



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.



BY CHAD BERGINNIS, CFM,
SUPERVISOR, DIVISION OF WATER

Flood damages in the United States continue to escalate. From the early 1900's to the year 2000, flood damages in the United States have increased six-fold, approaching \$6 billion annually. In Ohio, there have been five Presidential disaster declarations in the past fifteen months – three of them are a result of flooding. This has occurred despite billions of dollars for structural flood control, and other structural and non-structural measures. We continue to intensify development within watersheds and floodplains, and do it in a manner where flood prone or marginally protected structures are suddenly prone to damages because of the actions of others in the floodplain.

Current floodplain management standards allow for: floodwater to be diverted onto others; channel and overbank conveyance areas to be reduced; essential valley storage to be filled; or velocities changed with little or no regard as to how these changes impact others in the floodplain and watershed. The net result is that through our actions we are intensifying damage potentials in the nation's floodplains. This current course is one that is not equitable to those whose property is impacted, and is a course that has shown to not be economically sustainable.

Over the past 50 years a system has been established that in many locations has substituted local and individual accountability with the programs of flood control and disaster assistance of the federal government. While funding for the Corps of Engineers, NRCS and other agencies of the federal government will fluctuate, the pattern of the federal government responding to disasters has become firmly entrenched and will not likely change in the foreseeable future. However, what has changed is how disaster relief impacts other domestic programs.

Today, each time Congress passes a bill to provide disaster supplemental funding for disasters, offsetting cuts in domestic programs must be made. Despite investment theories regarding benefits and costs, our problem has become one of cash flow. Each needless incremental in-

crease in flood damage represents a lost opportunity for support of essential domestic programs of the United States. Considering the recent emphasis on domestic security and military buildup, and the growing emphasis on the national deficit, the cash flow problem is only going to get worse. At its broadest level, No Adverse Impact floodplain management is about local government taking steps to reduce the drain on national resources, as well as local and state resources. These resources can then be applied to domestic programs enhancing the economy, environment, education and defense. In essence, current floodplain management approaches are only sustainable at the expense of other important programs.

More directly for local governments, No Adverse Impact (NAI) floodplain management represents

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a way to prevent worse flooding in your community—right now! Most local governments have simply assumed that the federal approaches are an acceptable standard of care, perhaps not realizing these very approaches could induce additional flooding and damage within their community. Instead, No Adverse Impact offers communities an opportunity to promote *responsible* floodplain development through community-based decision making.

Communities will be able to determine better use of federal and state programs to enhance their proactive initiatives and utilize those programs to their advantage as a community. The no adverse impact floodplain management initiative empowers the local community (and its citizens) to build stakeholders at the local level. No Adverse Impact floodplain management is a step towards individual accountability by not increasing flood damages to other properties. No Adverse Impact floodplain management is about local communities being proactive in understanding potential impacts and implementing programs of mitigation before the impacts occur.

NAI Floodplain Management Defined

"No Adverse Impact Floodplain Management" is a managing principle that is easy to communicate and from a policy perspective, tough to challenge. *In essence, No Adverse Impact floodplain management is where the action of one property owner does not adversely impact the rights of other property owners, as measured by increased flood peaks, flood stage, flood velocity, and erosion and sedimentation.*

It is the "good neighbor" policy.

No Adverse Impact is a sensible and reasonable approach. Too often our discussions on development approaches turn into arguments over the range of application and the impact these approaches might have on those who are choosing to encroach into the floodplain. It is time to change and begin managing from the perspective of not inducing additional flood impacts on other properties, giving local communities the ability to manage flood losses through comprehensive local plans and programs.

How Can a Community Learn More about NAI?

NAI is a concept created by the Association of State Floodplain Managers (ASFPM), a national organization of federal, state, and local floodplain managers and other practitioners in the field of floodplain management. The ASFPM has developed several resources for communities to use to implement the NAI principle. Two recent publications are of particular value to community officials—*The NAI Toolkit* and a brochure on *Community Liability and Property Rights*. The *NAI Toolkit* is organized around seven "building blocks" or programmatic areas that every local government is involved in.

Whether a community implements one measure or several, any community can use the Toolkit to move towards an NAI approach to floodplain management. The *Community Liability* brochure is based on legal research on a community's potential liability having a minimalist approach to floodplain management and discusses how the courts have almost

uniformly upheld performance oriented floodplain management regulations. Both of these publications can be ordered through the ASFPM website at: www.floods.org.

The new *Ohio Floodplain Regulations Criteria* manual produced by the Floodplain Management Program contains optional development standards that communities can adopt to implement the NAI approach. This document can be found at: www.dnr.state.oh.us/water/floodpln/default.htm. Also, the Floodplain Management Program will have a limited number of the ASFPM's *NAI Toolkit* and *Legal Liability* brochure soon.

Conclusion

This central message—that we are inducing flood damages—has not been communicated effectively, in part due to the floodplain management community as a whole spending too much time debating issues of individual standards while not stepping back and evaluating the broad impact of the range of management approaches.

Current management systems within the floodplain are costly and often allow development that fails to evaluate or mitigate adverse impacts on other properties, both now and in the future.

NAI is an approach that will lead to reduced flood losses throughout the nation while promoting and rewarding strong management and mitigation actions at the local level.

[This article was adapted from material on the ASFPM website "What is No Adverse Impact?"]

EITHER OAR

FLOODPLAIN MANAGEMENT IN OHIO—STATEWIDE CONFERENCE 2004



By Christopher M. Thoms, CFM, Environmental Specialist, Division of Water



*Learning is like rowing upstream;
to not advance is to drop back.*

Chinese proverb.

On August 25th and 26th, 2004, professionals interested in and responsible for Ohio floodplain management will gather in Columbus to advance their learning about what is being done and what can be done to reduce their community's flood hazard and best manage their floodplain resources.

On the last Wednesday and Thursday in August, the Ohio Floodplain Management Association (OFMA)—in cooperation Ohio Department of Natural Resources (ODNR) and the Federal Emergency Management Agency (FEMA)—will host the fifth annual statewide floodplain management conference at the Ramada Plaza Hotel and Conference Center in Columbus. The conference offers sessions and workshops geared for beginners and experts on a range of topics related to floodplain management including the Certified Floodplain Manager (CFM) Exam, which will again be offered for those seeking to earn that distinction.

Founded in 1995, OFMA is a division of the Water Management Association of Ohio (WMAO) and the state chapter of the Association

of State Floodplain Managers (ASFPM). Promoting sound floodplain and stormwater management, OFMA offers regional workshops and the annual statewide conference with OFMA's main focus remaining on local floodplain managers and their needs. OFMA Officers are elected at the conference. Current officers are: Chair—Ray Sebastian, Floodplain Administrator, Clermont County; Vice-Chair—Alicia Silverio, CFM, ODNR-Floodplain Management Program; Secretary—Mary Sampsel, Floodplain Administrator, Union County; and Treasurer—Miles Hebert, P.E., EMH&T Engineers.

Each year at the conference, through it's awards, OFMA seeks to honor outstanding individuals for their involvement, dedication, and service to the field of floodplain management. Nominations are currently being accepted for 2004 honors. The deadline for submission is May 3rd, 2004. For criteria, application forms, or more information, see the following articles, visit our website at: www.dnr.state.oh.us/water/floodpln/ or call 614-265-6750 or email: cindy.crecelius@dnr.state.oh.us

Conference attendees can also receive Continuing Education Credits (CEC)s from the Association of State Floodplain Managers (ASFPM) for CFM-certification, as well as from the American Planning Association and the Ohio Planning Conference (OPC) for American Institute of Certified Planner membership, and from the Ohio Board of Building Standards.

OFMA continues to examine ways to improve each conference and is very receptive to your comments. The 2004-Conference Program Co-chairs are Kohei Ishikawa, Portage County Chief Building Official (330-297-

3530) and Doug Young City of Oregon, Commissioner of Building and Zoning Inspection (419) 698-7071.

Without proper preparation, being a floodplain manager is like being up the not-so-proverbial creek without a paddle. OFMA provides a unique opportunity for floodplain management professionals to share their knowledge and benefit from the expertise of others. At the Floodplain Management in Ohio—Statewide Conference 2004 we can advance floodplain management in our state, we can learn to row upstream together.



We encourage you to participate in a variety of ways. Immediately following this article we have included the *2004 State Floodplain Management Conference Call for Abstracts* in addition to OFMA's *Annual Awards Nomination* application information. Both are also available at: www.dnr.state.oh.us/water/floodpln/.

Each year we look for session moderators to introduce and assist speakers with the logistics of their presentations. Please contact us at 614-265-6750 to work with us—however you choose to—and... we'll see you all at **Floodplain Management in Ohio—Statewide Conference 2004.**



CALL FOR ABSTRACTS

Floodplain Management in Ohio -Statewide Conference 2004
Ohio Floodplain Management Association (OFMA) 5th Annual Conference
August 25-26, 2004
Columbus, Ohio

Abstract Submittal Information. Anyone interested in making a presentation to the conference must submit an abstract. Abstracts will be reviewed by the Conference Planning Committee and selected based on content and relevance to the topic and area issues listed in the Call for Abstracts. Submissions must be received by April 9th, 2004 to be considered for presentation at the conference. Incomplete or late papers may be subject to automatic rejection.

Abstract Guidelines:

- Submissions must be concise, limited to 500 words, and provide an accurate description of the policy, educational, scientific, engineering, or technological material to be presented at the conference.
- Abstracts must be accompanied by the Abstract Submittal Form, which can be obtained from the ODNR website at: <http://www.dnr.state.oh.us/water/> under "New Pages"
- The Abstract Submittal Form must be completed and submitted to the Conference Co-Chair along with the biographical Sketch(es) of the author(s), and the abstract.
- Abstracts should be submitted by email to dyoung@ci.oregon.oh.us as a Microsoft Word or Corel WordPerfect attachment. Each item should be submitted as a separate file. (You will receive a return email to confirm that your submittal has been received.) If you do not have email or Internet access, or have other submittal questions, contact Conference Co-Chair Douglas A. Young at 419-698-7071.
- Author should select an Abstract Category under which the abstract is to be considered for presentation.

Abstract Categories:

A. Lessons Learned

Mitigation successes and failures
Environmental impacts
Dams, dikes, levees
Watershed planning and management
River operations
Flood forecasting, warning and prepared-ness
Flooding and floodplain management
Effects of urbanization
Riparian protection
Cost / Benefit of mitigation

B. No Adverse Impact at the Local Level

Local cost of flood damage
Future conditions hydrology
Developing watersheds
Going beyond the National Flood Insurance Program
Disaster assistance
Private property rights

C. Community land use and mitigation planning

Disaster Response & Recovery
Disaster Mitigation Act of 2000
Tools for planning and management
Floodplain encroachment
Riparian protection
Risk assessment and vulnerability analysis
Development review and permit process
Legal and regulatory aspects
Population growth
Financing

D. National Flood Insurance Program and Floodplain Management Issues

Repetitive losses
Compliance
Regulations and policy
Letters of Map Change
Insurance

E. Technology for map modernization

LIDAR
Digital mapping tools and products
Global Positioning Systems
Geographic Information Systems
Databases
World Wide Web/Internet distribution
Computer modeling

F. Floodplain Mapping

Map Modernization
Map revisions and amendments
Cooperating Technical Partners
MNUSS
Coastal theory and mapping

G. Public Policy

Politics of risk reduction, economic efficiency and environmental enhancement
Legislative initiatives
Integrated water resource planning
Inter-jurisdictional responsibilities and roles
Preventive / corrective approaches
Multiple-objective planning
Cost-sharing in mitigation activities
Infrastructure
Coordination strategy
Implementation strategy

Authors selected as Presenters:

- will be notified of acceptance of the abstract for presentation by April 23rd, 2004.
- will use laptop computers and LCD projectors provided on-site, utilizing the Microsoft PowerPoint® program.
- provide a CD or disk containing the presentation to the Program Coordinator by August 1st, 2004.

Audience. The Statewide Conference offers three tracks to accommodate attendees and their various levels of floodplain management knowledge and experience. The tracks are

- (1) Floodplain Management and the National Flood Insurance Program
- (2) Building Code and Flood Mitigation
- (3) Engineering & Technology in Floodplain Management.

Please adjust the technical level of your remarks and PowerPoint® presentation according to the track where you will be presenting. As the only floodplain management conference in Ohio, this annual event attracts a broad audience including local, state and federal government officials, engineers, consultants, planners, related non-profit organizations, and involved citizens. Please develop your presentation using the sort of detailed and useful material that you would like to have presented to yourself. Not a “sales pitch” approach, but one that will interest the audience in such a way that “off-line” conversations and follow-up actions will result.

Length and focus of presentation. You will have approximately 40 minutes for your presentation unless otherwise indicated on the agenda. Please emphasize conclusions and recommendations in your presentation based upon your professional experience(s).

Audio-Visual. Authors selected to be Presenters will use laptop computers and LCD projectors provided on-site, utilizing the Microsoft PowerPoint® program. Additionally, each presentation must be provided to the Conference Chair by August 1st, 2004 via email, CD, or floppy disk. A moderator will monitor each breakout session. A CD will be loaded which contains ALL SUBMITTED PRESENTATIONS. There will be no time lag between speakers due to the common problem of ‘swapping out’ of personal equipment. Laser pointers will be available.

Travel arrangements. You are responsible for your own hotel, air, and other travel arrangements. Please contact the Ramada Plaza Hotel & Conference Center at 1-614-846-0300. Inform the Registration Desk that you are attending as part of “Floodplain Management in Ohio -Statewide Conference 2004”.

Display materials and handouts. All Presenters are encouraged to provide the Conference Chair with handouts of the information presented during their presentation for inclusion in the Conference Binder. These handouts must be submitted to the Conference Co-Chair by August 1st, 2004. Presenters may also bring books, reports, pamphlets, handouts, and other materials that may be of interest to the audience.

Conference Planning Committee:

Conference Co-Chair	Kohei Ishikawa (Portage County Building Department) Douglas A. Young (City of Oregon) dyoung@ci.oregon.oh.us
Awards	Cynthia Crecelius (ODNR) cindy.crecelius@dnr.state.oh.us Ray Sebastian (Clermont County Building Department) rsebastn@co.clermont.oh.us
Scholarships	Paul Plummer, (Groundwater Consultant) pplummer@woh.rr.com
Exhibitors	Sandra Massey-Ashba (Clermont County Bldg Dept) SASHBA@co.clermont.oh.us
AV Equipment	Alicia Silverio (ODNR) alicia.silverio@dnr.state.oh.us
Registration	Paul Humes (National Ground Water Assoc.) plumes@ngwa.org Greg Phelps (National Ground Water Assoc.) gphelps@ngwa.org
Sponsors	Jim Latchaw, (FMSM Engineers) JLatchaw@fmsmengineers.com
Committee	Gary Ziegler (Findlay Development Services Dept.) gziegler@ci.findlay.oh.us Christopher Thoms (ODNR) christopher.thoms@dnr.state.oh.us

Important Dates:

April 9, 2004 Deadline for abstract submission	April 23, 2004 Notification of Acceptance
August 1, 2004 Presentations and handouts due	August 25-26, 2004 Floodplain Management in Ohio - Statewide Conference 2004



ABSTRACT SUBMITTAL FORM

Floodplain Management in Ohio -Statewide Conference 2004
Ohio Floodplain Management Association (OFMA) 4th Annual Conference
August 25-26, 2004
Columbus, Ohio

Please email this form, attached biographical Sketch(es) of the author(s), and the abstract to the Conference Chair dyoung@ci.oregon.oh.us no later than April 9, 2004. Incomplete or late abstracts may be subject to automatic rejection. Multiple submissions by one author or organization will be limited.

Title of Abstract: _____

Principle Author (Single Point of Contact)

Name:		
Title:		
Affiliation:		
Address 1:		
Address 2:		
City:	State:	Zip:
Phone:	Fax:	
Email:		

Second Author

Name:		
Title:		
Affiliation:		
Address 1:		
Address 2:		
City:	State:	Zip:
Phone:	Fax:	
Email:		

Abstract Category (Check One):

- Lessons Learned
- No Adverse Impact at the Local Level
- Community Land Use, Planning, and Mitigation
- NFIP and Floodplain Management Issues
- Technology for Map Modernization
- Floodplain Mapping
- Public Policy

Use a copy of this page for additional authors.

Abstracts will be peer-reviewed and selected based on content and relevance to the topic and area issues listed previously. Submissions must be received by April 9, 2004 to be considered for presentation at the conference. The author identified as the Principle Author or Single Point of Contact will be notified by April 23, 2004 of acceptance of the abstract for presentation.



OHIO FLOODPLAIN MANAGEMENT ASSOCIATION Annual Awards Nominations



Since 1995, the Ohio Floodplain Management Association (OFMA)—a Division of the Water Management Association of Ohio (WMAO)—has sought to provide a network and forum for floodplain professionals to support and improve their management of Ohio's floodplains. Since 2001, OFMA has taken opportunity to recognize and honor individuals and organizations that have provided examples of outstanding floodplain management.

The presentation of the annual awards has become an exciting part of the Statewide Floodplain Management Conference. The 2004 Conference will be held August 25 and 26 in Columbus.

Please help OFMA recognize outstanding local, regional and state programs by submitting your nomination for an Ohio floodplain management leader. The OFMA awards and their focus and criteria are listed below. Following each description is the name of honorees.

Floodplain Administrator of the Year

The *Floodplain Administrator of the Year* award is designed to honor an individual whose contributions have resulted in an outstanding local program or activity for comprehensive floodplain management. The recipient of this award will serve as a role model and inspiration to other local officials.

- ✓ The nominee must be employed by a county, city or village as a local floodplain manager.
 - ✓ No more than one award will be granted in a single year.
 - ✓ The nominee will be selected based upon their leadership, outstanding accomplishment in the profession of floodplain management, and demonstrating personal/professional character of the highest quality.
- 2001 Ray Sebastian, Clermont County.
 - 2002 Jim Fox, Butler County.
 - 2003 not awarded

Award for Innovation in Floodplain Management

This award is intended to recognize those who have developed and applied an approach that is "outside of the box." Promotion of flood loss reduction, stewardship of valuable floodplain resources, economic sustainability and quality improvement may be elements of programs, projects, publications and activities nominated for this award.

- ✓ The nominee may be an individual, organization, public or private sector, government agency, regional agency or academic institution.
 - ✓ This award need not be given annually, or may be given to multiple recipients in a single year.
 - ✓ Nominees must be currently working or contributing to active water resource management programs or projects.
- 2001 Chagrin River Watershed Partners, Inc, City of Willoughby.
 - 2002 Dr. Cornelia Dettmer, Village of Manchester
 - 2003 Chad Berginnis, ODNR.

Peter G. Finke Award for Most Valuable Contribution to Floodplain Management

This award is being established as a tribute to Peter G. Finke in his distinguished service and leadership of the Ohio Floodplain Management Program for three decades. Peter utilized collaboration and creativity throughout his career and drew strength from his personal dedication to create a statewide floodplain management program that improves the quality

of life for Ohioans present and future. He has also been an integral part of developing the national policy on floodplain management.

- ✓ The nominee may be an individual, organization, public or private sector, government agency, or regional agency.
- ✓ This award need not be given annually.
- ✓ The recipient will be selected based upon their outstanding contribution to the multifaceted aspects of floodplain management.
- ✓ The contribution supporting this recognition should have a direct impact on improving the quality of life through better water resource management.
- ✓ More than one award may be granted in a single year upon approval by the Board.

- 2001 Peter G. Finke, Retired ODNR.
- 2002 Cynthia J. Crecelius, ODNR.
- not awarded

Jerry J. Oney Distinguished Member Service Award

The success of any professional organization is rooted in the dedication and capabilities of its members. This award is intended to recognize a member whose outstanding contribution has furthered the OFMA goals and objectives.

- ✓ The nominee may be an elected official, appointed official, federal, state or local employee, engineer, planner, consultant, insurance agent, student, surveyor, appraiser, real estate agent, or interested citizen.
- ✓ The recipient must be currently active in the Ohio Floodplain Management Association.
- ✓ More than one award may be granted in a single year upon approval by the Board.
- ✓ This award need not be given annually.
- ✓ The nominee must have made a significant contribution through their leadership, dedication, creativity or collaboration to improve floodplain management in accordance with the OFMA purpose and objectives.

- 2001 Jerry Brems - Past OFMA President
- 2001 Doug Johnson- Past OFMA President
- 2002 Ray Sebastian - Past OFMA President
- 2002 Alicia Silverio – '01/'02 Conference Program Chair
- 2003 Jerry J. Oney – Ross County in memorium
- 2003 Gary L. Ziegler - Past OFMA President

OFMA Annual Awards Application and Instructions

- ✓ Complete the **OFMA Recognition Award Application** and supporting information.
- ✓ Publications, videotapes, letters of recommendation and project descriptions may all be submitted as support or justification of nominees.

- ✓ **Submit applications and supporting materials to:**
Cindy Crecelius, OFMA Awards Coordinator
ODNR, Division of Water
1939 Fountain Square Drive, Building E-3
Columbus, Ohio 43224

- ✓ You may direct any questions to awards coordinator, Cindy Crecelius at (614) 265-6754 or fax no. (614) 447-9503.
- ✓ The deadline for submittal of annual nominations is Monday, May 3rd.

If you prefer, the application and award criteria is available on the Division 's website at www.dnr.state.oh.us/water/.





OHIO FLOODPLAIN MANAGEMENT ASSOCIATION
2004 Recognition Award Application



Name of Nominee _____

Address _____

Phone No. _____ Employer _____

Employer Contact/Phone _____

Type of Award Nominated For

- Floodplain Administrator of the Year
- Award for Innovation in Floodplain Management
- Peter G. Finke Award (Most Valuable Contribution to Floodplain Management)
- Jerry J. Oney Distinguished Member Service Award

On a separate sheet or in letter please describe the activities of the nominee in support of your nomination. Please note the criteria for each award and provide specific information including any supporting materials in justification of the nominee's qualifications.

Nominated by _____

Address _____

Phone _____ e-mail _____

Fax _____ Date Submitted _____

Submit nominations to:

Cindy Crecelius, Awards Coordinator
ODNR, Division of Water
1939 Fountain Square Drive, Building E-3
Columbus, Ohio 43224
cindy.crecelius@dnr.state.oh.us
(614) 265-6754
(614) 447-9503 Fax

DEADLINE: May 3, 2004

LOMR-F and the Community Acknowledgement Form



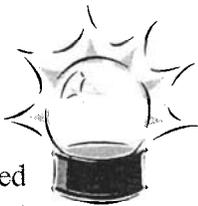
BY CHAD BERGINNIS, CFM,
SUPERVISOR, DIVISION OF WATER

The ODNR Floodplain Management Program office is receiving increasing numbers of **Letters of Map Amendment (LOMA)s** and **Letters of Map Revision (LOMR)s** issued for properties throughout Ohio.

These documents denote official changes to the Flood Insurance Rate Maps. There have been over 3,600 issued in Ohio, and—currently—over 60 are approved each month.

One particular type of LOMR, a LOMR based on fill (or LOMR-F), requires that a community official sign the *Community Acknowledgement Form*.

On that form, a community official is certifying—among other things—that “...we have determined that the land and any existing or proposed structures to be removed from the Special Flood Hazard Area (SFHA or 100-year floodplain) are or will be reasonably safe from flooding.”



It is recommended that community officials exercise caution when being requested by property owners to sign this document and understand any potential liability issues that might arise.

Prior to September 2002, an

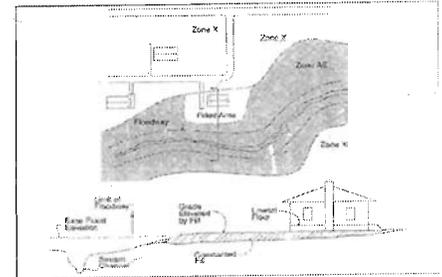
applicant’s engineer had to certify that fill met certain requirements including that the fill had been compacted to 95% of the maximum density using the Standard Proctor Test method, that the fill slopes were no steeper than one vertical to one and one half horizontal and that adequate erosion protection was incorporated.



This was due to the requirements of the Federal NFIP regulations (44 CFR 65.5). Since that time, the Federal NFIP regulations have been changed to eliminate these specific requirements. Instead, the regulations require that for a LOMR-F “the participating community has determined that the land and any existing or proposed structures to be removed from the SFHA are reasonably safe from flooding and that they have on file and available . . . all supporting analyses and documentation used to make that determination.” This change clearly shifts the burden and possible liability to the community. As the old adage goes, “read the fine print” and make sure you completely understand what you are signing, especially with this new form.

How, then, can a community navigate this process without increasing its liability? It is recommended that community officials require the use of FEMA’s Technical Bulletin (TB 10-01), *Ensuring That Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding* including the use of the sample professional

certification form
on page 4.



TB 10-01 is official policy guidance from FEMA on what constitutes “reasonably safe from flooding” and recommends some of the specific requirements for fill, as did the prior Federal NFIP regulations.

It contains additional requirements, such as the use of only fill material that is homogenous and requirements for foundations of structures in these filled areas. Using the *Professional Certification* form from TB 10-01, a qualified design professional (such as a Professional Engineer) certifies that the design for the development is reasonably safe from flooding. Then, a community official can sign the *Community Acknowledgement Form* and indicate in the “Community Comments” section that the determination was based on the certification of the appropriate design professional.

Since the new form has been in effect, concerns about community liability have been voiced from around the state. With the use of TB 10-01 and the design professional form, a community has a much better basis for deciding whether the *Community Acknowledgement Form* should be signed, and also has documentation for the basis of that decision.



**NATIONAL
FLOOD
INSURANCE
PROGRAM**

**TO VARY
OR
NOT TO VARY?**

*(update based upon an article by
Rich Roths, FEMA-V)*

Mr. I.M. Developer comes into your office with plans for a floodplain development. He's proposing to construct a new single family dwelling with a basement. You explain your community's flood safety standards and point to the requirement that the lowest floor (including basement) must be elevated to or above the Base Flood Elevation (BFE). Mr. Developer states that he does not want to elevate and asks for a variance to build it with the top of the basement floor 5 feet below the base flood elevation. What criteria should you and your Flood Safety Regulations Variance Board follow when reviewing the request?

Communities participating in the National Flood Insurance Program (NFIP) specify the conditions that the variance body must follow in granting an exception to their minimum flood safety standards. These conditions must meet or exceed the NFIP-minimum standards found at CFR §60.6. These standards advise communities of the criteria that FEMA will use in evaluating whether your community is following sound floodplain management practices.

Are you?

In making a determination whether to grant a variance, your community's board should apply the following simple rules:

1. In granting the variance, are you fulfilling your responsibility to protect the lives and property of residents and building owners?

2. Is this a necessary action for the overall betterment of the community and consistent with continued NFIP-participation?

3. Are the physical characteristics of the property so unusual that complying with the flood safety regulations would create an exceptional hardship* to the applicant or surrounding property owners?

*(*finances or health of the inhabitant alone are never sufficient cause)*

4. Would granting this variance set a precedent (*let the genie out of the bottle*)?

If you can't answer *yes* to these 4 questions, you should not approve the variance.

5. In granting the variance, can the proposed project still meet the following:

a) Can it meet your community's (and FEMA's) floodway requirements?

b) Is it a minimal lot size?

c) Is there good and sufficient cause to grant it?

d) Is there an exceptional hardship?

e) Will the flood heights be maintained or reduced due

to the development.

f) Is the variance the minimum necessary to afford relief?

If the answers to *a* through *f* are *yes*, continue, if the answer to any of the sections is *no*, you should not grant the variance.

g) Will the development cause an increased threat to public safety or create a nuisance?

h) Will the development result in exceptional public expense due to flooding?

i) Will the variance cause fraud on or victimization of the public?

j) Will granting the variance conflict with other laws or ordinances?

If the answers to *g* through *j* are *no*, then you can consider the permit; however, if the answer is *yes*, you should not grant the variance.

Don't forget! Make sure your board documents its answers to each criterion. Those answers must account for how it considered and made findings of fact based on evidence (all evaluations and all relevant factors) and in keeping with the purposes of your flood safety regulations. In reviewing your community's program, your responses will be very important in determining whether your community is meeting the minimum requirements of the NFIP.

**YOUR NFIP ELIGIBILITY
COULD DEPEND ON IT!** 🚰

DISASTER RESPONSE: HELP FOR TODAY – PLANNING FOR TOMORROW

BY DAVE LEDVINKA, EXECUTIVE DIRECTOR, OHIO COUNCIL OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES

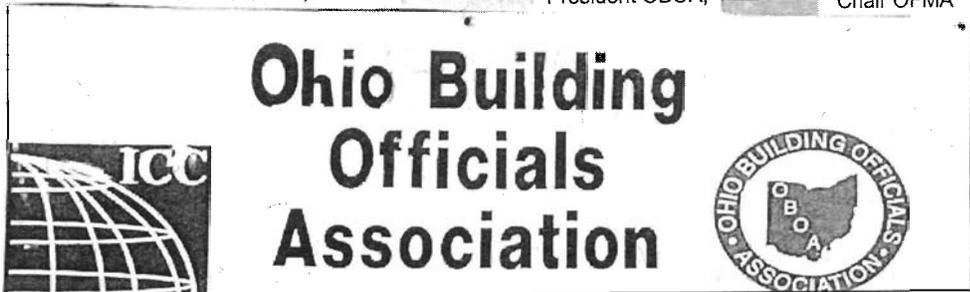


On January 26, 2004 a significant event took place at the Columbus Marriott North.

As part of the annual joint conference of the Ohio Building Officials Association (OBOA) and the Central Ohio Code Officials Association (COCOA), a morning session presented a review of the program developed by the Ohio Council of the National Institute of Building Sciences (OC/NIBS) and OBOA to render disaster assistance in Ohio. James Lee Witt, former head of FEMA, and currently CEO of the International Code Council was the keynote speaker. At the conclusion of the program, OC/NIBS and OBOA signed a memorandum of understanding in which both parties agreed to continue the disaster response initiative.

For the past three years, OC/NIBS and OBOA have worked together to develop volunteer emergency response teams to provide assistance when disaster strikes. This effort was precipitated by massive flooding which occurred in Ohio in 1997 and 1998.

Particularly hard hit was Ohio's southeast sector—the Appalachian



area. Because of a scarcity of resources to handle the pressing needs during the early stages of these disasters, a call went out to building enforcement personnel around the state to assist the impacted areas by conducting damage assessment inspections to speed up the flow of FEMA and state monies to get people back into their homes and places of business.

The assistance provided during the 1997 and 1998 disaster events prompted OC/NIBS and OBOA to begin working with the Ohio Emergency Management Agency (OEMA) and Department of Natural Resources (ODNR) to foster a more concerted effort to develop smoother and timelier response protocols. That effort has included in-depth training in damage assessment and substantial damage determination, two primary components of disaster mitigation. Another key

element fell into place with the passage of Substitute House Bill 605, which addressed the legal aspects of response personnel operating outside their jurisdictions.

A significant aspect of disaster response is to integrate what is learned from each event into planning. One goal of the OC/NIBS–OBOA initiative is to promote an understanding with those receiving assistance to enhance their future disaster planning programs with the information garnered from each response effort. With federal and state recovery monies stretched to the limit, a smarter planning effort will help preclude paying for the same real estate twice.

Since 9-11, local disaster events have taken on new meaning. Emergency response will remain a work-in-progress for the foreseeable future. The OC/NIBS–OBOA initiative adds a critical

resource to the process.

Dave Ledvinka met with Ray Sebastian, Chairman of the **Ohio Floodplain Management Association (OFMA)**, to discuss developing an education program for advancing the Disaster Response Program throughout 2004. Regional forums are being considered to bring together floodplain administrators and code officials under a common training format

to expand the base of qualified personnel to render disaster assistance.

A restructured course, that will combine damage assessment, substantial damage determination, rapid response, utilities, and citizen interface, is being developed. Forums will also include inviting jurisdiction administrators (mayors, council, managers, etc.) to learn about the re-

sponse program. The disaster response *ad hoc* committee will be split into two sub-committees to handle process and programs.

After the OBOA joint conference, a number of volunteers have stepped forward to participate in the Disaster Response Program. The 2004 agenda will include reaching a host of entities to create awareness in this program.



Spring Severe Weather Awareness Week

By CHRISTOPHER M. THOMS, CFM,
2004 CHAIR, OHIO COMMITTEE FOR SEVERE WEATHER AWARENESS,
SENIOR ENVIRONMENTAL SPECIALIST, DIVISION OF WATER

The **Ohio Committee for Severe Weather Awareness** sponsors two awareness weeks each year to draw attention to the continuing need to prepare for severe weather. This year, Governor Taft has proclaimed March 21st through 27th as *Spring Severe Weather Safety Awareness Week*.

Representatives from government and private agencies, professional organizations and businesses have combined their expertise to produce this severe weather infor-

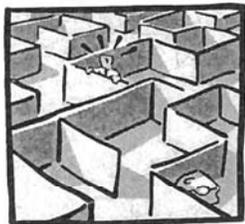
mation packet. Each year, people lose property—and even their lives—due to severe weather, needlessly. Our annual poster contest promotes severe weather awareness among elementary-age students and their families. The winner's poster is used to promote awareness of the year-round severe weather threat. We all depend on the media to convey accurate, timely information should disaster strike. This packet provides a unique and usable resource for the media and teachers to “get the

word out” about severe weather.

The packets include important information about severe weather, related safety, and suggestions for how Ohioans can reduce the effects of these events on themselves by thoughtful preparation. Facts on each topic are provided in short easy reference format. Additional copies are available at: www.state.oh.us/odps/division/ema/Weather.htm

The Ohio Committee for Severe Weather Awareness encourages you to join us in promoting severe weather safety as part of Ohio's *Spring Severe Weather Safety Awareness Week*.

Engineers' Corner —



Regression equations go digital

By GEORGE MEYERS, P.E., CFM,
PROJECT ENGINEER, DIVISION OF WATER

Across the United States, the one-percent annual chance (100-year) flood has become the accepted national standard for floodplain management. Engineering studies are often performed to determine

the depth and extent of flooding. For a detailed flood study the engineer must determine the rate of runoff that would cause a flood of this severity.

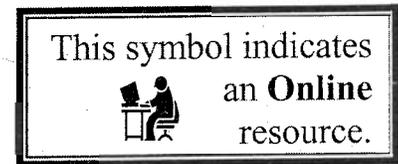
A common method of estimating the runoff from a storm involves application of techniques derived from a statistical analysis of gage data from across the state. Recently, USGS released an updated version of its publication *Techniques for Estimating Flood-Peak Discharges of Rural, Unregulated Streams in Ohio*. This publication is also known as *Water Resources Investigations*

Report 03-4164. This latest report includes an additional 10 years of gage records at some sites used in the previous report. In addition, gages have been added that previously could not be used due to insufficient periods of record. An option to calculate the 0.2 percent annual chance (500 year) flood has been included. Perhaps the biggest departure from the previous publication, *Water Resources Investigations Report 89-4126*, is the use of digital spatial data sets (GIS data) to determine explanatory variables used in the models.

Use of the GIS data sets should improve consistency in the application of the techniques because much of the subjectivity involved with measuring the explanatory variables has been eliminated. If using the new publication, it must be noted that the SL (main channel slope) and

W (percentage of the basin classified as water and wetlands) terms used in the new publication are not the same as the SLOPE and STORAGE terms used in WRI 89-4126. Refer to Appendix B of the new publication for a description of the new variables.

The publication can be downloaded from the USGS at:
<http://oh.water.usgs.gov/reports/Abstracts/wrir03-4164.html>



Try leading a horse to water...

Flood Insurance Seminars Scheduled

BY CHRISTOPHER M. THOMS, CFM, SENIOR ENVIRONMENTAL SPECIALIST, DIVISION OF WATER



Mortgage lenders and insurance agents remain crucial partners in floodplain management and share our responsibility to stay current with the rules and regulations of flood insurance.

By encouraging your local lenders and agents to take advantage of these regularly offered seminars, we strengthen our partnership with beneficial effect well beyond ourselves or the lenders, agents, and even their clients. For some this will be akin to the proverbial *leading a horse to water...*

But remind them that learning more about flood insurance promotes better floodplain management, which decreases the economic devastation of flooding. The following are just some of the seminars offered in Ohio in the upcoming months:

March 16, 2004 – Agent Seminar
Holiday Inn – Richfield
4742 Brecksville Road
Richfield, OH

April 27, 2004 – Agent Seminar
Holiday Inn Columbus East
4560 Hilton Corporate Drive
Columbus, OH

April 28, 2004 – Agent Seminar
Calvary Assembly Church
Fellowship Hall
750 Glenwood Ave
Boardman, OH

April 29, 2004 – Agent Seminar
Holiday Inn Express Akron South
2940 Chenoweth Drive
Akron, OH

May 11, 2004 – Agent Seminar
Quality Hotel and Suites
4747 Montgomery Road
Norwood, OH

August 26, 2004 – Lender Seminar
Columbus, OH
(Contact Ohio Bankers League at 614-221-5121 for information.)

September 15, 2004 – Lender Seminar
The American Red Cross
Conference Center
10870 Kenwood Road
Blue Ash, OH

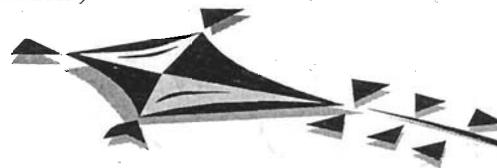
October 12, 2004 – Agent Seminar
Ohio – city & venue TBD

October 13, 2004 – Agent Seminar
Ohio – city & venue TBD

October 14, 2004 – Agent Seminar
Ohio – city & venue TBD

For the latest information about upcoming Lender & Agent Seminars visit: www.fema.gov/nfip/wshops.htm or call Rich Slevin, Regional Marketing Manager for the NFIP at (630) 577-1407.

After our recent experiences with flood damages, you may find agents and lenders more willing to attend.



Floodplain Management Training Available

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

For information or a course catalog describing EMI's Floodplain Management Courses visit: www.training.fema.gov/ or call

(800) 238-3358.

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DIDN'T I JUST TALK TO YOU?

By CHRISTOPHER M. THOMS,
CFM, SENIOR ENVIRONMENTAL
SPECIALIST, DIVISION OF WATER

Wondered why you are hearing more and more from a select few of us when you call ODNR's Floodplain Management Program office lately? That's because there's less and less of us. Here's a score card—of sorts—so you can know the current players.

Since the last issue of *The Antediluvian*, we have said goodbye to longtime colleague, passionate floodplain management professional, and Senior Environmental Specialist, Michael Gease, who, after seventeen years service with ODNR, has decided to take the leap and pursue his other dreams.



Michael Gease

Mike's contribution to floodplain management was recently honored when the Water Management Association of Ohio presented him with their Distinguished Service Award.



Janice Gartner

Last Fall, Environmental Specialist Janice Gartner accepted a position with the Ohio Department of Transportation.

In addition to her other duties, Janice assisted several local officials with pioneering the Appalachian Flood Risk Reduction Initiative (AFRRI) process over the past two years. With her departure, fellow-AFRRI-pioneer, Steve Ferryman, will now serve Janice's AFFRI-communities in addition to his own.

Janice's work with environmental reviews of manufactured home parks, water and wastewater treatment facilities have been picked up by our own Alicia Silverio.

We wish both Mike and Janice success in their new endeavors.

On October 30th, nearly 100 people came to bid Ella Hardman a very fond (though reluctant) farewell as she retired after more than 14 years of service to ODNR.



Ella Hardman

Ella began at the Division of Parks in 1989, transferred to the Division of Natural Areas and Preserves in 1991, and came to the Division of Water in 1993. Ella is a gracious and gentle lady whose influence is still felt, though her presence is greatly missed, especially by all her "kids" at ODNR.

Now, the countless number of people, who benefited from her tirelessly graceful response to all the requests for information and assistance, will be dealing directly with us. Our condolences.

On the flip side, please join us in congratulating Tim Beck, as he concludes his internship and commences his new position as our new Floodplain Geographic Information Management System (FP GIMS) Specialist.



Timothy Beck



DIVISION OF WATER
1939 FOUNTAIN SQUARE
COLUMBUS, OHIO 43224

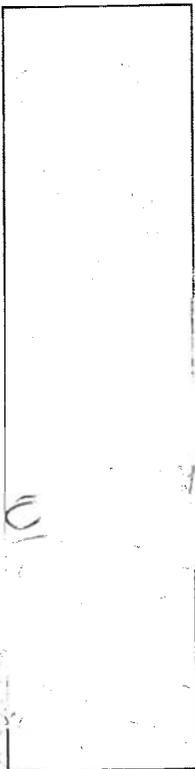
Bob Taft,
Governor

Samuel W. Speck,
Director

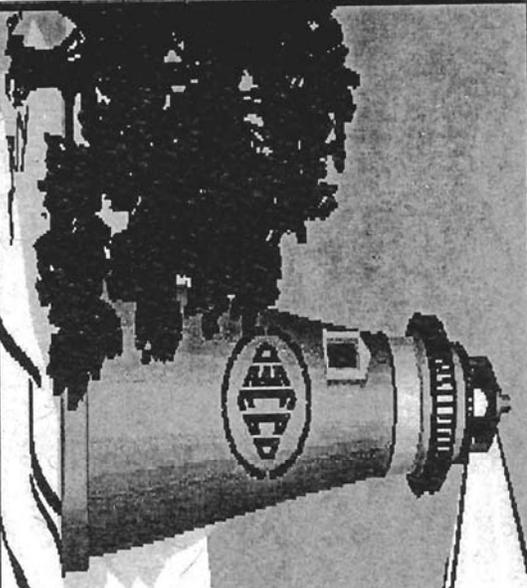
Richard S. Bartz,
Chief



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Lighting the way to Floodplain Management

May 16-21, 2004

ASFPM 28th Conference
Gulf Coast - Biloxi

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Christopher M. Thoms, Editor

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