster and applied after this most recent event. It is an outreach and education effort to help identify actions and strategies you can take now to protect your home, business or community from future damage.

If you live in one of the 26 counties under the current flood disaster declaration, or in one of the over 50 counties affected by the 1996 and 1997 events you may contact 1-800-267-4474 for more information on Smart Recovery. 

A colorful (or B&W) Poster of  
**Historical Presidential  
Disaster Declarations**  
can be downloaded from  
[www.bakerprojects.com/fema](http://www.bakerprojects.com/fema)

# A \$50,000 Flood Damage Repair Cost Comparison

## With Flood Insurance

\$100,000 coverage

\$50,000 Flood Damage

- \$1,000 Deductible

\$49,000 total Claim Benefit

- \$324 Average Annual Premium

\$48,676 Net Benefit

**\$324**

Per Year

## Without Flood Insurance:

\$0 coverage

\$50,000 Flood Damage

+ \$3,732 Annual Disaster

Loan Payment

Or

\$311 Per Month

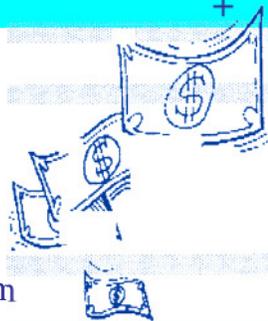
(\$50,000 SBA Loan

@ 4% interest for 20 yrs.)

\$3,732 Net Cost

**\$3,732**

Per Year



## Nomination of David Kennedy, Village of New Richmond- Floodplain Administrator for the Larry R. Johnston Memorial Award

By Cynthia J. Crecelius, Program Manager,  
Division of Water - Floodplain Management Program

The staff of the Ohio Division of Water, Floodplain Management Program has the opportunity to meet and work with over 700 Ohio floodplain administrators. We are amazed and impressed with their creativity, commitment, and determination when the odds seem to be against them. One individual has been a stand-out in the minds of Division staff for the last several years. David Kennedy, Floodplain Administrator for the Village of New Richmond, Clermont County,

Ohio embodies the struggle for flood hazard reduction at the local level ... *in the absence of sophisticated programs and support.* For this reason, it was logical that when we received the national Association of State Floodplain Managers annual awards application we nominated Dave Kennedy for recipient of the Larry R. Johnston Memorial.

New Richmond is a small town of about 2,600 residents, on the banks of the Ohio River some 15 miles east of Cincinnati. It has a very high risk of flooding. Over 50% of the Village is in the 100-year floodplain, and the central business district is between 10 and 12 feet below the 100-year flood elevation. Similar to communities on the Mississippi and Missouri Rivers, New Richmond suffers from long duration, deep water flooding.

New Richmond's floodplain management efforts began with Dave Kennedy. Mr. Kennedy has been Village Administrator in New Richmond for nine years. As the Village Administrator, Mr. Kennedy writes contracts for public improvements, has oversight of the street department and water/wastewater treatment facilities, writes grants, administers public works

projects, and issues building/subdivision permits. These duties are enough to keep anyone busy; however, he also serves as the Village Floodplain Administrator. When Mr. Kennedy assumed the floodplain management duties, there was not much of a floodplain management program in existence.

Within a year or two of his joining the village staff, he had prioritized floodplain management as an issue for Village concern. He educated himself to the benefits of the community's National Flood Insurance Program (NFIP) participation. He addressed amending of the local flood damage prevention regulations to ensure minimum flood protection standards for all future and improved development in the community flood hazard area. Mr. Kennedy fine-tuned a development review and permit process to support the effective enforcement of his floodplain management regulations. With the basics set, he next expressed interest in the relatively new Community Rating System in 1990.

In 1992, Mr. Kennedy was the driving force behind New Richmond's application to join the CRS. Currently the Village is a Class 9 and will be a likely candidate for a class 8. Since joining the CRS, Mr. Kennedy has strengthened the public education and outreach efforts of the village including maintaining publications in the village library concerning flood loss reduction, maintaining a list of qualified consulting engineers and surveyors knowledgeable about flood loss reduction techniques, mailing an annual letter to property owners of repetitive loss structures, and mailing an annual flyer Flood Protection Information to all residents of the village.

Another innovation by Mr. Kennedy is a database of all structures in the 100-year floodplain. This database has the first floor elevation of all (currently 581) buildings in the 100-year floodplain and associates the first floor elevation with the elevation on a staff gage in the Ohio River at New Richmond. This allows Mr. Kennedy to mail an annual notice to all residents in the floodplain which tells them the gage height that flooding will occur in their home or business.

Mr. Kennedy has taken other steps to go beyond the minimum National Flood Insurance Program standards which, he believed, could be improved. Mr. Kennedy wrote the village's fill/dumping prohibitions in the floodway, and additional standards for elevated manufactured residential structures. New Richmond now has one of Ohio's best floodplain management programs.

Many floodplain administrators may have stopped here; however, Dave Kennedy was presented new challenges and opportunities when the January 1996, May 1996 and March 1997 Ohio River floods resulted in Presidential Disaster Declarations. Dave Kennedy implemented his local floodplain management program in response to these challenges by enforcing his local floodplain management regulations (permitting, substantial damage and substantial improvement criteria), and pursuing Hazard Mitigation Grant Program projects. The social, political, and economic goals of his community were not always in harmony (and did directly conflict) with his goals for a recovery that resulted in less future flood risk throughout New Richmond.

The most recent test of the local floodplain management program in New Richmond, and Mr. Kennedy's personal fortitude came in March 1997. Flooding in the Ohio River basin on March 2-3, 1997 resulted in a near flash flood on the mighty Ohio. In New Richmond, flood depths reached nearly eight feet.

During the recovery period of this last flood, the residents of New Richmond vented their frustration, fear, and anger at Mr. Kennedy. He responded professionally and with clear descriptions of how the permit process would work. Mr. Kennedy stood firmly on his plan and outlined the framework for how substantial damage determinations and post disaster permitting would occur in New Richmond.

Since then, Mr. Kennedy has put in countless days, and spent many, many frustrating hours wearing the hat of floodplain administrator. He established fair and consistent guidelines for the submission of damage estimates and the current value of structures. Mr. Kennedy has also faced

the unpleasant task of telling many people that they cannot repair their structure unless it is elevated. He even pulled water meters to stop inappropriate redevelopment by residents who had substantially damaged structures but no permits. *I didn't know what else to do*, said Kennedy. This exemplifies Dave's commitment to his job and the risk he has taken to achieve a reduced flood damage in New Richmond.

Dave is not resting on his accomplishments! Since this last flood, he continues to promote two important initiatives in New Richmond. First, New Richmond developed a mitigation project as a result of the 1996 Ohio River flood disaster declaration. Phase I of the project was approved in mid-1997 and involved mitigation options for 42 of the lowest lying structures. Phase II of the project was approved in early 1998 as a result of the March 1997 flood and involves 22 structures as well as 37 unimproved lots.

Mr. Kennedy is overseeing the implementation of the project. Secondly, the village contracted to have an Integrated Emergency Management Plan (IEMP) created. The IEMP not only addresses emergency functions in the village during and after a flood, but it also has very specific guidelines for conducting substantial damage inspections, substantial damage determinations, obtaining permits to repair flood damaged structures, and long term recovery. Mr. Kennedy has the vision to ensure that the procedures and processes are in place so that a successor will have all of the tools necessary to do an effective job.

Mr. Kennedy has, almost singlehandedly, created one of the best local floodplain management programs in Ohio. The March 1997 flood, in Dave's words has *changed my life*. At a time when the Village Council, Village residents and other local officials were upset, angry and even threatening. Mr. Kennedy struggled to maintain a fair and equitable floodplain management program for the long term viability of the Village. To this end, Mr. Kennedy continues to promote the benefits, both long and short term, of floodplain management. The Floodplain Management Program of Ohio had the

distinguished honor of nominating David Kennedy for the **Larry R. Johnston Memorial**. This award is designed to honor an individual responsible for the development of a distinguished local program or activity; or one who struggles to implement flood hazard reduction at the local level in the absence of sophisticated programs and support.

The Association's national award committee selected Mr. Dave Kennedy ...*recognizing his outstanding individual efforts and contributions to floodplain management at the local level*. Dave received his award at the 1998 annual conference in Milwaukee and was provided an opportunity to share experiences with over 400 other floodplain management professionals. The Floodplain Management staff wishes to extend our congratulations and thanks to Dave Kennedy for a job well done! 



## ***They Just Don't Get It***

(reprinted from *Illinois Association for Floodplain and Stormwater Management News*, Spring, 1998)

By W. Louis Sidell, Jr. Maine Floodplain Management Coordinator and founding Chair of IAFSM

**I** don't know if you saw the recent piece on NBC's *Fleecing of America*, but for the second time in a month, NBC took a major swing at the National Flood Insurance Program. Aside from some very misleading reporting, I think they are completely missing the concept of what the NFIP has done to mitigate flood damages.

According to the February 24th evening report, the NFIP is fleecing the American Taxpayer because there are insured individuals that are getting flooded, suffering damages, and cashing in on claims to repair their home exactly the way it was, and then doing it all over again a few months later. Admittedly we have a problem with repetitive losses.

But let's get the story straight. FEMA, Congress and communities, are working to turn this problem around.

The National Flood Insurance Program is the Granddaddy of the oft' touted mitigation measures. Congress passed the *National Flood Insurance Act* in 1968 and laid the ground work for a program that has had many great successes. It is, like all programs, not perfect, but it is a Program that has been flexible to the changing needs of the policy holders, the communities, and states in efforts to break the flood/rebuild/flood cycle that has, for years, plagued society.

The major underlying purpose of the NFIP is to break the cycle. Flood insurance is made available in those communities that have agreed to regulate development in the Special Flood Hazard Areas. In addition, by creating an insurance pool fed by those that are at risk, the cost of the risk is taken off the backs of the taxpayer and is funded by those paying the premiums.

The NFIP is not a taxpayer burden. The Program is designed to operate in the black during a normal loss year. This is to say that the Program runs on Flood Insurance premium income, not taxpayer money out of the U.S. Treasury. When the Program has an unusually heavy year in losses, it can and does borrow from the treasury. But it is paid back with interest. According to a recent FEMA press release, dated February 24, 1998, FEMA Director James Lee Witt is quoted; *flood insurance claims and operating expenses are funded by policyholder premiums, not by tax dollars. We estimate that the NFIP saves an estimated \$800 million annually in taxpayer dollars that would otherwise be spent on flood disasters.*

Witt pointed out that part of the savings comes from reduction in flood damage due to NFIP building standards. He said government data shows that structures built after a community joins the NFIP are 75 percent less likely to suffer flood damage than those built before those standards were adopted.

For over twenty-five years now, the NFIP has required new buildings to be elevated or floodproofed to a 100-year flood design standard. Over 18,700 communities have decided to participate in the National Flood Program and their ordinances reflect this requirement.

In addition it has been a long standing NFIP development requirement for local ordinances to reflect that, if a structure is substantially damaged or improved, it must be made flood resistant. This usually translates into elevating the building with its lowest floor above the 100-year flood elevation. Substantially damaged buildings also qualify for FEMA-funded acquisition or relocation programs.

The NFIP policy holders fund many of these projects. FEMA and Congress have pumped additional money into efforts to move buildings out of harm's way. It is unrealistic, however, to expect overnight elimination of the problem. We didn't get into this problem overnight.

It is unfortunate that shortsighted reporting continues to feed a public perception that all government programs are big, bad and wasteful when in fact here is program that is saving the U.S. taxpayer money and who knows, maybe even saving a few lives by encouraging people to build smart. 

## Flood Mitigation Technology – Times are Changing



By Cynthia J. Crecelius, Program Manager, Division of Water Floodplain Management Program



The Association of State Floodplain Managers held their 22nd annual conference in Milwaukee, Wisconsin May 17-22, 1998. The theme, as noted in the article title, was technology in floodplain management and specifically in the area of flood mitigation. The

Ohio Department of Natural Resources was a conference sponsor and there were 12 Ohioans in attendance. An Ohio community floodplain administrator received one of the distinguished Association awards, and our Department of Insurance Commissioner, Harold Duryee was identified as a Trustee of the newly created Association of State Floodplain Managers Foundation.

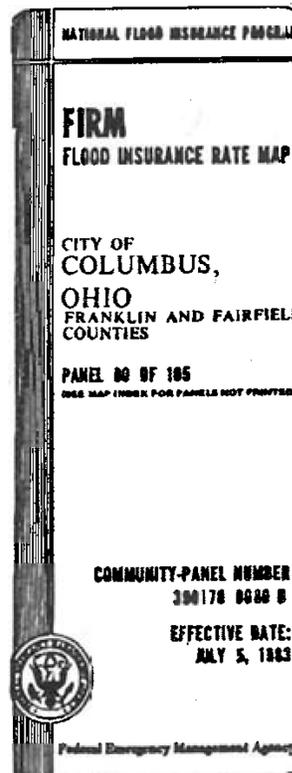
The conference format included a two and one-half day technical program, plenary sessions giving vision and direction toward wise use and management of floodplains, seven training workshops and technical field tours. The Federal Emergency Management Agency's Associate Director for Mitigation, Michael Armstrong, and the Federal Insurance Administrator, Jo Ann Howard, were both present and offered their continued support and commitment to the collaborative partnership that is developing to achieve safer communities across the nation. Larry Larson, Executive Director, of the Association presented a clear message that as the national agenda looks for solutions and ways to accomplish flood mitigation, they should revisit the goals, objectives, strategies and actions of the National Flood Insurance Program (NFIP) over the last thirty years. The NFIP is a model for mitigation and has been successful in achieving reduced flood risk through broad program strategies of education/awareness, technical assistance, land use strategies, hazard identification, and risk assessment.

The vendors and exhibitors at the conference demonstrated that there is a variety of technologies currently available, and more unfolding every day to help address floodplain management issues. Digitized mapping, computerized hydrologic and hydraulic modeling, computerized loss estimation, digital terrain analysis and Geographic Information System applications to create new inventory and at risk information were just some of the areas showcased. Many states and local communities are using the technology in their day-to-day operation. If you are, we would like to know. Drop us a line or e-mail: [ella.hardman@dnr.state.oh.us](mailto:ella.hardman@dnr.state.oh.us).

During the ASFPM annual membership meeting the election of Board members and officers occurred. Terri Miller of Arizona is the Chair, Lisa Holland of South Carolina is the Vice-Chair, Miriam Anderson

of Massachusetts is the Secretary, and George Riedel of Missouri is the Treasurer. Each Region also has a Director designee to present our ideas and concerns. On the larger national agenda, Paul Osman of Illinois is our Regional (5) Director. If at any time you would like to share your floodplain management successes, issues or concerns with these individuals, you may contact our office (614) 265-6750 for their address, e-mail or phone number. They are all very interested and focused on our common mission of reducing flood risk and protecting natural functions of the floodplain.

I am always inspired and impressed by the wealth of information and networking that occurs at this national conference. If you have never attended, I would encourage you to put it on your list for to do next year. The 1999 conference will be held in Portland, Maine May 22-28, 1999. For more information contact the ASFPM Executive Office, (608) 274-0123; fax: (608) 274-0696; or e-mail: [asfpm@floods.org](mailto:asfpm@floods.org). 



## Modernizing the Flood Hazard Mapping Program

By Cynthia J. Crecelius,  
Program Manager  
Division of Water  
Floodplain Management  
Program

As part of the reform agenda for the National Flood Insurance Program following 1994 legislation, a Technical Mapping Advisory Council was created. The Council was asked to make recommendations for how the flood hazard mapping could be improved. The recommendations were reviewed and became the basis of a major effort by

FEMA to define what the future of the Flood Hazard Mapping Program will be.

In November 1997 FEMA released a progress report and for the past several months they have been sharing their ideas for improvement with their stakeholders and customers. The following are summary comments from Modernizing FEMA's Flood Hazard Mapping Program - A Progress Report.

There are approximately 100,000 flood hazard flood hazard map panels currently. The use of the maps has grown from the original intent of support for flood insurance risk determination, to include: floodplain management, disaster activities, and mitigation. Insurance companies, agents, lenders, property owners, flood zone determination firms, real estate professionals, floodplain managers, community planners, surveyors, engineers, disaster, and emergency response officials all use the maps. However, the cost of preparing and maintaining the maps comes primarily (95%) from a \$30 annual flood insurance policy fee.

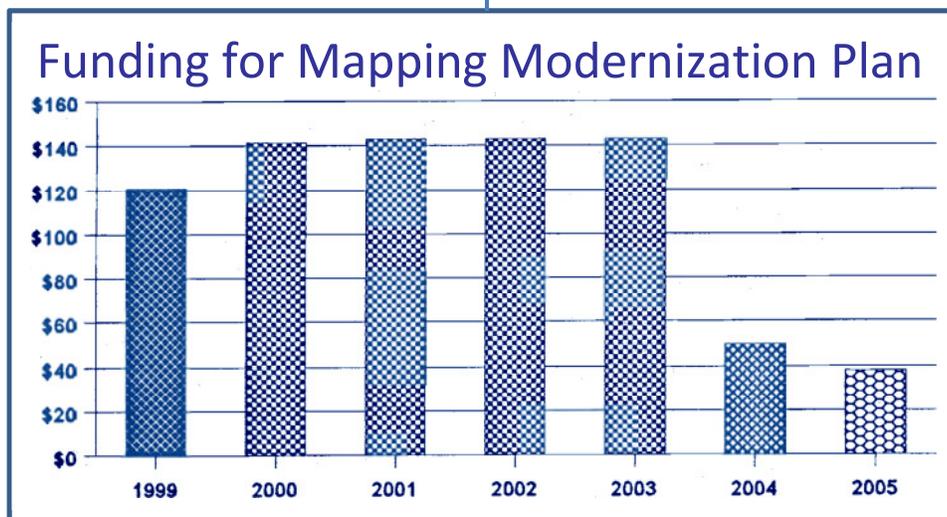
Approximately 45% of the maps are at least 10 years old, and 70% are 5 years or older. Due to age, many maps are inaccurate because they don't reflect current development or methods of determining flood risk. It is estimated that one-half to two thirds of the identified flood hazard areas have been done with only

approximate methods (A zones) not adequate for sound local floodplain management decisions. There still remain flood-prone communities and flooding sources which have not been identified, but should be. The majority of the current maps have been prepared with older cartographic methods,

this means they are not compatible with new technologies, are costly to revise and cumbersome to distribute. The FEMA Mitigation Directorate and regional offices have designed a modernization plan. It will depend upon the cooperation of state and community officials, private citizens, property owners, business and industry. The cornerstones of the plan are to use state of- the-art technology to cost-effectively:

- develop accurate and complete flood hazard information for the entire nation;
- provide that information to a variety of users in a readily available, easy-to-use format;
- streamline and simplify the mapping process and standards to make them more user-friendly;
- increase the role of state, regional and local entities in the development and maintenance of their flood maps; and
- alert and educate the public regarding the risks of flood hazards.

*A key element of this modernization plan Will be the greatly expanded use of the World Wide Web via the Internet ...This plan will use existing digital*



**Additional funding requirements by fiscal year in millions 1997 dollars  
present funding level of \$46 million**

*engineering, mapping, information management, and electronic communication technologies to improve the program in four primary areas: map accuracy and completeness, map utility, map production, and public awareness and customer service.*

The five-year needs assessment mandated by the 1994 reform act was the starting point for identifying current needs of accuracy and completeness. Flood data will be updated. Standards for topographic mapping and development of detailed flood hazard information for A zones will be priorities. Improved computerized modeling will be used for flood hazards analysis. To increase map usefulness, a seven-year plan will be initiated to convert the map inventory to digital format. This will result in two new digital products; DFIRM 2.0 and DFIRM 2.1. *The DFIRM 2.0 will be developed for the estimated 40,000 map panels that have adequate floodplain mapping but outdated or inaccurate base maps... The DFIRM 2.1 product will be an engineered product that reflects new analyses and mapping of flood hazards developed by a study contractor*

*hired by FEMA to resolve flood data update needs for an estimated 25,000 map*

*panels in need of flood data updates. The DFIRM 2.1 will incorporate additional attributes and features, such as on-line integration of engineering data... The primary difference between the DFIRM 2.0 and 2.1 products will be in the level of engineering and data structure used in producing these products. However, the printed versions of the maps will look essentially the same...both products will serve as the regulatory document...*

In the area of flood map production streamlining is proposed. Flood data updates funded by FEMA will be re-engineered to reduce turnaround time and unit cost. Letter of Map Change requests will also be streamlined. A new partnership with federal, state, and local entities will be proposed as Cooperating

Technical Communities (CTC) to broaden the responsibility for development and maintenance of flood hazard maps. CTC will involve *...formal partnership agreements whereby a state or local agency will contribute engineering and/or mapping to the flood hazard mapping process. The agreements will be for a range of products and services that depend on the community's interest, technical expertise and sophistication, and available resources.*

To improve the public's awareness and knowledge of flood hazards the more accurate and useful map products will be the focus of an outreach program. The Internet and advanced telecommunication tools will be used. The FEMA Map Service Center will be a focal point.

Additional funding will be required for the implementation of the modernization plan. The plan has been proposed as a seven-year period. The chart below summarizes the proposed costs. A quick estimate of the tangible benefits to the Nation

resulting from the map modernization *...will be more than twice the costs of modernizing...*

For More Information please write to:

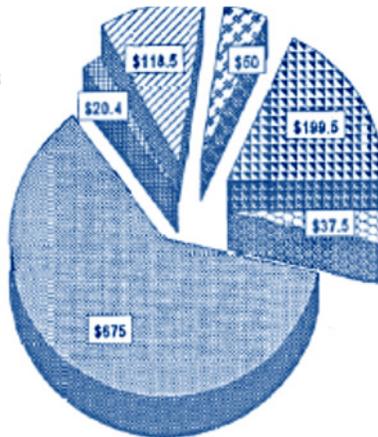
**Federal Emergency Management Agency Map Modernization Initiative**

c/o Technical Services Division, MT  
500 C Street S.W. Washington, D.C. 20472

or e-mail: [map.mod@FEMA.gov](mailto:map.mod@FEMA.gov)



**The following chart shows the components of the budget requirements over the 7-year modernization period.**



- Ongoing activities, such as revisions, amendments, and studies not part of the modernization plan
- Map maintenance for digital conversion of 40,000 map panels
- Prepare 13,700 digital flood map panels for 6,090 floodprone communities and tribal nations without maps
- Map and customer service initiatives
- Flood data updates and digital conversion for 25,000 map panels
- Conversion of maps to metric and North American Vertical Datum of 1988

**In millions of 1997 dollars. Total includes \$322 million (\$46 million annual) expected fee-generated income over 7-year modernization period (1999-2005); e.g., \$322 million + \$778.9 million = \$1,100.9 million.**



## **What Does the Disaster Declaration Mean to You as the Local Floodplain Administrator?**

Excerpts from Division of Water *Post-Disaster Floodplain Management Fact Sheet*

**L**ocal and state agency floodplain managers have certain responsibilities in post-disaster situations. The first responders, such as emergency services, police, fire and rescue will provide immediate assistance to ensure lives are protected, transportation possible and communication continued.

Once the basic health, safety and welfare of people and property have been addressed, the second tier of response and recovery must begin. The floodplain administrator is key to effective recovery in post-flood situations. Administration and enforcement of floodplain management regulations are especially critical following a disaster event in order to stop the cycle of repetitive flood losses, and to comply with the National Flood Insurance Program (NFIP) criteria of the Federal Emergency Management Agency. Maintaining good standing in the NFIP ensures flood insurance and flood disaster assistance eligibility.

### **After the Flood...**

Immediately following a flood, many forces can devastate a community's floodplain management program. There are: pressures to rebuild quickly and with little inconvenience to victims; lack of coordination among agencies at different government levels; and misinformation on flood insurance and allowable recovery standards for actions in flood hazard areas. *How can you assist your community through these hurdles?* By understanding the community's floodplain regulations and implementing an effective permit procedure the floodplain administrator can significantly reduce the impact of these forces.

### **Substantial Damage and the Permit Process...**

Before repair or alteration following a flood or other disaster, the local floodplain administrator is required to determine whether damaged structures must be flood protected to comply with the local floodplain regulations for substantially damaged structures. NFIP rules define substantial damage as damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Preliminary damage assessments compiled soon after disasters by county emergency management staff can be a good starting point for identifying potentially substantially damaged structures. These assessments are used to determine county need for state and federal disaster assistance, and can be a screening tool to separate structures with minor damages from those with significant structural damage.

The next step is to require applications for floodplain development permits which will verify whether a structure is substantially damaged. The floodplain administrator must confirm if a potentially substantially damaged structure exists by reviewing the property owner's estimate of repair cost and market value of the building prior to the damage event. The floodplain administrator is responsible for notifying the property owner of the flood protection elevation and construction standards contained in the local floodplain regulations. It is common misinformation after floods, that these responsibilities are FEMA's or state agency roles. Structures sustaining *substantial damage* must be flood protected to at least the 100-year base flood elevation.

### **The Standards for New or repaired Development...**

The lowest floor (including basement) of a new or substantially damaged/improved residential structure located in the 100-year floodplain must have the lowest floor elevated to or above the base flood (100-year) elevation. A new or substantially damaged/improved nonresidential

structure located in the 100-year floodplain must have the lowest floor elevated to or above the base flood (100-year) or must be floodproofed (watertight) to the base flood elevation.

These standards are found in all Ohio communities' floodplain regulations. While the floodplain regulations have other broader standards, these are most frequently applied in the post-disaster recovery effort.

### **Mitigation - Smart Recovery - in Post-Flood Situations...**

Recent federal and state policies have promoted the concept of hazard mitigation - reducing the impact of a disaster, to end the repetitive loss cycle. Mitigation of losses during the repair of substantially damaged structures is required under the community regulations in NFIP participating communities.

The Hazard Mitigation Grant Program and Flood Mitigation Assistance Program are two ways communities can obtain federal funding for projects which reduce flood damage potential during future disasters. Flood hazard mitigation strategies utilized by these programs include: acquisition and relocation of damaged structures; open space land use; elevation or retrofitting of floodprone buildings; training for professionals and local administrators in mitigation techniques; development of long-range hazard mitigation plans; and improvement of or construction of minor structural flood control facilities. There are a variety of programs which provide opportunities to assist disaster victims and communities, while achieving NFIP regulatory compliance and providing options for breaking the repetitive loss cycle.

For more information on either local floodplain management responsibilities or mitigation opportunities please contact the Division of Water, Floodplain Management Program at (614) 265-6750. 

To Order **FLOOD MAPS** or **Flood Insurance Studies** from the Federal Map Distribution Center, call **1-800-358-9616**

## **I.C.C. One Year Later**

By Peter G. Finke, Deputy Chief,  
Division of Water

**I**t has been about a year since FEMA added the Increased Cost of Compliance (ICC) coverage to the standard flood insurance policy. Congress authorized this new coverage in the National Flood Insurance Reform Act of 1994 to help property owners rebuild their flood damaged homes in compliance with local floodplain management codes and thereby help reduce future flood damages. Congress stipulated that such coverage add no more than \$75 per policy. FEMA actuaries estimated that, based on an average of 3,400-3,700 ICC claims expected each year, the \$90 million in annual ICC premiums would only generate enough revenues to provide a maximum benefit of \$15,000 per claim payment. FEMA realized that the \$15,000 would be insufficient to pay for all of the costs to bring a structure in compliance with local regulations; however, FEMA was equally concerned that ICC payments not become a drain on the National Flood Insurance Fund.

The results of the first year of ICC coverage have been much below expectations. As of September 1998, FEMA has received only ICC claims-three from Florida, two from California, and one each from Alabama, Georgia, Maryland, North Carolina, and Texas. Nine of these involve buildings to be elevated in place; one was for a structure to be relocated to higher ground. The buildings range in value from \$25,200 to \$117,720 with an average value of \$61,312. The low-end of the value probably involve mobile homes. These buildings suffered structural flood losses for which they received claim payments averaging \$ 31,294. ICC payments will be added on top of these flood claims. Four ICC payments have been made-three for the maximum \$ 15,000 and one for \$7,947.81-the remaining six are still pending. FEMA is experiencing some delays in making

payments on some delays in making payments on some of these claims because the required documentation is not being returned.

It is too early to draw many conclusions on ICC's success. The last two years have been less than average loss years for the National Flood Insurance Program. There were no major hurricanes to generate a potentially large pool of ICC candidates. Furthermore, the above ICC claim totals may not include all the claims that are in the pipeline. As with any new program, ICC reporting has not yet been completely institutionalized and FEMA relied on polling Write-Your-Own companies for information on ICC claims. Nevertheless, ICC needs to be closely monitored over the next two to three years to see whether it becomes the important mitigation tool many floodplain managers had envisioned. 💧

## What We've Been Up To - What We Have Planned!



By Cynthia J. Crecelius, Program Manager,  
Division of Water - Floodplain Management Program

For those of you who are avid readers of *The Antediluvian*, this title should ring a bell. I offered a smattering of our activities, goals, visions and miscellaneous under this header in the Summer 1997 issue. It doesn't seem possible that a year has passed; however...

As noted elsewhere in this issue, we have received yet another Presidential Declaration for twenty three counties affected by June 1998 flooding.

The good news is, our four previous disasters have provided the opportunity to identify what we have done right and what went wrong. In the response: to this most recent event we have used the lessons learned and adjusted our service and

approach to provide the local communities with more useable information and assistance. We may not have it right yet, but keep feeding us your suggestions, we are trying to improve the efforts each time.

Operations at the Disaster Field Office (coordination central for all the federal and state agencies providing response) went much smoother this event. Our partnership efforts with Ohio Emergency Management Agency are allowing for our participation and support of mitigation activities and have gained their support in helping communities to meet National Flood Insurance Program compliance responsibilities. We are continuing our efforts to increase staff knowledge of the technology and methods which FEMA and their contractors have developed to support substantial damage determinations. We are also trying to complete our own training workshop that could be delivered to you locally, very quickly after a flood event. The substantial damage training product is part of our cooperative agreement with FEMA to complete activities which will help all of move closer to the common goal of reducing the future flood risk.

Support of *Smart Recovery* and the state hazard mitigation team continued. The first phase of our Floodplain Management Geographic Information System is complete and we hope to move into implementation phases over the next biennium. Key strategic elements of a sound state floodplain management program have been identified and included in the recently drafted Division of Water strategy. We hope to seek your validation of these issues and look for partnership opportunities in the coming months.

As always, there seems to be no end to the Floodplain Management *To Do List*. During the next year we have affirmed our commitment to work with all the disaster impacted communities to incorporate as much flood mitigation as possible, and support your local efforts to remain in good standing with the National Flood Insurance Program. We will continue workshops and education outreach, assist with floodplain

regulation development, interpretation and enforcement. We are gaining knowledge on new FEMA initiatives for *Project Impact* and *Cooperating Technical Communities*. Finally, attention has once again been returned to the promulgation of administrative rules for the implementation of State Flood Damage Reduction Standards. We are excited and stimulated by several new partnerships which our staff is committed too, and will continue participating to affect good sound floodplain management throughout Ohio.

We have been very fortunate to have had dedicated and competent staff in the Floodplain Management Program for several years. You may have recently been informed by our office that *he or she no longer works here...* and we thought you might be wondering!!!! It is with both regret (for the program) and happiness (for Chad and Mary) that I wanted to let you know of recent staff changes.

Chad Berginnis, Environmental Specialist 2, has resigned to take a new position as Perry County Planning Director. He has also enthusiastically volunteered his services to perform floodplain management duties as needed in the county. What he didn't know was that even before he was officially on the payroll, Perry County would join the list of declared counties affected by the June 1998 flooding. As if a new job isn't enough, Chad was also joyfully wedded to Ali Flemming on July 25th. The happy couple now resides in rural Perry County.

With the winds of change in our halls, Mary Klemas, Environmental Specialist I, also surprised us with a resignation. She too took a trip down the aisle and will be relocating to a Cincinnati in mid-September. Mary is still trying to convince her new spouse that one salary will do fine!

We wish them both well in their new adventures. On a sadder note, the Floodplain Management Program now has two vacancies and will be advertising for qualified candidates soon. Challenging career, and an opportunity to see the

world! (Well, if not the world, at least the floodplains of Ohio.) If you have an interest please contact our office at (614) 265-6754.

[**Editor's Note:** The Floodplain Staff (those that remain) congratulate Cindy on her recent and long overdue promotion to Natural Resource Administrator and Peter Finke on his promotion to Deputy Chief.]



By Chad Berginnis, Perry County Planning Director

**F**or all the dedicated Antediluvian readers out there, you will notice that my title has changed a bit. I enjoyed working with many of you throughout the state as an ODNR employee, but I have decided that it was time for me to move on. However, I am still very involved in floodplain management-I actually volunteered to be the floodplain administrator for Perry County!

Let me tell you about my first experience enforcing floodplain regulations. I was notified by a township zoning inspector that someone was filling and excavating in what the inspector thought was a floodplain. The zoning inspector and I went to the property and saw several fill piles. Several days later the zoning inspector called and informed me that the person was now constructing a roadbed 3-4 feet high. He also told me that the person was being cantankerous. So with two deputies in tow-the zoning inspector, a township trustee, our county EMA Director and I went to the property and ordered the person to stop construction. Even without a specific determination concerning the activity, this

property owner failed to obtain a permit to develop in the flood hazard area **BEFORE** starting development. The story has many more chapters and has not yet ended; however, it underscores a very important element of any local floodplain management program-enforcement.

Quickly, I found myself applying the enforcement techniques that, for many years, I discussed during the ODNR Flood Loss Reduction Workshop. I discovered that there are several steps involved in taking an enforcement action against a violation. Hopefully, the following steps will assist other Floodplain Administrators facing violations of their flood damage prevention regulations.

### **Step 1: Observe and photograph the alleged violation**

This will begin the documentation you will need to take an enforcement action. Also, you may want to make a few notes and file them with the photographs. Don't forget to note the date you visited to site.

### **Step 2: Determine whether a violation has occurred**

This is a very important step. Do not rely on your visual check to determine whether a violation has occurred. Consult your floodplain maps or any other additional flood studies. Also, get an accurate location of the parcel by using your tax maps or the metes and bounds description found on the deed. Accurately draw the site on a copy of the floodplain map that is the basis for your determination.

### **Step 3: Attempt to contact the property owner**

Before you send an enforcement letter, attempt to talk about the issue with the property owner. He or she may be unaware of the need for a floodplain development permit.

### **Step 4: Officially notify the property owner of the violation**

Send a letter by certified mail to the property owner alerting them they are violating your community's floodplain management regulations. Include a description of what you observed, identify the section of the flood damage prevention regulations that are being violated, state the penalties for violating the regulations, and request that all activity be stopped until a permit has been secured. Alternately, you could post a violation notice on the property. How do you find the name and address of the property owner? You may have to dig a little, but start with tax maps and the auditor's tax records.

### **Step 5: Turn the violation over to your community's legal advisor**

If the person in violation does not attempt to obtain a floodplain development permit, turn the violation over to your community's legal advisor. The legal advisor (prosecutor, law director, *etc.*) will likely want documentation of the violation, and any supporting records you may have. It is advisable that you contact your community's legal advisor soon after you have determined that a violation has occurred and keep him or her informed while you attempt to get a permit application from the person in violation.

Counties, cities, and villages in Ohio likely have different ways of handling such violations. Before you are faced with a potential violation, sit down with your community's legal advisor and map out a strategy for enforcement. 



## WEB-ed Feat

By Christopher M. Thoms,  
Environmental Specialist,  
Division of Water  
Floodplain Management Program



Our Division's WEB site has been online since February and people have been responding positively to the content and layout of the site. Our site provides floodplain management information with links (regularly updated) to other related sites and organizations. Some of our publications are now available to be downloaded directly from our site. Visit us at: <http://www.dnr.state.oh.us/odnr/water/floodplnflodpln.html>

It is an on-going project to improve and expand the WEB site with more data and publications added as time permits. Please let us know what you think.

## WORKSHOP WATCH

By Christopher M Thoms,  
Environmental Specialist  
Division of Water - Floodplain Management Program



Thanks to Marcus Ricci, Wood County Regional Planning Commission for his help and hospitality in conducting the Ohio Floodplain Management Association's (OFMA) latest floodplain management workshop. Officials from around the state gathered at Wood County's Otsego Park this September to identify local floodplain management issues in northwest Ohio.

Due to the June-flood we are going to reschedule the Miami County Flood Loss Reduction Workshop.

Contact our office for the time and location of the workshop nearest you or if you would like to be a host for a workshop in your area. We will be happy to answer your questions or provide additional information.

## Upcoming Agent Seminars in Ohio

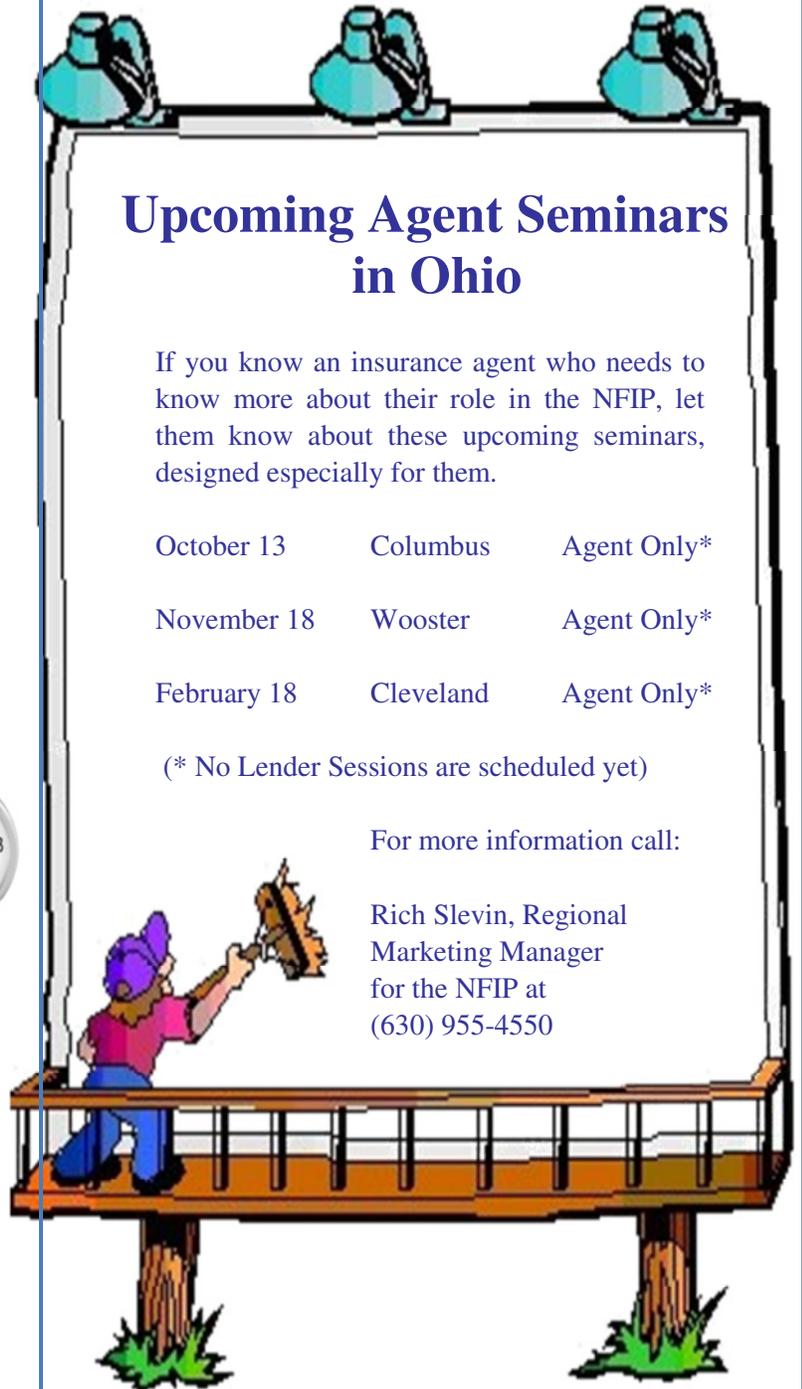
If you know an insurance agent who needs to know more about their role in the NFIP, let them know about these upcoming seminars, designed especially for them.

October 13	Columbus	Agent Only*
November 18	Wooster	Agent Only*
February 18	Cleveland	Agent Only*

(\* No Lender Sessions are scheduled yet)

For more information call:

Rich Slevin, Regional  
Marketing Manager  
for the NFIP at  
(630) 955-4550





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Christopher M. Thoms, Editor.



If you know of someone who would want to receive a copy of *The Antediluvian*, please let us know. Please send address corrections, additions, and personnel or office changes to our offices at 1939 Fountain Square Bldg E-3 Columbus, Ohio 43224

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