

# KANSAS

## FLOODPLAIN MANAGEMENT TIPS

February 2021

### Working Around Mold

The function of mold is to break down organic material. It breaks down plant and animal matter and returns them to soil. Mold is the ultimate recycler and serves a useful function. Mold is also used beneficially in the making of cheese and wine. Though mold has benefits we don't want mold growing in our homes.

Mold needs moisture. Different types of molds thrive at different levels of moisture. When a home is flooded, the flood water adds a lot of moisture to the home environment. Floodplain Managers must deal with damage estimations, permits, assisting citizens and mold after a flood.

Mold can grow within 48 to 72 hours after a flood. Floodplain Managers entering flooded areas and flooded homes to do damage estimations 48 hours after a flood may come in to contact with mold. There are different ways to protect yourself from mold. Some of the simpler and least expensive protections are to wear nonporous gloves, rubber gloves instead of cotton gloves. Goggles will protect your eyes from airborne particles and mold spores. Many hardware stores sell inexpensive respirators. The least expensive are the paper filter mask type of respirators often used by woodworkers to prevent them from breathing sanding dust. The problem with the respirator masks is that they don't always make a good seal around your face and you can breathe mold spores in around the edges. Look for the respirator mask with an N-95 rating. Get the kind that has at least two straps. One strap goes around your head up high and the other strap goes around low. This makes a better snugger fit than a single strap. There should be an aluminum strip molded around the nose. Pinch that strip down so that it forms to fit your own nose and makes a proper seal.

Thoroughly clean vehicle, furniture, and clothing after encountering mold.



Thoroughly clean vehicle, furniture, and clothing after encountering mold.

Mold can emit mycotoxins, toxic chemicals, that can be released into the air attached to spores or as a gas. Mycotoxins can cause serious health problems. Some people are more susceptible to mold than others. People with asthma, for example, may be more sensitive to mold. Open the doors and windows to allow fresh air in to help flush out any mycotoxins in the air when entering flooded buildings. Close doors and windows in the evening. As temperatures drop over night the humidity levels rise, and mold likes moisture.

Watch out for the presence of mold. You may have heard a lot about black mold as being the most dangerous. All colors of mold could be dangerous if a person is sensitive to mold. A musty smell is also a sign that mold may be present even if you can't see discoloration on walls or surfaces.

### **In this bulletin...**

- **Mold and Floodplains**
- **TV Show Violation**
- **Announcements**
- **Learning Opportunities**
- **Training Registration Form**

You could end up taking mold spores with you after inspecting a flooded property. Wash your clothes as soon as you can. Clean the seats of your vehicle and any furniture your clothes may come in to contact with. You don't want to take mold spores back to your office or your home.

Floodplain Managers should learn some simple things about mold in order to advise the citizens of their communities. To stop the growth of mold, dry things out before 48 hours. Hire a professional bonded company to do the work of drying out the property or invest in a moisture meter to make certain that moisture is removed. Carpets may feel dry on the surface, but the carpet pad could have enough moisture in it to be growing mold beneath your feet. Drywall surfaces may feel dry to the touch but have moisture wicking up inside the walls. Thoroughly clean and dry or remove all porous materials. Hard surfaces may be cleaned with a solution of a cup of bleach added to a gallon of water.

People have accidentally spread mold in their own homes after a flood. The impulse is to grab a hammer and start breaking down sheetrock that has signs of mold. As anyone who has done that type of work knows, you'll get sheet rock dust everywhere. Along with that drywall dust there will be mold spores floating in the air. A better method is to tape off bad areas in plastic and then carefully cut and remove the sheetrock.

A stuffy nose, rash, itchy eyes, headaches and breathing problems could all be signs of health problems related to mold. Don't take risks with mold. Stay healthy and safe because your citizens need you after a disaster.

### **An Unconventional Violation**

Becky Bartley is the county cartographer and floodplain administrator for Osage County, Kansas. In August of 2017, Becky became aware of an issue in her floodplain while reading the newspaper. An article had been published detailing the appearance of two Osage County families that had participated in a national television program about building houses out of uncommon materials or structures. The article stated a guesthouse had been constructed out of a horse trailer for one family, and a hunting cabin was built out of a grain storage bin for the second family.

The hunting cabin had been built in the floodplain, complete with a compost toilet and outdoor shower area. No permits had been obtained for this work. The property owner came to Becky for retroactive floodplain permits after the construction was completed. Becky had several questions and concerns about the compliance of it. She explained what the required standards are for construction in the floodplain, knowing just from the article that some features of it were not in compliance. She referred them to the newspaper article, a part of the public record, for which the property owner had been interviewed. The property owner could not deny the details that highlighted the violation taking place. Unfortunately, this was the beginning of an arduous process to correct the violation.



Location of grain bin within the floodplain

The features that were not up to required performance standards included the compost toilet. The NFIP has minimum requirements for wastewater standards in the floodplain that ensure there is no contamination from them into the floodwaters. This set up was not compliant, as a dry system. She then inquired about the elevation of the cabin. The property owner insisted it was built to the proper elevation. Becky requested an elevation certificate to document compliance. From this point, the property owner was very uncooperative, and delayed supplying the required documentation. Becky sent an initial violation letter with their options: bring the cabin into compliance, relocate it, or demolish it. The issue was prolonged by the property owner going to county commissioners and receiving multiple extensions for various reasons, including seasonal and personal. Time continued to pass, and the property owner had not made progress.

Eventually, the property owner claimed the issues were resolved and submitted an elevation certificate to Becky. Based on the documented elevation, the cabin needed to be elevated

Story Continued on Next Page

at least 3.9 ft to be compliant with the State of Kansas standards, as well as Osage County's resolution. She requested a second elevation certificate for when the cabin had been elevated to the proper height.

Dear

This is in response to your request for a Base Flood Elevation (BFE) for the property located in Osage County in the This property is currently mapped in Zone A with the current effective date of 02/03/2010 on panel 20139C0140C. The base flood elevation for the subject property is **1067.8 Feet NAVD 88.**

Excerpt from DWR base flood elevation letter, determining it to be 1067.8 NAVD88.

**SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)**

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AD.  
Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.  
Benchmark Utilized: SEE SECTION D Vertical Datum: \_\_\_\_\_  
Indicate elevation datum used for the elevations in items a) through h) below.  
 NGVD 1929  NAVD 1988  Other/Source: \_\_\_\_\_  
Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor) 1064.9  feet  meters  
b) Top of the next higher floor N/A  feet  meters  
c) Bottom of the lowest horizontal structural member (V Zoned only) N/A  feet  meters

Excerpt from first elevation certificate, showing the top of the bottom floor to be 1064.9 NAVD88.

Though she received correspondence to the affect that they would be working to resolve the issue, the problem lingered on with subsequent extensions. Eventually, the case went to court. As a result of the proceedings, the property owner was forced to bring the property into compliance. After two years of litigation and extensions, the structure was raised and a second elevation certificate was provided directly to FEMA. Becky never received a copy of it for Osage County records. After the structure was declared compliant, the case was dismissed.

The experience was unsavory for Becky, who was correctly performing her duties as floodplain administrator. The event effectively complicated the working relationship between her and the property owner. A lack of awareness and unwillingness to cooperate with the principles of floodplain management, as well as federal and state law led to a strained, unpleasant, and likely expensive endeavor for the parties involved.

Entities that provide structures for sheds, portable building manufacturers, or those who were responsible for planning this television program can be unaware of how they are impacting floodplain management. Though this situation was arguably unforeseeable, it is advised that if your community frequently has these types of structures, for floodplain administrators to send certified letters to the businesses annually to make them aware of floodplain regulations, enforcement procedures, and advise them to make their customers aware as well. If issues do occur, the certified letters can serve as documentation that these businesses were made aware of your local requirements and were advised to make their customers aware. This protects the floodplain administrator and encourages compliance and awareness. The floodplain administrator can then refer them to the businesses that did not make them aware of the possible violations that their products may cause, if not installed properly, or not fully in compliance of local and state requirements.

Kansas Department of Agriculture staff updated language in template ordinance documents to provide better enforcement procedures for floodplain regulations. The floodplain team also has a handout with suggestions on how to write better violation notices. Contact [Cheyenne.SunEagle@ks.gov](mailto:Cheyenne.SunEagle@ks.gov) for copies of these documents before you read about a violation in your own local newspaper.

## **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 Cheyenne Sun Eagle at 785-296-0854 or Steve Samuelson at 785-296-4622. A training registration form is in this newsletter.

### **How to File a LOMR Part 1**

Part of the How to File a LOMR class will include an overview of the LOMC process, the options for LOMC's, fees, methods, and timelines. MT applications review will continue in part 2.

Virtual meeting Feb. 10th, from 10:00-12:00pm

### **How to File a LOMR Part 2**

Part 2 of How to File a LOMR class will discuss aspects of the MT applications, including examples. MT applications review will be a continuation from Part 1. Part 2 will include an exercise that will take attendees from start to finish of prepping a model and filling out the MT application. This training will also consider lessons learned from floodplain administrators, engineers and reviewers.

Virtual meeting Feb. 11th, from 10:00-12:00pm

### **How to Complete a Floodplain Development Permit**

This course covers the basic 9-step process of completing and reviewing a local floodplain development permit. This class has been approved for 1 hour of Continuing Education Credit (CEC) towards the Certified Floodplain Manager (CFM) credential.

Virtual meeting Mar. 25th, from 10:00-11:00am

### **Kansas Quick Guide**

This is a basic level course, covering the Kansas 2019 Quick Guide. We will go over each topic covered in the booklet. It will touch on the many aspects of floodplain management. This class has been approved for 1 hour of Continuing Education Credit (CEC) towards the Certified Floodplain Manager (CFM) credential.

Virtual meeting, Apr. 1st, from 10:00-11:00am

Find more information about floodplain management from Kansas Department of Agriculture  
Division of Water Resources online at:

<http://agriculture.ks.gov/divisions-programs/dwr/floodplain>

Email saves money on postage. The electronic newsletter also has links and the photos are in color. In the case that you are getting this newsletter by postal mail and would prefer email please contact Cheyenne Sun Eagle at [cheyenne.suneagle@ks.gov](mailto:cheyenne.suneagle@ks.gov).

To find and register for upcoming training, as well as recordings of previous trainings, please see our new Floodplain Management Training webpage at: <https://agriculture.ks.gov/divisions-programs/dwr/floodplain/training>

**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.

\*\*To find and register for upcoming training, as well as recordings of previous trainings, please see our new Floodplain Management Training webpage at: <https://agriculture.ks.gov/divisions-programs/dwr/floodplain/training>

Please scan and email your registration to: [cheyenne.suneagle@ks.gov](mailto:cheyenne.suneagle@ks.gov)

Or mail to:

KANSAS DEPARTMENT OF AGRICULTURE  
FLOODPLAIN MANAGEMENT PROGRAM  
1131 SW Winding Road, Suite 400  
TOPEKA, KS 66615

For questions about training, please contact Cheyenne Sun Eagle by email at [cheyenne.suneagle@ks.gov](mailto:cheyenne.suneagle@ks.gov) or by phone at 785-296-0854. May also contact Steve Samuelson by email at [steve.samuelson@ks.gov](mailto:steve.samuelson@ks.gov) or by phone at 785-296-4622.

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 785-296-0854 or email [cheyenne.suneagle@ks.gov](mailto:cheyenne.suneagle@ks.gov) to report the change.

4626  
Kansas Department of Agriculture  
Division of Water Resources  
Topeka Field Office  
Floodplain Management  
1131 SW Winding Road, Suite 400  
Topeka, KS 66615

### **ASFPM 2021 National Conference**

The 2021 Association of State Floodplain Managers National Conference will be held May 9-13, virtually. 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 for networking and to learn the latest news in floodplain management. Visit [www.floods.org](http://www.floods.org) for more information.

### **Kansas Association For Floodplain Management Conference in Mulvane**

The 2021 KAFM conference will be September 1-3rd, at the Kansas Star Event Center in Mulvane, Ks

#### **KDA/DWR Water Structures Floodplain Program Staff**

Steve Samuelson, CFM, NFIP Coordinator	785-296-4622	<a href="mailto:steve.samuelson@ks.gov">steve.samuelson@ks.gov</a>
Tara Lanzrath, CFM, Floodplain Mapping Coordinator	785-296-2513	<a href="mailto:tara.lanzrath@ks.gov">tara.lanzrath@ks.gov</a>
William Pace, CFM, Floodplain Mapping Specialist	785-296-4622	<a href="mailto:william.pace@ks.gov">william.pace@ks.gov</a>
Joanna Rohlf, CFM, Floodplain Mapping Specialist	785-296-7769	<a href="mailto:joanna.rohlf@ks.gov">joanna.rohlf@ks.gov</a>
Cheyenne Sun Eagle, NFIP Specialist	785-296-0854	<a href="mailto:cheyenne.suneagle@ks.gov">cheyenne.suneagle@ks.gov</a>

Mailing Address:  
1131 SW Winding Road, Suite 400  
Topeka, KS 66615

<http://agriculture.ks.gov/dwr>