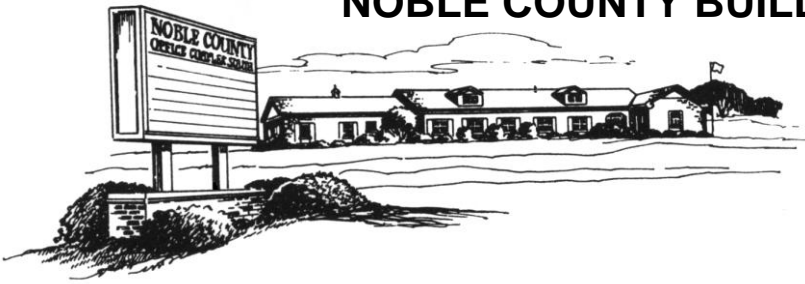


# NOBLE COUNTY BUILDING DEPARTMENT



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## Questions and Answers about building in a Flood Hazard Area.

- Q. What is the 1<sup>st</sup> thing to do if I want to build or fill in a Flood plain?**
- A. You **must** contact the Flood Plain Director **prior** to any fill or construction in a Flood plain.
- Q. Can you place fill in a flood plain?**
- A. No, without doing Compensatory Storage which equals one cubic foot of new flood water storage area to be created for every one cubic foot of fill placed within the flood plain, except for the following:
1. to obtain a common sense fill for driveway & approach into garage.
  2. to obtain a 6" in 10' slope from foundation.
- Q. Can I build in a Flood plain without elevating the structure 2 ft. above Base Flood Elevation (BFE)?**
- A. No, except for the following:
1. If it is an accessory building and 400 sq. ft. or less and will not be attached to any other structure.
  2. Can do a One (1) Time Alteration/Improvement if not increasing the market value by more than 50%. A One (1) Time Alteration/Improvement requires a market analysis showing the improvement will not increase the value of the structure by more than 50% of the assessed value. Do not include land values.
- Q. Will I need an elevation certificate or Bench mark set prior to starting a project in the Flood plain?**
- A. Yes.
- Q. Will I need an As-Built Elevation Certificate done prior to final inspection?**
- A. Yes.
- Q. Will I need to elevate my structure to Flood Protection Grade (FPG)?**
- A. Yes, all new projects **must** be elevated to FPG unless it is an accessory building and 400 sq. ft. or less.
- Q. What kind of foundations can I have for a home?**
- A. The following is a list of approved foundations. (Note: All living areas, garage floor & mechanicals, must be elevated to FPG.)
1. Elevated Slab
    - a. no venting required, solid foundation walls put in place up to FPG, all plumbing, electrical and ductwork placed within, compactable material placed inside foundation walls, then capped with concrete slab assuring entire perimeter of living/garage area is at or above FPG.
  2. Crawlspace
    - a. crawlspace floor must be at or above BFE.
    - b. requires approved Flood Vents (must be placed no greater than 1 ft. above inside and outside finished grade. Approved flood vents allow passage of a 3 inch sphere during flood events without electrical or human intervention.)
  3. Enclosure
    - a. enclosure floor can be at any elevation as long as it is above the outside finished grade.
    - b. enclosure must have a mud slab.
    - c. requires approved Flood Vents (must be placed no greater than 1 ft. above outside finished grade. Approved flood vents allow passage of a 3 inch sphere during flood events without electrical or human intervention.)
  4. Pilings and/or Pillars (based on soil conditions)
    - a. if the area below is enclosed, then collapsible skirting or flood venting is required

If or when Flooding occurs, please contact the Flood Plain Director (260-636-2215) to access damage to home or structure. You may be eligible for Increased Cost of Compliance Grant (ICC Grant).

**The landowner is encouraged to contact their Insurance Company regarding type of construction to be performed prior to building or elevating their structure. Premiums may vary due to type of construction.**

Frequently Asked Questions

**Q. Why can't we remove the logs and trees that are down in the river?**

**A.** Trees can be removed from the stream. There are defined processes that can be used but permission of the land owner is required for any process. However, trees in the stream were not found to be contributing significantly to the West Lakes flooding problems. Trees in the water downstream of Cosperville were found to have little if any impact on water levels at West Lakes. However, a significant amount of resources have been directed toward debris removal downstream of Cosperville. If flooding on West Lakes is the primary concern, resources should be focused on items that can impact water levels for that system. Some trees in the water along the edges of the stream add significant and important habitat and can help to protect the stream banks. Often minor removal and repositioning of the tree can and has improved the stream.

**Q. Why did the Silver Jackets Report not mention farm drainage, tiles and ditches and their impact on flooding and water quality?**

**A.** Farm drainage was not singled out as a land use activity. Rather it is a component of the watershed that needs to be addressed on a watershed level.

Farm drainage can be divided into two drainage components and further divided into two downstream water resource issues. The two drainage components are field tile and drainage ditches. The two downstream water resource issues are discharge water quantity and quality. Farm drainage as associated with increased flood stages was well beyond the scope of the report. Anything that decreased upland storage or retention time could increase flood crest height and decrease flood duration. Therefore anything that decreases upland storage would decrease flood attenuation. However, the report shows that in this basin, flood attenuation appears relatively strong, and considerable upland storage appears to still be in the operation to various degrees. The water quality component is a recommendation for further study. The report encourages the implementation of Best Management Practices, BMPs, for various drainage related activities for the entire watershed. Impacts to water resources related to a variety of land use activities use should decrease as BMP implementation increases.

**Q. Who operates the outlet works on the other lakes in the watershed?**

See Chapter 4:

**A.** Only limited operation exists for a few of the outlet structures in the watershed. Three lake outlet structures in the watershed have removal boards or stop logs. These are West Lakes, Indian Lakes, and Oliver Lakes. In each case the lake association serves as the operator, but these lakes do not have a seasonal adjusted level, therefore removing the stop logs from the structures is of limited value. Sylvan Lake Dam is often thought of as operable, but in fact is only operable in the most extreme conditions to prevent failure of the large embankment dam. The operable component is the large tainter gate. Operation of the gate for release of water has not occurred. Some other lakes in the watershed have fixed crest weirs without any mechanism for operation.

**Q. Why did the Silver Jackets report not mention the farm bridge upstream of Cosperville?**

**A.** The farm bridge is shown on figures in chapter 2. The bridge was not observed as problematic for the seasonal flood events. However, this structure had been replaced without permits. The farm bridge was under review for regulatory action at the time of data compilation for the report. It was determined that modification to the bridge would be a regulatory requirement should analysis show a decrease in capacity associated with the structure. It was therefore determined that, as for the report, the farm bridge would not cause a water level problem for West Lakes that would require the attention of the local steering committee.

**Q. Will sediment filling my lake increase the flood levels?**

**A.** Sediment filling of a portion of the lake was not addressed directly in the report. Sediment is a water quality issue and should be discussed as a component of monitoring by the local citizens. Once again implementation of BMPs in the watershed should help to decrease the problem. Sediment filling the lake, simply displacing water, will not increase flooding as long as the sediment level is at or below the normal level for the lake.

**Q. What is a 100-year flood? Will I only see one every 100 years?**

**A.** The term "100-year flood" is a statistical designation and is a way to categorize the size of a flood. There is a 1-in-100 chance (or a 1-percent chance) that a 100-year flood will happen during any year. A better term might be the "1-in-100 chance flood."

Scientists collect data and study past floods to get a minimum of 10 years of information about a river; a longer record provides a better estimate of the "1-in-100 chance flood." Scientists use statistics and observe how frequently different sizes of floods occur, and the average number of years between them, to determine the probability that a flood of any given size will be equaled or exceeded during any year.

The actual number of years between floods of any given size varies. Floods designated as 100-year floods

happen irregularly because the climate naturally varies over the years. As more data are collected, or when a river basin is altered in a way that affects the flow of water in the river, scientists re-evaluate the frequency of flooding. Dams and urban development are examples of some manmade changes in a basin that affect floods. The above information consists of excerpts from: USGS Fact Sheet 229-96, The "100-Year Flood," by Karen Dinicola, <http://water.usgs.gov/pubs/fs/FS-229-96/>

**Q. When is a structure eligible for an Increased Cost of Compliance (ICC) claim under a flood insurance policy?**

**A.** A structure can be eligible in two situations – either because of substantial damage by flood or when a structure has been determined to be a repetitive loss structure. For substantial damage, conditions include that the building must be located in a special flood hazard area, the community (local floodplain administrator) determines the cost of restoring the flood-damaged building to its before damaged condition equals or exceeds 50 percent of the market value of the building before the damage occurred and requires the building to comply with local floodplain management ordinances. For repetitive loss, conditions require that there be flood-related damages on two occasions during a 10 year period in which the cost of repair for each flood event, on the average, equaled or exceeded 25 percent of the market value of the building before the damage occurred. Additionally, the community must adopt and enforce a repetitive loss provision or a cumulative substantial damage provision requiring action by the property owner to comply with floodplain management laws or ordinances; and the building must have a history of claims payments that satisfy the statutory definition of repetitive loss structure. (The decision to adopt a repetitive loss provision is voluntary and not all communities have adopted this provision.)

**Q. How soon must an elevation project be completed when you are using Increased Cost of Compliance (ICC) funds?**

**A.** Under the ICC coverage, the building must be elevated as soon as reasonably possible. The timeframe must not exceed 2 years from the date of the substantial damage or repetitive loss declaration which is done by the local floodplain administrator.

**Q. Can I get flood insurance if I'm not in a flood hazard area?**

**A.** If your home is located in a community that participates in the National Flood Insurance Program (NFIP), you can obtain flood insurance regardless of flood zone. Inexpensive Preferred Risk Policies are available in low-moderate risk flood zones. All the communities in the North Branch Elkhart River Basin (West Lakes Chain) area participate in the NFIP.