

Floodplain Management: New York State Role

- Establish development/building standards
 - State building code
 - Model local law for flood damage prevention
- Provide technical assistance to local communities/agencies
- Under contract with FEMA, evaluate and document community/agency floodplain management activities



New York State Role

- Article 36
 - DEC is the State Coordinating Agency to assist in its review of state agency activities and serve as a resource to local governments
 - DEC shall cooperate with the federal government (FEMA) in the enforcement of sanctions



NY State Role: NYCRR Part 502

- Floodplain Management Criteria for State Projects
 - Undertaking or activity, including financing thereof, or the authorization of such activity on State-owned lands
 - Must meet all of the floodplain management criteria specified by FEMA
 - DEC does not have permitting authority, but has variance granting authority
 - DEC provides technical assistance



Local Role

- Adopt local floodplain management laws in compliance with federal/state laws
- Issue or deny development/building permits
- Inspect development and maintain records



Who Must Get Local Floodplain Development Permits

- Private Developers
- Counties
- Cities, Towns or Villages
- School Districts
- Public Improvement Districts

Established by Section 36-0107 of
Environmental Conservation Law



Can More be Done?



Can More be Done?

- Higher than Minimum Standards
- Residual Risk
- Stormwater Management
- Improved Mapping and Future Conditions Mapping
- Risky Development is not Economic Development!



Higher Than Minimum Standards

- DEC has developed Optional Language
- Higher than minimum standards can increase safety, decrease flood insurance rates, and provide the community with points in the Community Rating System (CRS)



Higher than Minimum Standards: Examples

- Freeboard
- Cumulative Damage or Improvement
- Compensatory Storage
- Other hazard zones: e.g., levee protected areas or areas below dams
- Critical Facilities

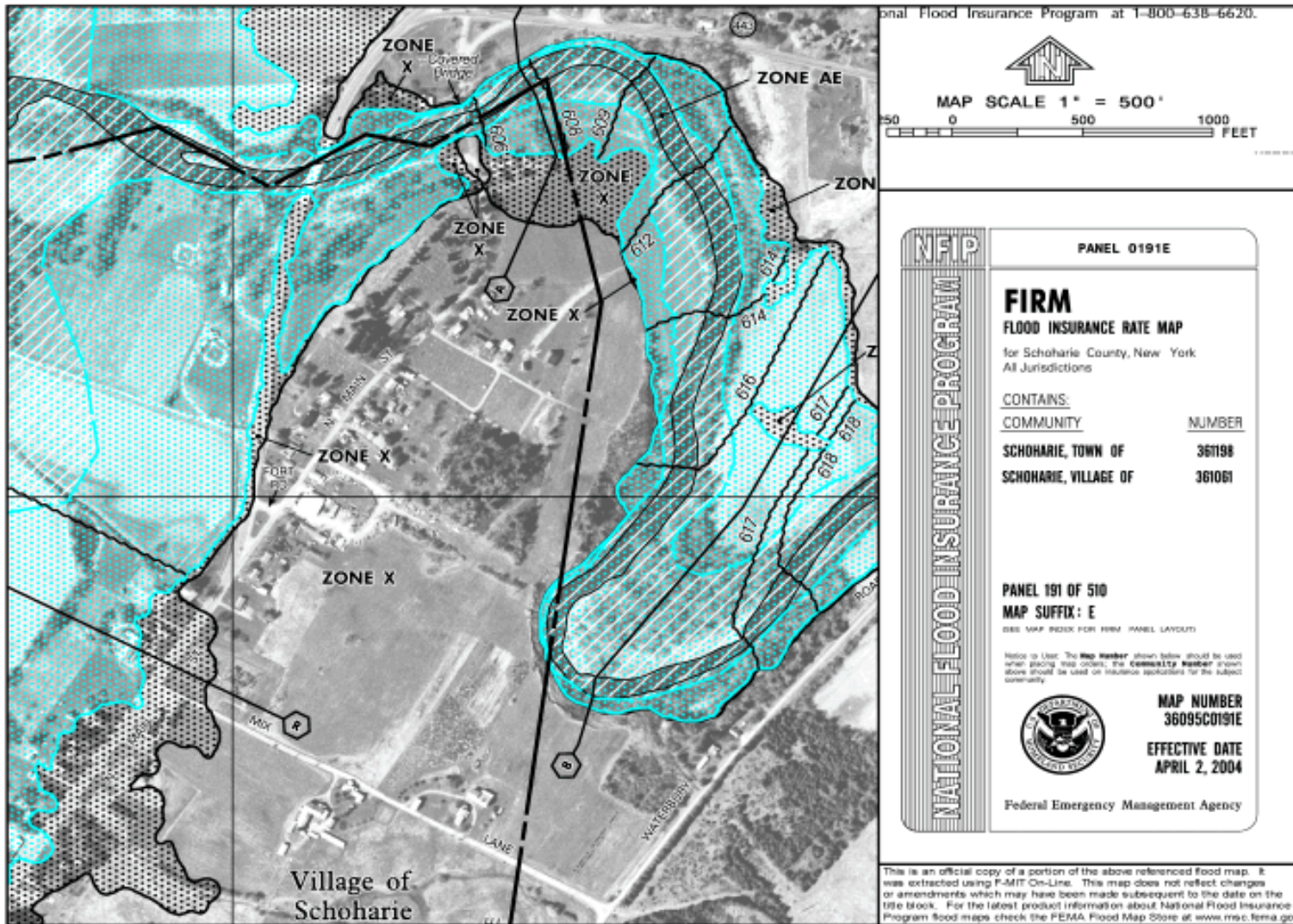


New York State Building Code

- Incorporates much of ICC
- Adds 2' Freeboard in Residential Code
- Requires Additions to be elevated even if not Substantial Improvements
- Flood vents must be at least 3" in diameter
- Elevation Certificates Required



Floodplain Mapping is Key



Mapping Needs: State-Wide

- 48,642 Square Miles
- 8,938 Map Panels
- 7,932 Detailed Stream/Shore Miles
- 18,401 Approximate Stream/Shore Miles
- 1,471 Communities
- 57 Counties plus NYC



Mapping Needs

- Topo: \$400/Square Mile (\$19.4 Million)
- Base Map Acquisition: \$550/Panel (\$4.9 million, already funded)
- Map Production: \$1550/Panel (\$13.8 Million)
- Detailed Study Costs: \$14,000/Mile (\$120 million)
- Approximate Study Costs: \$600/Mile (\$11 million)
- **Maximum Mapping Need = \$169 Million**



Realistic Mapping Need

Excludes Topo and Base Map

- All Counties
 - Maximum: \$148 Million
 - Minimum: \$37 Million
 - Planning Need: \$93 Million
- Remaining Counties
 - Maximum: \$68 Million
 - Minimum: \$21 Million
 - Planning Need: \$48 Million



Floodplain Mapping in Delaware Basin

- Preliminary Flood Maps under Development
 - Sullivan County and Delaware Counties: 4/09
 - Orange County Preliminary maps are complete
 - NYC Watersheds: DEP negotiating detailed mapping with FEMA
- Mapping does not include all stream segments



Concerns and Suggestions

- Levee Certification
- More Local Assistance Needed, Particularly Small Communities
- Protect and Enhance Floodways
- Use DFIRMs for Mitigation Planning
- Take advantage of FEMA/SEMO Mitigation Programs

