



# The Antediluvian

## Ohio's Floodplain Management Newsletter



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**THE FLOODPLAIN MANAGEMENT PROGRAM MISSION:** To provide leadership to local governments, state agencies, and interested parties toward cooperative management of Ohio's floodplains to ensure the reduction of flood damage and the recognition of the floodplain's natural benefit. This mission is accomplished through technical assistance, public awareness, education, and development / protection standards.

### The NFIP Self-Assessment Survey

BY STEVE A. FERRYMAN, CFM, SENIOR ENVIRONMENTAL SPECIALIST  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT



The *NFIP Self-Assessment Survey* is a new tool developed by the Floodplain Management Program (FMP) to help our staff determine if a community has an NFIP-compliant floodplain management program. Data collected by the surveys will be used by the State of Ohio to help prioritize communities for mitigation funding sources such as: the Hazard Mitigation Grant Program, Pre-Disaster Mitigation, and Flood Mitigation Assistance. The State of Ohio has prioritized effective local floodplain management and expects all mitigation grant recipients to be meeting NFIP-participation responsibilities.

The Ohio Emergency Management Agency (OEMA) administers all of the mitigation programs mentioned above.

OEMA relies on the FMP to provide NFIP-compliance data for every community that applies for these grants. In the past, this data has been collected through the Community Assistance Visit (CAV) process. The CAV process requires FMP staff to: tour the community's flood hazard areas, conduct a meeting with local officials, compose a report for FEMA, and provide follow-up assistance to local officials. CAVs are time intensive, which

sometimes conflicts with the availability of government resources in the post-disaster environment.

ODNR staff has conducted fewer CAVs in recent years as a result of shifting priorities to assist FEMA in the flood map production process. However, at the same time, the demand for NFIP compliance data has increased. Since the January 2004 flood event, the FMP has been asked to provide NFIP compliance data for over 100 communities. During that same time period, the FMP staff conducted thirty-three CAVs. *The NFIP Self-Assessment Survey* should help close the gap between the number of communities that the FMP can assess and the demand for the data by streamlining the community evaluation process.

The survey is composed of sixteen questions that are designed to evaluate a community's performance in three key areas:

1. Does the community have NFIP-compliant floodplain management regulations?
2. Does the community have administrative and enforcement procedures in place to ensure that floodplain development complies with the locally adopted floodplain management regulations?
3. Does the community have violations?

FMP staff will evaluate a community's survey response and notify the community of our

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findings by letter. If deficiencies have been identified in a community's floodplain management program, the community will also receive an *NFIP Evaluation & Progress Report*. This form will identify a community's specific deficiencies and recommend strategies to correct the deficiencies and achieve NFIP compliance. The community will have several months

to correct the deficiencies before the survey results are shared with the OEMA. Not responding to the survey or failing to correct deficiencies will negatively impact your community's chances of receiving mitigation funds and prioritize your community for a future CAV.

Even if your community has not recently applied for a mitigation grant, your local floodplain administrator can complete a survey and return it to the FMP at any time. You can download a copy of *The NFIP Self-Assessment Survey* by visiting: [www.ohiodnr.com/water/floodpln/NFIPSurvey.htm](http://www.ohiodnr.com/water/floodpln/NFIPSurvey.htm).



## Compliance with Federal, State and Local Flood Damage Prevention Regulations for Development in Identified Floodplains

BY CYNTHIA J. CRECELIUS, CFM – PROGRAM MANAGER  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT



Following is a summary of the permit and development review requirements that Ohio communities agree to as part of their participation responsibilities in the National Flood Insurance Program (NFIP). Specifically, the summary applies to structural and non-structural actions (e.g., filling, grading, and other topographic alterations).

The NFIP is a land use and regulatory program, implemented locally, where a community agrees to adopt and enforce flood damage prevention regulations in exchange for the ability of its citizens to purchase flood insurance. The regulatory standards and the insurance coverage are both mechanisms for reducing the impact of flood disasters. Ohio has over 700 NFIP-participating counties, cities, and villages that enforce at least minimum stan-

dards consistent with the NFIP regulations.

The requirement of a development permit for any action in a federally identified flood hazard area, is one of the minimum standards. The purpose of the permit is to ensure that the community will have the opportunity to review actions, prior to occurring, that might change or impact the known and mapped flood risk. Because activities other than just building or adding things to the flood hazard area also have an impact on how and where flooding occurs, the definition of "development" under the NFIP is very broad. The NFIP and community regulations define development as follows:

*Development means 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.*

A permit is needed if the sites are within the federally identified flood hazard areas. The FEMA on-line Map Service Center has copies of all the Ohio community flood hazard maps at: [www.msc.fema.gov](http://www.msc.fema.gov). The maps are also available with every local floodplain manager. For a list of the local floodplain managers you may consult our DNR Web site at: <http://www.ohiodnr.com/water/floodpln/references.htm>.

The ODNR, Division of Water is the State Coordinating Office of the National Flood Insurance Program in Ohio. Questions or requests for assistance can be directed to the Floodplain Management Program at (614) 265-6750 or [www.dnr.state.oh.us/water/aboutdiv/mastfonte.htm](http://www.dnr.state.oh.us/water/aboutdiv/mastfonte.htm).



## Attend Your Ordinance Assistance Workshop!

BY KIMBERLY M. BITTERS, CFM - ENVIRONMENTAL SPECIALIST  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT

### **FEMA provided maps - now it's time to update your regulations!**

ODNR is pleased to announce an innovative workshop for assisting communities with their NFIP responsibilities in response to Map Modernization: the Ordinance Assistance Workshop. As you may

have heard during the preliminary phases of map creation, the Letter of Final Determination (LFD) signifies the finalization and effective date of your countywide Flood Insurance Rate Maps. This letter, sent by FEMA, also indicates the beginning of the six-month period that each affected

community has to revise their Flood Damage Reduction Regulations. To maintain continuous NFIP-participation, FEMA must receive notification from ODNR that the regulations are compliant and legally adopted before the map effective date. As the LFD culminates extensive



coordination of the map update process, any community that does not meet this deadline will be immediately suspended from the NFIP. To avoid this impact, ODNR will hold a workshop soon after the LFD is issued.

Each community's Floodplain Administrator and Chief Elected Official will receive an invitation to the Ordinance Assistance Workshop to be held in a central location in your county. The primary purpose of this workshop is to outline Floodplain Administrator duties, clarify stakeholder expectations, and provide assistance to communities with respect to new countywide maps. Information on simplifying the update process, Ohio legal procedures for adoption, tips on obtaining ODNR approval, and using this mandatory procedure to your advantage will be presented. In addition, don't miss your chance to receive individualized assistance in customizing your regulations! An optional consultation will be available to assist communities interested in identifying local priorities for flood risk reduction and standards that can be adopted to meet local floodplain management goals.

To assist communities in meeting

the federal requirement of adopting compliant regulations referencing the new flood study and maps, ODNR provides a model regulation. This model can be modified to reflect individual community needs and unique development review procedures.

ODNR's model is compliant with minimum NFIP-standards and provides multiple opportunities to insert more restrictive standards for additional flood risk reduction. At the workshop, ODNR staff will assist local officials in attendance to customize the model. To this end, each community should prepare for the workshop by reviewing their currently effective flood damage reduction regulations. In addition, the following items will be needed to customize the model and should be determined prior to the workshop:

- Location of records storage (Floodplain Development Permit and Floodplain Variance Applications)
- Title of local Floodplain Administrator
- Floodplain Development Permit Fee (fees are optional)
- Membership of Variance Board (generic titles should be used)
- Variance Board term of

- appointment
- Number of days to file an appeal (from notification of Floodplain Administrator decision)
- Degree Misdemeanor (for violations of the regulations)

If all items above are provided at the workshop, ODNR staff can provide an approved draft regulation. In the event that an approved draft is provided, the community could proceed immediately to submission of legally adopted regulations for final ODNR approval. Please note that your community will not be considered "in compliance with federal NFIP-standards" until the regulation is adopted, ODNR has reviewed the adopted regulation, and FEMA has received notification of the compliant, legally adopted regulation.

Attendance at the workshop is strongly encouraged, as the information provided is vital to your community's continued participation in the NFIP. Even better, attendance will greatly reduce your time and energy input for the regulation update process!

For questions about Ordinance Workshops, please contact me at: [kimberly.bitters@dnr.state.oh.us](mailto:kimberly.bitters@dnr.state.oh.us) or (614) 265-6781. 

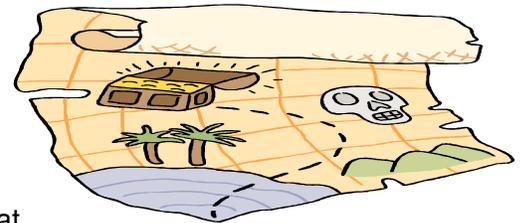
## Ohio Map Modernization Update

BY JONATHAN E. SORG, CFM, ENVIRONMENTAL SPECIALIST  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT

FEMA's Map Modernization Initiative is nationwide, with a projected need of one billion dollars to support the goal of modernizing the nation's inventory of flood maps. The ODNR-Division of Water Floodplain Management Program is coordinating the initiative in Ohio. Until the initiative is finished, **The Antediluvian** will carry this feature, highlighting the

status of flood map updates that are ongoing.

Nearly 70 percent of the counties in Ohio have already begun the flood map update process. The remaining 30 percent have not been funded for this update yet, but will receive it in the next one or two years. Figures below better illustrate each county's current



stage of map update and, if not already funded, when counties will begin their map update.

Counties that are currently in the *Pre-Scoping Activities* stage and should have a *Scoping Meeting* this winter include: Athens, Brown, Champaign, Clinton, Coshocton, Fairfield, Fayette, Gallia, Guern-

sey, Highland, Hocking, Jackson, Madison, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Richland, Scioto, Tuscarawas, and Vinton.

Counties with a completed *Scoping Meeting* that will begin *Map Production* or are currently in the *Map Production* stage are: Adams, Ashland, Carroll, Cuyahoga, Delaware, Geauga, Harrison, Holmes, Knox, Lucas, Mahoning, Medina, Morrow, Portage, Summit, Trumbull, Union, and Wayne.

FEMA has issued new flood mapping guidance for areas landward of levees currently shown as being protective to the one-percent annual chance flood. Communities with this type of levee will be required to provide adequate documentation that their

levees were built and maintained in accordance with FEMA standards. Four county updates have been delayed until they provide such documentation for their levees: Butler, Hamilton, Ottawa, and Stark. For more details regarding FEMA's new levee guidance, please see "Will the New Flood Maps Show Levees as Being Protective?" [see related article below].

Some documentation may be incomplete and require additional engineering evaluation before submittal to FEMA.

Entire county flood map updates were initially put on hold when levees were identified within county boundaries and were shown as being protective to the 1-percent annual chance flood on the

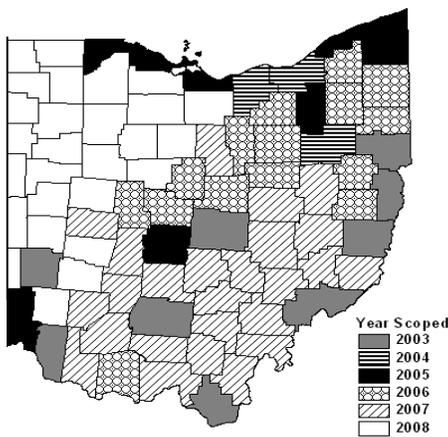
effective flood maps.

*Preliminary Maps* have been issued for Ashtabula, Erie, Franklin, Lake, and Lorain Counties.

*Preliminary Maps* have been issued for Licking County, and they have received their Letter of Final Determination (LFD), dated November 2, 2006.

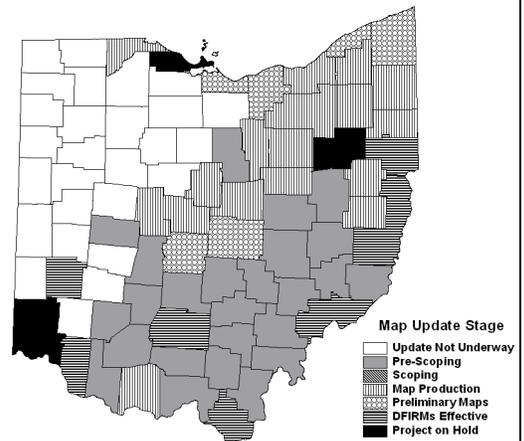
Eight counties presently have effective DFIRMs in Ohio: Belmont, Clermont, Columbiana, Jefferson, Lawrence, Montgomery, Ross, and Washington.

Should you have any questions about the map update process, or Map Modernization in Ohio, please contact me at (614) 265-6780 or [jonathan.sorg@dnr.state.oh.us](mailto:jonathan.sorg@dnr.state.oh.us).



The figure to the left represents the approximate year each county will be funded to begin the flood map update process. Some counties have already begun this process, as depicted.

The figure to the right represents each county's current stage in the map update process.



## Will the New Flood Maps Show Levees as Being Protective?

BY JONATHAN E. SORG, CFM, ENVIRONMENTAL SPECIALIST  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT

FEMA's Map Modernization Initiative is focused on mapping 92 percent of the nation's population, which represents 65 percent of the land area in the United States. This mapping involves improving the level of detail for flood hazard data in high flood risk areas. Some of the high-risk areas in need of more accurate mapping involve areas behind levees. Ohio is no exception as there are numerous levees throughout the state that

provide protection from local flooding.

FEMA issued interim guidance for use in the map modernization effort concerning levees. It states that the levee owner is responsible for providing certified documentation that a levee meets FEMA's requirements for mapping of areas protected by levee systems

### Title 44 CFR §65.10

According to the guidance, the



levee owner must provide the following: levee *as-built* plans certified by a professional engineer; operation and maintenance plan(s); and a letter from the maintenance entity and professional engineering certification that verify the levee system has been properly maintained.

Unfortunately, complete documentation of this fashion is rarely available in a short amount of time. Some documentation may be incomplete and require additional engineering evaluation before submittal to FEMA. Entire county flood map updates were initially put on hold when levees were identified within county boundaries and were shown as being protective to the 1-percent-annual-chance flood on the effective flood maps [see previous article, *Ohio Map Modernization Update* on page 3]. This delay in digital flood map production gave rise to an important question: How can such project delays be eliminated, yet levee owners be given an ample amount of time for document retrieval?

FEMA's answer is the issuance of

Procedure Memorandum 43 (PM 43)—*Guidelines for Identifying Provisionally Accredited Levees*. PM 43 states that levees “reasonably expected to provide 1-percent-annual-chance flood protection can be given the Provisionally Accredited Levee (PAL), designation on a Digital Flood Insurance Rate Map (DFIRM).” If a particular levee qualifies for a PAL designation, the community is given ninety days to sign an agreement with FEMA stating that levee documentation required under 44CFR 65.10 will be provided to FEMA within twenty-four months of the agreement.

The new DFIRMs will show this levee as providing provisional protection. Areas landward of the levee will remain as Zone X (or AH, whichever is on the effective flood maps) with a note stating: “Warning! Provisionally Accredited Levee. For explanation, see the Notes to Users.” The “Notes to Users” section of the new maps will provide a brief explanation of the PAL, and reemphasize the residual flood risk behind a levee.

If a community signs the PAL

agreement and fails to produce the required levee certifications and documentation, the areas landward of the levee will be remapped as Zone AE or Zone A, depending on the study performed in the area. This will also be the case if the community submits insufficient documentation.

Under the new guidance, levee owners and communities are given an ample amount of time to gather the necessary information for FEMA's levee accreditation. In addition, the flood map update process will not be delayed. The entire county will receive DFIRMs depicting the best available flood hazard data.

FEMA has developed a website specifically geared for levee-related inquiries: [www.fema.gov/plan/prevent/fhm/lv\\_intro.shtm](http://www.fema.gov/plan/prevent/fhm/lv_intro.shtm).

This website targets specific stakeholders and provides related information accordingly. Should you have any questions regarding Map Modernization or current levee guidance, please contact me at: [jonathan.sorg@dnr.state.oh.us](mailto:jonathan.sorg@dnr.state.oh.us).

## **2007 Statewide Floodplain Management Conference: New Time! New Place!**

The 2007 Ohio Statewide Floodplain Management Conference will be held a week earlier than usual, on August 22-23, 2007 at the Embassy Suites in Dublin, Ohio. For more information, please contact Alicia Silverio at 614-265-1006 or [alicia.silverio@dnr.state.oh.us](mailto:alicia.silverio@dnr.state.oh.us) or visit <http://www.dnr.state.oh.us/water/floodpln/conference/>.

## **Secure Your Present: Make NAI Planning a Clear Priority**

BY KIMBERLY M. BITTERS, CFM, ENVIRONMENTAL SPECIALIST  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT



Many communities are continuously challenged with balancing shrinking budgets and satisfying increasing public needs. Addressing the public's conflicting expectations of infrastructure expansion against balancing a local budget make it difficult to plan for the future. It is painfully clear that local communities are in a tough spot trying to meet these conflicting needs! Often, local officials ex-

haust valuable time and resources contending with crises such as immediate funding shortages for crucial public services, declining tax base, or recovering from a natural disaster. Situations like these can be improved by proactive comprehensive planning efforts that provide clear direction for community growth. At its core, planning is bringing community stakeholders together to decide

what they want the community to look like in the future and developing a strategy to grow into that vision. Without a doubt, putting forth the effort for solid planning to recognize and mitigate risk will benefit your community's state of affairs.

Crucial to your community's future is identifying local priorities determined by your unique development

pressures and resources. Protecting those resources should be a priority and *No Adverse Impact (NAI)* planning is an opportunity for minimizing risk to promote sustainable positive growth for your community's future. To make your community vision a reality, obstacles must be identified and mitigated. Natural hazards are one of these obstacles and planning for such situations can be the difference between life and death—both to individuals and the long-term economic health of your community. This is where utilization of the NAI-philosophy in floodplain management can provide positive change by applying a new approach to existing community activities. By integrating the NAI-approach to floodplain management into all development planning, your community will benefit from improved efficiency of government spending and prevention of disaster related impacts. In addition, existing community activities can be altered to abate adverse impacts from foreseeable development activities.

NAI-planning—complete with comprehensive land use and hazard mitigation plans—can create a more unified, cohesive, usable strategy for reducing flood risk as well as forwarding your community vision. As part of existing planning efforts, numerous communities have embraced the NAI-concept. However, a community does not need to specifically state NAI as a goal to incorporate NAI-principles. Greene County is an example of an Ohio community fully engaged in planning for the future with risk reduction as a clear priority. In addition, their vision of growth patterns, natural resource conservation, and economic vitality has provided the basis for integrating floodplain management throughout their land use planning. Successful application of these admirable goals requires extensive coordination among a variety of regulatory authorities.

Greene County is considering how the built environment will impact each element of their socio-economic future. More importantly, they have begun to weave the fabric of coordination between government agencies and code enforcement. The integration of building, subdivision, stormwater, and floodplain standards will advance successful development review. Regular meetings among the regional planning commission, township zoning inspectors, county building department officials, and county Soil and Water Conservation District employees assists in the application of these codes. In addition, regular communication between these and other agencies will assist in making their regional vision a reality. Adopted plans for the county including Future Land Use Plan, Farmland Preservation Plan, and Hazard Mitigation Plan will afford a solid foundation for Greene County's growth.

Crucial to implementing the NAI-philosophy is tailoring your approach to community needs. Focus your initial energy on education, comprehensive planning, and regulation updates. Educate the public and local decision makers to actively appreciate their power to alter current government spending practices. Such intentional investment can transform our floodplains

into profitable amenities creating economic vitality and uplifting our quality of life. Comprehensive Plans should be altered to include consideration of hazards and ensure that those hazards steer land use control regulations as applied in your community. These plans should identify community needs and present sustainable solutions including development standards that design the risk and adverse impacts out of each project. Of particular importance is mandating risk-planning and mitigation in infrastructure development. Protection of public investment, avoidance of adverse impacts, and shaping of future development by strategic placement of infrastructure outside of high-risk areas are all benefits that can be obtained by infrastructure planning. Ideally, our tremendous infrastructure budget could be focused to create communities with drastically reduced risk. NAI-inspired planning efforts can present an opportunity to reshape our built environment in a more sustainable and safe manner.

For further information on NAI, please see the *No Adverse Impact: A Toolkit for Common Sense Floodplain Management* and other publications available on the ASFPM website: [www.floods.org](http://www.floods.org).

## Floodplain Management Training Available

For the latest information about upcoming Lender & Agent Seminars visit: [www.fema.gov/business/nfip/a\\_wshop5.shtm](http://www.fema.gov/business/nfip/a_wshop5.shtm)

or call Rich Slevin, NFIP Regional Marketing Manager at

**(708) 326-3072**

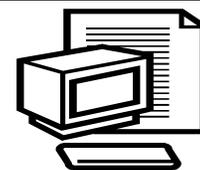
FEMA offers on-campus & correspondence courses through the **Emergency Management Institute (EMI)** in Emmitsburg, Maryland.

For more information or a course catalog visit: [www.training.fema.gov/](http://www.training.fema.gov/) or call

**(800) 238-3358**



# New Option for Map Amendments Available – eLOMA



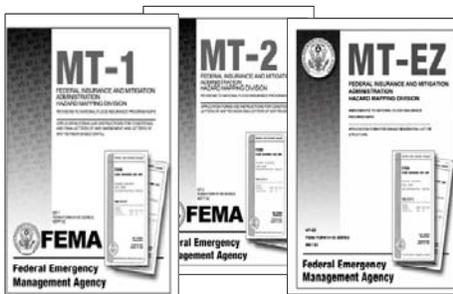
BY CYNTHIA J. GRECELIUS, CFM, PROGRAM MANAGER  
ODNR, DIVISION OF WATER, FLOODPLAIN MANAGEMENT

The most common way to identify your flood risk in Ohio communities is to check the FEMA Flood Insurance Rate Map (FIRM). The FIRM identifies areas that have a 1-percent-annual or greater chance of flooding in any given year. For approximately half of the areas identified in Ohio communities, the flood hazard area is based upon engineering studies; an approximate flood hazard area may also be established, without detailed engineering study, based upon history of flooding, observed problem areas, or drainage concerns. FEMA has attempted to use the best science and most accurate flood hazard information available in the development of FIRMs; however, structures and parcels may inadvertently be included in areas of flood hazard due to scale or incomplete topography and changing conditions. For this reason, FEMA created the Letter of Map Amendment and Letter of Map Revision procedures to address needed map changes. Letters of Map Change (Amendments and Revisions) are documents issued by FEMA that officially remove a structure or property from the flood hazard area.

The Letter of Map Amendment (LOMA) is the procedure used when a property owner believes that his structure or property has been placed in a flood hazard area due to oversight or failure to review relative scientific or technical information. This process cannot be used when there has been fill or some other man-made action to change the flood risk of the structure or property. The majority of map changes are LOMAs, and are requested for single residential structures or properties. Historically, the processing of a LOMA has taken 60 days when all the re-

quired documentation was provided. FEMA has attempted to expedite and improve their response time through the development of a new tool—the eLOMA or Electronic Letter of Map Amendment.

The eLOMA is a web-based application, supported by FEMA's Mapping Information Platform that allows licensed land surveyors and professional engineers to submit requests for simple Letter of Map Amendments. The determination to grant the LOMA is based upon information that the licensed professional submits and can take only a few minutes.



The licensed professional (surveyor or engineer) must establish an account through the Mapping Information Platform (MIP) and register their individual license certification information. When registered they will login and be able to complete applications for eLOMAs at no cost. The eLOMA will compare the submitted Base Flood Elevation with the submitted Lowest Adjacent Grade (LAG) or Low Lot Elevation (LLE). This is same information evaluated in the traditional processing of LOMAs.

Registered licensed professionals can submit property-specific information that they certify as accurate. Data can be taken from FIRMS and Flood Insurance Study (FIS) reports. The BFE and FIS text data are considered to be

accurate sources of flood hazard information and the eLOMA will ensure that all required information has been provided before the eLOMA is processed.

FEMA plans to audit the first submittal of licensed professionals and after a successful audit; licensed professionals may be audited randomly as part of the quality control plan. If an application for eLOMA is rejected, using the standard FEMA manual MT-1 process will process the LOMA. If approved, the licensed professional will be notified that they can print the determination and continue to use the eLOMA tool. They will still be subject to random audits with subsequent submittals.

The eLOMA has been operational since Summer 2006. FEMA is monitoring its use and performance as they consider expanding capability to process other types of map changes through the MIP. The [Mapping Information Platform \(MIP\) Tools and Links](#) is an online portal for the Flood Map Modernization program. The site provides numerous sets of hazards data and a suite of tools for use by FEMA's approved map-generating partners. The MIP is also being used to help deliver and standardize digital maps and other geospatial products as part of the national Spatial Data Infrastructure. Access the MIP at: <http://hazards.ema.gov>. FEMA has provided both a fact sheet and a tutorial to assist licensed professionals with understanding the eLOMA online.

If you have used the eLOMA your feedback is important. You may send feedback to [MIPHELP@mapmodteam.com](mailto:MIPHELP@mapmodteam.com), please include the phrase "eLOMA Feedback" in the subject line.

# What is a Floodway?

BY GEORGE F. MEYERS, P.E., CFM, PROJECT ENGINEER  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT

Development that occurs in floodplain areas will often affect the frequency and extent of flooding. Displacement of floodwaters from natural storage areas concentrates more water into the watercourse. This sends more water downstream faster. Reduction in the conveyance area of the floodplain will impede the flow of water. This can result in increases in flood heights upstream. Floodway areas are delineated to provide a tool that communities can use to limit the cumulative increases in flood heights caused by development within the 1-percent-annual-chance floodplain (also known as the 100-year floodplain and the Special Flood Hazard Area (SFHA)). The floodway is a portion of the SFHA reserved to convey flood discharges associated with the 1-percent-annual-chance flood (also known as the base flood). The floodway consists of the channel and adjacent land areas that are typically the most effective in conveying floodwaters.

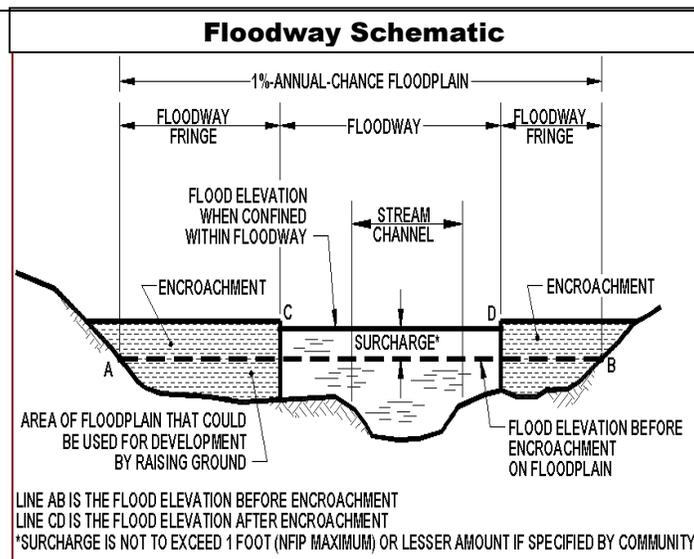
The boundary of the floodway is established by determining which areas of the floodplain could be filled without increasing flood heights within the floodway by more than one foot during the occurrence of the 1-percent-annual-chance flood discharge. Since typically, the channel and adjacent land areas are the most effective in conveying floodwater (and are also the most hazardous part of the floodplain), these areas are reserved to convey floodwaters. If the entire floodplain outside of the floodway (known as the floodway fringe or fringe) were filled, flood heights during the occurrence of the base flood discharge would be increased by no more than one foot. The floodway boundary shown on the flood map must be used to

establish the location of the floodway relative to the proposed development.

## No-rise standard

The floodway is an area that has been reserved to convey the base flood discharge. Once the floodway has been established, development that encroaches in any way on the floodway **may not result in any increase** in flood levels during the occurrence of the base flood discharge. All areas of the floodway are considered to be effective in conveying flow. Therefore, no new obstruction, regardless of size, could be placed within the floodway without obstructing flow and causing some increase in flood levels. Although increases may be localized and seem insignificant, closer examination may reveal changes in other factors (e.g., velocity, flow area, top width) that can translate into increases in water surface elevations. Such increases may not be considered significant by themselves however, the cumulative effects of such increases will result in significant changes. Therefore, no development that offers any resistance to the flow of floodwaters may occur within a floodway unless compensatory action is taken within the floodway to offset the lost conveyance. Engineering analyses are required for every development in the floodway to demonstrate compliance.

Increases in flood levels resulting from development in the *fringe* are not prohibited by the FEMA minimum guidelines and should be expected if a community has not adopted more stringent standards.



As discussed above, the cumulative increases in flood heights resulting from development in the fringe will not exceed one foot during the occurrence of the base flood discharge. Since the effect of development in the fringe was already accounted for when the floodway was delineated, additional engineering studies are typically not required for development that occurs within the fringe.

Exceptions to the *no-rise* standard and/or revisions to the floodway delineations may be granted if all of the following criteria are met:

- i. the community approves the request to revise the floodway or allow additional increases in flood heights,
- ii. there are no structures within the area that would be affected by increased flood heights,
- iii. there is no practicable alternative to development within the floodway,
- iv. all affected property owners are notified of the proposed increase in flood heights,
- v. the request to increase flood heights is supported by the local jurisdiction,
- vi. conditional approval is received from FEMA, and
- vii. following completion of the

project *as-built* data and modeling sufficient to revise the FIRM are submitted to FEMA.

floodways are delineated, only the impact from development within the SFHA is considered.

the SFHA, but within the watershed may result in further increases in flood heights that have not been investigated.

It should be noted that when

Development that occurs outside of

## More on Enforcement Section 1316 – Denial of Flood Insurance



BY STEVE A. FERRYMAN, CFM, SENIOR ENVIRONMENTAL SPECIALIST  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT

The Federal Emergency Management Agency (FEMA) requires that any violation of your community's local flood damage reduction regulations be "remedied to the maximum extent possible". This phrase was intentionally crafted to be broad because the circumstances surrounding each violation are unique; therefore, prescriptive remedies are not always the best solution. If a violation is discovered in your community, the Floodplain Management Program can provide technical assistance to local officials to help determine the actions that constitute a remedy to the maximum extent possible for a particular violation. In some circumstances, a community may want to request that FEMA invoke Section 1316 of the National Flood Insurance Act to help bring a violation into compliance.

Section 1316 authorizes FEMA to deny flood insurance to a property declared by a community to be in violation of their local flood damage reduction regulations. Section 1316 can be invoked when all other legal means to remedy the violation have been exhausted and the structure is still noncompliant. Section 1316 cannot be used as a substitute for remedying a violation so that it becomes compliant.

The intent of Section 1316 is to provide federal support for local enforcement actions by providing additional economic incentive for property owners to correct violations. FEMA will not grant a 1316 request until every reasonable effort has been made by the community to achieve compliance.

The impacts of a 1316 declaration include:

- The property may be more difficult to sell,
- The market value of the property may decline,
- The cost of suffering flood damage without insurance may be too risky for the property owner,
- Lending institutions holding the property's mortgage could foreclose,
- Disaster assistance for permanent reconstruction will be denied.



The process for implementing a 1316 request is described in Section 44CFR Part 73. A 1316 request must be submitted by a community to the FEMA Regional office, in writing, and include a cover letter clearly stating that it is a submission under 1316. The letter and/or attached documents must include:

- A street address or legal description of the structure in violation and the name of the property owner,
- A reference to the specific enforcement provision of the law that authorizes the local body to declare the structure to be in violation,
- A reference to the specific local laws that the structure

violates,

- A clear description of the violation in a statement specifically declaring the identified structure to be in violation of the referenced law,
- Evidence that the property owner has been provided notice of the violation and of the prospective denial of insurance, and
- Explanation of the community's efforts to achieve compliance.

The denial of flood insurance protects the flood insurance fund from repeated claims filed for a structure built in violation. The denial of disaster assistance ensures that taxpayers are not paying the bill to repair flood damage through disaster assistance funds. FEMA can restore the availability of flood insurance to a property at the request of the community if documentation is submitted that demonstrates the property has been brought into compliance.

FEMA maintains a list of 1316 properties in Ohio. According to FEMA records, the Village of Lockbourne, City of Urbana, and the unincorporated area of Mercer County have 1316 properties. There are a few reasons why 1316 declarations have not been used more in Ohio. The first may be that a lot of floodplain administrators do not realize that it is an available option. Another reason is that there is some concern that a future unsuspecting buyer may purchase the property not knowing that flood

insurance is unavailable for that particular structure. This could happen if the buyer does not have to secure a federally-backed loan to purchase the property, or there

is not a deed notification explaining that flood insurance is unavailable for the structure. A 1316 declaration does not remedy a violation. However, it is

another tool that a floodplain administrator can use to help remedy a violation to the maximum extent possible and limit taxpayer liability.

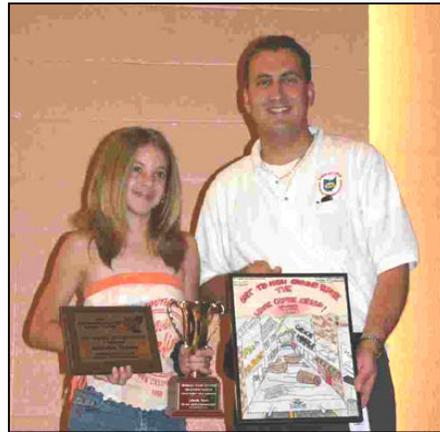
## Severe Weather Awareness

BY CHRISTOPHER M. THOMS, CFM, SUPERVISOR  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT



While this Fall's rain may have dampened our bonfires, hayrides, and trick-or-treaters, (according to the National Weather Service in Wilmington: October 2006 was the second wettest on record for Columbus, the wettest was in 1881) the good news is that there have been no declared flooding disasters this Fall. We began the year bracing for the possibility of a repeat of last year's horrific hurricane season but, thankfully, the sequel didn't occur. Between mid-June and mid-July, 5-15" of rain fell over northern Ohio (NWS). High winds, heavy rainfall, and flooding resulted in widespread damage and power outages. Presidential Flood Disasters were declared for Cuyahoga, Erie, Huron, Lucas, Sandusky, Stark, Ashtabula, Geauga, and Lake counties. Wind, lightning, and hail have injured people and damaged property around the state but, the NOAA Climate Prediction Center long-range forecast is for a relatively mild winter. While we're happy when severe weather does not occur—or at least does not injure or damage—we need to be aware of and be prepared for when it does.

The Ohio Committee for Severe Weather Awareness (OCSWA) seeks to help Ohioans be ready for when severe weather strikes. To that end, each year the committee sponsors two *Severe Weather Safety Awareness Weeks* and a Poster Contest (for elementary-age students). The winning poster is used to promote severe weather awareness year-round because the



Gabriela Torres  
at her school assembly with  
C.J. Couch (PIO, OEMA).

threat of severe weather is with us throughout the year. This year's winner is fifth-grader Gabriela Torres of Salt Creek Elementary in Kingston (Pickaway County). This year, Governor Taft proclaimed

March 26 through April 1 as the Spring campaign and November 12 through 18 as the Winter campaign.

Every home, business and school should have an accessible and appropriately stocked disaster kit for enduring likely events.

Additionally, smoke detectors, carbon monoxide detectors, and a written emergency plan, identifying what to do, where to meet, and where to go in the event severe weather-related problems will reduce risk. We all should promote severe weather (including flood hazard)

awareness and utilize the information and events from both Ohio's Spring and Winter Severe Weather Awareness Weeks each year. The OCSWA maintains a website with severe weather information, home safety tips, and contacts at: [www.ocswa.ohio.gov](http://www.ocswa.ohio.gov).

The OCSWA has representatives from the American Red Cross, Emergency Management Association of Ohio, National Weather Service, and the Ohio Departments of Aging, Education, Health, Insurance, Natural Resources, and Public Safety, Ohio Insurance Institute, Ohio News Network, and State Fire Marshal's office. We join together to provide all Ohioans the information we all need to be aware of and prepared for when severe weather strikes.



Gabriela's Winning Poster

# 2006 Ohio Statewide Floodplain Management Conference

BY ALICIA A. SILVERIO, CFM, SENIOR ENVIRONMENTAL SPECIALIST  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT



On August 30-31, 2006, the Federal Emergency Management Agency (FEMA), Ohio Department of Natural Resources (ODNR), and Ohio Floodplain Management Association (OFMA) sponsored the seventh annual Ohio Statewide Floodplain Management Conference at the Marriott North in Columbus. The conference theme, "Staying Afloat in an Evolving Regulatory Environment," shaped the agenda as sessions discussed how communities could manage their local floodplain management programs while dealing with changing local, state, and federal regulations.

The conference brought approximately 200 government and private sector professionals together to learn about and confer on the most current issues in floodplain management.

The conference agenda covered Geographic Information Systems (GIS), flood map modernization, hydrology and hydraulics, floodplain management regulations, mitigation, and No Adverse Impact (NAI). The conference format included three concurrent tracks plus the Flood Loss Reduction Workshop (a total of 46 sessions and 52 speakers). This year's conference also featured a prominent Keynote Speaker, Edward Buikema, Regional Director of FEMA Region V. Director Buikema discussed historical events as they've led to the development of FEMA and its incorporation into the Department of Homeland Security (DHS). He also discussed the impact of Hurricane Katrina, one year after the event and FEMA's successes that were not publicized.

OFMA also convened a Legislator Breakfast to discuss many of the

issues that Floodplain Managers and communities face today, such as: dealing with disasters and catastrophic events, budgetary problems, enforcement of environmental regulations, flood map modernization, and floodplain manager training.

Conference attendees receive Continuing Education Credits (CECs) for attendance at the conference. The Association of State Floodplain Managers has allocated 12 CECs toward Certified Floodplain Manager (CFM) accreditation for two days' attendance at the conference. The Board of Building Standards (BBS) has awarded six CECs for all disciplines. (Approval # BBS-2005-204).

A successful conference relies on the contributions and support of many. So much thanks goes to:

- **FEMA** for providing support and funding to enable the Statewide Conference.
- the **2006 Conference Planning Committee** [Sandra Ashba, Miles Hebert, Jim Mickey, Mike Mihalisin, and Mary Sampsel] for all their time, effort, and dedication.
- the **Presenters** for all their work to prepare and convey information to conference attendees with the purpose of promoting wise and effective floodplain management throughout Ohio.
- the **Sponsors** [Burgess & Niple, CT Consultants, EMH&T, FMSM Engineers, Kucera International, Malcolm Pirne, MS Consultants, PBS&J, SmartVent, URS Corporation, and Williams Creek Consulting] for their participation as well as their financial support of the conference.
- the **Exhibitors** [United States

Geological Survey, Water Management Association of Ohio, Ohio Emergency Management Agency, Ohio Floodplain Management Association, ODNR Floodplain Management Program, Federal Emergency Management Agency, and the Association of State Floodplain Managers] for showcasing their programs and services to conference attendees so that communities could examine opportunities to improve local floodplain management.

- the **Attendees** for their time and effort to learn how to improve flood damage prevention throughout their communities.

Thanks so much to all of you!

## OFMA Recognition Awards

Each year at the Ohio Statewide Floodplain Management Conference, OFMA acknowledges individuals for their dedication and service in floodplain management by presenting Recognition Awards. The OFMA Awards Committee solicits nominations throughout the year to identify extraordinary individuals and or programs for their professionalism, enthusiasm, and support for floodplain management. The Committee reviews the nominations and selects recipients based on the award criteria. Congratulations to the 2006 OFMA Recognition Award Recipients:

**Floodplain Administrator of the Year Danny Popp** (Powhatan Point)

**Award for Innovation in Floodplain Management Terry Hemby** (Gallia County Regional Planning Commission)

**Jerry J. Oney Distinguished Member Service Award Mary Sampsel** (Union County Engineer's Department) and **Miles Hebert** (EMH&T)

**Certificates of Appreciation**



**Floodplain Administrator of the Year**  
Presented to Danny Popp

**Nancy Olson** (FEMA Region V) and **Rich Slevin** (National Flood Insurance Program).

If you would like to nominate a peer or colleague for any of the



**Jerry J. Oney Distinguished Member Service Award**  
Presented to both  
Mary Sampsel & Miles Hebert

OFMA Recognition Awards, don't wait! Nominations are currently being accepted for 2007 honors. The deadline for submission is July 1<sup>st</sup>, 2007. For criteria, application forms, or more information, please call 614-265-6754 or email: [cindy.crecelius@dnr.state.os.us](mailto:cindy.crecelius@dnr.state.os.us)



**Certificate of Appreciation**  
Presented to Nancy Olson

## 2006 – 2007 Ohio Floodplain Management Association Board

BY ALICIA SILVERIO, CFM, SENIOR ENVIRONMENTAL SPECIALIST  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT

At the 2006 Ohio Statewide Floodplain Management Conference, the Ohio Floodplain Management Association (OFMA) held their annual elections for positions on the Executive Board. The new 2006-2007 OFMA Board is:



**Chairman – Alicia Silverio, CFM** (ODNR, Floodplain Management Program)



**Vice Chairman – Mike Mihalisin, CBO, CFM** (Geauga County Building Department)



**Secretary – Jerry Brems, CFM** (Licking County Planning Commission)



Treasurer - Tadd Henson, PE, CFM (FMSM Engineers)



Past Chairman – Mary Sampsel, PE, CBO (Union County Engineer's Department)



ODNR Rep – Cynthia Crecelius, CFM (ODNR, Floodplain Management Program)



Member At Large – Chad Berginnis, CFM (OEMA, Mitigation Branch)



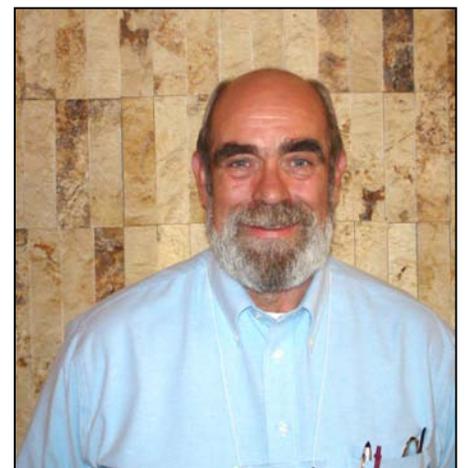
Member At Large – Joe Black, CFM (Lawrence County SWCD)



Member At Large – Miles Hebert, PE, CFM (EMH&T)



Member At Large – Kari Mackenbach, CFM (URS Corporation)



Member At Large – Ray Sebastian, CBO (Clermont County Building Department)

Anyone interested in working on OFMA's Conference Planning Committee, Legislative and Policy Committee, Education and Outreach Committee, and Membership and Nominating Committee should contact me at: [alicia.silverio@dnr.state.oh.us](mailto:alicia.silverio@dnr.state.oh.us) or 614-265-1006 for more information.





## Roll Call

Change is in the air. With his move to the Ohio Emergency Management Agency's (OEMA) Mitigation Branch, Chad Berginnis continues the tradition of close cooperation between ODNR's Floodplain Management Program Office and OEMA in helping Ohio communities with their floodplain management. Now, we have the pleasure of introducing to you two new members of our staff.



Hello! My name is **Matthew Lesher** and I am the newest Environmental Specialist within the ODNR Floodplain Management Program. I am currently finishing my Master's degree with Miami University's Institute of Environmental Sciences. While at Miami, I participated in a Public Service Project. Four classmates and I worked with Warren County Soil and Water Conservation District staff to design a stormwater management plan to help communities and the county to achieve their Stormwater Phase II permit requirements.

In 2004, I graduated from Ohio University with a Bachelor of Science in Environmental Biology and a Minor in Chemistry. While at Ohio University, I volunteered collecting water quality and macro-invertebrate samples. I was also an active member in both the cycling and mountain biking organizations on campus.

I look forward to becoming a dynamic member of the Floodplain Management Program. I am excited to work with individuals and communities throughout Ohio to ensure wise use of our natural resources.



Hello! My name is **Tanisha Barnett** and I am the new Administrative Assistant for the Floodplain Management Program. I graduated from Kent State University in May of 2005 with a degree in Justice Studies and I am currently finishing my second degree in Public Safety Management. I have been with the state for five years and have been with the Floodplain Management Program since July 2006. I look forward to continued learning about the program and hope to be an asset.

### **Program Manager's Perspective** (because I can!)

Tanisha has already demonstrated—with her positive attitude and “dig-in” spirit—that she IS an asset to the Program!

For many years, we didn't need the “Roll Call” feature because the Floodplain Program had been consistently staffed with four people. Then we experienced the good fortune of a program expansion in 1997-98 that resulted in hiring four additional staff.

The Division of Water also restructured in the following years to provide the equivalent of a full-time engineer and geographic information system expert in support of the Program activities

and products. As in all organizations, employees will take opportunities as they come. Whenever you have a large number of staff hired at about the same time, I have observed that it can mean a large number of departures at approximately the same time. We experienced this in 2003-2005 when nearly 50 percent of the Program staff left for a variety of reasons. Due to budget, we have had delays and vacancies that we continue to try to address.

In 2005-06, three positions were impacted by the changes. Ray Klingbeil, a tenured Environmental Specialist, retired in June of 2005 and Matt Lesher joined us in May of 2006. In April of 2006, Cathy Williams left the Administrative Assistant position after only 18 months with the Program. This administrative support position had been vacant since Ella Hardman's retirement in November of 2003 so we had not quite “caught-up” before we were again seeking to fill this void. Tanisha Barnett joined us in July 2006 and has been working very hard to make-up lost ground.

Finally, in July of 2005, Chad Berginnis, Program Supervisor, took an opportunity with another agency (the good news is that as noted in the beginning of this article he still has influence and cooperation with floodplain management activities).

Christopher Thoms, previously a senior Environmental Specialist, stepped-up to the Supervisor role. His senior environmental specialist position remains vacant with little expectation of filling it in the coming months.

During 2006 we have continued internal reorganizing and adjustments to help address these impacts. George Meyers, P.E. is now reporting directly to the Floodplain Management Program, while Tim Beck, Geographic Information Management System Specialist reports to Ken Pendley,

Geographic Information Systems Manager. Both Tim and Ken continue to provide significant time and support to the Program, but also are attempting to support the Division GIS efforts as well. We strive to maintain our quick response to your needs, and hope that you will understand our

challenges as new staff learn their jobs.

From my perspective, the passion for floodplain management among the Program staff is evident in everything they do! They continue to work cooperatively, creatively and enthusiastically to keep us on top of our mandates, NFIP

Coordination, Map Modernization and the demand for general technical assistance. I would like to extend our thanks to those of you at the local level who continue to learn and assume more of the floodplain management decisions and activities as we manage Ohio floodplains together. 

## Dear Floodplain Staff,

BY CHRISTOPHER M. THOMS, CFM, SUPERVISOR  
ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT



One of my duties as Supervisor is to keep track of the activities of our staff here at the state's floodplain office. The purpose of those activities is to support our mission of ensuring the reduction of flood damage and the recognition of the floodplain's natural benefit.

A common theme is that we provide assistance. Over the years, we have responded to hundreds of thousands of requests for information. The requests range from very general to very specific, philosophical to technical. We are pleased to be regularly told that we give accurate, thorough, and occasionally useful responses.

Some of you delight in trying to stump us and we will always try to rise to the challenge. Sometimes intentionally, sometimes not, we receive a humorous request.

The following are some examples we thought you might appreciate...we did.

*Dear Floodplain Staff,*

*Would it be possible to get new FIRM maps? Ours were damaged in the flood.*

or

*A builder would like to use the top of the carpet as his lowest floor elevation, please advise.*

or

*Does being the floodplain administrator mean I have to talk to people who build in the floodplain? I did that once, they weren't nice to me. I don't want to do that again.*

or

*How come it never flooded here until FEMA's map put us in the floodplain?*

or

*A local marina wants to place pontoons under Port-a-Johns for placement in the floodway? Is it an encroachment or can we just treat it as a boat?*

or

*Need help with flood, please call.*

*Sincerely,*

*Local Floodplain Manager*

Occasionally we wonder if you intentionally save these things just for us, but we thought they were worth sharing. Whether humorous or not, should you need assistance or have questions for us, please contact us at: [water@dnr.state.oh.us](mailto:water@dnr.state.oh.us) or 614-265-6750. 



**DIVISION OF WATER**  
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COLUMBUS, OHIO 43229

Bob Taft,  
*Governor*

Samuel W. Speck,  
*Director*

Richard S. Bartz,  
*Acting Chief*



## ***Pre-Disaster Mitigation Competitive Grant Applications Now Being Accepted***

BY STEVE A. FERRYMAN, CFM, SENIOR ENVIRONMENTAL SPECIALIST ODNR, DIVISION OF WATER - FLOODPLAIN MANAGEMENT

The Ohio Emergency Management Agency (OEMA) is now accepting applications for Pre-Disaster Mitigation Competitive Grant funds. There is \$100 million available nationwide to fund natural hazard mitigation projects in your community. Interested applicants must apply through their local government and should submit a Notice of Intent to OEMA as soon as possible. Completed project sub-applications are due to OEMA by 5:00 p.m. on January 19, 2007. In order to apply your community must participate in the NFIP, have a FEMA approved natural hazard mitigation plan, and provide a 25% non-federal match. The national competitive process favors the most cost-effective projects. For more information, please visit the OEMA Mitigation Branch website at: <http://www.ema.ohio.gov/mitigation/pdmc2007.asp> or call 614-889-7153. 

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