

THE FIRST STATE WATERMARK



Delaware's Floodplain Management Newsletter

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FEMA Proposes Regulatory Changes

The Federal Emergency Management Agency published its semiannual regulatory agenda last fall, and several of the proposals may be of interest to Delaware communities. The agenda lists regulations which FEMA anticipates they will be developing during the period October 1, 1996 - April 30, 1997.

Discontinuation of the eligibility of beaches for Public Assistance

Under FEMA's current policy, engineered beaches and related facilities, such as dune improvements, are considered to be eligible public infrastructure under the Robert T. Stafford Act. This means that following Presidentially declared disasters, FEMA will reimburse the State for up to 75% of the costs associated with repairing damage to these facilities.

Twice in 1992, and once again in 1996, storms which resulted in disaster declarations eroded large quantities of sand from engineered Sussex County beaches. In each case, public assistance from FEMA enabled the Delaware DNREC to replace sand which had been lost from the beach.

FEMA's proposed regulation would discontinue the eligibility of engineered beaches and related restoration work for Public Assistance in the event of a Presidentially declared disaster. This notice appeared in the November 29, 1996 Federal Register, item 3891. To comment, contact Greg Ormsby, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472. Phone: (202) 646-2726.

Insurance coverage to meet code requirements

A basic intent of the National Flood Insurance Program's community flood hazard ordinances is to phase out non-conforming development. Specifically, when non-conforming structures are substantially damaged or substantially improved, they must meet current flood elevation requirements.

Under this proposed rule, the National Flood Insurance Program would add coverage to pay for the increased cost to rebuild or otherwise alter flood-damaged structures to conform with State or local floodplain management ordinances or laws. In other words, if a covered structure is flooded (or has suffered wind, fire or other damages) and is "substantially damaged" this new optional NFIP coverage will cover the expense of elevating the rebuilt structures.

This proposal appeared as item 3885 in the November 29, 1996 Federal Register. Comments may be made to Charles M. Plaxico, FEMA, 500 C Street SW., Washington, DC 20472. Phone: (202) 646-3422.

The agenda lists other possible FEMA regulatory changes but space does not allow their inclusion here. If you want more information please contact Michael S. Powell, Delaware NFIP Coordinator, at (302) 739-4411.

Sussex Hazard Mitigation Update

The Sussex County Department of Engineering recently completed work in the Long Neck area aimed at reducing flood damage to sanitary sewer system. FEMA paid 50% of the cost of this work through its Hazard Mitigation Grant Program. This grant program became available to Sussex and Kent County when two storms which were Presidentially declared as disasters struck in 1992.

Bethany-South Bethany projects

One of the most damage-prone areas in Delaware in Ocean Drive in South Bethany. When the road is undermined during storms, sanitary sewer lines beneath the road are exposed to wave energy and broken, allowing sand, saltwater and other debris to enter the sewer lines. Over time, this devastates sewage pumping equipment.



Ocean Drive following 1984 storm

To mitigate these effects, Sussex County will be installing shut-off valves just west of Ocean Drive, allowing the Engineering Department to isolate the Ocean Drive section of the sewer system during storms which threaten the system. This will prevent water and debris from entering the rest of the sewer system during the storm and afterwards when the County flushes debris from surviving section of the Ocean Drive sewer lines.

The next you visit Bethany Beach, if you have time why not walk over to Third Street and check out the beach access ramp for disabled persons which was retrofitted to resist storm damage. In its current design, only the pile foundation is permanent, the ramp sections are removable. Each winter season, and during the summer if a hurricane threatens, much of the vulnerable portion of the ramp is removed and stored out of harm's way (see bottom photo).



Bethany Beach Handicapped ramp
fully operational (top)
removed for winter (bottom)

Other projects implemented in Sussex County through the Hazard Mitigation Grant Program include a storm preparedness pamphlet for renters in South Bethany, and a protective sand dune in Dewey Beach. For additional information on these projects or the Hazard Mitigation Grant Program please contact Michael Powell, State Hazard Mitigation Officer, at (302) 739-4411.

Thank You, Karen

Delaware lost a real asset when Karen Pollack recently resigned from her position as NFIP Coordinator from the DNREC Division of Soil and Water Conservation. Karen brought a contagious spirit of professionalism to the position and will not soon be forgotten. All of us wish her the best of luck in her new career in New Jersey where she is working in the field of air and water quality monitoring.

Workshop for Contractors

On Wednesday, January 22, 1997, Wilgus Insurance Company, in cooperation with the Sussex County

Planning and Zoning Office, held an evening workshop to educate builders on the National Flood Insurance Program and on local flood hazard regulations. The South Coastal Regional Library donated the meeting room.

Michael Brady of the Sussex County Planning and Zoning Office, Michael Powell of the DNREC, and Judy Marvel of Wilgus Insurance gave an overview of Flood maps, development regulations, and insurance rating. Then it was the contractors turn....

The contractors and builders who attended expressed their concerns over the regulatory process. Specifically:

- The need for a better understanding of exactly what structural elevation information must be presented to the County in order to demonstrate compliance with floodplain regulations.
- They expressed concern that in some instances construction plans were approved yet changes to the final construction were required to meet the floodplain regulations.
- Getting a certificate of occupancy quickly was a primary concern.

Town officials from the Bethany/South Bethany area questioned the insurance agents on the effect of Base Flood Elevation increases on insurance premiums for existing flood insurance policies. According to the insurance agents, rates are established according to the map (and base flood elevation) that is in effect at the time the policy is written. An increase in base flood elevation would not change the insurance rate. These “grandfathered” insurance rates are even transferable to subsequent property owners.

FEMA to unveil new Flood Mitigation Grant Program

According to the Federal Emergency Management Agency, March, 1997 is the target date to implement the Flood Mitigation Assistance Program (FMAP). This grant program was authorized by the National Flood Insurance Reform Act of 1994. Clearly, FEMA has struggled with this getting this grant program off the ground. There has been a great deal of

debate within FEMA as to the types of projects which will be eligible for funding.

While FEMA has not released specific project eligibility criteria to the states, the 1994 Act lists certain project categories: These include:

- Acquisition of flood-prone properties
- Elevation of flood-prone structures
- Minor flood control projects
- Beach nourishment projects
- Planning or regulatory changes which reduce the vulnerability of development to flood hazards.

Grant Program Prerequisite

One aspect of the Flood Mitigation Grant Program about which FEMA is clear is that in order for a community to receive a project grant they must first adopt an approved Flood Mitigation Plan. The State NFIP Coordinator intends to provide assistance to communities to create and adopt an approved plan.

It is worth noting that FEMA already gives credit to communities with approved flood hazard management plans through the Community Rating System. Having an approved plan can go a long way towards earning the 5% or more insurance rate reductions available to communities which participate in the CRS.

Communities already in the CRS, or who intend to join the CRS, which do not have approved flood hazard management plans are highly encourage to Contact Michael Powell, at (302) 739-4411 to start the planning process.

Map Amendment/Revision Database

Insurance Agents take note! The Delaware DNREC is in the process of collecting and organizing a database of all official FEMA map revisions and amendments. As the number of such changes increases, it is increasingly important to keep tabs on such locations. Look in the next issue of the First State Watermark for more information .