

KANSAS

FLOODPLAIN MANAGEMENT

TIPS



October 2022

KAFM Conference 2022

The 2022 Kansas Association of Floodplain Managers (KAFM) Conference took place from August 31-September 1 in Lawrence, Kansas. Attendees were able to attend pre-conference workshops in addition to the main sessions. The workshops focused on the uses of various software: SWMM 2D for stormwater management, HEC-RAS 2D for engineering development, and ArcGIS Pro for floodplain management.

In the main sessions, floodplain administrators attended the Kansas Quick Guide class that covered the basics of the National Flood Insurance Program (NFIP) presented by Cheyenne Sun Eagle, NFIP Specialist with the Kansas Department of Agriculture (KDA), while others attended more engineering-focused classes such as “Streamway Management for Effective Infrastructure Protection” given by Brad Schleeter, Brian Fairchild, and Sarah Smith with Olsson and Johnson County. Policy-oriented speakers included Erin Cobb with the Federal Emergency Management Agency (FEMA) who discussed agricultural structures compliance and policy, as well as compliance, substantial damage, and Increased Cost of Compliance (ICC) insurance funding for historic structures. Presenters from Wood and AECOM presented on climate resiliency and the future of flood risk data. Tara Lanzrath, the State NFIP Coordinator, provided an update on the KDA Program and Janelle Phillips, the KDA stream obstructions team lead presented a discussion on State permitting through DWR. Individuals that passed the Certified Floodplain Manager (CFM) exam over the last year in Kansas received their CFM pins. Evening events included a BBQ buffet, and a bag toss tournament. The conference concluded with the written CFM exam. The 2023 KAFM conference will be August 30-31 at the Kansas Star Hotel and Event Center in Mulvane, Kansas. Please visit <https://www.kafm.org/> for more information.

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Staff Changes

A new floodplain mapping specialist has joined the KDA-DWR floodplain team based in Topeka. Patrick Bonine joined in September and is adjusting well to his new role. He has lived in Gallup, New Mexico, and Hastings, Nebraska, but spent most of his life growing up in Gillette, Wyoming. He graduated from Casper College in 2019 with an Associates in Agribusiness and is a recent graduate of Fort Hays State University with a Bachelor’s degree in Geosciences with an emphasis in Geographic Information Science. In his free time, he enjoys hiking, fly fishing, and helping out on his family's ranches in Wyoming and Montana.



Patrick Bonine

Storage Containers in the Floodplain

Portable metal storage containers can easily be purchased or rented with various sizes available of 8, 12, 16 feet or larger from multiple companies that provide them. They are also referred to as “cargo containers” and are often used for permanent storage or for moving. For purposes of the National Flood Insurance Program (NFIP), these are structures because they meet the definition and specifications:

“Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid

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KDA DWR KAFM Table



Steve Homburg, City of Ellis, Receives CFM Pin



Attendees Enjoy KAFM



Attendees Enjoy KAFM

storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. This means they can meet the definition of a structure for the purposes of flood insurance as well, depending on how they are placed on the site.

Property owners, as with all floodplain violations issues, can sometimes be unaware of floodplain permit requirements or that a storage container constitutes a building by NFIP standards. This may be due to their portability or use for storage. Similar issues come up with other accessory structures such as sheds that are easily delivered by trucks and used only for storage purposes. For both, they are walled and roofed structures that must be flood protected if they are located in the Special Flood Hazard Area (SFHA). Storage containers can often be located on the property as a temporary situation, especially for the purposes of moving. Temporary structures are required to have permits as much as any other type of development. The Title 44 Code of Federal Regulations (CFR) Part 60.3 does not specify standards for accessory structures or temporary structures. Their permitting and construction standards arise from the requirement to permit and ensure reasonable safety from flooding for all new and proposed development in the floodplain as well as supplemental publications that provide guidance on design and authorization for these structures. Communities are encouraged to adopt language into their floodplain management ordinances to detail the standards for permitting temporary structures. The Division of Water Resources (DWR) has model ordinance language that can be adopted, whereby the standards specify that denial of a permit would create an undue hardship on the applicant, there are no other alternative locations

outside of the SFHA available, and that staff will monitor the placement and removal of the structure. The temporary structure may remain there for no more than 180 days. This language should suffice for any temporary placement of a storage container, especially for the purposes of moving.

For a permanent structure, a storage container will have to meet the same standards as any other non-residential structure which must be elevated, wet, or dry floodproofed. FEMA has guidance on dry floodproofing in Technical Bulletin 3, and as a state-wide standard in Kansas, these structures must be elevated to at least one foot above the Base Flood Elevation (BFE). If it is an accessory structure, then it must be located on the same parcel of property as the principal structure, the use of which is incidental to the use of the principal structure. FEMA specifies that an accessory structure must be an accessory to the principal structure and cannot be on its own on a parcel of land. There has been a situation before in Kansas whereby the property owners had no other structures on the property, and therefore, the storage container could not be considered an accessory structure without a principal structure. For that reason, it was required to be elevated, dry floodproofed, or removed. Accessory structures are allowed to be wet floodproofed if they meet the definition of an accessory structure and meet the requirements for wet floodproofing. They



Storage Containers in the Floodplain



Storage Container Modified to Include Door and Windows

must be constructed of flood damage-resistant materials, of low-cost, properly anchored, 600 square feet or less in size, and equipped with flood openings that open and function automatically without human intervention and are equal in net size to one square inch of opening per every square foot of enclosed space. They must not be used for any human habitation and can only be used for parking or storage. Communities need to define what they consider to be “low-cost”. These structures must have a floodplain development permit. Any utilities or mechanical equipment must be elevated and have an elevation certificate. Sample ordinance language for accessory structures is available from DWR.

Communities may want to do outreach to nearby storage container companies, as it is recommended to do outreach to shed companies as well, to let them know about floodplain management requirements for these structures as either temporary or permanent development in the floodplain. It may help avoid potential violations as well as being able to let property owners know that these companies were informed in advance, should any issues arise. Doing outreach to property owners in the floodplain about permitting and performance standards for structures and development in general can help to avoid violations and a lack of awareness as well. Doing periodic visits to your area of floodplain to look for these issues can help to avoid them becoming larger problems, as the longer a violation exists, the more difficult it can be to gain compliance from the property owner. Floodplain administrators are encouraged to let the DWR floodplain team know about potential violations and send copies of those letters as well.

Training Opportunities

How to Fill out a Floodplain Development Permit

This course covers the basic 9-step process of completing and reviewing a local floodplain development permit. Virtual Training on October 18, 2022 from 9:00-10:00 a.m., please register here:

<https://kansasag.zoom.us/meeting/register/tZEufuqrpzouHdDJd33v0cXVSarUaLsW-05b>

Elevation Certificates: Section A

This class is for officials responsible for reviewing elevation certificates and surveyors who complete the forms. This focus is on Section A of the elevation certificate forms. Virtual training on November 29, 2022 from 9:00-10:00 a.m., please register here:

<https://kansasag.zoom.us/meeting/register/tZIkfuyurDMuGt07kZiZUz7xOrgkY11HXNHh>

Elevation Certificates: Section B

This class is for officials responsible for reviewing elevation certificates and surveyors who complete the forms. This focus is on Section B of the elevation certificate forms. Virtual training on November 30, 2022 from 9:00-10:00 a.m., please register here:

https://kansasag.zoom.us/meeting/register/tZYpduuupjoiGNGJaU-RD0A-t1S_w78C0wy9

Elevation Certificates: Section C, D, and E

This class is for officials responsible for reviewing elevation certificates and surveyors who complete the forms. This focus is on Sections C, D, and E of the elevation certificate forms. Virtual training on December 01, 2022 from 9:00-10:00 a.m., please register here:

<https://kansasag.zoom.us/meeting/register/tZYrceyurjovGdNYZ50qPOtzgVPmZHJRVR2u>

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.

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>

** Any individual with a disability may request accommodation in order to participate in training. Persons who require special accommodations must make their needs known at least five working days prior to training. For more information, including special accommodations, please contact Cheyenne Sun Eagle at 785-296-0854 or by email Cheyenne.Suneagle@ks.gov.

Please scan and email your registration to: 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 or by phone at 785-296-0854. You may also contact Tara Lanzrath by email at tara.lanzrath@ks.gov or by phone at 785-296-2513

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 to report the change.

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

Kansas Association For Floodplain Management Conference in Mulvane

The 2023 KAFM Conference will be August 30-31 at the Kansas Star Hotel and Event Center in Mulvane, Kansas.

Association of State Floodplain Managers 2023 Conference in Raleigh

The 2023 ASFPM Conference will be May 7-11, at the Raleigh Convention Center in Raleigh, North Carolina.

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

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