

2.0 Floodplain Management and Drainage Alterations

2.1 Policy

It is the policy of the Board of Managers to ensure the preservation of the natural function of floodplains as floodwater storage areas and to maintain no net loss of floodplain storage in order to accommodate 100-year flood storage volumes. The District will seek to maximize upstream storage and infiltration of floodwaters.

2.2 Regulation

A permit shall be required for:

- 2.2.1 Any alteration or filling of land below the District's 100-year flood elevation of Nine Mile Creek or another water body in the watershed.
- 2.2.2 Any alteration of surface water flows below the 100-year flood elevation by changing land contours, diverting or obstructing surface or channel flow, or creating a basin outlet.

2.3 Criteria for floodplain and drainage alterations

- 2.3.1 The low floor elevation of all new and reconstructed structures shall be constructed at a minimum of two feet above the 100-year flood elevation for the creek or water body. Within landlocked basins, the low floor elevation of all new and reconstructed structures shall be constructed at an elevation one foot above the surface overflow elevation or the calculated high water level from back-to-back 100-year, 24-hour storm events or the 100-year, 10-day snowmelt, whichever is higher. Low floor elevations must also comply with Stormwater Rule 4.3.2.
- 2.3.2 Placement of fill below the 100-year flood elevation is prohibited unless fully compensatory storage at the same elevation (+/- 1 foot) and within the floodplain of the same water body is provided. Creation of floodplain storage capacity to offset fill must occur within the original permit term. If offsetting storage capacity will be provided off site, it shall be created before any floodplain filling for the project will be allowed.
- 2.3.3 The District shall issue a permit to alter surface flows only if it finds that the alteration will not have an adverse impact on any

upstream or downstream landowner and will not adversely affect flood risk, basin or channel stability, groundwater hydrology, stream base flow, water quality or aquatic or riparian habitat.

- 2.3.4 No structure may be placed, constructed or reconstructed and no surface may be paved within 50 feet of the centerline of any water course, except that this provision does not apply to:
- a Bridges, culverts and other structures and associated impervious surface regulated under Rule 6.0;
 - b Trails 10 feet wide or less, designed primarily for nonmotorized use.

2.4 Required information and exhibits

The following exhibits shall accompany the permit application; one full-size set (22 inches by 34 inches), one set reduced to a maximum of 11 inches by 17 inches, and one set as electronic files in a format acceptable to the District:

- 2.4.1 Site plan showing property lines, delineation of the work area, existing elevation contours of the work area, ordinary high water level or normal water elevation and 100-year flood elevation. All elevations must be reduced to NGVD (1929 datum).
- 2.4.2 Grading plan showing any proposed elevation changes.
- 2.4.3 Preliminary plat of any proposed land development.
- 2.4.4 Determination by a licensed civil engineer or registered qualified hydrologist of the 100-year flood elevation for the parcel before and after the project.
- 2.4.5 Computation by a professional engineer of cut, fill and change in water storage capacity resulting from proposed grading.
- 2.4.6 Erosion-control plan.
- 2.4.7 Soil boring results, if requested by the District engineer.
- 2.4.8 Documentation that drainage and flowage easements over all land below the 100-year flood elevation have been conveyed to the municipality with jurisdiction and recorded. For public entities, this requirement may be satisfied by a written agreement executed with the District in lieu of a recorded document; the agreement shall state that if the land within the 100-year floodplain is conveyed, the public body shall require the buyer to comply with this subsection.

2.5 Exceptions

No floodplain and drainage permit from the District is required:

2.5.1 For construction or reconstruction of a single-family home, unless any portion of the parcel is

- a Within 300 feet of the centerline of Nine Mile Creek;
- b Within 500 feet of the ordinary high water level of any other water body; or
- c Below the 100-year flood elevation.

2.5.2 If all of the following conditions exist:

- a The 100-year flood elevation of a waterbasin is entirely within a municipality;
- b the waterbasin is landlocked;
- c the municipality has adopted a floodplain ordinance regulating floodplain encroachment; and
- d the proposed project is entirely within the drainage area of the waterbasin.