AN AGREEMENT

FEDERAL GOVERNMENT
makes subsidized
flood insurance available
within the community

LOCAL COMMUNITIES
adopt and enforce floodplain
regulations that meet FEMA
requirements
(VOLUNTARY)
Traci,

Here are copies of the letter my mom wrote to her aunt and uncle following the flood of 6/17/1950, here in Harlowton. The pictures are of her parents' property a mile and a half north of town on the Old Gap Road. The house was moved into Harlo and we now live in it. My son and I still own the property north of town. According to her brother and Dad, the wall of water -9 feet high at the barn- came down Alkali Creek to start with as 9 earth dams breeched with the downpour. Our son has added to the bunkhouse and now lives in it. After the flood, it was moved to higher ground.

Hope you might find a use for these.

Happy Thanksgiving to all of your crew!

Rich and Sue Knudson
'Neighborhood should have not been built': Homeowners file lawsuit against developer after flooding issues

Harvey Wasn't Just Bad Weather. It Was Bad City Planning

Houston exulted in sprawling, hands-off growth. That's no way to prepare for natural catastrophes.
Example Permit Application Request - Background Information

- Tongue River residential home
  - Pre-FIRM – built in 1972
  - Mapped into floodplain in 2010 with new study
  - Since 2010 – entire home is located in AE Zone Floodway

- In 2017, the homeowner submits floodplain application to:
  - Add an addition to the house – one bedroom and additional bathroom
  - Proposed elevation of addition same as existing house

- Permit was denied because:
  - Existing code allows no new structures in floodway
  - Existing code requires New construction or substantial improvement of any residential structure ...... lowest level of floor is at two feet above the base flood elevation

Variances

The existing residential structure is one foot below the Base Flood Elevation (BFE)
**Variances**

- **Proposed variances from must show the following:**
  - Good and Sufficient cause is shown
  - An exceptional hardship to the applicant exists
  - The variance provides the minimum necessary action to afford relief
  - The variance will not increase flood heights, cause additional threats to public safety, cause extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with local laws or ordinances.
  - If a variance is granted, the community must maintain a record of all variances
  - Variances are for floodplain management purposes only and could significantly affect insurance premium rates on affected structures.

**BEST ADVICE TO DECISION MAKING BOARDS – DON’T GRANT THESE VARIANCES UNLESS ABSOLUTELY NECESSARY**
Mitigation and Recovery

• Systematic and inclusive
• Leadership and unity of effort
• Pre-disaster & post-disaster recovery planning

• Keys to Recovery Success
  • Act quickly
  • Actively plan
  • Engage the community
  • Develop partnerships, networks and effective coordination strategies
Basic Enforcement Process

- Right to inspection (inspection of work in progress)
- Stop work order
- Revocation of permit
- Right to periodic inspection
- Violations to be corrected
- Actions in event of failure to take corrective actions
- Order to take corrective actions
- Appeal
- Failure to comply
- Section 1316
How is Section 1316 used?

• Intended for use primarily as a backup for local enforcement actions (i.e., if a community could not force compliance through the enforcement mechanisms in its regulations, it could use Section 1316 as additional leverage)

• Not intended merely as a mechanism to remove bad risks from the policy base

• Section 1316 will only be implemented in instances where States or communities submit declarations specifically for that purpose.
Managing principle focused on the impact on others

- Protects property rights—ensures action of any property owner does not adversely impact the property rights of others
- Leads to reduced flood losses while promoting better stewardship and community mitigation efforts
- Prevention of harm is treated different legally than making the community a better place—tougher to challenge in court
Thank you!

- Traci Sears
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