

KANSAS FLOODPLAIN MANAGEMENT NEWSLETTER



February 2012

DWR Water Structures Permits

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The floodplain management staff at DWR is part of the Water Structures Program. In addition to assisting local communities with floodplains and promoting dam safety, the program issues permits for construction projects in and near streams. Permits are required from DWR for the construction, modification, or repair of dams, stream obstructions, levees and floodplain fills. Examples include bridges, culverts, low water crossings, channel modifications, bank stabilization, utility crossings and aggregate removal operations.

A dam requires a permit if the embankment height or storage volume exceeds the limits established in state law (82a-301). If the dam dimensions are below these limits, the project may still require a permit as a stream obstruction or floodplain fill, if the watershed area above the project exceeds the area shown in the map below.

A stream obstruction permit is required for any project that blocks or modifies the channel of the stream. A levee or floodplain fill permit is required for any project that places more than one foot of fill in the floodplain of a regulated stream, even if the project is located in an area that has not been mapped by FEMA. In many cases, a DWR permit is required in addition to the local floodplain development permit.

Floodplain fills within the floodway fringe may be exempt from permit requirements if the fill is:

- 1) Less than 1600 cubic yards in size,
- 2) a maximum height of two feet in height,
- 3) more than 100 feet from any other floodplain fills,
- 4) located in a community that has adopted local standards which meet or exceed the standards adopted by the Chief Engineer.

Maps, plans, specifications and calculations must be provided with each permit application, in sufficient detail to demonstrate the hydraulic effects of the proposed project. Because work in and near streams may result in environmental impacts, all permit applications are forwarded to seven other state agencies for review. The permit review process typically takes 60 to 90 days for stream obstructions, levees and floodplain fills.

Minimum Drainage Area To Constitute A Stream



For more information on Water Structures permits, call 785-296-2855, or visit www.ksda.gov/structures/.

Increased Cost Of Compliance

Increased Cost of Compliance (ICC), a rider on every single flood insurance policy, is money that can be used to bring a property into compliance after it has been determined to be substantially damaged by a flood. When a property is determined to be substantially damaged, it must comply with the current floodplain regulations during rebuilding.

The amount of money available is up to \$30,000. This is an extra amount of money above the amount of the claim for insurance. Property owners don't automatically get \$30,000. When a contractor estimates work will cost say \$22,000 to elevate a building, the amount of ICC will be for the actual cost of the work. The ICC and insurance can't exceed the maximum amount of insurance on a residence of \$250,000.

A flood insurance policy item, ICC does not apply unless the cause of the disaster is flood. ICC funds can be used to floodproof a non-residential structure and also to elevate, relocate, or to demolish a residential or non-residential structure.

Here are the basic steps for an ICC claim:

- 1) The community official does a damage estimation and determines property is substantially damaged. The Floodplain Manager can ask for help with this estimation from other departments or agencies.
- 2) The Floodplain Manager sends the property owner a letter stating that the property is substantially damaged by a flood. This letter must specify that the cause of damage is flood.
- 3) The Floodplain Manager consults with property owner about best method for mitigation that will be in compliance with community floodplain regulations.
- 4) A property owner shows the letter to the insurance agent and files for ICC claim.
- 5) A property owner gets estimates for work to be done that will bring property into compliance.
- 6) The policy holder usually receives about half of the money upfront.
- 7) When the project is complete and the property is determined to be in compliance, the policy holder gets the rest of the ICC funds to pay the contractor.

The process can become more complicated. For instance, some properties were rebuilt incorrectly without proper elevation or crawl space vents. ICC funds have to be returned if there a violation is not corrected. Such problems demonstrate why good communication is needed at the beginning of the ICC process. Make sure that property owners get permits and provide proof of compliance when using ICC to rebuild after a flood.

For questions about Increased Cost of Compliance, see these two Federal Emergency Management Agency publications: "Answers to Questions About Substantially Damaged Buildings" (No. FEMA P-213) and "Increased Cost of Compliance Coverage, Guidance for State and Local Officials" (FEMA P-301). Both of these free publications can be ordered by calling 1-800-480-2520. Further questions can be directed to Steve Samuelson at 785-296-4622 or steve.samuelson@kda.ks.gov.

Substantial Damage Estimator Software

Substantial damage estimation is one of the most difficult tasks for any Floodplain Manager. When a property is determined to be substantially damaged, that property must meet all the current requirements for compliance. In some cases, this requirement has meant filling in basements and elevating homes.

Because substantial damage can be controversial, the software tool Substantial Damage Estimator (SDE) has been developed to assist communities when making substantial damage estimations. The SDE version 1.0 had a few problems when first released that were corrected in SDE version 1.1 currently on the Federal Emergency Management Agency (FEMA) website for downloading. A new disk with SDE 1.2 is about to become available that you will want to order and try out.

Anchoring Fuel Tanks

Fuel tanks are an often overlooked aspect of floodplain management. Many Kansans heat their homes with propane and all need to be aware of the risk to people, property, and the environment from unanchored fuel tanks, especially their spilled fuel. Unanchored fuel tanks, easily moved by flood waters, can be pushed into property owners' buildings or swept downstream to other properties. After a recent flood, a bridge was closed because of the many floating propane tanks swept against the bridge.

The Federal Emergency Management Agency (FEMA) offers several good books, handouts, and even a short movie on how to anchor fuel tanks. FEMA 348, "Protecting Building Utilities From Flood Damage," for example, has sketches on protecting fuel systems, and FEMA 481, "Anchoring Home Fuel Tanks," a DVD, shows fuel tanks being anchored using a simple and inexpensive method. Order these resources at no cost from the FEMA Library at 1-800-480-2520. A related, 5-minute video on the internet is <http://www.youtube.com/watch?v=gVTSWXnLmC4>.

With this emailed newsletter, we are attaching a three-page handout on anchoring fuel tanks that you may want to distribute to fuel tank owners. If you receive the newsletter by postal mail you can call 785-296-4622 and request a copy.

The sketch at the right shows one of the many methods for anchoring of a fuel tank in the special flood hazard area. Contact Steve Samuelson with questions or requests at 785-296-4622 or steve.samuelson@kda.ks.gov.

Community Rating System Users Group

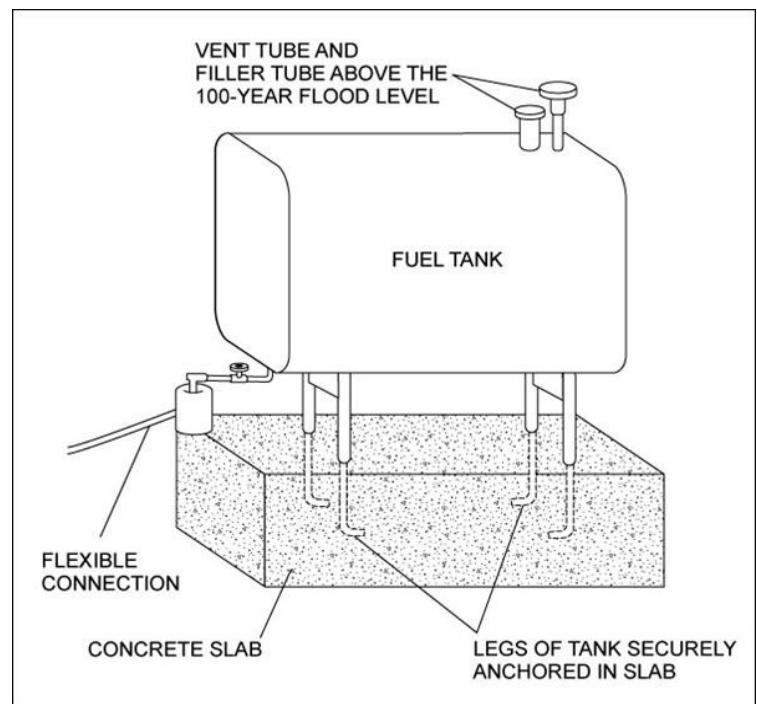
The cities of Chapman and Kansas City recently met with Christina Groves from the Insurance Services Office to begin their Community Rating System (CRS) applications. These two cities have taken steps to make their communities safer, to educate citizens and to provide flood insurance savings.

The number of CRS communities in Kansas continues to grow. The Floodplain Team at Division of Water Resources would like to create a Kansas CRS Group that would meet once a year. Communities already enrolled in CRS can share success stories and short cuts they have learned with this proposed group. New communities interested in CRS also could listen in on discussions and learn how best to make a CRS application. Documents and template letters could be shared between members of the group to make it easier to advance in the CRS program.

If you are interested in creation of a Kansas CRS Group, please contact Steve Samuelson at steve.samuelson@kda.ks.gov or 785-296-4622.

Kansas Association for Floodplain Management

Our congratulations to the Kansas Association for Floodplain Management being recognized as an official State Chapter by the Association of State Floodplain Managers. For more on this visit their website www.ekafm.org



Training Opportunities

The Floodplain Management Program will host the following training sessions throughout Kansas. If you are interested in any of the no-cost training opportunities, please contact Tom Morey at 785-296-5440 or Steve Samuelson at 785-296-4622. A training registration form is in this newsletter.

Post Flood Responsibilities

This class is intended for community officials responsible for administering floodplain management regulations. The course focuses on what to do during and after a disaster event. Topics include substantial damage, permitting, Increased Cost of Compliance and violations. Approved 3.5 hours toward CFM. Limited to 20 participants.

- Fredonia - March 8, 2012 8:30 a.m.-12:30 p.m.
- Tonganoxie - April 11, 2012 8:30a.m.-12:30p.m.

Basics of the National Flood Insurance Program

This class is for officials responsible for administering their local floodplain management ordinance. The focus is on the National Flood Insurance Program and concepts of floodplain management, maps and studies, ordinance administration, and the relationship between floodplain management and flood insurance. Approved 3.5 hours toward CFM. Limited to 20 participants.

- Independence - March 1, 2012 8:30 a.m.-12:30 p.m.
- Lawrence - April 17, 2012 8:30 a.m.-12:30 p.m.

Elevation Certificates and Letters Of Map Amendment

This class is designed for community officials responsible for administering floodplain management as well as surveyors and engineers who complete Letters Of Map Amendment (LOMA) and Elevation Certificate forms. The course will focus on accurate completion of Federal Emergency Management Agency technical forms, building diagrams and base flood elevation. Approved 3.5 hours toward CFM. Limited to 20 participants.

- St. Marys - March 6, 2012, 8:30 a.m.-12:30 p.m.

The Dam Safety Conference, sponsored by Division of Water Resources, will be February 15, 2012 in Topeka. For more information, contact cindy.higgins@kda.ks.gov or 785-296-0573.

Is the post office in your community closing? Will this result in a change of zip code or contact information for your community? Please notify Steve Samuelson at 785-296-4622 of any address changes.

Mark your calendar. The Kansas Association for Floodplain Management 2012 conference will be September 5 and 6 in Hutchinson. More information will be posted at the website www.ekafm.org. Registration will be done through a link on the website. If you have questions about registration, please contact Jon Bristor, Treasurer, at 620-326-2207.

Kansas Department of Agriculture
Division of Water Resources
Floodplain Program
Training Registration Form

Name _____

Title _____

Organization _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

E-mail _____

Name, date and location of training you will attend _____

*Please share this invitation with anyone else who could benefit from the training.

**Classroom locations will be sent to registered participants one week before the training.

Please mail or fax your registration to:

KANSAS DEPARTMENT OF AGRICULTURE
FLOODPLAIN MANAGEMENT PROGRAM
109 SW 9th STREET, 2nd FLOOR
TOPEKA, KS 66612-1283
Fax to: 785-296-1176

If you have questions about training, please contact Steve Samuelson by email at steve.samuelson@kda.ks.gov or by phone 785 296-4622, or contact Tom Morey at tom.morey@kda.ks.gov and 785 296-5440.

Please help us keep our records current. If the name that appears on this newsletter is for an individual no longer with your organization, please call (785) 296-4622, or send an e-mail to steve.samuelson@kda.ks.gov to report the change.

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Kansas Department of Agriculture
Division of Water Resources
Floodplain Management
109 SW 9th St 2nd Floor
Topeka, KS 66612-1283

ASFPM 2012 National Conference in Texas

The 2012 Association of State Floodplain Managers National Conference will be May 20-25, 2012 in San Antonio, Texas. This conference is an excellent opportunity for floodplain managers to receive training on mapping technologies, regulations, permitting, outreach and best practices. It is estimated the conference will be attended by more than 1,000 floodplain management professionals. This conference is great chance to meet people and to learn.

Funds may become available to provide financial assistance to community officials in Kansas so they can attend the ASFPM conference. Contact Tom Morey for more information.

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