

Ugly is Not a Floodplain Violation

Chuck Chase, CFM, NFIP Specialist & Outreach Coordinator at Nebraska DNR Originally published in NeDNR's March 2016 Floodplain Management Today newsletter.

YES, I can easily see several floodplain violations. Unfortunately, "ugly" is not one of them. I began asking floodplain administrators about training needs soon after I started working at the Nebraska Department of Natural Resources. Violation and enforcement training has been the most requested training I have received. "What do we do if someone builds in a

floodplain before we notice?" "What do we do if our Council refuses to prosecute?" "How do we handle irate citizens?" "How do we enforce this?" I had the privilege of attending the Violations and Enforcement Class in Kansas. Steve Samuelson, my Kansas counterpart (and ASFPM's Region 7 Director), has put together a rather good class, and I hope to emulate the course in Nebraska.



We all know about the options in the ordinance

dealing with fines and legal action, yet it is in everyone's best interest to gain compliance without these more aggressive tools. As Theodore Roosevelt said, "I have always been fond of the West African proverb: Speak softly and carry a big stick; you will go far", so I will address the "speaking softly" aspect of floodplain management, and save the "big stick" for a future article.

Know your Ordinance. Knowing your floodplain ordinance well will allow you to speak with confidence. You will be able to address issues with an air of collaboration without the hint of uncertainty. Some perceive this uncertainty as a reason to simply do what they want. People who say it is easier to get forgiveness than permission are usually working with someone who they feel will waver or be indecisive on an issue because they lack confidence in their own program. So know your ordinance. With knowledge there is power.

Watch Your Body Language. You truly want compliance with the ordinance due to buy-in, not by arm twisting. Therefore you should remain professional and avoid giving the impression you are above (or even below) the person you are dealing with. If they come to your office and stand there venting at you, you should stand also. If they have a seat, you have a seat. Some say crossing your arms is a sign of a mind closed. I don't know if that is true, but it is viewed that way, and perception is as good as reality. Don't cross your arms, maintain eye contact, hold the calls, and give the owner your attention.

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Listen. Oftentimes the owner simply wants to be heard. Try paraphrasing what they say and repeat it back to them. Allow them to correct the parts you misunderstood. Listen to them; even empathize with them if you can. If mistakes have been made by your office, admit them. There is no need to be defensive. The ordinance is still the ordinance, and ultimately we are not looking for who is right or wrong, we are looking for compliance.

As I said earlier, empathize if you can. This does not require your capitulation. Here's a good example of how to possibly handle a situation with an angry citizen. "Barbara, I think if I were in your shoes I would feel the same way. I can see the difficulty. Let's take a look at what we need to do to comply with the ordinance."

Take good notes, but be cautious. If this issue goes south, your notes may end up as evidence. Keep them professional. Don't include opinions of the property owner. Keep them clean, do not deface them later by putting the families shopping list on the back or writing plans for the weekend in the margin.

Empathy for the neighbors. Often the concern is on property rights. A typical comment you might hear is: "It's my property and you can't tell me what to do!" If you have been listening and watching your body language, possibly you have positioned yourself to offer comments. See if you can get the property owner to empathize with his neighbors and his community. A response could be, "Harold, I think I'd feel the same way if it were my property." I know you own your place and don't need insurance. Yet, if we let folks violate this ordinance, we could get kicked out of the flood insurance program. Your neighbors won't be able to get flood insurance. Some young couple isn't going to be able to get a home loan. If this community gets hit with a tornado, this would impact relief money. That could devastate this community. You don't want that Harold. What can we do to bring this project into compliance?" Empathize with the owner and see if they will then find compassion for their community.

Flood Insurance Rate Table. If you have someone who is determined to build at ground level below the Base Flood Elevation (BFE), you might try pulling up the flood insurance rate table. When you show the constituent the difference in flood insurance premiums for a one-story home built 1 foot below BFE (\$6,700/year), and the same home built 2 feet above BFE (\$650/year), people start to grasp the situation. This might demonstrate you are really trying to help them out. But even if the owner is not planning on purchasing flood insurance, it will still devalue their property, and bringing in a few feet of fill becomes a very good financial investment.

Calculating insurance rates is now done with so many variables that these tables are hard to find. Most of this is now simply found in the interworking of a computer program. Yet the current Flood Insurance Manual is available online and contains these rate tables (go to: <u>http://www.fema.gov/flood-insurancemanual</u>). Rates are found in Chapter 5. For the above rates, I used table 3B on page 7 to calculate the insurance for a \$150,000 home. You could use the same table to provide a ballpark figure for exactly the value of the structure being considered.

Hopefully, professionalism and good sense will prevail. If not, you will want to read my next article on more stringent actions (aka the Big Stick) when all else fails. Chuck Chase can be reached by emailing him at chuck.chase@nebraska.gov.



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IDNR DAMAGESTM is now available to the public!

~Wes Cattoor, P.E., CFM, IDNR-OWR

IDNR DamagesTM is a flood damage assessment software program published by IDNR/OWR and used to determine the average annual flood damages from multiple storm events, the frequency structures are flooded, the economic benefits of flood control projects, flood easement costs, and the total damage occurring from a single flood event. IDNR DamagesTM can be used by consultants, planners and government employees.

The IDNR Damages[™] program uses flow-exceedence frequency data, stage-flow data, and stage damage data to calculate average annual damages for a particular structure while providing the total damage to the structure for each event. The flow exceedence frequency data and the stage-flow data usually are obtained from a backwater model, such as HEC-RAS or HEC-2, or a dynamic routing model such as FEQ or UNET. The stage-damage data may be obtained from FIA or USACE curves; other published data, or based on interviews and surveys.

This program is similar to USACE's HEC-FDA, FEMA's HAZUS or FEMA's BCA but with many distinctions. IDNR DamagesTM provides an intuitive user-friendly interface. The software is stand-alone and doesn't require ArcGIS. Multiple structures can be entered and referenced to river stationing for easy correlation to water depth. The program's output can be provided per structure including frequency of the event that begins damages. All output can be exported to a table for easy input into ArcGIS.

The Software has been released to the public for general use. Please note this program is not authorized by FEMA for floodplain mitigation activities. To see more or to download IDNR Damages[™], please visit the website below.

www.dnr.illinois.gov/WaterResources/Pages/IDNRDamages.aspx



Flood Relief for Don Yarbrough

IAFSM members may remember Don Yarbrough, a Peoria flood victim who gave a colorful lunchtime presentation at the IAFSM Conference Luncheon in Normal in 2014. His speech was one of the highest-rated speeches at any IAFSM conference.

Don's home flooded in 2013, and was elevated just prior to our 2014 conference. Don spoke to our members about his experiences dealing with local regulators, and his efforts to protect his home.

Don and his wife are now living in the elevated home. They love their home, and passed their first flood this past January, 2016. The water was four feet deep in the lower flow-through level of the home, with no damage to the home itself.

The Peoria JournalStar documented some of Don's experiences in this article: <u>http://www.pjstar.com/x1293266942/Peoria-flood-victims-make-a-fresh-start-with-safer-home</u>





The IAFSM Current

Raising the Grade: 2016 Upper Mississippi River Conference

"Raising the Grade" is the theme for the 9th Annual Upper Mississippi River Conference (UMRC), which will be held in October and focus on the health of the Mississippi River watershed and what can be done to improve water quality. The Upper Mississippi River Conference is evolving into a large regional conference.

This year, the conference planners have partnered with UMRBA, the levee district associations, produce associations, barge companies, NGOs, and other players in river management. Several U.S. and state legislators, the U.S. Secretary of Agriculture (potential), and the USACE General will also attend. The Floodplain Management session will include Sally McConkey (ISWS, ASFPM, TMAC, etc.), Larry Webster (Iowa Flood Center), and Mike Klingner (levee association).

The second day of the conference will be a working day. As some of you know, the Upper Mississippi River Watershed got a "D" grade on last year's AWI Report Card. Therefore, day two will be dedicated to work groups in each topic area, brainstorming one or two practical and concrete suggestions on how to raise the grade before the next watershed report card in 2020.

To register, and for more information: <u>http://www.riveraction.org/umrc/</u>



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From the Chair

~E. Stuart Richter, CFM, Whiteside County

Since our last "chat", our Association joined with Michigan's Association to sponsor the 2016 ASFPM Conference in Grand Rapids, MI. It was another good conference, "filled with the events that alter and illuminate our times" (stolen from Walter Cronkite's "You Are There" series). Walter was a CBS newsman for you younger IAFSM members. Anyway, there were a lot of excellent presentations over the three days. We also had a "dive bomber bird" (a tri-colored blackbird) who swooped down on unsuspecting conference goers during their trek from the hotel to the conference center. I saw him on a number of occasions, but he left me alone. That was possibly because I am a "Bird Whisperer" and I can whisper the common names of a large number of birds.

The Association's upcoming November 16, 2016 Board Meeting will begin the task of putting together the 2017 conference to be held in Springfield. This process is a work of art and has to be seen to be believed. If you have never had the opportunity to serve on the Board you don't know what you are missing. The Vice Chair (presently Glenn Heistand) puts in an enormous amount of time at this time of year. Everyone who has taken the job has found that there is always a lot of help offered from other Board members.

That brings up the topic of Board elections which will be conducted next year. Sarah Hunn (<u>sarah.hunn@dupageco.org</u>) is our Elections Committee Chair. I hope you will send her an email if you are interested in running for the position of Secretary. You will be replacing Steve Altman who will be moving to Treasurer next year. He will replace Erik Gil who will be moving to Vice Chair. Current Vice Chair, Glenn Heistand, will assume the position as Chair and I, as Past Chair, will go sit in a corner. Our association depends on the willingness of you, as members, to get involved and do your part.

At our September meeting, the Board voted to go ahead with work on our new website. This work will not happen overnight and again, we welcome thoughts and suggestions from the membership as to its eventual content. This website is intended for our membership and to serve all of you. We hope that in a year or so that you will be able to take care of all things conference related (except hotel reservations) on the website including submission of abstracts and biographies. We may have something planned for the 2017 conference to help get your input.

Upcoming events outside of the association include the Upper Mississippi River Conference, October 13-14, 2016, in Moline, IL, featuring our own Sally McConkey (<u>http://www.riveraction.org/umrc/</u>) and a Midwest Stormwater Conference, November 7-9, 2017, with more details to come.

Paul Osman was just on NPR discussing recent floods. You can go to the following link to read it - <u>http://www.npr.</u> <u>org/2016/09/15/492260099/outdated-fema-flood-maps-dont-account-for-climate-change</u> - and click on the blue circle in the upper left to hear the interview.

As ever, I have chatted too long. I leave you with this: Abraham Lincoln originally formed the Secret Service to combat counterfeiting. One third of the money at that time was counterfeit. After the 1901 assassination of President William McKinley, Congress also directed the Secret Service to protect the President of the United States. They still investigate financial crimes. Probably more that you wanted to know, but we will be in Springfield next year.

HEC-RAS 2D Modeling Seminar

Registration is now open for a 3-day HEC-RAS 2D modeling seminar, which will be taught by West Consultants. We are offering this seminar in Naperville and Champaign on the following dates:

Naperville: Nov. 7-9, 2016 Champaign: Dec. 5-7, 2016

A Detailed Course Agenda can be found at illinoisfloods. org under Conferences and Workshops. Registration will remain open until one week prior to the course or the seminar reaches full capacity. You can register for this seminar online here.

Registration is limited, so please register early.



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CEC Education & Training Opportunities

Looking for training opportunities? The following opportunities are coming up in the next few months. If you are looking for credits, be sure to review the material and confirm they meet the appropriate requirements.

IAFSM Sponsored Training Opportunities:

•HEC-RAS 2D Seminar, November 8 and 9, 2016 in Naperville, IL

•HEC-RAS 2D Seminar, December 5 – 7, 2016 in Champaign, IL

•AFSM Annual Conference slated for March 8-9, 2017 in Springfield, IL

Additional Training Opportunities:

EMI provides a wide range of training opportunities and upcoming training

•EMI courses are free for local and state government employees. Learn more at the EMI website: http://training. fema.gov/EMI/

Upcoming courses include:

•Oct 31 - Nov 3 - EMI-E0273 Managing Floodplain Development through the NFIP •Nov 28 – Dec 1 – EMI E0172 Hazus-MH for Flood •Jan 30 - Feb 2 - E0194 - Advanced Floodplain Management Concepts

Webinars:

ASFPM - http://www.floods.org/n-calendar/webinars.asp

•10/27/16 – Finding that Base Flood Elevation (BFE)

Other Webinars - http://www.floods.org/n-calendar/

•10/11/16 – Hydrologic Hazards – Estimating Probabilities of Extreme Floods

•11/15/16 – Introduction to the Community Rating System

•12/20/16 - CRS Verification Visit

Conferences:

•10/13-10/14/16 – Upper Mississippi River Conference (Moline, IL)

Other training and CEC opportunities can be found on ASFPM's calendar: http://www.floods.org/n-calendar/calendar.asp?



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Speakers, Vendors, Exhibitors, and Tours Wanted for 2016 Conference

The IAFSM Annual Conference will be Wednesday and Thursday, March 8-9, 2017 at the Crowne Plaza Hotel in Springfield, Illinois.

Call for Speakers

IAFSM invites speakers from municipal, public and private sectors to present information on floodplain and stormwater management topics. Submit abstracts online: <u>https://www.surveymonkey.com/r/2017-IAFSM</u>

IAFSM intends for the 2017 Annual Conference to provide focused/in-depth education and training in the principle committee disciplines of IAFSM, including Floodplain Management, Stormwater Management, Mitigation, Wetlands, CRS, and Legislation. A portion of the 2017 Conference Breakout Sessions will be dedicated to specific core topics developed by IAFSM Technical Committees. Remaining Conference Breakout Sessions will be dedicated to topics completely based on presentation abstracts submitted by the membership as part of this call for speakers.

The abstract submittal deadline is October 31, 2016. Presenters will be notified of their acceptance or denial by December 19, 2016.

Vendors and Exhibitors Invited

IAFSM invites vendors and others to exhibit at the 2017 Annual Conference. Register early! On or before February 5, the fee for exhibitors is \$750. Between February 6-19, the fee is \$850. The link to register as an exhibitor is: https://www.123signup.com/event?id=nmrds

Tours / Field Trips Wanted

Does your community have a floodplain, stormwater, mitigation, or wetland project in the vicinity of the conference hotel that you would like to show to other floodplain managers? IAFSM is considering offering Technical Field Tours again, if enough tour sites are submitted to make up a tour. Please submit nominations for potential tour sites.

Mobile App

The CrowdCompass mobile app will be used again this year, providing smart content and increased engagement opportunities to enhance your conference experience.

Event URL: <u>https://crowd.cc/iafsm-2017</u> App Download URL: <u>https://crowd.cc/s/ntAo</u>

Logistics

The conference will be held at the Crowne Plaza Hotel in Springfield, Illinois. Lodging is available at the special conference rate of \$125. A limited number of rooms are available at the state government rate with government ID. Use this link to book your stay at the special conference rate: <u>http://tinyurl.com/iafsm-2017</u>

For More Information

For more information, view the complete Call for Speakers on our website at <u>http://www.illinoisfloods.org</u> or contact Glenn Heistand, Conference Chair, at <u>heistand@illinois.edu</u>, or Sarah Harbaugh, Executive Secretary, at <u>iafsm@illinoisfloods.org</u>.

Important Stuff We Tell You in Every Newsletter...

Save the Date! 2017 IAFSM Conference

The 2017 Annual Conference will be March 8 & 9, 2017, at the Crowne Plaza Springfield. See you there!

Wanted: Newsletter Ideas and Articles

IAFSM members, this is YOUR newsletter! Email Jennifer Maercklein, editor, at <u>jmaercklein@v3co.com</u> if there are topics that you'd like us to cover. You don't need to write the article - we just want your ideas! If you're gifted with a pen and would like to provide content, we welcome your written contributions as well.

Get Involved with IAFSM!

IAFSM Committee Chairs welcome your help and involvement. See the list of chairs on the last page of this newsletter, or visit the committee webpage to learn more about volunteer opportunities. <u>http://www.illinoisfloods.org/committees.html</u>

Borrow our Water Table

IAFSM has two Watershed Tabletop Models available for all members to check out (free of charge) and bring to Public Works Open Houses, Scout meetings, 4-H meetings, school classrooms, etc. This offers a great opportunity to educate about the dangers and impact of unplanned development and human activity in the floodplain. IAFSM keeps one in Springfield and the other in northeast Illinois. Contact Sarah at IAFSM@illinoisfloods.org to make arrangements.

Next Board Meetings

The next IAFSM Board Meeting will be held on November 16 at 9:00 a.m. at V3, 7325 Janes Ave, Woodridge IL. We will be planning our annual conference at this meeting. All members are welcome and encouraged to attend Board meetings. See you there!

<u>Jobmart</u>

Visit our Jobmart at <u>http://www.illinoisfloods.org/jobmart.html</u> Jobmart is a free service to members of IAFSM. If you would like to post a position, send complete information to <u>IAFSM@sbcglobal.net</u>.

2016 CFM Exam Schedule

To view 2016 exam dates and register, visit <u>www.illinoisfloods.org/certification.html</u>.





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